

**PPS Management Board**

**10.00 Thursday 16 October 2019**

**Board Room, Belfast Chambers**

**Members:**

**Stephen Herron (Chair)  
Michael Agnew  
Ian Hearst  
Marianne O’Kane  
Glenn Houston  
David Best**

**In Attendance:**

**Tom Murphy  
Claire Harrison (PPS Comms)**

**Secretariat:**

**Policy and Information Unit**

**1. Apologies**

None.

**2. Welcome**

The Director welcomed members to the October 2019 Management Board.

**3. Declaration of Board Members’ Interests**

None

**4. Management Board Minutes**

The previous minutes were agreed.

**5. Actions from the Management Board meeting of 5 September 2019**

***AP 09 19/20 - Ms O’Kane will liaise with PSNI to analyse trends and profiles of offences for the respective case weight categories and report findings to SMG.***

**Ongoing** . Ms O’Kane advised that Trends in Police Recorded Crime report from October 2018 highlighted a significant increase over the last five years in the numbers of sexual offences, drugs and possession of weapons offences, and a

decrease in offences of burglary, theft and criminal damage over the same period. The 2019 report is due to be published by mid-November and Ms O Kane will provide a further update to SMG and Management Board at the next meetings.

Ms O' Kane met with a Senior PSNI Officer to discuss projected future crime trends, the PSNI resourcing approach and any underlying analyses that may inform PPS's future capacity and resource planning. Helpful discussions took place regarding the PSNI's approach which PPS can build on in our own decision making in this area. It was agreed that there should be continued engagement with PSNI as this may assist and inform resourcing/capacity and identify potential training needs.

***AP 10 19/20 Ms O'Kane to review the existing arrangements for completion of the Prosecutor Activity Sheets and provide options to supplement and improve the process.***

Ongoing - Ms O'Kane updated members on feedback obtained from ADs regarding the Prosecutor Activity Sheets. A number of issues were raised in respect of consistency and accuracy of information recorded. Further discussions will be held at the Performance Accountability Meetings and an update will be provided at the January meeting.

***AP 11 19/20- Progress update on files allocated outside SCU to be provided to next Board.***

***Cleared*** - See item 8

## **6. Reports from Management Board Committee**

### **Senior Management Group – 9 October 2019**

Mr Agnew updated members on the main issues discussed at the Senior Management Group meeting of 9 October 2019, including training options that are being taken forward with CPS.

### **People & Resources Committee 1 October 2019**

Mr Hearst provided an update on matters discussed at the meeting of 1 October 2019, including Agile Working and the liP follow up review scheduled for November 2019.

### **Performance & Delivery Committee 4 September 2019**

Ms O'Kane updated members on the matters and actions arising from the Performance & Delivery Committee meeting of 4 September 2019.

## **Policy and Quality Committee 14 June 2019**

Mr Agnew advised that a meeting is scheduled in the next few weeks. Items on the agenda include the ongoing consultation on the 'Guidelines for the Prosecution of Young Offenders' and matters arising in regard to consistency of diversion decisions in youth sexual offence cases.

### **7. Strategic Improvement Board**

#### **Minutes of Board Meeting.**

Members reviewed the minutes of the Strategic Improvement Board (SIB) meeting and noted the updates and current position of the projects.

Mr Hearst advised that highlight reports will be available for each of the projects at the next SIB rather than verbal updates. It has been agreed to establish a SIB Working Group which will engage directly with business areas to identify and determine needs and to keep areas informed of inter dependencies.

Work is progressing on Disclosure improvements, however there is an overlap with this area and the Gillen Review. Members were advised that a resource impact assessment will be required in respect of the Gillen Review.

#### **Update on Criminal Justice Board**

The Director provided an update on matters discussed at the Criminal Justice Board meeting, including issues arising in respect of case management in Crown Court.

### **8. Performance Issues**

#### **Performance Summary**

Members reviewed the figures for Timeliness Targets for 2019/20. This new performance reporting framework moves the PPS to the same metrics of measuring timescales as DOJ. Members discussed and compared the figures for the number of days required for the issue of 50% and 80% of decisions by decision type from 1 April 2019 to 31 August 2019.

Members reviewed and noted the figures in the September Performance Summary. Comparing the last 12 months the overall caseload figure has increased by 2.0%. In case weight categories 1-4, Southern Region has experienced the largest regional percentage increase of 17.5%, members were

advised of engagement by the AD with local policing commands to ascertain if there is any apparent rationale for the increase.

The decision standards for SPPs in the regions were met at 1.0 decision per day. The target for PPS was also met with an average of 7.9 decisions per casework day, a decrease from last month (8.3 days), in particular Southern region has dipped slightly below target with 6.5%.

Members reviewed the percentage of time spent on casework by prosecutors across the regions. Members also noted the numbers of files currently in Case Preparation section and approximately 80% of these have been with the team in excess of 30 days and noted the reasons contributing to that position.

The average days for prosecution decisions increased from 65.8 to 179.5, which is assessed to be a result of the recent focus on clearance of older cases. A total of 85 cases were dip sampled with over 96% made in accordance with the Code.

### **SCU Monitoring Report**

Members reviewed and discussed the Monitoring Report. Members were advised of further measures to progress cases dealt with outside SCU, including expanding the pool of counsel assisting with the cases and further allocation of cases to existing counsel. It has also been agreed to deploy a resource from one of the Regions to these cases for a limited period, and in addition to distribute cases more broadly among the SPPs.

Members noted that progress is slower than anticipated in clearing the older SCU cases. Ms O’Kane advised that within the substantive team a number of SPPs are still significantly involved in post decision work and training of new staff, but noted that productivity in terms of decision making output had increased, which was an early indication that the new model is having a positive impact. The position will be reviewed in December. Ms O’ Kane currently meets with the AD SCU, the SCU Engagement Manager and Mrs Carlin weekly to discuss performance.

### **Overview of Old Cases.**

Members reviewed and discussed the latest figures and progress on clearing the outlying cases identified from the 80/40 day report. Ms O’Kane advised that Phase 1 of the exercise has been completed with all the cases on the lists analysed and those sifted and extracted from the 80/40 list that cannot be progressed currently, such as extradition and outstanding warrant cases. This list will be managed separately on a ‘Written Out’ list.

The target is to clear cases in the older bracket by the end of December 2019, although it is noted this is rolling data, with new cases appearing on the lists daily. ADs have been requested to continued focussing on these cases, with continued

monitoring of progress. Should any cases remain on the list in January 2020 without a decision having been taken, Case Management meetings will take place to address these.

Phase 2 involves examination of the extracted cases to either make progress or conclude these. This exercise will have to be carefully managed to ensure that timeliness data is accurately recorded. The Head of Management Information will be consulted on this issue.

Phase 3 is to reduce the cases on a rolling basis.

The Board requested a further update on progress for the January Board and commended Ms O’Kane, Mrs Kelly of PIU (who conducted the individual case reviews) and all regional staff for the positive progress achieved through this exercise.

***AP 12- 19/20 Ms O’Kane to provide the January 2020 Management Board with a progress update on the clearance of the outlying cases.***

## **9. Finance**

### **Finance Update July 2019**

Members reviewed and discussed the paper outlining the key financial issues managed by the Finance Team as at July 2019, including the key financial outturn figures, financial impact of the use of counsel, funding position in respect of 2019/20, in year monitoring arrangements and management and use of incentivisation fund. Members noted the overall resource spend has fallen and with the additional funding profiled over the remainder of the year it is anticipated the PPS will be in an underspend position by year-end.

### **Procurement Report September 2019**

Members noted the key issues in the August 2019 Procurement Report, including the major procurement activity and contracts due to expire in the next three months. Members discussed the contract compliance of receipted items and the ongoing monitoring and corrective action taken by the Procurement Team. PPS have an internal compliance target of 90% for 2018-19 which is increasing to 95% for 2019-20.

## **10. People Issues**

### **NICSHR**

Members reviewed and discussed the September HR Report. Members noted information on the resourcing, vacancy management and recruitment updates, management of attendance, employee relations and learning and development.

### **RMT Update September 2019**

Board Members reviewed and discussed the RMT report and noted the current staffing levels are above capacity, with the complement now at 513. Updates on health and wellbeing, corporate social responsibility and training were also noted.

## **11. Governance Issues**

### **Corporate Risk Registers 2019/20**

Members discussed and reviewed the 2019/20 Corporate Risk Register and noted the status and rating of all associated risks.

### **Complaints Report.**

Members reviewed the update provided on complaints, reviews, AQs and general correspondence. Members discussed the update and noted the continued increase in requests for reviews.

## **12. Criminal Justice Reports Update**

Mr Agnew advised of a meeting held with CJINI, PSNI and PPS regarding a follow up of the 2015 Review of File Quality and Disclosure. It is intended the inspection will commence in February 2020, with fields work timescale yet to be agreed.

Members were also briefed on the imminent publication of the findings of the Criminal Justice Inspections in respect of Victim and Witness care across the Criminal Justice System and the report on Child Sex Exploitation.

## **13. Any Other Business**

### **Website Update.**

Members noted that the new website is live and expressed their thanks to all involved in the project.

**Business Case – Court Courier Extension.**

Members discussed the requirements, need and cost and approved the 1 year extension of the Court Courier.

**Business Case -Tablets**

Members discussed the need, benefits, risks and costs associated with the Tablets and accordingly approved the business case.

**14. Papers for noting**

**Six Week Forward Planner/ Communication Update**

Board Members noted the six week forward planner and communication update.

**15. Next Meeting**

The next Management Board will take place on the 5 December 2019 in Belfast Chambers.

## Summary of Action Points arising from Management Board

Meeting of 16 October 2019

<b>AP 12- 19/20</b>	<b><i>Ms O’Kane to provide the January 2020 Management Board with a progress update on the clearance of the outlying cases.</i></b>
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Action Points carried over from previous meetings.

<b>AP 09 19/20</b>	<b><i>AP Ms O’Kane will liaise with PSNI to analyse trends and profiles of offences for the respective case weight categories and report findings to SMG.</i></b>
<b>AP 10 19/20</b>	<b><i>AP Ms O’Kane to review the existing arrangements for completion of the Prosecutor Activity Sheets and provide options to supplement and improve the process.</i></b>