Ministry of Justice Equality Objectives 2012 - 2016
Alternative format version of this report are available on request from the HR Contact Centre; phone 0845 010 3510 email: equalityadvice@justice.gsi.gov.uk.

This information is available on the Ministry of Justice website: www.justice.gov.uk
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Introduction

Vision and Values
The Ministry of Justice continues to work towards building and maintaining a safe, just and democratic society.

Equality Statement
We are committed to ensuring that equality remains at the heart of what we do. This includes how we design and deliver our policies and services to the public, how we procure and commission from others and how we act as an employer.

Business Plan and Reform Priorities
The Ministry of Justice Business Plan 2011–2015 sets out a programme of radical reform designed to ensure a sustainable and affordable justice system that meets the needs of the public.

Our reform priorities are:

- Breaking the cycle of re-offending and reforming sentencing and penalties;
- Reforming courts, tribunals and legal aid;
- Working with others in the delivery of criminal justice;
- Assuring better law; and
- Reforming how we deliver our services.

Actively considering equality across all our work is an essential element in enabling us to achieve effective delivery of these priorities.
Context – Legal Requirements

Equality Act 2010
The Equality Act 2010 (the Act) streamlined and strengthened equality law in a number of ways and extended legal protection to additional groups with ‘protected characteristics’. The protected characteristics under the Act are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation.

The General Duty
Section 149 of the Equality Act imposes a ‘general duty’ on all public bodies covered by the Act to pay due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited under the Act;
- Advance equality of opportunity between those who share protected characteristics and those who do not; and
- Foster good relations between those who share protected characteristics and those who do not.

These three requirements together comprise the ‘public sector equality duty’. The Ministry of Justice is a public body within the meaning of the Act and must comply with the duty in the exercise of its functions on an ongoing basis.

The Specific Duties
The Equality Act 2010 (Specific Duties) Regulations 2011 came into force on 10 September 2011. The new regulations impose specific duties (in addition
to the general duty referred to above) on the particular public bodies listed in Schedule 1 to the Regulations. Ministers and Government Departments are listed, as are, separately, a number of bodies sponsored by the MoJ.

The specific duties require public bodies to be transparent about how they are demonstrating compliance with the public sector equality duty by publishing:

1. information to demonstrate their compliance with the duty by 31 January 2012 and then at least annually, and

2. one or more equality objectives, by 6 April 2012 and then at least every four years.

MoJ Approach

Our equality objectives reflect the breadth of our work and align with our business priorities in respect of both the exercise of our public functions and our workforce.

In setting the objectives, we have considered what we have learned from the equality information we currently hold. Based on that information, we are proposing to focus on further embedding our understanding of the public sector equality duty across our business, improving the equality data we collect to understand where there may be relevant disparities in outcomes for service users and staff, and improving representation of protected groups in our workforce. Each of our objectives is underpinned by specific actions and measures. The actions focus on the areas which the Department has chosen to target over the period. They do not seek to cover every area of the business or to represent all of the Department’s equality-related activity. We will look to those with an interest in the services we provide for stakeholder support over the delivery period to which the objectives relate.

Departmental Arms Length Bodies which are subject to the specific duties in their own right will also develop their own objectives (i.e. Legal Services Board, the Legal Services Commission, Information Commissioner’s Office, HM Chief Inspectors of Prisons and Probations, Parole Board, Probation Trusts, Youth Justice Board, the Judicial Appointments Commission).

We will report annually on progress against our objectives as part of the publication of equality information on our website. Although they relate to the period to 2016, it is envisaged that we will also update and review the actions and measures where necessary.
MoJ Equality Objectives 2012 - 2016
(June 2014 Update)

Progress against Objectives – June 2014

The table below provides an indication of how the Ministry is continuing to work to embed equality and diversity considerations into business as usual. We aim to do this is a proportionate way within the framework of the public sector equality duty in the Equality Act 2010, and believe that enhancing understanding of how our work impacts on the public and our staff helps us to deliver more effectively.

This year we have added an additional supporting action as well as updating the progress made against existing actions, where appropriate.
**Equality Objective 1:** To continue to embed our understanding of the public sector equality duty (PSED) as a routine part of departmental business

**Aim:** Embedding Public Sector Equality Duty across Dept

**Outcomes / Actions:**

To provide guidance to staff on the PSED, and training opportunities, and work to ensure all policy is developed in compliance with the PSED


- PSED equality analysis guidance for workforce and change management reviewed, updated and re-issued, May 2014.
- Extended PSED workshop held with policy Directors and Deputy Directors May 2012, and on-going periodic training with business areas.
- All staff encouraged to complete Civil Service Learning on-line training on D&E - ‘Equality & Diversity Essentials’ – which includes understanding the PSED.

To support and enable MOJ Arm’s Length Bodies in embedding the application of the PSED in the delivery of their business

- Information and signposting to PSED and other D&E guidance included in regular Bulletins sent to ALBs.
- ALB’s PSED obligations reflected in governance arrangements between MOJ and Arm’s Length Bodies.
- To further embed and monitor compliance with the PSED in relation to procurement, commissioning and contract
management Procurement policies, guidance and procedures are reviewed and updated annually. Updates re legislation / policy from Cabinet Office are implemented with immediate effect and communicated to the business.

**To strengthen public appointments outcomes by learning from data collected and utilising in future campaigns, sharing within MoJ and with OGDs**

- Analysing and utilising anonymised diversity information supplied by candidates to review and amend documentation and strategies in order to attract diverse candidates. Utilising lessons learnt into future campaigns and shared with those in MoJ and in other government departments that make public appointments.

**Complete skills review for commissioners and contract managers on contractor compliance, by March 2013 and take forward any actions identified by March 2014**

- NOMS Commissioning Intentions for 2013-2014 includes enhanced section on equalities in commissioning and specific intentions around some of our equalities objectives, for example screening offenders for learning disabilities and difficulties. The NOMS Commissioning Intentions Document from 2014 demonstrates where NOMS seeks to improve services for offenders with protected characteristics in commissioning intention 5 - *Ensure the delivery of services is responsive to individual needs and characteristics to maximise outcomes.*

**To produce an equality information strategy by October 2012**

- MoJ Equality Information Strategy approved and published internally September 2012
Equality Objective 2: To review and further develop understanding of disparities in experience or access to MoJ services and how these might reasonably be addressed.

Aim: Fair Treatment and Equal Access (Service Users)

**Outcome / Actions:**

**Increase frequency of publication of data on ethnicity of the prison population from annual to quarterly, to bring in line with nationality data and other demographics (by July 2012)**

- Prison population ethnicity data is now published quarterly (from July 2012).

**Improve the collection of monitoring data on offenders:** including annual improvement in the coverage of data on protected characteristics of the offender population, from April 2012 baseline; and publication of information from MoJ Surveying Prisoner Crime Reduction Survey (SPCR) by age, gender and self-declared disability among a sample of prisoners by July 2012

- Data regarding self-declared prisoner religion to be collected and included in diversity quarterly publications by end of 2014.
- NOMS has developed improved guidance on collecting monitoring data from prisoners following intensive and successful work to improve data coverage in six prisons during February 2013. Improvements in data capture continues.

Further investigate reasons for any identified disparities between different protected groups and development of actions to address where appropriate and feasible.

NOMS agreeing actions to be taken forward in 2014/15. To be overseen by a high level Equality Governance Board

CJS Strategy and Action Plan (SaAP) published in June 2013 includes a number of actions on equality and diversity, including holding events between Ministers and VCS organisations to discuss equality issues, and we have brought together equality leads from across the CJS agencies as part of this, to share information and collaborate on equality issues. Actions include;

- POLKA forum (the Police online community) created which all CJS staff who lead on equality and diversity work can join, in order to share best practice.
- Rolling out Easy Read more broadly across the CJS by January 2015
- Establishing a working group to improve understanding of deaf peoples’ experiences of the CJS and identify ways to improve support and services. This will report to the Criminal Justice Board in January 2015.
- HMCTS - proactive approach to understanding the needs of service users, Judiciary and staff, including requirements of different protected groups. Many courts hold regular court user meetings for court staff, the judiciary and court users.
- HMCTS published its Welsh Language Scheme for 2013-16. All HMCTS public facing printed materials treat English and Welsh with parity and HMCTS is working with MoJ Digital Services and GDS to agree an approach to digital content in Welsh. To support greater access to Welsh speaking customers to HMCTS services provided on Gov.uk, staff have attended speech language communication needs workshops led by the Youth Justice Board. Sessions were aimed the Judiciary, legal advisors, CPS, police officers and defence practitioners. They looked at speech, language and communication needs of young people and how practitioners could help support them and reduce re-offending.

To develop greater understanding of the particular reasonable adjustments needs of disabled service users and address these where appropriate and feasible

- NOMS toolkit developed which guides staff and managers through the process of managing disability
- Reasonable Adjustments for disabled service users are recorded on a national HMCTS database for monitoring
purposes and to enhance understanding of customers’ access issues. In 2012/13 HMCTS received 6950 Reasonable Adjustments requests were received. In 2013/14, at the end of February 2014, 5202 reasonable adjustment requests were received.

- HMCTS guidance materials and self-help tools refreshed during 2013/14, including guidance on hearing loops and specific learning difficulties. Internal Pulse survey conducted during April 2014 to check staff understanding around reasonable adjustments, findings will be used to clarify next steps in this area.
- HMCTS and Judicial Office implementing improvements to the process for deciding on reasonable adjustments for disabled judges during 2014.

To develop greater understanding of the particular needs of women offenders and the provision of gender-specific community services to improve support for vulnerable women in the criminal justice system

- Strategic objectives for women offenders were published in March 2013 and an expert Advisory Board currently chaired by Minister Simon Hughes to lead work to reduce female re-offending was announced.
- Publication of s.95 report ‘Statistics on Women and the Criminal Justice System’ by November 2014. Last published in November 2012
- NOMS invested £3.78m in funding for 2012/13 in support of Women’s Community Services. This funding is now embedded in the NOMS community budget baselines to allow for continued support of provision for women in years to come  In 2013/14, a total of £5.8 million (including £3.78m ring-fenced for the provision of women’s services) was spent through Trust contract and partnership arrangements on specific services for female offenders. We are committed to the continued funding of existing women’s community services during the transitional period of the Transforming Rehabilitation programme. We expect existing providers of women’s services to continue to receive funding from Community Rehabilitation Companies (CRCs) until March 2015 unless there are concerns about performance or demand is insufficient.
Delivery of MoJ owned actions from cross-government Hate Crime Action plan, published March 2012, by agreed dates

- Actions to change the sentencing provision for Disability Hate Crime murders and the Government response to the EHRC enquiry have been completed.
- All other MoJ actions on schedule with the exception of the review of the need for specific 'disability related' aggravated offences, which was referred by Ministers to the Law Commission for review. The Law Commission carried out a public consultation and published their report in May 2014. The recommendations will be considered by Ministers who will publish a response in due course. The report can be found at http://lawcommission.justice.gov.uk/docs/lc348_hate_crime.pdf

MoJ/LAA working to improve understanding of the needs of legal aid clients who share protected characteristics through engagement with relevant equality stakeholders

- LAA/MoJ undertook stakeholder engagement activities during 2012/13 for implementation of the CLA Gateway.
- Will draw on findings of the Jeffrey Review, review of the CLA (mandatory) Gateway, and the internal review into the operation of the new advocacy and litigation services frameworks (to be conducted one year after each is implemented)
- As a part of the review of the CLA (mandatory) Gateway, MoJ/LAA, in conjunction with NatCen, has engaged with users, operators, specialist advisers and other stakeholders to assess the implementation of the gateway, including the experience of those who share protected characteristics.
- LAA are working closely with MoJ Digital Services Directorate (DSD) to redevelop digital access into the CLA gateway and will be involved in user and stakeholder engagement as the project progresses.

To improve collection of information on protected characteristics in new research projects undertaken by the MoJ (from 2012/13);

- The Analytical Quality Assurance (AQA) form used in the development of new research projects (with the aim that all research projects will deliver quality and value for money) includes questions to assess whether the plans in relation to equalities issues and collection of equalities data are appropriate. The AQA form will be updated when necessary.
To encourage a greater awareness of dementia amongst MoJ staff, as part of wider Civil Service awareness work
- MoJ led by MoJ Diversity Champion and OPG, sought to raise awareness of dementia by generating at least 500 Dementia Friends in 6 months to March 2014 and surpassed this.
- MoJ Permanent Secretary committed to 6,500 (approx.10%) of MoJ staff to become Dementia Friends by March 2015, through completing CSL on-line training or face to face session with a Dementia Champion.

To undertake research into the current and potential customer base of the OPG and any blockers to use by a wider range of customers;
- Undertaking work to remove, where possible, blockages to our under represented client base using our services and to raise awareness of these services – including working closely with 3rd parties where appropriate
- An initial research report has been produced by IPSOS Mori on our current customers and some of the blockers around expanding uptake of Lasting Powers of Attorney

To encourage OPG staff to have a greater awareness of Dementia and its impact on others
- Undertaking work under the remit of the Prime Minister’s Dementia Strategy, including encouraging OPG staff to become Dementia Friends, through Dementia Champions running a one hour training event, and through completion of new CSL on-line dementia awareness training
- Currently 207 OPG staff have been through this one hour training
- OPG have 10 dementia champions – working to improve knowledge of dementia both in the OPG and the wider community

Ensuring that there is an assisted digital provision available for launch of any OPG digital tools
- Assisted Digital provision was in place for the initial launch of the beta version of the OPG Lasting Power of Attorney digital tool in January 2014. Version 1 of the Digital tool was launched in May 2014.
**Equality Objective 3: To work to ensure that MoJ's workforce at all levels better reflects the diversity of the society it serves**

**Aim: Improved representation in the workplace**

To increase the proportion of staff who have declared their diversity information across the protected characteristics year on year [NB targets for CS declaration rates currently being reviewed]

- Further to an internal working group review of the key issues/reasons for non-completion, and a sample (Pulse) survey of staff during September 2012, a communications led campaign (‘Are you Up to Date?’) was launched March 2013 to encourage staff to update their details.
- HMCTS developed staff communications in August 2013, designed to raise awareness and encourage team conversations about declaring their diversity information on Phoenix (HR database), and to increase awareness of reasonable adjustments.
- The campaign was successful in relation to BME declaration rates for MoJ staff in that they increased from 71% to 85% in April 2014.
- A further series of actions and communications campaign is being developed to encourage declaration, in particular for disabled staff, to be rolled out to staff from September 2014. Recently appointed MoJ Champions for disability and ethnicity have identified this as a key area and will encourage staff to update their diversity information.

**To meet annual workforce targets for SCS (for gender, disability and ethnicity) across MoJ (as set out in the Civil Service Diversity Strategy 2008-2013, and as refreshed going forward)**

- As at March 2014 MoJ is achieving SCS targets for Women, but is slightly below the SCS targets for Black and Minority Ethnic (BME) and below for Disability.
- Further targeted development and support is provided through the Coaching Squared programme for BME, LGBT, disabled and women staff at feeder grade level, as well as participation in the CSL Positive Action Pathways ‘Levelling the Playing Field’ development programme for BME, women and disabled staff, as this new programme rolls out through the grades.
- MoJ participates in the annual Summer Diversity Internship Programme (SDIP) a civil-service wide scheme which...
- An International Women's Day event was held in March 2014 for staff across MoJ, with a range of speakers and panel members sharing their experiences and advice.

To develop and put in place workforce targets for feeder grade staff to SCS (MoJ Bands A and B) for disability, gender and ethnicity, in line with Civil Service Diversity Strategy (MoJ targets to be developed and reviewed in the light of any refresh of the Civil Service Diversity Strategy):

- MoJ working with OGDs to determine how feeder grade representation can be improved, and promoting the new CSL Positive Action Pathways ‘Levelling the Playing Field’ programme to BME and disabled staff as each grade cohort rolls out.
- NOMS is offering Accelerate 3, an intensive 2-year Positive Action Leadership Programme designed for middle and senior managers who are disabled or BAME. It aims to enable participants to deploy their skills, knowledge and understanding to realise their potential and compete effectively for top jobs in the Criminal Justice Sector.

To work to address issues of under representation at SCS and feeder grades in relation to other protected characteristics if identified from workforce monitoring information, and targeted actions to address under-representation where feasible:


Ensuring recruitment processes, sifting and interview panels are fair and diverse [additional action 2014/15]:

- Wherever technically possible, introduce blind sifting for all roles; require chair and panel members to have taken ‘unconscious bias’ learning prior to all sift and interview panels.
To take action to increase take up of central Civil Service Learning E&D training, MoJ E&D e-learning, and programmes targeted at under represented groups / Increased take up of training opportunities year on year from April 2012 baseline, identified through annual monitoring

- Completion of CSL ‘Introduction to D&E’ on-line training monitored monthly by business group. Regular communications activity to promote this and other D&E training to staff.
- Coaching Squared programme for BAME, LGBT, disabled and women staff at feeder grade level and continued participation in the CSL Positive Action Pathways ‘Levelling the Playing Field’ development programme for BAME and disabled staff.

Programme of communications to highlight range of alternative working arrangements that meet business needs whilst accommodating diverse staff needs

- Internal communications activity has included;
- MoJ internal webchat on Flexible Working hosted by senior leaders (Sept 2012) during National Work Life Balance week, generating a substantial staff response.
- Regular communications around flexible and alternative working patterns
- Flexible Working Group set up in October 2013 to look at ways in which flexible working can be promoted across MoJ. Communications campaign including case studies from a range of grades and business areas, to be rolled out from June 2014.
- ‘Transforming the Way We Work’ (TW3) programme commenced in 2013 exploring how we might transform the workplace in the civil service. Piloting in MoJ in a number of areas, looking at efficient use of work space, technology, management etc in a number of different settings. Possible wider roll out further to evaluation late 2014.
- New staff and line manager guidance to be issued by MoJ in Autumn 2014.
Identify and take appropriate action to reduce disparities in staff appraisal markings between white and BAME staff in NOMS (as identified in NOMS Equalities Annual Report), reviewing and updating annually

- NOMS Equalities and HR have worked closely throughout the user testing phase on the new performance management arrangements and will be training key staff network representatives in the new system so they are better able to support their members
- Wider MoJ introduced new performance management system 2013/14, and incorporated requirements to undertake Unconscious Bias training, in training and mid and end year comms, and further to evaluation will be requirement to actively indicate that this has been completed as part of annual cycle.

Further reduce reported levels of discrimination, bullying and harassment in annual Staff Engagement Survey through line management led action / progress identified through improvements in annual Staff Engagement Survey results.

- Staff Engagement Survey 2013 analysis - showed the downward trend in levels of discrimination and of bullying and harassment since 2009 has stalled for disabled staff, as the scores remain static as compared to 2012.
- Reported levels of discrimination and bullying and harassment on the grounds of Gender have remained unchanged for men and have improved by 1% for women. There is a 1% decrease in the percentage of BAME respondents saying they experienced discrimination, whilst levels of reported discrimination amongst White respondents stayed the same.
- All sexualities report lower levels of discrimination, bullying and harassment in 2013 compared to 2009, except for Bisexual respondents who have seen a 1% increase.

To continue to carry out and publish annual Equal Pay Audits to inform development of future reward strategy / Equal Pay Audits published annually, and taken into account in future reward strategy development and identified actions completed

- Equal Pay Audit 2011/12 published June 2013. Actions in hand. A further pay audit will be undertaken for the period 2013/14 to be published in January 2015.
Equality Objective 4: To better understand the experience of disabled staff in MoJ, and work to address the gap in engagement between disabled and non-disabled staff

Aim: Addressing disengagement of disabled staff

Outcomes / Actions:

Through the work of MoJ Reasonable Adjustment Support Service (RASS), and NOMS Equalities Team, to continue to provide expert support and advice to MoJ staff and managers on the provision of reasonable adjustments (drawing on improved engagement index scores for disabled staff through annual SES; and positive user feedback of RASS)

- The Engagement Index of disabled respondents is 47%; this is lower than 2010-2012 period, but 2% higher than in 2009.
- MoJ RASS and NOMS equalities team have been participating in cross-government Centralised Adjustment Team pilot for complex cases, from October 2012 and the evaluation of this (referenced in NOMS Equalities Report 2012). Pilot continuing past April 2013 end date to ensure next steps determined so service to staff is maintained, as look at best model for cross-govt handling.
- RASS was extended to staff in NOMS and LAA in autumn 2013

To maintain and expand a rolling communications campaign presenting positive images of disabled staff at all levels in the MoJ

- Monthly MoJozine intranet articles on positive images of disabled staff in range of roles across MoJ during 2012/13, looking to refresh and re-run late 2014.
- Significant disability awareness activity organised around Disability History Month in Nov/Dec 2012 and again in 2013. 2012 included message from Paralympic Gold Medallist, and feedback on the staff events which involved range of disability organisations in courts and tribunals in Cardiff, Manchester, Birmingham, Leeds, London & Newcastle. 2013 theme was promoting positive attitudes towards disability, including events on “Creating a workplace for all” and held in Brighton, Liverpool, London, Kingston upon Hull, Mold, Newport (Wales) and Worle
- Launch and ongoing comms to support MoJ involvement in the national ‘Time to Change’ campaign to raise awareness of mental health issues, from April 2013 (only second govt dept to do so after DH)
- Ongoing “Time to Change” support, including for example MoJ participation in the national “Time to Talk” day in February 2014.
- Locally some parts of HMCTS have held Health & Wellbeing events, highlighting mental health issues and other disabilities.
- The Disability staff networks have held events to promote positive attitudes to disabled staff and have worked with business areas raise awareness of issues, e.g. HMCTS partnership working with MOJ staff networks to better understand the issues and help support effective communication.
- Provided training for key network representatives to give them a better understanding of what staff should expect from the new appraisal arrangements so that they can better support members through the process.

Identify and take appropriate action to reduce disparities in staff appraisal markings between disabled and non-disabled staff in NOMS (as identified in NOMS Equalities Annual Report)

- Mandatory e-learning. ‘Unconscious bias’ and ‘disability awareness’ for all managers has been introduced.
- Progress on reducing disparities by 2016 in annual MoJ equalities report.

To deliver for MoJ, agreed outcomes of Whitehall Disability Group Report on ‘Understanding Disabled Staff Disengagement’, published November 2011

- MoJ actively involved in cross-government senior level work on disability, further to findings of the Report, and working with OGDs
Equality Objective 5: To ensure that the Ministry continues to identify the particular needs of disabled service users and takes action to meet these needs wherever reasonable / understanding the needs of disabled service users

Aim: Understanding the needs of disabled service users

Outcomes / Actions:

To deliver any agreed MoJ actions in the Government’s Disability Strategy


To ensure screening procedures are in place and enable consistent early identification of prisoners with learning disabilities, and that reasonable adjustments are made

- ‘NOMS has revised its previous objective to screen all prisoners for learning disability/disability (LDD). NOMS has reconsidered its position and is now taking steps to improve communication with all prisoners, including those with LDD. NOMS is currently working with third sector partners to develop effective practice for working with prisoners with a wide range of communication difficulties and will cascade the learning outcomes to staff and prisoners in 2015/16

- Work ongoing as part of the Transforming Rehabilitation programme to incorporate screening for communication difficulties as part of the initial assessment process.

- The focus for learning disability and other areas of communication difficulty is in the widespread provision of reasonable adjustment including access to ‘Easy Read’. NOMS are tendering a grant which looks to develop best practice in improving communication with offenders who may have communication difficulties.
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<td><strong>Outcomes / Actions:</strong></td>
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<td>To implement measures in the Crime and Courts Acts 2013 with the aim of increasing judicial diversity and giving effect to the Lord Chancellor’s statutory duty to promote diversity, including;</td>
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<td>• A transparent, merits-based process for appointing deputy high court judges,</td>
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<td>• the equal merit (‘tipping point) provision in appointment processes,</td>
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<td>• Salaried part time working in the high court and above.</td>
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