

# Equality Mainstreaming Report 2021-23

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## Message from the Crown Agent- John Logue

I am delighted to introduce the Crown Office and Procurator Fiscal Service's (COPFS) sixth Equality Mainstreaming report which I very much hope will provide reassurance that we continue to adopt a strategic approach to our work. We have focused on a sustainable framework which seeks to promote equality for all members of our workforce and the diverse communities we serve. I hope it will also provide you with an assurance that COPFS is an inclusive employer and that we remain firmly committed to advancing equality across Scotland for all those requiring of our services.

Our role requires us to act fairly and without bias at all times and we remain fully committed to fulfilling our duties under the Equality Act 2010 as both prosecutors and as employers.

Our current [Equality Outcomes](#), published in April 2021, were designed to demonstrate the importance of equality in our service delivery; in the continued development of our workforce; in recruitment and profile; in our collaborative working and in the development of our policies and practice. This report will provide you with an update on the actions we took between April 2021 and April 2023 to meet our current equality outcomes.

When we introduced an additional equality outcome in 2017 based on collaborative working, we recognised at that time the importance of fostering constructive working relationships not only with our justice partners, but with a wide variety of government agencies, local authorities, community groups, educational establishments and other third sector organisations to advance equality and inclusion. We have continued to work with them to ensure that equality and inclusion has been fully considered and promoted throughout all our partnership working to retain, restore and recover our services post pandemic.

I am delighted with our ongoing partnership working with I AM ME Scotland, a multi-award winning registered charity which we are represented on their Board of Trustees and which is focused on raising awareness of disability hate crime and keeping vulnerable people safe in their communities. I am pleased that COPFS has been able to contribute to their initiatives including the continued promotion of 17 of our offices as Keep Safe premises.

We remain committed to obtaining external evaluation of our efforts to promote equality, diversity and inclusion. Since the introduction of the Equality Act (2010), we have received national recognition for our work from organisations including enei (Employers Network for Equality and Inclusion) and Carer Positive Scotland. In 2022, we retained our Silver Standard Award in the enei TIDE (Talent Inclusion and Diversity Evaluation) benchmarking process.

I am proud that we managed to maintain our fledgling staff Equality Awards, introduced only in 2019, throughout the challenging post-pandemic period. Following a successful launch at that year's staff Equality Conference, we faced immediate uncertainty in 2020 when we were unable to meet in person but we overcame this challenge with an on-line conference event and now have a tradition of annual Equality Awards.

There are seven Equality awards, which recognise the achievements of the many colleagues who go out of their way to promote equality within COPFS and also work to foster good relations between our staff and the diverse communities we serve.

It was also a cause for celebration this year when we witnessed the number of our staff volunteering to become Equality Ambassadors expand to 100. These staff promote a truly diverse range of characteristics and provide important and insightful personal mentoring to our senior staff and also essential quality assurance in the review and development of our policies and practices. As someone who has engaged regularly in our two-way mentoring programme, I can truly say that I have gained many valuable insights from our ambassadors and have a far greater appreciation of the challenges they face from being under-represented, misunderstood, stereotyped and all too often discriminated against in society.

I am delighted also that we have also managed to continue in our efforts to help educate young people on equality through our National Public Speaking Competition which began as a Glasgow based competition in 2012 and is now a national event. Secondary students from across Scotland are committed to focus on topics of equality and inclusion whilst introducing them to the possibility of a career in criminal justice.

We recognise that young people do not all have an equal understanding of, or access to, the opportunities of a career within criminal justice and so we also continue to support a wide range of Career Fair events at schools with the same focus on encouraging students from a diverse range of communities to consider a future career with COPFS.

We recognise the many challenges faced by our colleagues post-pandemic and have supported them to work in ways that meet their unique personal needs, including the technology to work from home and the flexibility to work within a timeframe suitable to them. We have maintained a strong focus on mental health, with a growing employee Mental Health network which has provided a wide variety of activities to support staff adapting to hybrid working arrangements.

I would like to thank all COPFS colleagues, justice partners, community groups and organisations who have contributed to our progress thus far and for their ongoing commitment to further improvement in the future.

I would also like to take this opportunity to express my gratitude to Carol Burt, founder of I AM ME Scotland. Carol has kindly agreed to provide the Foreword for this year's report and she has also given COPFS the opportunity of working in partnership with her ground-breaking charity which has done so much to raise awareness of the impact of disability hate crime and to keep vulnerable members of the public safe, supported and protected.

I hope you will find reassurance in this report of our ongoing commitment to equality, diversity and inclusion. If you would like to learn more about the prosecution service, please look at the COPFS [website](#) for additional information about who we are and what we do.

Our aim is to make Scotland a fairer and more just society. If you would like to work with us to achieve this then please get in touch. We would be very happy to hear from you.

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**John Logue** Crown Agent

April 2023

## **Foreword - Carol Burt, I AM ME Scotland**

I Am Me Scotland is a community based charity, working across Scotland to change attitudes and behaviours so that disabled and vulnerable people can feel safe in their communities. We have had the pleasure of working in partnership with COPFS since 2013.

During this time, there has been a continuous commitment from the Crown Office to eliminate unlawful discrimination, harassment and victimisation. This has been evidenced through a wide range of work, including supporting Keep Safe, a national initiative that works directly with communities to create a network of safe places where anyone can seek refuge if they have been a victim of crime, or if they feel threatened or vulnerable when out in the community.

Although our collaborative work has mainly focussed on the protection of disabled and vulnerable people, we have also worked with COPFS on educational programmes that aim to tackle all forms of hate crime within Scotland. Most recently, COPFS co-produced an education pack 'You Judge!' in partnership with I Am Me and Police Scotland. This is an inclusive and interactive resource for schools to use, highlighting the impact and consequences of hate crime in Scotland.

Alongside their extensive community collaborations, COPFS have also evidenced an internal commitment to support equality and diversity across the workforce with the development of 12 employee equality networks. These networks play a vital role in developing links with locally based communities and encouraging employees to help address local issues and promote social responsibility and inclusiveness. COPFS also have a team of 100 national Equality Ambassadors, representing all the protected characteristics under the Equality Act (2010), who provide advice to colleagues when dealing with victims and witnesses, enabling a more holistic and supportive service.

It is hugely encouraging to see the outstanding level of commitment from COPFS to support our communities, not only in preventing crime from happening in the first place, but also the commitment to support people through the criminal justice system with a desire to ensure that justice is served.

COPFS also recognises that the needs of communities continually change and that organisations themselves must change and re-develop services to support these changes. The commitment to improve is evidenced throughout this document and we will look forward to working alongside COPFS, to support change and improvement. In

particular, we will continue to work together to explore whether the information collected during the reporting process is sufficient to ensure victims can be best supported through the criminal justice system.

It is recognised that some changes are systemic, overlapping across multi agencies. These areas of work can take time to review, transform and improve. We are confident however that COPFS will continue to push these issues on national agendas and continue to seek change that better supports victims and witnesses of crime, across Scotland.

We look forward to continuing our journey with COPFS and we wholly support the commitment to ensuring that Scotland can be a safe place for everyone.

Carol Burt-Wilson (MBE)  
Charity Manager / Founder  
I Am Me Scotland

## **Introduction**

### **About COPFS**

The Crown Office and Procurator Fiscal Service (COPFS) is Scotland's independent public prosecution and death investigation authority.

We receive reports about crimes from the police and other reporting agencies and decide what action to take, in the public interest, including whether to prosecute. We also examine deaths that need further explanation and investigate allegations of criminal conduct by police officers.

We play a pivotal role in the justice system, working with others to make Scotland safer from crime, disorder, and danger. By investigating and prosecuting crime in terms of our [Prosecution Code](#), we ensure that those responsible are identified, and held accountable. By investigating deaths, we ensure that appropriate lessons are learned with a view to reducing the incidence of avoidable deaths.

We act to uphold the rule of law independently, robustly, fairly and effectively.

The Lord Advocate, Dorothy Bain KC, is head of the systems for the prosecution of crime and investigation of deaths in Scotland, functions which are exercised independently of any other person. As such, the Lord Advocate has Ministerial responsibility for the work of COPFS. She is assisted in this work by the Solicitor General for Scotland, Ruth Charteris KC, who is also a minister in the Scottish Government.

The Crown Agent, John Logue, is the head of the Service and also performs the roles of chief executive and legal advisor to the Lord Advocate in respect of the Service's work.

The public interest is at the heart of all we do as independent prosecutors. We consider the diverse needs of victims, witnesses, bereaved relatives, protected communities, and the rights of those accused of crime.

We respect the European Convention on Human Rights and the public sector equality duty in the Equality Act (2010) in all areas of our work. Through our published [Equality Outcomes](#), we demonstrate the importance of equality in service delivery, staff development, recruitment and profile and in the development of our policies and practice.

Details about our leadership and organisational structure are contained in Annex A.

### **Our responsibilities as a public authority**

This Equality and Inclusion Mainstreaming Report provides an update on progress made against our [2021 - 2025](#) set of Equality Outcomes. It will show how COPFS is working to embed equality, diversity and inclusion throughout our organisation and meet our responsibilities as a public authority.

The goal of creating a fairer society where everyone can participate and fulfil their potential is protected by law. As set out in the Equality Act (2010), all public sector organisations have a duty to pay "due regard" to the need to:

- Eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by the Act
- Advance equality of opportunity between people who share a protected characteristic and those who do not
- Foster good relations between people who share a relevant protected characteristic and those who do not.

As a public authority led by a Scottish Minister (the Lord Advocate) COPFS must also comply with the Specific Duties (Scotland) Regulations 2012. COPFS also has a duty to:

- publish a biennial report on progress on mainstreaming the general equality duty
- publish a set of equality outcomes every four years
- make equality impact assessments and review policies, procedures, and practices
- annually gather and use employee information
- publish gender pay gap information every two years
- publish statements on equal pay and occupational segregation every four years, specifically in relation to sex, disability, and race
- consider award criteria and conditions in relation to public procurement
- publish information in a manner that is accessible
- consider other matters, as specified by Scottish Ministers
- (since 2016), publish diversity information on Board level membership.

## **Our approach to mainstreaming**

Equality and inclusion underpin all that we do at COPFS. It is integral to our approach to our work and provides context for our decision-making. Our employees lead our equality and inclusion agenda in line with our organisation's core values of respect and professionalism.

Our work on equality and inclusion is supported by a range of internal staff networks lead by equality ambassadors representing a range of protected characteristics across the country. This structure is supported by our senior management who regularly engage in both internal and external initiatives.

## **Leadership on equality and inclusion**

Our strategic direction in respect of equality and inclusion is set by the Equality Board, which is chaired by Stephen McGowan, Deputy Crown Agent, and includes representatives from all aspects of the organisation.

Delivery is led by our Equality Champion, Ruth McQuaid, Deputy Crown Agent, supported by 12 staff network leads, 100 National Equality Ambassadors representing specific protected characteristics and six Sheriffdom Equality Network leads, each of whom is responsible for organising and co-ordinating local equality engagement.

Our Equality Champion is a member of the Scottish Government's Hate Crime Strategic Partnership Group, which includes senior representatives from our Justice partners and key stakeholder groups, all of whom are working towards delivering shared justice equality objectives around hate crime and prejudice. Ruth also represents COPFS as a Trustee on the Board of I AM ME Scotland.

## **Our staff**

Employees from around the country, often with an interest or expertise in a particular area of equality and inclusion, are members of our Sheriffdom Equality Networks, which have been set up in each of the six Sheriffdom areas. These are:

- Glasgow and Strathkelvin
- Grampian, Highland and Islands

- Lothian and Borders
- North Strathclyde
- South Strathclyde, Dumfries and Galloway
- Tayside, Central and Fife

These networks play a vital role in developing links with locally based communities and encouraging employees to help address local issues and promote social responsibility and inclusiveness.

COPFS currently has 12 employee networks:

- Disability Action Network - a community for members to share information and provide insight to all employees about living with a disability and to advance disability friendly practices within COPFS.
- Proud in COPFS - a network supporting lesbian, gay, bisexual, transgender and intersex (LGBT+) employees as well as parents and carers of LGBT+ children.
- Believe in COPFS - a network for employees to discuss and consider faith and belief issues.
- COPFS Carers Network - supporting employees who have caring responsibilities.
- COPFS Mental Health Network - supports employees with mental health conditions by raising awareness of and signposting to support mechanisms.
- Inclusion in COPFS - supports employees from Black, Asian and minority ethnic communities and raises awareness of race and cultural issues.
- Gender Equality Network - a network for employees to discuss and consider gender issues
- Neurodiversity Support Network - provides advice and guidance on all aspects of neurodiversity including autism, ADHD, epilepsy and dyslexia for employees who experience these conditions or who are parents or carers of someone who does.
- Menopause Network - provides advice and support for those going through any stage of menopause, from learning about it to managing symptoms.
- Lifelong Learning Network - offers support and encouragement to employees considering further education options, including information on funding and balancing work, life and study demands.
- Bereavement Support Group -to support employees and their managers through their grief journey - from initial bereavement and onwards; to normalise discussion of bereavement and grief in the workplace by creating a safe place to chat.
- Living with Chronic Pain Support Group - supports employees living with both chronic and acute pain and helps to raise awareness of the impact of pain on a person's life.

All 12 networks are actively involved in advancing the equality strategy in COPFS and contribute to the equality impact assessment process for new policies and procedures.

COPFS also has a team of 100 national Equality Ambassadors, representing all the protected characteristics under the Equality Act (2010) and specific elements within those characteristics. As well as representing employees, all Equality Ambassadors engage with a variety of external groups throughout Scotland, and provide advice to colleagues when dealing with victims and witnesses, raising awareness of their chosen area and providing advice on issues relating to cases involving those who have a protected characteristic.

Both the Public and Commercial Services Union (PCS) and the First Division Association (FDA) Union for senior managers and professionals in public service support our equality and inclusion work and are represented on our Equality Board.

Connect, the COPFS intranet, provides guidance on equality and inclusion, from both a personal and a professional perspective, and has an extensive employee forum area with sections on equality information and dedicated pages for all of our staff networks.

## **Progress against our Equality Outcomes for 2021 - 2023**

This is our 6<sup>th</sup> mainstreaming report and fulfils our reporting requirements under the Scottish specific duties. Our employee and gender pay gap information is published in Annex B of this document.



## **Equality Outcome 1 - Raising awareness**

People who live or work in Scotland are aware of the role of the prosecution service in the Scottish criminal justice system.

### **Our aim**

To raise awareness of COPFS' roles, responsibilities and commitment to the promotion and advancement of equality within the Scottish criminal justice sector.

### **Outcomes**

In the most recent Scottish Crime and Justice Survey (published in March 2021), 73% of all adults surveyed had heard of COPFS but were not always sure about its role. Younger adults were less likely to have heard of COPFS – only 48% of 16-24 years old compared to 87% of 45-59 years old.

Of those adults who were aware of COPFS, 71% correctly identified our role in the investigation and prosecution of crime, but only 48% were aware of our role in investigating sudden and unexplained deaths.

Of more concern is the number of people who thought that COPFS decided on sentences for those found guilty of crime (47%) while 41% thought that COPFS represented the victims of crime in court. Clearly these are areas where much more public messaging is required.

In the 2020 Scottish Household Survey (published in January 2022), 72% of adults reported that they trust the Justice System while 87% of adults trust Police Scotland.

Over the last two years, COPFS has welcomed an additional number of equality ambassadors and currently has 100 staff members fulfilling this role, representing a protected characteristic or an aspect of a protected characteristic.

We now have ambassadors representing age, gender, pregnancy and maternity, faith communities, race and Asian communities, Jewish community, LGB, transgender, Travelling Community, care experience, various aspects of Disability including migraine and epilepsy, hearing and sight impairment, mental health and neurodiversity, menopause, carer, refugees and asylum seekers, and they each have a role in reaching out to community groups as a point of contact.

Much of what we do is focused on working with communities and in schools in order to raise awareness of our roles and responsibilities as Scotland's prosecution service and to highlight the implications of offensive behaviour as part of our prevention efforts.

In 2022 we worked with Police Scotland and the charity I AM ME Scotland to produce You Judge! a series of five videos depicting hate crime scenarios as an interactive educational resource for S3 students and above. The videos were designed to educate young people about the impact of hate crime, both on victims and perpetrators, and the journey through the Scottish criminal justice system. The videos are available on the I AM ME Scotland educational platform.

Other work with schools and colleges include mock-trials, which allow students to experience the court process in a safe environment, and our National Public Speaking Competition, which aims to raise the level of public debate in secondary schools on equality and inclusion issues. The number of schools participating in the national competition has risen from 12 in 2014 to 57 in 2023. In fact, 89 teams took part in 2023. The grand final is held in June of each year at Parliament House and is chaired by the Lord Advocate.

During Covid-19 restrictions, the 2021 competition was run online. The use of video conferencing technology has enabled more schools from geographically distant parts of the country to take part in the competition.

COPFS uses Twitter to provide updates about the competition. For the 2022 competition, there were 53,958 impressions and 1586 engagements on the updates we shared for the national heats and finals.

The Keep Safe Ambassador Programme, developed in partnership with I AM ME Scotland, Police Scotland and COPFS, offers young people the opportunity to become Keep Safe Ambassadors within both their school and the wider community is still continuing with over 1000 Keep Safe Ambassadors trained across Scotland and nearly 500 in active service. Training encourages young people to recognise bullying and harassment and enables them to report incidents safely. The programme is open to young people in Scotland aged 14-18 years.

As of April 2023, 17 COPFS offices and 37 SCTS buildings are members of the Keep Safe programme.

We continue to attend Pride events across Scotland to promote awareness of our role in prosecuting LGBT+ related hate crime. Employees also engage with local schools, colleges, and community groups to raise awareness of the effects of hate crime, both on victims and their communities but also for potential offenders, by highlighting the life consequences of having a criminal record on future work opportunities.

Our employees meet directly with representatives of Scotland's diverse communities, such as Epilepsy Scotland, Scottish Trans Alliance, and the Scottish Council of Jewish Communities (SCoJeC), so that meaningful stakeholder engagement can take place.

By continuing our longstanding engagement with specific communities, we continue to focus on breaking down barriers and providing reassurance that we serve all the communities in Scotland. In the most recent Scottish Crime and Justice survey (March 2021), 75% of respondents thought that "everyone has access to the justice system if they needed it" while 77% of respondents were confident that "the system allows all those accused of crimes to get a fair trial."

The Law Officers make regular use of national media to publicise the COPFS approach to matters relating to criminal justice and equality. We also publicise attendance at events and show support for national and international days such as International Women's Day and LGBT History Month and other latest news on our official COPFS [website](#) and Twitter account '@COPFS'.

We have recently published our [Strategic Plan](#) for 2023 - 2027 where we set out the Law Officers vision for the services that COPFS provides. However this report is a review of activity during 2021 - 2023, which is covered by our previous [Strategic Plan](#), which described our priorities over the period 2020- 2023. These are set against the backdrop of legal reforms, both past and planned, changes in the patterns of criminal behaviour, recovery from the Covid-19 pandemic and developments in our business practices.

Our goals are:

- Deliver high quality casework - we will secure justice through independent, robust, fair, and effective professional decision-making, case preparation and presentation. We will explain our decisions, be open about our work and conclude our investigations as quickly as possible.
- Support our people - we will build a skilled, engaged, and diverse workforce, invest in staff development, and strengthen our capacity to deliver an improved service.
- Improve our service - will continue to digitise and modernise the way we work, supporting wider reform of the criminal justice system, securing efficient and effective justice, and putting the public at the heart of all we do. We will communicate courteously, promptly, and effectively with victims, witnesses, accused persons and bereaved relatives and deal professionally with enquiries and complaints.

By establishing a service-wide benchmark to monitor changes in customer service, action can now be focused in the areas of work giving rise to the majority of complaints. One area that has been monitored is analysis of complaints received: feedback suggests that COPFS relies too heavily on written communication rather than supporting oral methods of communication.

While there are many examples of good and indeed excellent service, failure to communicate and respond to correspondence is our highest upheld complaint. Consequently, we are taking steps to increase the number of complaints being dealt with by face to face or telephone communication directly with the correspondent.



Our Glasgow Sheriffdom Equality Network staged a mock trial at Glasgow Sheriff Court to highlight racially aggravated crime and how such offences are prosecuted. The event was organised in partnership with Glasgow City Council and Criminal Justice Social Work department. Attendees included members from Glasgow Disability Alliance, Victim Support Scotland, Glasgow Housing Association, NHS Greater Glasgow and Clyde, Scottish Fire and Rescue and police Scotland.

Staff from our Victim information and Advice (VIA) High Court units participated in a placement scheme with Social Work students from Edinburgh University to learn about how we support vulnerable victims and witnesses going through the court process. This included victims of serious sexual offences and assaults as well as murder witnesses and bereaved families.

We continue to forge links with a variety of organisations to raise awareness of the role of the prosecution service and to break down barriers to engaging with us, including considering a career with COPFS.

## **Equality Outcome 2 - Prosecuting crime**

Our employees will act fairly and without bias towards all victims, witnesses, accused persons and bereaved relatives, and be sensitive to individual needs, to ensure that the deaths investigation and prosecution service we provide, delivers an equal opportunity to everyone to access justice.

### **Our aim**

To take a robust approach to the prosecution of hate crime, domestic abuse, and sexual crimes, which will contribute to helping people live lives safe from crime, disorder, and danger

### **Outcomes**

Given the serious impact on victims, families, and communities, COPFS takes a robust approach to the prosecution of such crimes. By giving a high priority to cases such as hate crime, domestic abuse and sexual crime, our aim is to build public confidence and tackle the damaging effects of crime and disorder.

### **Hate Crime**

Hate crime and prejudice threaten community cohesion and have a corrosive impact on Scotland's communities as well as broader society. Hate crime does not affect all communities equally and there is a geographic difference in hate crime rates. People within a given characteristic have wide ranging or individualised experiences of hate crime - and for some people, intersecting characteristics can amplify experiences of prejudice and hate crime.

COPFS publishes an [annual report of all hate crime charges reported by the police](#) in June of each year. The report brings together figures on race crime and on crime motivated by prejudice relating to religion, disability, sexual orientation, and transgender identity.

Compared to the 2020-21 report, the figures for 2021-22 showed that there had been an increase in the number of charges reported for sexual orientation (10%), disability (44%) and trans identity (87%). There had been a decrease in the number of charges reported for religious prejudice (16%), and race (7%).

The proportion of hate crime charges relating to race has decreased from 75% in 2011 to 55% in 2022. During the same time frame, the proportion of hate crime charges relating to sexual orientation has increased from 13% to 32%. This suggests that while overall offending figures have remained relatively constant, at between c.5000 to c.6000 charges each year, the nature of the prejudice reported has changed in the past 11 years

There is no single identifiable reason explaining any of these statistical changes however it is believed that increased public awareness of what constitutes a hate crime, and victims having greater confidence to report incidents, have contributed to the increase in figures.

It should also be noted that crimes relating to racial hatred accounted for 56% of all reported hate crime. Crimes relating to racial hatred have dominated hate crime statistics since records began.

Despite the rise in reported disability hate crime, there is a broad consensus that this form of hate crime continues to be grossly under reported compared to other forms of hate crime. Both Police Scotland and COPFS have worked collaboratively with other justice partners and the Scottish Government on a variety of activities aimed at increasing the level of awareness of disability hate crime and encouraging people to report incidents.

This has especially focused on working with organisations that support people with disabilities, and on encouraging those targeted to report incidents to the police or to use Third Party reporting agencies. The large increase in reported disability charges may be partially due to increased awareness of what constitutes a disability hate crime and of the support available to report such crime.

Prosecution rates for hate crimes remain very high: between 88% for disability related crime to 92% to crimes relating to sexual orientation.

COPFS is a member of the Hate Crime Strategic Partnership Group, chaired by the Minister for Equalities and Older People until March 2023. The key priorities identified by the Group are legislation and guidance, improving data collection and reporting and encouraging reporting of hate crime, including through third party reporting centres.

In March 2021, the Hate Crime and Public Order (Scotland) Bill was passed by the Scottish Parliament and will be enacted in early 2024. COPFS will be involved in efforts to raise awareness of the new offences and will be issuing public guidance about the new legislation.

### **Sexual crime**

Sexual crimes accounted for 5% of all crimes recorded in Scotland in both 2020-21 and 2021-22. There has been a 96% increase in recorded sexual crimes since 2012-13.

The prosecution of sexual offences is complex and challenging. These crimes often occur in private, without the presence of independent witnesses. In addition, forensic opportunities can be lost where the cases reported are historic in nature.

Offences such as these require teams of highly skilled prosecutors and intensive joint working with law enforcement agencies in Scotland, the United Kingdom and abroad.

In December 2021 the Lord Advocate commissioned a review of how prosecutors deal with reports of sexual offences. The team is led by Susanne Tanner KC. This is in recognition of the profound impact that sexual crimes have on victims and on society and the fact that, in recent years, sexual offences account for about 70% of all High Court case work.

The review team has considered the way we investigate and prosecute sexual offences. It has consulted with prosecutors, COPFS staff, police officers, defence lawyers, academics, stakeholder groups such as Rape Crisis Scotland, and people who have been victims of sexual abuse. The work of the review team will conclude in Summer of 2023 and a report submitted to the Lord Advocate in the Autumn. [Further details](#) about this review are available on our public website.

In relation to human trafficking, we work closely with law enforcement and other partner agencies across the UK and Ireland to ensure that all suspected cases are appropriately identified when reports are made to the police. We will continue to ensure that the welfare of victims, witnesses and potential victims of human trafficking are at the heart of our approach to investigating and prosecuting these types of offences. We will continue to ensure that the law is appropriately applied and that the right person is prosecuted for the right crime.

### **Domestic abuse**

Specialist prosecutors for Domestic Abuse and Stalking are in place to oversee these types of cases. They have reviewed policies, practices and training on dealing with such cases as we understand the impact these crimes can have. They are particularly distressing and damaging for victims and their families. Advances have been made in encouraging victims to report such crimes and we aim to continually improve the way these cases are prepared.

The Summary Case Management pilot commenced in September 2022. It is currently operating within Dundee, Hamilton and Paisley Sheriff courts and, in this initial stage, has a particular focus upon domestic abuse casework. This pilot aims to expedite the resolution of cases which will not ultimately be contested. Through a combination of early disclosure of the key evidential material, proactive engagement between the Crown and defence and judicial management of cases at an early stage, the pilot aims to achieve resolution, or confirmation of the issues in dispute before a trial is assigned. In this way, the pilot aims to reduce both the number of unnecessary trials being assigned and the volume of witness citations being issued.

An important part of the Summary Case Management pilot involves prosecutors in Dundee, Hamilton and Paisley trialling a new method of engagement with victims of domestic abuse. This involves direct telephone contact being facilitated by prosecutors in the weeks following the case first calling in court. Where the allegations include a contravention in terms of The Domestic Abuse (Scotland) Act 2018, victims are also offered the opportunity to meet with the prosecutor in advance of the trial.

The Domestic Abuse (Scotland) Act 2018 has now been in force since 1 April 2019. The Act introduces a bespoke offence of engaging in a course of abusive behaviour towards a partner or ex-partner and criminalises patterns of abusive behaviour within the context of a relationship/former relationship, including non-violent coercive and controlling behaviour. The Act also introduced a statutory child aggravation, where an offence involves a child, and new provisions aimed at enhancing victim safety, including enhanced Non - Harassment Order provisions. COPFS continues to monitor the application of this legislation.

The Act recognises that domestic abuse frequently involves patterns of repeated and often long-term abuse and also that it can involve many different types of abuse, which can have a very detrimental, cumulative impact on victims. The new offence reflects the true nature of victim's lived experiences of abuse and provides an effective tool for prosecutors to tackle this behaviour and hold more perpetrators to account.

All prosecutors and case preparers, including Advocate Deputes prosecuting in the High Court, have completed bespoke training and guidance on the new legislation. An e-learning pack remains as a legacy product for the new legislation and includes training on the nature and effect of coercive control on both the victim and also on any children affected by the abuse.

In addition, training provided to prosecutors on domestic abuse has been enhanced and now a number of courses are available including a 3.5 day advanced course - Domestic Abuse Accredited Prosecutors Training, developed in consultation with Safe Lives, the national charity responsible for delivering the Independent Domestic Abuse Advocacy training.

The course includes specialist training for prosecutors on the nature, dynamics, and impact of domestic abuse as well as the legal and evidential considerations involved in prosecuting these cases. One day is entirely facilitated and led by Safe Lives and another half day involves participants job shadowing at an independent specialist advocacy service.

There was a 2% decrease in the total number of domestic abuse charges reported to COPFS between the years 2020-21 and 2021-22. For the year 2021-22, proceedings were taken in 93% of charges compared to 89% of charges in 2017-18.

COPFS understands the physical and emotional effects crime can have on victims and the vital role witnesses play in the criminal justice system. We are committed to meeting their needs, communicating effectively and recognising any equality and inclusion requirements.

The Victims and Witnesses (Scotland) Act 2014 aims to improve the experience of victims and witnesses in the justice system, ensuring they feel safe, supported, and informed. One of the key provisions is that victims and witnesses now have a legal right to ask for information about our decision to take no action in a case and request a review of that decision. This is known as the Victims Right to Review (VRR). The most recent [annual report](#) was published in January 2023.

Where a victim requests a review of a decision not to prosecute or to discontinue a prosecution, we are committed to conducting a full and thorough review of that decision. Any additional relevant material provided by the victim

will be carefully considered. Where appropriate, the original decision will be overturned. Where not appropriate, the original decision will be upheld. Victims will be advised of the review outcome and provided with an explanation for the review decision.

Some victims and witnesses may be particularly vulnerable because of their circumstances or the nature of the evidence they may be asked to give to the court. Special measures are in place to help a vulnerable witness give their evidence in court. These victims and witnesses are supported by our Victim Information and Advice (VIA) service and we have a Victims Forum, chaired by our Victims Champion, to support those employees to enhance the service they provide and to share best practice across Scotland.

In November 2021, work commenced on the VIA Modernisation Programme, led by Anthony McGeehan, Depute Crown Agent. The programme involves extensive consultation with VIA staff, justice partners and relevant external stakeholders, like Victim Support Scotland, on topics such as the roles and responsibilities of VIA staff, staff induction, training and continuous professional development and external stakeholder engagement. The programme's recommendations will support the Victim-Centered Approach workstream of the Scottish Government's Victims Task Force. This work is designed to deliver a better, more coordinated service for victims and witnesses across the justice system.

COPFS is a member of the Scottish National Stalking Group and works with other organisations to respond to stalking offences in Scotland, to raise awareness of stalking and its impact and to enable improvements in practices by services responding to and supporting those affected by stalking behaviour.

The Vulnerable Witnesses (Criminal Evidence) (Scotland) Act 2019 includes new measures to increase the number of cases in which the evidence of children and vulnerable witnesses is pre-recorded to avoid them having to give evidence during a subsequent trial. The first implementation phase began on 20 January 2020 which means that the evidence of all child witnesses aged under 18 in High Court cases for certain specified offences must be pre-recorded.

COPFS has a long-standing relationship with the SOLD network (Supporting Offenders with Learning Disabilities). Our most recent work with them includes contributions to their Practice Guide for Support Staff and their publication Practice Guide for Defence Solicitors in Scotland. We will also be giving a presentation at their conference in September 2023.

### **Equality Outcome 3 - Access to our services**

The services provided by COPFS are suitable and accessible to all who need to use them.

#### **Our aim**

To ensure people have equal opportunity to avail themselves of COPFS services within the criminal justice system.

#### **Outcomes**

Equal access to the criminal justice system must be available to all. COPFS plays its part in endeavouring to remove barriers to accessing the criminal justice system in general and to our services in particular.

In the most recent Scottish Crime and Justice Survey report, published in March 2021, 75% of adults were either fairly or very confident that "everyone has access to the legal system, if they need it."

Although much of our contact from customers is by telephone, e-mail, and the internet, we are aware of the need to ensure our buildings are accessible. We have completed surveys for all our sites and have developed a list of improvements which are currently being considered as part of our estates work programme.

All new or revised guidance is considered for presentation in alternative formats, such as Easy Read and Plain English and an Easy Read Champion was appointed to oversee this. By clicking on the Publications tab on our public website, you can filter by publication type of Easy Read, which will list all of these documents, which can be viewed and downloaded. Examples of material converted into Easy Read include our complaints procedure, a

guide to the investigation of deaths and information about our Victim Information and Advice (VIA) service, access to sensitive and personal records policy.

Currently all our leaflets are available electronically on our public website. This allows any updates to be made quickly and easily, ensuring our service users have the most up to date information. The "Being a Witness" and "Going to Court" leaflets were improved to include more helpful information about facilities at court.

We appreciate that PDF documents may not be suitable for users of assistive technology, therefore readers can request any document in a format that meets their communication need. We are also working on making all our publications more accessible in line with new accessibility regulations.

As a public sector organisation, COPFS is bound by the Public Sector Bodies (Websites and Mobile Applications) Accessibility Regulations 2018 which affects all web and intranet content published after September 2020. In response to changes in legislation and the need for a better user experience for both our service users and our employees, COPFS developed a new website which launched in May 2022.

The website was redeveloped with the aim of creating a more accessible and user-friendly experience for those involved in criminal cases and death investigations.

The website redevelopment was delivered as part of our pledge to improve the service we provide to victims, witnesses, bereaved relatives, accuses persons and defence agents. The new site was designed in consultation with our service users to better meet the needs of all audiences through improved design, performance, content and usability.

The new site is designed to be:

- Easy to understand - the content is clear and concise so users of most reading abilities can understand the information.
- Accessible for everyone - meeting our legal responsibility as a public organisation to provide information in formats accessible to everyone.
- Simpler and easier to use - the new structure displays information clearly, with page titles and content created around common search terms.
- Transparent and informative about the justice process and investigation of deaths - we have new information for victims and witnesses of crime, and guidance to support bereaved relatives in death investigations.

The Corporate Communications team led our transition to accessible communications and worked with content creators throughout COPFS to let them know about their responsibilities and explain what they should do to be more accessible.

The new website was built to government-recommended accessibility standards. This means our website is fully compliant with the Web Content Accessibility Guidelines version 2.1 AA standard and the majority of the website is fully accessible.

We want as many people as possible to be able to use this website. For example, that means users should be able to:

- zoom in up to 300% without the text spilling off the screen
- navigate most of the website using just a keyboard
- navigate most of the website using speech recognition software
- listen to most of the website using a screen reader (including the most recent versions of JAWS, NVDA and VoiceOver)

We have also made the website text as simple as possible to understand.

Since the new external website launched in May 2022 until 21 April 2023, our Support and Services page has received 64,200 unique pageviews, with 22,003 of those pageviews going to the victim services landing page. The guide for victims and witnesses page has received 27,601 unique pageviews and is the third most viewed page on the website for this period.

Information is also displayed in the public areas of our buildings advising that “We are here to help you” along with supporting guidance. This was created in partnership with our criminal justice partners and the criminal justice Disability Advisory Group and is displayed in the public reception areas of all our offices. The aim of the poster is to provide a clear message to the public that justice organisations are happy to offer reasonable adjustments to ensure that people with disabilities and BSL users can access our services without barriers.

We also work with our partners in the criminal justice system to ensure that those accused of a crime, as well as bereaved relatives, victims and witnesses, have access to high quality interpreting and translation services when accessing our services. This includes the provision of interpreters for both spoken languages and British Sign Language. We also provide translations of our documents and correspondence as well as a transcription service for video recordings.

Equality Impact Assessment (EIA) is a tool that helps public authorities ensure their policies and practices operate as intended. EIA involves systematically assessing the possible, or actual, effect or impact of policies, functions, and delivery of services to those with a protected characteristic.

Carrying out an EIA identifies both potential positive and negative impacts of a new policy or procedure on protected groups. Any potential negative impacts can be then dealt with and the new policy or process can be adapted accordingly. COPFS now routinely works collaboratively with stakeholders, including our network of equality ambassadors, at an early stage in policy development. This ensures that new policies are fit for purpose and, more importantly, have stakeholder buy-in from an early stage of development.

An excellent example of collaborative working was the COPFS response to working during the Covid-19 pandemic, where several key stakeholders contributed to the consultation process. To date we have published 39 EIAs on our public website.

Our website contains information about [access to our offices](#) for those with mobility, visual and hearing impairments. We regularly review and update this section of the website. As part of our continuous estates strategy, we regularly review all our estates to ensure they remain accessible to our employees and the wider public.

COPFS continues to work collaboratively with justice partners to ensure that we share best practice, and consider the whole journey of people through the criminal justice system and not just our own, specific, section of the process when implementing any changes to how we deliver our services.

COPFS has made a public commitment to provide translations of documents upon request from any source and proactively translates correspondence with victims, witnesses, and bereaved relatives where a language need has been identified.

COPFS also provides interpreters, including British Sign Language interpreters, for victims, witnesses and bereaved relatives who are required to attend at court or wish to follow proceedings during an FAI (Fatal Accident Inquiry). We also arrange for the translation of several key information documents into the top ten languages used by immigrants to Scotland, all of which are available on our public website. Any additional requests for specific documents or leaflets to be translated will also be carried out.

COPFS is committed to the thorough and timely investigation of deaths and to improving its performance in this important area of work, including in the provision of information to bereaved relatives. We appreciate the impact the time taken to complete death investigations can have on all those involved. We also recognise the particular importance that early decision making on the release of bodies for burial or cremation can have for certain ethnic and faith groups and the need to provide an accessible and timely service for our diverse communities.

COPFS has made significant changes to its working practices in relation to the investigation of deaths by the Scottish Fatalities Investigation Unit (SFIU) through a modernisation project. Additional resources have been brought in, and there has been a focus on concluding older cases. Revised practices have also resulted in new death reports being dealt with more effectively. Some cases will necessarily take longer to conclude than others, but these changes reflect the commitment of COPFS to the timely and thorough investigation of deaths.

In May 2020, we established a Covid Deaths Investigation Team (CDIT) of almost 100 staff to receive reports of Covid-19 related deaths and to carry out any investigation which may be required. The team works closely with agencies including the Health and Safety Executive, Local Authorities, Care Inspectorate and Police Scotland. The team has received over 5,500 death reports. [Statistics](#) relating to this work are available under our Publication tab, using the Topic filter of Death Investigations and Publication type Statistics.

At all times, we remain sensitive to the needs of bereaved relatives at this distressing time and, in accordance with the [Family Liaison Charter](#), it is our aim to keep relatives informed about any deaths that COPFS is investigating.

## Equality Outcome 4 - The way we work

COPFS employees are knowledgeable about equality legislation and protected characteristics and treat all victims, witnesses, accused persons and colleagues with dignity and respect.

### Our aim

To develop a culture where COPFS employees are knowledgeable about equality and inclusion issues and demonstrate positive attitudes, in respect of all the protected characteristics, in our work in prosecution, unexpected deaths and in our relationships at work and with justice partners.

### Outcomes

To ensure we meet the needs of our diverse communities, upholding dignity, respect and professionalism must play key roles in all aspects of our work - prosecution, investigation of deaths, Ultimus Haeres (relating to persons who die without leaving a will and have no known or traceable relatives), employees relationships and stakeholder engagement.

COPFS also aims to create an inclusive workplace and supports 12 staff networks including networks for our employees living with a disability and LGBT+ colleagues and for those with an expressed interest in caring, gender, menopause, neurodiversity, lifelong learning, chronic pain support, bereavement support, mental health, race and religion and belief.

We recognise that some characteristics represent more of our workforce than others and therefore in addition to exploring the creation of more staff networks within COPFS, we continue to also work with colleagues across criminal justice to create and maintain links with their associated staff networks to allow employees access to the range of benefits which other network membership can provide.

Our Sheriffdom Equality Networks have continued to engage with both employees and external stakeholders, in the aftermath of the pandemic and the significant rise in home working, to raise awareness of our roles and responsibilities. Technological innovation, which successfully enabled home working, has allowed us to more easily reach out and maintain these relationships and to break through the previous geographic challenges.

Based on the exchange of information with stakeholders, we can raise awareness, educate, and inform our employees on the work of third sector organisations to assist them in their role and support their colleagues. To do this, we regularly create information pages on **Connect**, our intranet so our employees can access guidance easily.

From 1 September 2022 to 21 April 2023 the Equality and Inclusion pages on Connect, had 1,131 unique pageviews. The most viewed page in this section was the 'Equality Ambassadors' page with 431 unique views.

For the period 1 January 2022 to 21 April 2023, our staff blog, Update, was the 6<sup>th</sup> most popular set of pages on Connect. The landing page received 8,781 unique page views and the most viewed article was 'Meet the team



carrying out the Covid-19 death investigations'. The moving personal story entitled 'When Love is Illegal' was the most viewed article related to equality with 792 unique pageviews.

Since the site launched in December 2021, there have been 114 Update articles relating to equality. These include articles about shared experiences of being a carer, mental health support information, shared learning and new training around accessibility and equality, and information about celebrations for particular groups of people, as well as articles about where staff can find guidance and support on a range of topics. Two articles published during Trans Awareness Week had the highest levels of staff engagement; 'Why I became a Trans Ambassador' had 58 likes and 17 comments, and 'Feel the fear and do it anyway: Jacob's story' had 59 likes and 14 comments. These articles are still receiving likes six months later.

The new intranet is built on SharePoint, a Microsoft 365 product, which allows staff to react and engage with pages, including Update. This allows staff from all areas of the organisation to engage with articles, and each other, in a friendly, supportive environment.

**Yammer** was introduced to COPFS in March 2022. As of March 2023, there is an average of 926 daily active users on the platform, about 43% of all employees.

Nine of the staff equality networks have a Yammer community where they post news, share information, experiences and social conversation. Many cross-post to other equality and non-equality communities, sharing information across the organisation.

There is also an Equality and Inclusion Yammer community which shares corporate information on the topic. Many of the network messages are also amplified on this channel.

COPFS now has 100 equality ambassadors – staff with a high level of knowledge in one or more aspects of a particular protected group – to provide staff with information and advice about equality and inclusion and to facilitate engagement with a variety of stakeholders.

The ambassadors are now routinely part of our equality impact assessment process. They recently equality impact assessed our revised [Sensitive and Personal Records policy](#), providing helpful advice on issues such as gender neutral language and easy read formats.

As a core part of the ambassador role, each ambassador can engage in a two-way mentoring programme, whereby they are partnered with a senior member of staff. The programme was developed to increase senior staff awareness of protected characteristics whilst also enabling the ambassadors to benefit from senior staff mentoring opportunities.

We have formally captured feedback on the programme with 100% of the participants stating that the programme is worthwhile and thought-provoking and that their knowledge of equality matters had increased as a result of participation. Each participant also stated they would recommend the programme to another colleague.

In our recent phase of the programme, engagement was high and both senior staff and Equality Ambassadors found participation in the programme to be beneficial in terms of increased knowledge and support for both parties.

With most of our employees working from home since March 2020, video conferencing facilities like Microsoft Teams have become essential in helping our staff interact and stay connected during Covid-19 restrictions.

Without the geographical barriers that usually prevented staff from joining in, we've noticed an increase in staff taking part in meetings and group sessions remotely. We've also increased our digital offerings by creating video channels where recorded group sessions can be accessed by those who couldn't attend live on the day. This has further removed barriers to information for our employees by helping them take part at a time and place that suits them. We have a dedicated Equality and Inclusion channel that we promote regularly in other equality communications.

The COPFS annual Staff Equality and Inclusion conference has been running since 2012 and focuses on the importance of mainstreaming equality in everything we do.

Delegates share knowledge and best practice and the conference is used to launch fresh initiatives. For example, the 2019 conference saw us launch the first ever COPFS equality awards in which we formally recognised the contribution and achievement of our people in relation to raising awareness of protected characteristics and creating links with external organisations.

In 2021, we hosted our 3<sup>rd</sup> equality awards ceremony as an in-person event in Glasgow – the first large-scale gathering of COPFS staff in two years. Feedback from the event was extremely positive with many attendees commenting on how lovely it was to “see” friends again in person and to renew friendships across the service.

In 2022 we again hosted an in-person event but this time in Edinburgh. Again, the use of Microsoft Teams meant that the geographical barriers we always face when organising in-person events were circumvented using technology as staff could join us online via our secure network. The use of Microsoft Teams will be incorporated into all our future events to make sure they are accessible to all our employees.

The 2022 Equality Conference and Awards were streamed on the COPFS intranet and more than 100 people watched from home.

We now have a group of 33 Mental Health Ambassadors, who have created their own network to actively promote awareness of mental health within the workplace and have carried out a vast range of activities across COPFS. This network was particularly pro-active during the Covid-19 pandemic to support the health and wellbeing of all employees.

Activities included promoting articles about healthy working lives, coping with remote working, tips on how to make the most of your new working situation, prompts to take regular breaks, ideas to help keep kids busy at home, supporting teenagers and children’s mental health, suicide prevention talks and much more.

Many of our mental health ambassadors also shared their own experiences of mental health during the pandemic through a series of articles called ‘Lockdown Diaries’. The popular series run by our Corporate Communications team gave our employees the opportunity to share their lived experience of working during the pandemic.

Our Neurodiversity Support Network was launched in March 2021, during Autism Awareness Week. This was in recognition of the number of employees who either had lived experience of neurodiversity or was a parent / carer of someone with a neurodiverse condition. The network provides advice and guidance on all aspects of neurodiversity, including autism, ADHD, epilepsy, migraine, dyslexia, and other learning difficulties.

In the [2022 Civil Service People Survey](#) (published in April 2023):

- 78% of COPFS employees felt their organisation respects individual differences and cultures,
- 1% of employees feel that they are treated with respect by the people they work with,
- 4% feel that COPFS is committed to creating a diverse and inclusive workplace,
- 7% feel that they are treated fairly at work and
- 2% feel they are trusted to carry out their job effectively.

In the last two years we have utilised Update, our internal employee blog, to actively promote a wide range of equality and inclusion initiatives, events and key dates including:

- Stress awareness
- Religiously significant events including Easter, Christmas, and Ramadan
- LGBT History Month
- International Women’s Day
- Trans Day of Visibility
- Mental Health awareness events

- Parenting and life transition events
- Neurodiversity Awareness sessions
- Black History Month including virtual staff events
- Promotion of our Employee Assistance Programme
- Awareness of gender-based violence and online events
- Promotion of our Equality Awards and the achievements of colleagues
- Menopause awareness and resources
- Age Scotland pre-retirement courses
- Gender awareness including sharing resources like the Scottish Feminist Judgement podcasts
- Promotion of inclusion in video calls
- Chronic and Acute pain support session
- Carers Awareness week
- Carers Policy: from idea to implementation

This employee blog has proved to be a popular and effective way to raise awareness and understanding of specific aspects of protected characteristics.

During Staff Equality Month in November 2022, we published 10 news article and 17 staff blogs on the Connect, celebrating the breadth of equality work carried out throughout the year. These articles were viewed a total of 9389 times by colleagues.

Colleagues were particularly interested in articles highlighting nominees for the COPFS Equality Awards and personal stories from staff to mark Trans Awareness Week.

COPFS has a Valuing Equality, Diversity, and Inclusion eLearning hub (VED&I), which makes use of the best of all equalities learning offered by the UK civil service. We combine this with personal stories from our employees who have shared their experiences of their lives and inclusion in COPFS through our employee blogs. Within the VED&I hub we encourage engagement with our diversity ambassadors and provide details of further engagement options.

We ask that our employees complete this eLearning during their probationary period if new to the organisation and encourage regular visits to the VED&I Hub for continuous professional development and refresher training. Use of the hub is monitored and evaluated in terms of content and compliance with learning deemed to be a requirement of all COPFS roles.

All new staff joining COPFS receive a presentation from our Equality Champion which emphasises the importance of Equality in everything that we do - both as a prosecution service and as an employer.

We also offer additional role specific learning which incorporates case studies where protected characteristics have been a factor in criminal cases and give training to our VIA and Legal employees who interact with victims and witnesses with protected characteristics.

Much of what we do is person or victim-centered and we have good awareness that many of the people we come into contact with have experienced trauma in their lives. Consequently, in November 2022 we launched our Becoming Trauma Informed e-learning module. The module covers the psychological impact of trauma and re-traumatisation, and how experiencing one or both might impact on a person when they are looking to access essential services. All employees are expected to complete this module.

COPFS has a National Enquiry Point for members of the public and defence solicitors to contact with queries about the prosecution service or cases they are involved in. Sometimes these calls can be quite traumatic, both for the caller and staff member. Some callers talk about contemplating suicide. To deal with such conversations, all Enquiry Point staff and managers must complete SafeTALK (Tell; Ask; Listen and Keepsafe). This provides our advisers with practical tools and the confidence to help callers in distress and also provides support for the advisers themselves, to enable them to deal with the emotional fall out from a traumatic conversation.

In total, 38 of our people have completed the Mental Health First Aid qualification. The 12-hour accredited qualification provides participants with the knowledge to recognise a wide range of mental health conditions and learn about the support/therapy provided by professional healthcare providers. They are taught how to start a supportive conversation and when and how to signpost a person to seek appropriate professional help. Participants discover the impact of substance abuse and learn how to recognise and manage stress. Participants also learn about the first aid action plan for mental health, how to put it in place and understand how to implement a positive mental health culture in the workplace.

Our Epilepsy Ambassador has worked with Epilepsy Scotland to achieve their Epilepsy Friendly Award for our Hamilton office. We are now working with colleagues to roll this out to additional offices and so far, two further offices have achieved this award.

To highlight the intersectionality of protected characteristics, our Proud in COPFS and Believe in COPFS networks published a series of articles about their commitment to working together to promote COPFS' core values of being professional and showing respect. This collaboration between these two networks highlighted the potential for those of different opinions to understand one another by listening without judgement and seeing the world from a perspective other than our own.

These articles also touched upon the expression of closely held opinions, and how freedom of expression interacts with other rights. In short, readers were encouraged to be thoughtful of others when expressing their views and were invited to consider both their own motivation for doing so, in addition to their intended audience.

In summary, we regularly utilise internal communication platforms such as Connect and Yammer as well as stakeholder interaction to build our employees' knowledge of equality and inclusion issues. Through effective communications and staff network activity, we actively promote positive attitudes towards the lived experiences of our service users and our colleagues.

## **Equality Outcome 5 - Collaborative Working**

Scotland will be a safer place for everyone as a result of our collaborative working with other organisations.

### **Our aim**

To work collaboratively with our justice partners, third sector groups and key stakeholders to provide a coordinated approach to the provision of criminal justice and to ensure best practice is achieved and shared across the justice sector.

### **Outcomes**

COPFS recognises that to provide an effective prosecution and deaths investigation service, it does not operate in a vacuum and effective collaborative working with other organisations provides a structured criminal justice response to both the prosecution of crime and how victims and witnesses are dealt with throughout the criminal justice process.

### **Victims and witnesses**

The Lord Advocate is the Co-chair of the Scottish Government's Victims Taskforce. Its primary role is to co-ordinate and drive action to improve the experiences of victims and witnesses within the criminal justice system, whilst ensuring a fair justice system for those accused of crime. Some of their objectives include:

- Reduce and, where possible, eliminate the need for victims to retell their story to different organisations as they seek help.
- Review how criminal justice organisations communicate with victims and witnesses and develop a new guide to ensure that written communication is victim centred and trauma informed.
- Support the development of a trauma-informed workforce.
- Improve the experience of victims of rape and sexual assault.

Our Equality Champion, Ruth McQuaid, is currently a member of the Scottish Government's Hate Crime Strategic Partnership Group, which was chaired by the Minister for Equality and Older People until March 2023, and works in partnership with Scottish Government and organisations including Police Scotland, SCTS, COSLA, BEMIS, Interfaith Scotland, Disability Alliance, RespectMe, CEMVO, the Equality Network and Scottish Trans Alliance to address hate crime and offensive behaviour. It has been consulted on a number of hate crime campaigns over the last two years.

In March 2023 the Group published its new [Hate Crime Strategy](#), which sets out key priorities for tackling hatred and prejudice in Scotland and will support implementation of the Hate Crime and Public Order (Scotland) Act 2021. As one of the key justice partners, Ruth was one of the speakers at the launch event.

Ruth is also the COPFS trustee for I AM ME Scotland, a charity which works collaboratively with a range of partners including Police Scotland and Renfrewshire Local Authority to develop new and innovative ways of raising awareness of disability hate crime.

The charity has two key initiatives: I AM ME and Keep Safe. We continue to promote the I AM ME Scotland educational resources and 17 of our offices are designated as Keep Safe premises which are safe places where vulnerable people can seek refuge and support, guided by the Keep Safe app.

As mentioned earlier in the report, in 2022 we worked with Police Scotland and the charity I AM ME Scotland to produce **You Judge!** a series of five videos depicting hate crime scenarios as an interactive educational resource for S3 students and above. The videos were designed to educate young people about the impact of hate crime, both on victims and perpetrators, and the journey through the Scottish criminal justice system. The videos are available on the I AM ME Scotland educational platform.

In collaboration with the Scottish Courts and Tribunals Service (SCTS), Police Scotland and Victim Support Scotland, COPFS are signatories to the Joint Protocol entitled "Working Together for Victims and Witnesses" which ensures the provision of the best possible service for victims and witnesses.

COPFS continued to demonstrate its commitment to robust and effective multi-agency efforts in tackling domestic abuse and protecting children affected by domestic abuse by working with Police Scotland to review the Joint Protocol between COPFS and Police Scotland which sets out the agreed approach to the investigation, reporting and prosecution of domestic abuse in Scotland in light of the articles of the UN Convention on the Rights of the Child. Consultation took place with key stakeholders to review the Joint Protocol to ensure it reflected best practice.

COPFS has collaborated with Police Scotland to develop and publish Joint Guidance on the Investigation, Reporting and Prosecution of Offences of Forced Marriage which operates alongside existing guidance in relation to this complex issue.

COPFS is currently working closely with Scottish Government, Police Scotland and SCTS to create a new IT system to record aggravation codes, (E.g. codes to record Offending whilst on Bail, Domestic Abuse Indicator, Offence against a Child and the seven new hate crime aggravation codes created by the Hate Crime and Public Order (Scotland) Act 2021). The new system will also allow the partners to record disaggregated data in relation to the seven protected characteristics. For example, in relation to disability, the particular type of disability that has been targeted, including whether it is a physical or a mental impairment. For age, the particular age or age range recorded as being targeted.

Equally Safe is Scotland's national strategy for preventing and eradicating violence against women and girls and COPFS is a key partner in the multi-agency work flowing from the strategy to prevent further abuse and improve justice responses to tackling this type of violence and abuse. The Violence Against Women and Girls Strategy was launched in April 2023. Ruth McQuaid continues to help Police Scotland with strategy development through their Engagement Forum.

COPFS also is a member of the Criminal Justice Agencies Victims meeting which has input from Police Scotland, SCTS, Scottish Prison Service (SPS), the Parole Board for Scotland and Scottish Government. In addition to publishing the annual report on Standards of Service to Victims and Witnesses, this group also provides input into

and receives feedback from the Victims Organisations Collaboration Forum Scotland allowing direct feedback from victim's organisations.

The Victims & Witnesses Consultation Group was formed in 2022. Ruth McQuaid represents COPFS on this group, which also includes Police Scotland, Victim Support Scotland and the Scottish Courts and Tribunals Service. Their aim is to provide an improved, consistent and trauma-informed service across Scotland for those victims and witnesses attending court who require support through a collaborative working model.

## **Reciprocal training**

As part of our ongoing commitment to training and development of our employees, COPFS accepts training input from a number of third sector groups and key stakeholders. This includes training input from Abused Men in Scotland, Age Scotland, ASSIST, Cairns Trust, Epilepsy Scotland, Autism Initiatives, Rape Crisis, SCRA, Scottish Women's Aid, Safe Lives, Shakti, Social Work Services Glasgow, Women's Aid, and the Witness Service.

In a reciprocal manner, COPFS has provided training input to numerous organisations including the Judicial Institute of Scotland and Police Scotland, where we provided input and training for their Hate Crime Tactical Advisers training course.

## **British Sign Language**

COPFS is part of the Working Group on Interpreting and Translation (WGIT) whose remit is to establish common standards for interpreting and translation throughout the Scottish justice system. The current membership includes COPFS, SCTS, Scottish Prison Service (SPS), The Law Society of Scotland, Police Scotland, Scottish Children's Reporter Administration (SCRA), and Scottish Legal Aid Board (SLAB).

The WGIT worked with Scottish Government to shape and progress their British Sign Language National Plan 2017-23 for the justice sector. The long-term goal for the justice sector is: BSL users (which includes D/deaf and/or Deafblind people whose first or preferred language is BSL) will have fair and equal access to the civil, criminal and juvenile justice systems in Scotland.

The group has already worked with Queen Margaret University to create online modules on the Scottish justice sector for BSL interpreters wishing to work in this area. All members are currently reviewing their provision of services for BSL users, including access to online material and effective communication formats.

COPFS is a member of BSL Justice Advisory Group whose work was paused during the Covid-19 pandemic. However, once restrictions on group meetings were eased, this group was reconvened by the Scottish Government, who provides secretarial support for the group.

## **Autism and Asperger's**

All the justice partners recognise that we need to improve the services we provide to people with autism spectrum conditions who are travelling through the justice systems. Working with Autism Network Scotland and the National Autistic Society, we have improved the volume and variety of information available to our employees about autism and have delivered numerous presentations on autism to those dealing directly with people with autism and Asperger's, whether they are victims, witnesses, bereaved relatives or accused persons.

Led by our Ambassador for autism, COPFS has created a series of pages offering guidance on neurodiverse conditions such as Autism, Asperger's, Autistic Spectrum Disorder (ASD), epilepsy and migraine. The pages also provide understanding, guidance and support for anyone who encounters people with these conditions as part of their work at COPFS.

## **Female Genital Mutilation (FGM) Group**

COPFS is a member of the Scottish Government's FGM National Action Plan implementation group. Our work in this area contributes to the criminal justice and child protection responses to FGM, ensuring they are robust, swift, consistent and coordinated. We work primarily with Police Scotland to identify opportunities for early and effective interventions in respect of victims and perpetrators of FGM within Scotland and also for Scottish residents abroad.

## **Equality Outcome 6 - Our workforce**

COPFS is an inclusive employer with a workforce which proportionately reflects the diversity of Scottish society and where employees have an equal opportunity to achieve their full potential.

### **Our aim**

To build a workforce which proportionately represents the diversity of Scottish society and the communities we serve, and create an inclusive, respectful work environment where our people can achieve their full potential.

The 2011 Scottish census remains the main source for our comparison when considering whether our workforce proportionately represents the diversity of Scottish society but we recognise that the results are now somewhat dated. They remain however the best source of comparison.

The census scheduled for Spring 2022 was successfully completed however the results have not yet become available from the National Records of Scotland. They advise that results will be published later in 2023.

### **External validation - TIDE Benchmark and Stonewall Workplace Equality Index (WEI)**

COPFS became a member of Stonewall Scotland in 2006. Our rationale was to develop a positive workplace environment for LGBT+ employees and service users. We first completed their employer Workforce Equality Index (WEI) in 2009.

COPFS consistently scored in their Top 100 UK employers for 10 years, including 2020. Unfortunately, the WEI for 2021 was cancelled because of the Covid-19 pandemic. This led to a review of our membership of Stonewall Scotland and whether COPFS should renew its membership moving forward.

COPFS has been a member of enei (Employers Network for Equality and Inclusion) since 2012. In 2020 COPFS completed their TIDE (Talent Inclusion & Diversity Evaluation) benchmarking questionnaire for the first time and achieved a Bronze Standard award. TIDE measures our performance across a number of areas including Recruitment and Attraction, Strategy and Planning, Training and Development, Communication and Engagement and Procurement. The TIDE mark allows us to measure progress on equality, diversity and inclusion, both year on year and in comparison, with our peers.

This is now a well-established benchmarking process for COPFS and is one that has usefully identified areas of good practice and where we can improve across a wide range of equality themes and takes account of all protected characteristics.

In both 2021 and 2022 COPFS achieved a Silver Standard TIDE award mark. In 2022 our overall score was 84%, which placed us 14<sup>th</sup> out of 155 organisations across the UK. We scored particularly high in Strategy and Planning, Training and Development and Leadership and Accountability.

Plans are already well advanced to complete the TIDE mark in 2023 which will allow us to assess how we have performed post Covid-19 pandemic and where the vast majority of our employees now follow a hybrid working pattern - working a mixture of at home and in an office.

Completing TIDE was done to assess not only how we are progressing against all of the protected characteristics but also whether this benchmarking process was of equal or of more benefit to us than completing the Stonewall WEI, which solely considers progress in relation to sexual orientation and trans characteristics.

Given this shift in focus from the Stonewall WEI to the TIDE benchmarking process, and in consultation with our Pride in COPFS network, it was decided in Jan 2022 not to renew our membership of Stonewall Scotland.

To quote from the enei TIDE mark:

“Full inclusion is a temporary state few organisations will ever achieve. However, the best recognise this and understand that a drive for continuous improvement is in the best interest of the organisation, their employees and stakeholders.”



## Gender

The results of the 2011 census established that 51.5% of the Scottish population was female. When the results were restricted to those aged 15-65, to reflect broadly the available workforce, the proportion of females was 50.8%.

In the 2019 Mainstreaming Report, COPFS statistics revealed that 71.5% of our workforce was female. In 2023, information taken from our HR system shows that 70.9% our workforce is female. The number of staff who disclosed they were non-binary was too small to report on at this time and some of our staff chose not to disclose their gender.

We recruit staff at two entry levels - administrative / caseworkers and lawyers. The ratio for administrative / caseworkers discloses 71.5% are female. For lawyers (including trainees), the proportion is 70%. We continue to recruit a disproportionately high proportion of female staff at entry level. However, the process of recruiting staff is assessed through an anonymous sift.

Our lawyers account for 31.7% of our overall workforce and an essential requirement to work as a lawyer at COPFS is the successful completion of a Scots Law degree.

According to the Law Society of Scotland, in 2020 more than two-thirds of new entrants to the legal profession were women and is now understood to be approaching 75%. We are therefore recruiting from a predominately female pool of candidates. Consequentially, our proportion of lawyers reflects the male/female ratio of law graduates in Scotland.

To reach out to all potential future employees, we are continuing to invest in our attendance at school career fairs and university events to encourage students to consider a career with COPFS. We also work with schools across Scotland to provide work experience opportunities for secondary school children through Career Ready.

We have a network of transgender ambassadors who are engaged in making positive outreaches to the Scottish trans community. Our ambassadors provide updates to our employees, increasing their knowledge on gender matters. Our trans ambassadors continue to promote transgender day of visibility and transgender awareness week.

We continue to raise awareness of gender matters internally through our employee blog - UPDATE. For example, Lothian and Borders Sheriffdom Equality Network recently hosted an event during Women's History Month celebrating Women in Law. Around 80 attendees from COPFS, SCTS and defence lawyers listened to Sheriff Jane Farquharson KC, Julia McPartlin, President of the Scottish Solicitors Bar Association, and human rights advocate Ximena Vengoechea speak about their experiences as women working in law.

In 2023, the number of senior staff at SCS [Senior Civil Service] level was 40.7% female from a total pool of 27 employees. Positive action to provide mentoring and opportunities to access networks across criminal justice is continuing. We currently have five gender and eight trans equality ambassadors raising awareness of this characteristic across COPFS, all of whom are actively engaged in mentoring activities.

Shortly after the commencement of nationwide lockdown, we introduced a change to our approach to flexible working bandwidths. Our employees can now work their contracted hours over seven days rather than five, and a removal of the bandwidth of when work could be done. This significant change has enabled our employees to balance caring responsibilities with their core role in the organisation.

Flexible working opportunities are available to our employees at all grades and have been accessed by all colleagues, including those at SCS level, demonstrating that alternative work patterns are not a barrier to progressing within COPFS. Employees have also been promoted whilst on new parent leave, demonstrating that these circumstances are not a barrier to progressing within COPFS. We also now have infertility treatment as well as pregnancy / breastfeeding ambassadors to support staff.

We have a suite of family friendly policies including Adoption Leave, Maternity Leave, Shared and Additional Parental Leave as well as Carers and Menopause policies.

In June 2022, COPFS was awarded an 'Engaged Level' accreditation from Carer Positive Scotland because of the ongoing support provided to recognise and support carers within the organisation. We now join a network of 230 employers across Scotland who have been recognised as providing dedicated support to employees with caring responsibilities. Notable mentions include establishment of a Carers Network, Carer Tea Breaks, Flexible and Agile Working policies, Employee Assistance Programme and our new Carers Policy.

We recognise that restrictions on mobility have been a barrier to our employees accessing promotion opportunities in the past and have become more flexible about where employees can work by making greater use of technology and are continuing to explore and expand opportunities for remote working including location neutral and homeworking. In fact, the COPFS response to the Covid-19 pandemic resulted in a very sudden shift from working in an office to the vast majority of employees working from home.

The coronavirus pandemic provided a significant insight into the flexibility we are now able to offer our employees. This includes the ability to appear in court via video link rather than in person. This has greatly benefitted staff who work in some of our remote island communities, making full use of every virtual option available.

The Future Ways of Working (FWOW) programme was set up in 2019 to consider how best to manage our people, workplaces and technology. The programme has been greatly influenced by the Covid-19 pandemic. We have learned more about what tasks must be done from an office, how our office spaces and policies can change to support flexibility, and how to use technology to work together even when we are not all in an office.

Key components of the project include:

- **People:** We will improve working lives by encouraging our employees to work as flexibly as possible, subject to business need.
- **Workplaces:** We will modernise our buildings, creating efficient and task-focussed environments that encourage collaboration and decrease our estates footprint.
- **Technology:** Employees will have the digital tools to work successfully in offices, courts and at home.

The programme endeavours to improve employee wellbeing, reduce travel requirements, and create a better work-life balance for staff.

## **Disability**

The 2011 census established that 19.6% of the entire Scottish population disclosed a disability or long-term, activity-limiting, health problem. However, this figure decreases to 14.9% of the working age population.

In 2019, 4.7% of our employees declared a disability with 1.1% choosing not to disclose this information. As at 31 March 2023, 6.5% of our employees declared a disability while 2.8% of employees chose not to disclose such information. It should also be noted that of the 220 people who joined COPFS in 2020, 6.8% declared a disability during the recruitment process.

COPFS is committed to promoting equality of opportunity for people with disabilities. There is now a dedicated team within HR - Diversity, Inclusion and Wellbeing to lead on this work from a HR perspective. They have created a My Wellbeing Space on our internal intranet and publish a Health and Wellbeing Newsletter every month.

The March 2023 Newsletter included articles on International Day of Happiness, Movement and Sleep, Menopause awareness for men and women, Mindfulness, Endometriosis and a schedule of sessions for the month of April. We have also established Health and Wellbeing networks across each of our sheriffdom units and all employees are actively encouraged to engage in the activities.

We have five support groups that focus on disability: the Disability Action Group, COPFS Carers Network, Neurodiversity Support Network, Chronic Pain Support Group and COPFS Mental Health Network. This is complimented by ambassadors for a variety of disability related issues including migraine, acquired brain injuries and hearing and visual impairments. All Ambassadors have played a pivotal role in awareness-raising. Some of our staff have also completed the Mental Health First Aider programme.

Additionally, the last two years have seen us reach a record level of 52 staff ambassadors who represent various aspects of disability including mental health, physical disabilities and neurodiversity. They are responsible for engaging with external expert groups and also raising awareness of disability related issues amongst staff. They are encouraged to support campaigns such as "See Me" which highlights mental health issues and actively highlight Mental Health related events including World Bipolar Day and World Suicide Prevention Day and provide SafeTALK training events to support employees dealing with this issue, either in their workplace or personal life.

COPFS now publishes detailed information about the accessibility of our offices and buildings. We also created detailed guidance for staff about disability issues and created a poster for reception areas regarding the type of reasonable adjustments available to people visiting our offices.

We hope these initiatives will also encourage people with disabilities to consider us as a future employer. We also provide training for our employees to increase their knowledge of the issues affecting people with disabilities. The training aims not only to improve the experience of our customers but also improve understanding of the needs of our employees to ensure they are effectively supported in the workplace and have an equal opportunity to progress.

We relaunched our Workplace Adjustments Passport in July 2022 to support our employees as they move to new roles and responsibilities. The passport captures all workplace adjustments for those who need them, whether to support their mental or physical health, disability, or wellbeing. It also encourages dialogue with line managers so they can better understand their employees' needs.

### **Sexual orientation**

There is limited data and evidence available to identify accurately the proportion of LGBT+ people living in Scotland. The 2017 Scottish Household Survey, published in September 2018, disclosed that 97.9% of the population declared as heterosexual / straight with 1.6% declaring as LGB and 0.5% refusing to respond. Whereas the 2021 Census for England and Wales disclosed that 89.4% of their populations identified as straight or heterosexual while 3.2% identified as lesbian, gay or bisexual. 7.5% did not answer the question. Regarding gender identity, 0.5% of those who answered the question had changed their birth gender.

COPFS data from 31 March 2023 shows 5.1% of our employees identifying as LGB with 85.4% identifying as heterosexual/straight. This leaves 9.5% of our employees whose sexual orientation is unknown, of whom 5.2% prefer not to disclose.

While our data demonstrates that our workforce more than reflects the proportion of LGBT+ citizens in Scottish society who are willing to disclose, we aspire to be an inclusive organisation where all of our employees feel comfortable about disclosing their identity.

We continue to support our LGBT+ staff network Proud in COPFS and our team of LGBT+ staff ambassadors. We also have an allies programme Friends of Proud in COPFS with members wearing customized lanyards or displaying badges at their work desk. LGBT+ History badges and displaying rainbow desk flags are some of the ways employees demonstrate support for LGBT+ colleagues. We also continue to promote the Stonewall 'No Bystanders' campaign which was endorsed by the Lord Advocate and the Crown Agent annually to employees at our staff equality conferences.

In addition, COPFS hosted information stalls at a number of Pride events across Scotland during 2021 and 2022. Our staff network also held bisexual awareness raising sessions and assisted networks from other organisations to share best practice.

### **Ethnic origin**

The 2011 Scottish census reported that 4% of the population declared an ethnic background. The majority, at 3%, declared an Asian background.

Our data from 31 March 2023 discloses that 90.7% of our workforce identifies as White with 3.8% identifying from an ethnic minority and 2.3% as "Other". This leaves 3.1% who have not disclosed their ethnic origin. Figures for

white backgrounds have decreased by 2.6%.

We continue to liaise regularly with ethnic minority communities across Scotland to consider a career with COPFS and currently have six race ambassadors focused on this work.

Our Inclusion in COPFS network was launched in 2019. The network has been engaged in a host of activities both internally and externally to raise awareness of matters associated to race.

The network has a communication strategy in place to engage employees in its activities and events and has exploited the use of Teams to host events and discussions in-house. The network won Staff Equality Network award at the 2021 COPFS Equality Awards.

A member of Inclusion in COPFS is also a member of the [Law Society Racial Inclusion Group](#), which is a short-term group formed by the Law Society of Scotland to provide a better understanding of the lived and professional experiences of its members from ethnic minorities and to offer recommendations on how to improve racial inclusion across the profession. The Group reported its findings to the Law Society's Council in late 2021.

### **Belief or faith**

The 2011 Scottish census reported that 54% of the population declared themselves to be Christian. This is subdivided to 32% identifying as Church of Scotland and 16% as Roman Catholic. 1% of the total population declared themselves to be Muslim.

This contrasts significantly with the 2019 Scottish Household Survey results (published in Sept 2020 but still the most recent data available) where only 41% of respondents declared themselves to be Christian. This was subdivided to 20% of respondents described themselves as being Church of Scotland, 13% Roman Catholic while 56% did not share any religious belonging. These statistics reflect the continuing downward trend in religious belonging since the 2009 survey, the first survey to collect such data.

Our data from our 2021 staff survey discloses that 41.2% of our workforce identifies as Christian with 19.2% identifying as Church of Scotland and 16.5% as Roman Catholic. 4.6% of our workforce identifies as Muslim and 10.4% identify as being either Atheist or Agnostic. 28.6% declared that they did not follow any faith or belief system and 16.2% chose not to declare any belief or religion.

New data from our 2023 staff survey discloses that 35.6% of our workforce identifies as Christian with 19.0% identifying as Protestant and 16.5% as Roman Catholic. Also in 2023, 2.7% of our workforce identified as Agnostic and 5.3% identifying as Atheist. 0.4% declared as Humanist and 1.6% identified as Muslim. In addition to this, 3.4% of staff declared their religion or belief to be Other. A total of 38.2% employees stated they had no religion or belief whilst 8.3% chose not to declare any belief or religion.

It is worth noting that there has been a significant reduction in the number of employees preferring not to answer this question.

We currently have a staff ambassador for Religion and Belief who is supported by three further ambassadors representing the Muslim and Jewish communities. The ambassadors are responsible for liaising with groups representing these communities, for building connections with other faith groups and also for raising awareness of these faiths to all employees.

In 2018, COPFS started a faith group called Believe in COPFS and they have posted a number of articles for staff raising awareness of different religious beliefs. Our ambassadors have produced a number of articles around religious events internally and have worked in partnership with our LGBT network and Race network.

Staff are encouraged to be open and 'out' about their religion or belief and this message was endorsed by our Equality Champion in her annual speech to employees at our staff equality conference in November 2022 and where the keynote speaker spoke about his faith and how it had shaped his life in the legal profession.

### **Age**

Our data from 31 March 2023 discloses that 46.9% of our workforce is aged between 30 and 49 years with 9.3% aged 60+ which shows that we continue to increase the population of employees working beyond 60. There is however a broad spread of ages working for COPFS. This reflects the Scottish working pattern of more people continuing to work well into their 60s and that Scotland's population is an ageing one. COPFS recognises that people at every age have something to offer as an employee and this workforce will assist us to better represent our communities.

We have developed a number of initiatives to encourage young people to consider a career with COPFS including giving presentations at schools and colleges, work placements, attendance at school career fairs and at university recruitment events. We also currently operate a modern apprentice programme that was open to all age groups and offered the opportunity of permanent employment with COPFS at its conclusion.

We are supported by two Age Ambassadors who are committed to addressing age related issues within the workplace. We offer all our employees a pre-retirement course to support them in making the right decision on this important issue. A partial retirement work pattern is also available to employees. We continue to encourage employees at all ages to seek development and promotion within the organisation.

### **Bullying and harassment**

The number of employees who have personally experienced bullying or harassment at work has remained consistent across the 2021 and 2022 Civil Service People Survey at 7%. Some of this bullying is from users of our service and is directed at frontline staff, who are often having to convey information that the user does not want to hear or disagrees with. However, according to the People Survey results, most of the bullying reported comes from other colleagues within the organisation.

There are a number of methods we have employed to communicate that COPFS considers bullying and harassment is unacceptable. We have promoted the 'No Bystanders' campaign and have featured the issue in successive annual staff conferences where we have highlighted our Fair Treatment policy.

Our Equality Ambassadors, staff networks and sheriffdom networks also communicate our zero tolerance approach to bullying, harassment and discrimination.

### **In conclusion**

We continue to aspire to ensure that our workforce reflects all of the society in which we live. This is a long-term strategic aim and while we have made some progress over the last 10 years we will continue to take positive action to ensure that we attract applicants from across all our diverse communities in Scotland and that we will thereafter support them and our existing employees to have equal opportunities to progress and develop within COPFS.

[Annex B](#) provides a more detailed statistical analysis of the representation of employees within COPFS under each of the protected characteristic headings and the implications for planning.

## **Annex A - Our leadership and organisation structure**

COPFS is organised into four distinct functions. Each function specialises in a specific part of our work. High Court, Specialist Casework and Local Court deal with specific types of crime. Operational Support deals with essential business tasks.

### **Our leaders**

#### **Law Officers**

Together, the Lord Advocate and Solicitor General are known as the Law Officers.

The Law Officers set the strategic priorities for COPFS, set prosecutorial priorities and approve the Strategic Plan and Objectives for COPFS.

#### **Lord Advocate**

The Lord Advocate is the ministerial head of COPFS, leading the system of criminal prosecutions and the investigation of deaths. All prosecutions on indictment run in the Lord Advocate's name. The Lord Advocate also has a number of statutory functions, including in relation to extradition and mutual legal assistance with other jurisdictions.

The Lord Advocate is a Minister of the Scottish Government, but decisions by the Lord Advocate about criminal prosecutions and the investigation of deaths are taken independently of any other person.

The Lord Advocate was appointed by the Queen on the recommendation of the First Minister, with the agreement of the Scottish Parliament.

The current Lord Advocate is Dorothy Bain KC who was appointed in June 2021.

### **Solicitor General**

The Solicitor General is the Lord Advocate's deputy. They assist the Lord Advocate to carry out their functions. They are also a Minister of the Scottish Government.

The Solicitor General was appointed by the Queen on the recommendation of the First Minister, with the agreement of the Scottish Parliament.

The current Solicitor General is Ruth Charteris KC, who was appointed in June 2021.

### **Crown Agent**

The Crown Agent is the principal legal advisor to the Lord Advocate on prosecution matters and the Chief Executive of COPFS.

The Crown Agent is accountable to the Law Officers for the delivery of efficient and effective prosecution of crime and investigation of deaths, in accordance with their priorities and prosecutorial policies. The Crown Agent is the Accountable Officer for COPFS and, as such, answerable to the Scottish Parliament for the regularity and propriety of COPFS' finance and the stewardship of public monies.

The current Crown Agent is John Logue who was appointed on an interim basis in September 2022. John Logue has been a prosecutor in Scotland for 28 years, having started as a trainee solicitor with COPFS in 1994.

## **Governance**

### **Executive board**

The Executive Board provides strategic leadership to COPFS and is collectively responsible for delivering COPFS's vision, aim and objectives.

The Executive Board's role is the provision of advice, challenge, support and assurance to the Crown Agent. The board focuses on a range of areas including:

- performance and outcomes
- people and capability
- finance and risk
- organisational efficiency
- corporate wellbeing

The Board is chaired by the Crown Agent and includes senior members of staff and non-executive directors.

Reporting to the board are committees focusing on resource management, business improvement, operational performance, and audit and risk.

### **Our functions**

- High Court

- Specialist Casework
- Local Court
- Operational Support

## **High Court**

The High Court function investigates and prosecutes the most serious crimes. These include murder, sexual offences, and cold cases.

## **Specialist Casework**

Teams in Specialist Casework investigate and prosecute cases that need specialist knowledge or experience. Examples include environmental crime, organised crime, the investigation of sudden or unexplained deaths, and appeals.

## **Local Court**

The Local Court function handles cases that are prosecuted in Justice of the Peace and Sheriff Courts.

Local Court teams work in offices across Scotland. Offices are grouped into six Sheriffdoms:

- Glasgow and Strathkelvin
- Grampian, Highlands and Islands
- Lothian and Borders
- North Strathclyde
- South Strathclyde, Dumfries and Galloway
- Tayside, Central and Fife

A specialist team within Local Court, known as our National Initial Case Processing, makes initial decisions on all crimes for all summary crimes reported to COPFS.

## **Operational Support**

Teams in Operational Support complete essential business tasks. The function's work is divided into two areas. Policy and Engagement includes media relations, policy and our Enquiry Point. The Business Services teams include Finance, HR and IT specialities.

## **Corporate Structure**

You can view our detailed corporate structure [online](#) (correct as of January 2023)

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