

EQUALITY IMPACT ASSESSMENT

Policy or procedure being assessed: The Joint Inspection of Statutory Charging

Date of assessment: 9 January 2008

Type of assessment: Initial

Assessment undertaken by: Jonathan Carver

Objectives of the joint inspection: To assess the effectiveness of the operation of the charging scheme, in particular:

1. To determine the impact of the charging scheme on casework outcomes.
2. To consider the effectiveness of the governance of the pre-charge decision-making scheme (PCD).
3. To evaluate the operational effectiveness of the roles, responsibilities and processes of the police and CPS staff involved directly in the provision of charging decisions.
4. To determine the impact of PCD on resources for both the police and the CPS.

This initial equality impact assessment was undertaken in compliance with the statutory requirements of the Race Relations Act 2000, the Disability Discrimination Act 1995 and the Equality Act 2006. It also assesses on a non-statutory basis the equality impact in respect of sexual orientation, religion and belief, and age.

The assessment has considered whether the scope of what is to be inspected has the potential for discrimination. As part of the scope considers criminal justice casework outcomes we conclude that it does have the potential for discrimination. However, the Crown Prosecution Service (CPS) has undertaken a *full* Equality Impact Assessment (EIA) on statutory charging outcomes, which document is available to the inspection team. The CPS EIA evidences that there is no discrimination. This finding will be reviewed as the inspection progresses.

Police force specific EIAs have yet to be considered.

An initial EIA has also been undertaken in respect of the proposed methodology for the inspection. The process for the selection of the file sample and the criminal justice areas to be visited both have the potential for discrimination.

The initial random file sample will be assessed to ensure that it does not discriminate in respect of the categories of defendant or types of case selected. Currently, in order to ensure there is no difference in impact the selected file sample of concluded cases includes hate crimes (racially or religiously aggravated offences, domestic violence, homophobic offences or disability hate crime) child abuse, and rape cases. The process by which the criminal justice areas have been selected has included consideration of local demographics, and includes areas with significant black and other minority ethnic communities.

At this stage it is therefore concluded that there is no need to undertake a *full* EIA of the joint inspection of statutory charging. This will be kept under review as the inspection progresses.