



Ministry
of Justice

Ministry of Justice Gender Pay Gap Report 2023

Date of publication: 4 December 2023

Executive Summary

The Ministry of Justice (MoJ) is responsible for all aspects of justice. We work together with purpose, focussing on protecting the public, reducing reoffending, and delivering swift access to justice. This is delivered by attracting, retaining and providing excellent career opportunities at all levels nationwide to deliver our commitments to the public.

The MoJ is the largest department in Whitehall, with a total full-pay¹ workforce of 90,169 people (31 March 2023). 58% (51,903) of full-pay staff were female and 42% (38,266) were male. Female staff made up 51% (174) of Senior Civil Servants (SCS) (male staff made up 49%). Female staff made up 54% (2,060) of the feeder grades below SCS (Grade 6 and 7).

Staff employed in His Majesty's Prison and Probation Service (HMPPS) made up 72% (64,637) of the full-pay workforce. Being a prison officer is the most common role in the MoJ Group. In HMPPS 68.5% (12,470) of prison officers are male and 31.5% (5,722) are female.

In 2023, the mean gender pay gap was 5.9% and the median gender pay gap was 6.3%. The mean gender pay gap is unchanged (from 5.9% in 2022 and 2021). The median gender pay gap has decreased (from 11.4% in 2022 and 13.6% in 2021). Allowances for shift working in the prison service continue to be a crucial factor producing a gender pay gap for the MoJ Group.

The gender bonus gap is typically subject to greater year-on-year variation in award amounts and frequency. In 2022/23 the mean overall gender bonus gap was 11.7%, which is 0.1 percentage point (pp) higher than 2021/22.

The median gender bonus gap for 2022/23 is -19.5%, a large decrease from 0.0% in 2021/22. Negative values (-%) indicate that the median or middle-ranked female received higher bonus payment than the middle-ranked male staff member, although our analysis shows this is based on relatively small award amounts.

The MoJ remains committed to reducing the gender pay and bonus gap and our analysis continues to inform a future reward and people strategy that supports retention and attraction.

¹ A full pay employee is defined as an employee who is paid their full basic pay – including paid leave or paid for piecework during the pay period in which their snapshot date falls. Part-time staff may be classed as full-pay.

Business Area	Female	Male	Total	Female Proportion	Male Proportion
CICA	177	140	317	56%	44%
OPG	889	693	1,582	56%	44%
Total	51,903	38,266	90,169	58%	42%

As at 31 March 2023, the overall MoJ Group had 90,169 full-pay staff in total, including SCS (compared to 85,256 staff in 2022 and 77,730 in 2021). As at 31 March 2023 58% of all full-pay MoJ staff were female, compared to 57% in 2022 and 55% in 2021. Of all staff employed on the 31 of March 2023, 72% were employed by HMPPS.

Grade	Female	Male	Total	Female Proportion	Male Proportion
SCS	174	164	388	51%	49%
Grade 6/7	2,060	1,733	3,793	54%	46%
SEO/HEO	8,153	6,174	14,327	57%	43%
EO	5,754	5,584	11,338	51%	49%
AA/AO	19,872	19,417	39,289	51%	49%
Unknown⁴	15,890	5,194	21,084	75%	25%
Total	51,903	38,266	90,169	58%	42%

This table shows the distribution of female and male staff across each grade where the split in each grade in the department as a whole is fairly even, with most grades having an even split or slightly more females.

A single grade can correspond to a number of very distinct roles and there is a significant female/male split among these roles. Administrative Officer is the most

⁴ Unknown predominantly refers to Probation Service grades that have no Civil Service grade equivalent, as well as staff whose grade is unknown.

common grade in the department. It includes both administration staff in HMCTS, who are predominantly female, and prison officers in HMPPS, who are predominantly male. Prison officer roles require working shift patterns and attract allowances that compensate for this.

Our diversity and inclusion approach

The [Civil Service Diversity and Inclusion Strategy: 2022-2025](#), published in February 2022, focuses on enabling a more inclusive Civil Service which values and invests in its people as well as understanding and drawing from the communities it serves, contributing to the delivery of A Modern Civil Service.

The MoJ's People Strategy 2023-2026, published internally in July 2023, sets out our departmental ambition to have a talented, motivated workforce that reflects the society we serve, and sets out actions required to build and retain that workforce.

Our internal Inclusion Approach is our strategic, departmental framework driving systemic outcomes. All activity is aligned with the Civil Service Diversity and Inclusion commitments, and the objectives of our MoJ People Strategy.

2. Gender pay gap report

Both mean and median pay gaps are calculated as the percentage difference in female hourly pay compared to male hourly pay. The mean hourly pay gap is the percentage difference between the total of male hourly pay and female hourly pay. That is, we sum up the hourly pay for all male and female staff in the organisation separately and calculate the percentage difference to find the mean gender pay gap. While the median pay gap is the hourly pay of the middle-ranked female compared to the middle-ranked male across all grades. As per the guidance, we use hourly pay because it takes out the effect of different working patterns and different contracted hours on the pay gap.

The gender pay gap shows the difference in the average pay between all male and female staff in a workforce.

The gender pay gap is different to equal pay. Equal pay legislation deals with the pay differences between men and women who perform the same jobs, similar jobs or work of equal value ('equal work'). Men and women in the same employment performing equal work must, by law, receive equal pay unless any difference in pay can be justified. Having a gender pay gap is not unlawful and does not necessarily mean there is an unlawful inequality in an organisation's pay arrangements.

Hourly pay has been calculated in line with the government's published guidance⁵ and broken down into four quartiles from highest to lowest. In descending order, these are called: upper, upper middle/third, lower middle/second and lower pay quartiles.

⁵ [Making your gender pay gap calculations - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/making-your-gender-pay-gap-calculations)

3. Analysis of pay gap

The mean and median gender pay gap as at 31 March each year.

Year	Mean Pay Gap	Median Pay Gap
2023	5.9%	6.3%
2022	5.9%	11.4%
2021	5.9%	13.6%
2020	5.8%	15.6%
2019	5.8%	15.9%
2018	6.5%	15.3%
2017	6.8%	15.3%

In 2023 the overall mean pay gap (the difference between male and female staff average hourly pay) was 5.9%. This is the same as in 2022 and 2021, and slightly up from 5.8% in 2020.

Approximately 1 in 3 male staff (32.6% of all male staff) are employed in HMPPS as prison officers, a role that includes allowances for shift work. By contrast, approximately 1 in 9 (11.0% of all female staff) are employed in HMPPS as prison officers. Allowances for shift working in the Prison Service continue to be a key factor leading to a gender pay gap for the MoJ Group.

The median gender pay gap for 2023 at 6.3% has decreased from 11.4% in 2022 and from 13.6% in 2021. This means that in 2023 the median female earns 94p for every £1 the median male earns. This is an improvement from 89p in 2022 and 86p in 2021. The median pay gap is sensitive to the grade or role of the middle-ranked individuals. This year, we believe that differences in the pay award received by different roles in the organisation contributed to the reduction.

The Civil Service average⁶ mean and median gender pay gaps in March 2023 were 8.1% and 9.6% respectively. The MoJ Group figures of 5.9% and 6.3% are both below these.

⁶ [Civil Service statistics: 2023 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/civil-service-statistics-2023)

Hourly pay quartiles

Percentage of females and males in each pay quartile comparison by year.

Year	Upper Quartile		Third Quartile		Second Quartile		Lower Quartile	
	Female	Male	Female	Male	Female	Male	Female	Male
2023	55%	45%	46%	54%	61%	39%	69%	31%
2022	55%	45%	48%	52%	59%	41%	66%	34%
2021	52%	48%	46%	54%	56%	44%	66%	34%
2020	52%	48%	43%	57%	56%	44%	66%	34%
2019	51%	49%	42%	58%	57%	43%	63%	37%
2018	51%	49%	40%	60%	59%	41%	62%	38%
2017	51%	49%	38%	62%	59%	41%	65%	35%

The hourly pay quartiles data show the proportion of female and male staff in each pay quartile when we rank staff in order of hourly pay rate. On 31 March 2023 female staff occupied 55% of the highest hourly pay and 69% of the lowest hourly pay. Since pay gap reporting began, female staff occupying the highest paid jobs has increased from 51% to 55%. Female staff occupying the third quartile (second highest hourly pay) has increased from 38% to 46% since reporting began.

However, this year, the proportion of female staff in the third quartile has decreased for the first time, and for the first time the proportion of female in the lowest quartile has increased after remaining unchanged for several years.

4. Analysis of the bonus gap

The mean/median bonus gap is the difference between the mean/median bonus paid to male and female staff, who have received bonuses. The bonus pay gap is more volatile than the gender pay gap because there is year-on-year variation in award amounts and frequency.

Bonus Pay

Year	Mean Bonus Gap	Median Bonus Gap
2022/23	11.7%	-19.5%
2021/22	11.6%	0.0%
2020/21	31.7%	27.4%
2019/20	10.7%	0.0%
2018/19	15.9%	-6.7%
2017/18	8.0%	-13.3%
2016/17	18.3%	16.7%

The MoJ mean gender bonus gap of 11.7% was lower than the figure for the Civil Service as a whole, which was 23.5%. The MoJ median gender bonus gap of -19.5% is lower than the overall Civil Service figure of 25.4%.⁷ Negative values (-%) indicate that the middle-ranked female received higher bonus payment than the middle-ranked male staff member.

The mean gender bonus gap increased marginally from 11.6% to 11.7% while the median gender bonus gap saw a sharp decrease on the previous year from 0% to -19.5%. The bonus gap can be volatile due to the year-or-year variation in award amounts and frequency.

The distribution of bonus amounts received by male and female staff are a lot closer than the median bonus gap figure implies. A median bonus amount of £100 for men means the middle ranked male received £100. A median bonus amount of £120 for women means the middle ranked female received £120. However, 51% of males

⁷ [Civil Service statistics: 2023 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/civil-service-statistics-2023)

received £100 or less, while 48% of females received £100 or less. This implies the distributions of bonuses are closer than the median bonus gap figure suggests and a small variation in the distribution could produce no median bonus gap.

Year	Mean Award		Median Award	
	Female	Male	Female	Male
2022/23	£263	£298	£120	£100
2021/22	£404	£458	£200	£200
2020/21	£825	£1,208	£450	£620
2019/20	£383	£429	£200	£200

Overall, for the MoJ Group in 2022/23, 56.9% of female staff and 45.9% of male staff received a bonus. This was higher when compared to 36.0% of female staff and 30.3% of male staff in the previous year. The department has expanded the use of the in-year reward and recognition scheme into all MoJ agencies, including HMPPS. From April 2022 HMPPS rolled out the in-year scheme meaning more people are receiving bonuses. We will continue to implement this scheme and monitor reward and recognition outcomes.

5. Action to reduce the gender pay gap

The MoJ will continue to take action to reduce our pay and bonus gaps. Below is a snapshot of progress made over the last year.

Pay and reward

We have worked across the department to develop an MoJ-wide reward strategy aligned with the Civil Service Reward Strategy. The MoJ People Strategy underpins that reward strategy, which sets out the vision for pay up to 2030. This year's pay awards reflected our ambition in the MoJ People Strategy to develop a modern employment offer that helps us attract and retain the skills we need to deliver our business. Our future work in this area will support the department to develop proposals to monitor and reduce the pay gap where possible, supported by a strong evidence-base.

It is important that our staff's efforts are recognised by developing a competitive and future-focused pay and reward package which enables flexibility and attracts and retain talent across our total workforce. We have moved to an exclusively in-year reward and recognition system for delegated grades across the MoJ Group, with HMPPS implementing this in a new performance management process. We will continue to monitor for diversity and inclusion outcomes.

Attraction and recruitment

The MoJ's Inclusive Recruitment Guide takes vacancy managers through best practice steps to attract a broad range of candidates from across the country and embed inclusion throughout the recruitment campaign, from assessing need in marketing, to attraction, assessment/selection and appointment.

Employee offer

In the 2022 Gender Pay Gap report we focused on modernising our employment offer through enhanced flexible working opportunities for frontline staff. We are developing people policies and offering flexibility to suit the needs of modern workplaces and working lives.

This year the department achieved the Carer Confident re-accreditation. The 2022 People Survey results highlighted that our carers find it difficult to locate the policy and guidance they need. We are progressing activity to communicate and refresh our parent and carers support information to make it easier to access. We will do this in partnerships with senior champions, our carers and parents staff networks.

Our work on the gender pay gap is part of our overall approach to attract and retain talent. A detailed list of actions for the next year to build on our work to date is listed below.

Action Summary

Over the next year we will continue to build on our progress, by:

- upskilling managers to attract and recruit a broad range of candidates from across the country to flexible roles in rewarding careers;
- seeking to retain staff by helping to identify and navigate a career path in the organisation and improve how we measure both the experience of the learning and its impact;
- ensuring the pay differences in grades are reduced where possible as part of the annual pay awards;
- continuing to monitor the use of reward and recognition to ensure fair and appropriate use;

To support our work to reduce our gender pay gap we will undertake accompanying actions, to:

- progress the transformation of our people policies so that they are inclusive, consistent across the MoJ Group and are easy to use;
- developing line manager skills using our People Manager Handbook and associated learning opportunities;
- working in partnership with departmental staff networks to better understand staff experiences and to help the organisation improve and/or promote policy, guidance and support available for all staff and managers in the workplace;
- continuing to develop and expand our workplace offer to ensure people feel safe to challenge unacceptable behaviours including sexual harassment.

6. Declaration

We confirm that data reported by the Ministry of Justice is accurate and has been calculated according to the requirements and methodology set out in the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017.

MoJ Permanent Secretary: Antonia Romeo