

**CPS Community Accountability Forum  
Transgender Equality Sub Group**

**Tuesday 20<sup>th</sup> November 2012**

**CPS North West, 1st Floor Sunlight House, Manchester**

**Present**

**External Members**

[REDACTED] Transwirral  
GIRES  
(on behalf of [REDACTED] - Member of CPS Humberside  
LSIP)  
[REDACTED] Press for Change  
a:gender  
GADD

**CPS Members**

[REDACTED] Equality and Diversity Unit  
Equality and Diversity Unit  
Human Resources  
LGB&T Network Co-Chair  
CPS Mersey-Cheshire Equality, Diversity and Community  
Engagement Manager

**Apologies**

[REDACTED] GALOP  
LGB&T Network  
GIRES (now replaced by [REDACTED])  
[REDACTED] TREC

**1 Minutes of the last meeting and action points**

1.1 Minutes of the previous meeting were agreed as an accurate record.

1.2 The following actions were discussed:

- Membership list still needs to be circulated with contact details.
- It was agreed that it would not be appropriate for this group to include representation from the Judicial Appointments Board because this is an internal CPS forum. EDU staff will ensure that the work is highlighted at relevant cross government forums.
- Communications Strategy:

## **CPS Community Accountability Forum Transgender Equality Sub Group**

**Externally,** [REDACTED] will feed the work of the group into the cross-government Hate Crime Strategy Board that he attends. Trans Police Association have already contacted the group for a copy of the Guidance. **Internally,** the group will report to the CPS Community Accountability Forum (CAF) chaired by [REDACTED], Chief Executive. The CPS Community Engagement Newsletter highlights the work so far (copy shared).

-The change in law equalising the sentence up-lift in cases of Transgender Hate Crime with that in other hate crime case is expected to be introduced on 3<sup>rd</sup> December. CPS is still considering the best way to communicate this change.

-Sub group members were reminded of the request to send details of Trans media and newsletters to EDU. This will help CPS Communications to target CPS information more effectively.

- It was agreed that the ACPO lead will be kept informed of the work of this group, via the updates to be provided to the cross government forum.
- It was confirmed that Travel and Subsistence (T&S) forms had been circulated

**Action 1:** [REDACTED] to circulate membership list, with contact emails.

**Action 2:** All members to consider Trans media/newsletters that would be useful contacts for CPS Communications and forward contact details to Leona.

**Action 3:** [REDACTED] to forward details on how to disseminate information via Trans Wiki to [REDACTED]

### **2 Terms of Reference and Work Plan**

- 2.1 The up-dated Terms of Reference and Work plan were agreed by the group.
- 2.2 Members were encouraged to contribute on issues and to draft documents in between meetings.

### **3 Draft Changes to Transgender Equality Management Guidance**

- 3.1 Detailed discussion took place in relation to the suggested amendments to the guidance. The discussion points included:

**CPS Community Accountability Forum  
Transgender Equality Sub Group**

- Need to ensure the guidance is brought up-to-date to reflect changes in law and practice
- P16, Monitoring and training (in relation to Trans Hate Crime and breaches of GRA) are key issues, in particular for Crown Prosecution Service Direct (CPSD).
- Monitoring in relation to s146 will have a renewed focus when the up-lift in sentence extends to Transgender hate crime cases. Specific concerns were expressed in relation to the need to up-date the CPS policy on homophobic and transphobic crime, particularly on the external website and ensure that prosecutors are aware of the new provisions.
- P 17, Trans people can feel marginalised when Transgender hate crime is prosecuted using the language of homophobia. If evidence of homophobic perceptions is the best basis on which to prosecute a case involving a Transgender victim, then the prosecutor/Witness Care Unit staff should offer an explanation.
- Unlawful disclosure – It was suggested that it should be made clear that this is a 'serious disciplinary offence' and this should also be included in the disciplinary policy which is currently being reviewed.
- Press for change suggested consideration of the prison statement on gender identity and also consideration of transphobic crimes that take place in prisons.

**Action 4: [REDACTED] to identify case law to highlight GRA breaches.**

**Action 5: [REDACTED] to provide anonymised case studies highlighting GRA breaches in relation to employment.**

**Action 6: members to consider in further detail issues for defendants and return by email to [REDACTED]**

**Action 7: [REDACTED] to circulate an up-date from EDU to CPS prosecutors highlighting the new provisions in relation to sentence up-lifts in Transgender hate crime cases.**

**Action 8: Amendments from GIRES and any further amendments from other members to be sent to [REDACTED] preferably using 'track changes'.**

**Action 9: [REDACTED] to ensure that the guidance is consistent with CPS employment policies.**



**CPS Community Accountability Forum  
Transgender Equality Sub Group**

**7 Date of next meeting:**

**Monday 21st January 2013, 11am – 1pm, Manchester**

**Action List**

**Action 1: [REDACTED] to circulate membership list, with contact emails.**

**Action 2: All members to consider Trans media/newsletters that would be useful contacts for CPS Communications and forward contact details to [REDACTED]**

**Action 3: [REDACTED] to forward details on how to disseminate information via Trans Wiki to [REDACTED]**

**Action 4: [REDACTED] to identify case law to highlight GRA breaches.**

**Action 5: [REDACTED] to provide anonymised case studies highlighting GRA breaches in relation to employment.**

**Action 6: members to consider in further detail issues for defendants and return by email to [REDACTED]**

**Action 7: [REDACTED] to circulate an up-date from EDU to CPS prosecutors highlighting the new provisions in relation to sentence up-lifts in Transgender hate crime cases.**

**Action 8: Amendments from GIRES and any further amendments from other members to be sent to [REDACTED]-preferably using 'track changes'.**

**Action 9: [REDACTED] to ensure that the guidance is consistent with CPS employment policies.**

**Action 10: [REDACTED] to circulate up-dated version of guidance with amendments highlighted in yellow and acknowledgement of members input, before the next meeting.**

**Action 11: [REDACTED] to send draft guidance to Civil Service lead to help with review of Civil Service e-learning module.**

**Action 12: [REDACTED] to devise a 'mini workshop' to deliver to key staff eg HR Advisors to support implementation of the guidance – [REDACTED] to set date for meeting following publication of the guidance.**

**CPS Community Accountability Forum  
Transgender Equality Sub Group**

**Action 13:** [REDACTED] to invite a Specialist Hate Crime Prosecutor to next meeting to explain CPS handling of transphobic hate crime.

**Action 14:** All members agreed they would like to be a member of the National Scrutiny Panel. Members to consider whether any of their contacts working directly with Transgender victims would be interested in participating in the Panel. It was suggested that Equality, Diversity and Community Engagement Managers based in CPS Areas should be approached again to help identify potential participants. Stonewall Housing and Trans Bare All also recommended.

**Action 15:** LGB&T Network will attend and observe the National Scrutiny Panel and will consider members who may be appropriate as the specialist prosecutor for the Panel.