



**Public
Prosecution
Service**

Independent
Fair
Effective

**ANNUAL
REPORT**
& ACCOUNTS
2019-20



**Public
Prosecution
Service**

Independent
Fair
Effective

Annual Report laid before the Northern Ireland Assembly by the Attorney General for Northern Ireland under section 42(6) of the Justice (Northern Ireland) Act 2002.

Resource Accounts laid before the Northern Ireland Assembly by the Department of Finance under section 10(4) of the Government Resources and Accounts Act (Northern Ireland) 2001.

Annual Report presented to Parliament pursuant to section 42(6) of the Justice (Northern Ireland) Act 2002.

Resource Accounts Presented to Parliament by Command of her Majesty.

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The Vision, Aim and Values of the Public Prosecution Service

Our Purpose

We will provide an independent, fair and effective prosecution service for the people of Northern Ireland. We will act impartially and in the interests of justice at all times, applying the highest professional standards and treating everyone fairly and with respect.

We are at the heart of the criminal justice system and will work with partners to build a safer community in which we respect the law and each other. We will strive to deliver a modern, innovative and transparent service that shows compassion and understanding towards victims of crime while meeting our obligation to ensure fairness to all.

Our Values

► Independence and Integrity

We will maintain our independence and act at all times with integrity, fairness and impartiality. We will seek to deliver justice in every case in accordance with the law, respecting the human rights of all persons.

► Openness and Honesty

We will communicate openly and honestly, in accordance with our professional duties. We will set clear standards about the service the public can expect from us.

► Respect

We will respect each other, our colleagues and the public we serve, showing courtesy, sensitivity and understanding.

► Excellence

We will make the best use of our people and resources, seeking to achieve excellence in everything we do.

► Partnership

We will work in partnership within the criminal justice system to better serve the community.



Contents

Glossary	3
Forewords	
▶ Attorney General for Northern Ireland	4
▶ Advocate General for Northern Ireland	5
Report by the Director of Public Prosecutions for Northern Ireland	7
Performance Report	
▶ The PPS Year in Summary	12
▶ Corporate Planning in the Public Prosecution Service	13
Performance Analysis	
▶ Performance against Key Delivery Targets	38
▶ Financial Performance Summary	45
▶ Long-Term Expenditure Trends	48
Accountability Report	
Corporate Governance Report	
▶ Non-Executive Director's Report	50
▶ Statement of the Accounting Officer's Responsibilities	54
▶ Governance Statement	55
Remuneration and Staff Report	
▶ Remuneration Report	69
▶ Staff Report	79
Assembly Accountability and Audit Report	
▶ Statement of Assembly Supply	83
▶ The Certificate and Report of the Comptroller and Auditor General to the Northern Ireland Assembly	90
Financial Statements	
▶ Financial Statements	94
▶ Notes to the Financial Statements	98



Glossary

AD	Assistant Director	ICP	Indictable Cases Process
AME	Annually Managed Expenditure	ICT	Information and Communications Technology
AO	Accounting Officer	IIP	Investors In People
ARC	Audit and Risk Committee	NEBM	Non-Executive Board Member
ARIS	Asset Recovery Incentivisation Scheme	NED	Non-Executive Director
BBA	Broadly By Analogy Pension Scheme	NIAO	Northern Ireland Audit Office
CARE	Career Average Revalued Earnings	NICS	Northern Ireland Civil Service
CETV	Cash Equivalent Transfer Value	NICTS	Northern Ireland Courts and Tribunals Service
CJB	Criminal Justice Board	NIPS	Northern Ireland Prison Service
CJINI	Criminal Justice Inspection Northern Ireland	NISRA	Northern Ireland Statistics and Research Agency
CJPDG	Criminal Justice Programme Delivery Group	PBNI	Probation Board for Northern Ireland
CJSNI	Criminal Justice System Northern Ireland	PCSPS	Principal Civil Service Pension Scheme
CPI	Consumer Price Index	PDC	Performance and Delivery Committee
DEL	Departmental Expenditure Limit	PP	Public Prosecutor
DoF	Department of Finance	PPP	Principal Public Prosecutor
DoJ	Department of Justice	PPS	Public Prosecution Service
DPO	Data Protection Officer	PQC	Policy and Quality Committee
DPP	Director of Public Prosecutions (for Northern Ireland)	PQS	Prosecution Quality Standards
FRem	Government Financial Reporting Manual	PRC	People and Resources Committee
FTE	Full Time Equivalent	PSNI	Police Service of Northern Ireland
GDPR	General Data Protection Regulation	RI	Registered Intermediaries
HCA	Higher Court Advocate	RMT	Resource Management Team
HCDG	Hate Crime Delivery Group	SAD	Senior Assistant Director
HIA	Head of Internal Audit	SCS	Senior Civil Service
HIU	Historical Investigation Unit	SMC	Substance Misuse Court
IAC	Independent Assessor of Complaints	SMG	Senior Management Group
IAO	Information Asset Owner	SPP	Senior Public Prosecutor
IAS	International Accounting Standard	VWCU	Victim and Witness Care Unit
ICO	Information Commissioner's Office		



Foreword by the Attorney General for Northern Ireland

It is a pleasure to contribute a foreword to this report, which is a testament to the volume and complexity of the work undertaken by the PPS on behalf of the public in 2019 – 2020.

The volume of complex cases handled by the Public Prosecution Service has increased year on year and the commitment of the Service during the reporting period, under the leadership of the Director of Public Prosecutions Mr Stephen Herron, has been outstanding. The Director continues to pursue an ambitious programme of continuous improvement and innovation, working collaboratively with stakeholders to achieve better outcomes for the people of Northern Ireland.



I am pleased to note that the Public Prosecution Service has made an important contribution to the Review of Hate Crime being undertaken by His Honour, Judge Marrinan, and will continue its involvement in the implementation of the recommendations made by Sir John Gillen.

As with many organisations, the Public Prosecution Service has faced considerable difficulties due to the Covid-19 pandemic. The contents of this report and the media coverage of the work of the criminal courts throughout the pandemic demonstrate that it has fully risen to the challenge.

A handwritten signature in black ink that reads "Brenda King".

Brenda King
Attorney General for Northern Ireland



Foreword by the Advocate General for Northern Ireland

On 13 February 2020 I had the honour of being appointed as Advocate General for Northern Ireland. As Advocate General I am the chief legal advisor to the UK Government on matters relating to Northern Ireland. My principal responsibilities relate to matters reserved to Westminster under the devolution settlement for Northern Ireland.

I was very pleased to read this report and to see that, despite levels of serious casework remaining high and the resultant pressure this places on resources, the Public Prosecution Service has sought to improve both operational delivery and strategic engagement with partners over the last year.

I have been impressed with how well the PPS has risen to the unique challenges posed by the unprecedented Covid-19 pandemic. The current pandemic may present further opportunities to develop existing initiatives with police such as proportionate file building, “no prosecution” clinics and a gateway approach to improving file quality, similar to that currently being evaluated in the Serious Crime Unit.

Liaison with the Crown Prosecution Service has been of benefit to exchange views and experiences on matters such as digital working and improving disclosure processes, and no doubt this useful engagement will continue over the coming year.





I also applaud the continued investment in improving strategic collaboration with other stakeholders on major criminal justice policy matters, such as the Committal Reform Initiative and the joint Digital Justice Strategy. The establishment of a Strategic Improvement Team has allowed for greater organisational resilience and considerable expertise to be built up to work closely alongside policy colleagues, and this should help improve outcomes for all concerned.

My Office works closely with those of the Attorney General for Northern Ireland and the Director of Public Prosecutions and I look forward to that continuing over the forthcoming year.

The Rt. Hon Suella Braverman QC MP
Advocate General for Northern Ireland



Report by the Director of Public Prosecutions for Northern Ireland

I am pleased to present the 2019-20 Annual Report and Accounts for the Public Prosecution Service (PPS), reflecting my second full year in office as the Director of Public Prosecutions for Northern Ireland. Full details of our performance over the last year are detailed within this report.

I would like to take this opportunity to highlight some of the key developments and challenges for the PPS over the course of the year.

Even though it materialised fairly late in the financial year, it would be remiss of me to discuss 2019-20 without first mentioning the impact of Covid-19. This is first and foremost a health pandemic and my primary concern is for the safety and wellbeing of our staff. However, the PPS also has statutory functions which have to be fulfilled and ensuring that a service, albeit restricted, could continue by way of remote working was a priority for the Senior Management Team. I am extremely proud of how all parts of the organisation reacted to these challenging circumstances, developing innovative solutions as required within a very demanding timeframe. I suspect that these changed working arrangements will be with us for some time and the next year will be about adapting to the new ways of working, while dealing with the backlogs that have inevitably built up across the justice system.

We will continue to work in partnership with other stakeholders to ensure that cases are taken forward as quickly and as safely as possible and will do all we can to support victims and witnesses through the many uncertainties that the pandemic has created.





Increased Complexity of Casework

The 2019-20 financial year has seen further changes in the mix of cases coming to the PPS for a prosecution decision. While, as previously reported, lower level summary work has reduced over the last 6-7 years, the more complex indictable work has increased over the same period. During 2019-20 a total of 4,813 cases were received in our four most serious case categories (including homicide, sexual offences, serious fraud/dishonesty and other serious offences), representing a rise of 7% on the previous year.

In fact the overall volume of these serious offences has increased year on year since 2013-14. Within this we have also seen a shift in the offence types received, which has included a 5% growth in sexual offences during the current year, an area where file submissions have risen by more than two-fifths since 2013-14. Such cases present particular prosecutorial issues, such as the complexity and volume of materials to be reviewed (including social media), the particular vulnerability of many of the victims and the low levels of admission of guilt and subsequent early resolution.

PPS, aware of the increasing need for specialism, set up a centralised Serious Crime Unit (SCU) in 2016 to focus on prosecution decisions in sexual offence cases, non-terrorist murders and cases involving human trafficking. This Unit has developed best practice in these cases and refined procedures to better meet the needs of victims and witnesses. An evaluation of the Unit was undertaken during 2018-19 and the resulting recommendations have been implemented by PPS during this year. There has been a particular focus on the 'gateway' approach with greater focus on the quality of files being presented to Senior Prosecutors to make decisions.

The final report by Sir John Gillen, examining how current criminal justice arrangements for dealing with serious sexual offending could be improved, was published on 9 May 2019 and the Department of Justice (DoJ) has produced an action plan which incorporates responses to those recommendations involving the PPS. Further detail is provided later in this report but I am pleased to say that the PPS will be dedicating resources to ensure we deliver on these commitments.



Working Strategically with Our Partners

The PPS faces a range of potential pressures in the years ahead, driven by a number of factors, including legacy casework, Brexit, the implementation of direct committal to the Crown Court, the demands of digital evidence and the need for effective disclosure processes. As a Service we strive to plan for these future demands.

Operationally, my number one priority is the reduction of avoidable delay in the prosecution process and a series of initiatives are underway, directed at tackling the causes. Working with partners will be vital to the implementation of any solutions. The effective management of resources will also be important in delivering planned improvements. With this in mind, we have restructured our internal approach to managing change by establishing a Strategic Improvement Board with a dedicated team to manage risks and deliver outcomes.

I see significant changes ahead for the Criminal Justice System in terms of how the various stakeholders interact. A cultural change will be required to move to more proportionate case building, focused on reasonable lines of enquiry identified through prosecution engagement with police and defence representatives and supported by active case management from the judiciary. The opportunities for digital transformation of justice delivery is also an area requiring a joined up approach.

As outlined above, the challenges posed to the justice system by Covid-19 will also present opportunities for implementing new processes to speed up or improve service delivery, and it is essential that this is maximised by close collaboration between all criminal justice agencies.

Maintaining Public Confidence

Although strategic collaboration is important in securing better outcomes, it is the independence of the PPS which ensures the integrity of prosecution decision making and conduct of proceedings. This is vital in maintaining public confidence. However independence does not mean isolation and the PPS sits at the heart of a criminal justice system where it is accountable for decisions it has taken to bring defendants before the courts. The Service is also accountable for decisions taken not to prosecute and this accountability is to be embraced as a requisite counterbalance to the independence of the office.



I see increased open and transparent engagement with the victims and witnesses of crime, representative groups and indeed the wider community, as being key to maintaining confidence in the PPS and the wider justice system. Effective engagement with the media and political representatives will also play an important role. There are often misconceptions about the role of the PPS and I wish to reach out in order to build understanding of the work we do. Explaining our role within the justice system, providing reasons for our decisions and listening to how we can improve our services will be a key focus of our communications.

I hope that we will be seen as an organisation that learns not only from our mistakes, but our successes. As Director I have seen many examples of victims being expertly supported by both PPS staff and Counsel to see criminal proceedings through to conclusion, but much of this work goes unheralded. Our approach to communications will continue to build on much of the good work that the Service undertakes on a daily basis and will involve continued engagement with the media to ensure accurate reporting of prosecutorial matters of interest to the public. I am pleased we have launched a new website in the course of the year and are building our social media presence through Twitter.

Supporting Our People

Although we are independent and impartial, that does not mean that we are isolated or distant, and it takes personal qualities such as empathy and sensitivity along with strong professional skills and knowledge to ensure we retain the confidence of those we serve. In this, as in all aspects of our work, our staff remain our greatest asset and I am committed to their continuing development and supporting them fully to do the best they can.

As reported last year, PPS was the first NI Civil Service Department to achieve accreditation under Investors in People Sixth Generation. Through a series of staff workshops we have developed five priorities within the PPS People Plan. We also committed to establishing a new staff engagement network, the PPS People Forum, and this has met on 4 occasions during this year. Led at Assistant Director level, the Forum includes representatives from across PPS and is already influencing the delivery of key objectives in our People Plan.



A major component of development in this area has been, and will continue to be, investment in staff training. The refresh of our prosecution panel of Junior Counsel in July 2019 has provided us with the opportunity for joint training events, so that there continues to be a consistent, professional approach to case handling from receipt of file to disposal at court.

I am fortunate to have strong teams in place across every area of our business to proactively face the challenges ahead, and I am confident that if sufficiently resourced we will be able to deliver on an ambitious agenda to improve service delivery.

Finally, I would like to personally thank the outgoing Attorney General, John Larkin QC, for the support shown to both me and the Deputy Director over the last few years and for admirably fulfilling his statutory functions in relation to the PPS. I wish him every success in his future endeavours.

Stephen Herron
Director of Public Prosecutions
for Northern Ireland



Performance Report

► The PPS Year in Summary

Supporting a safer community by providing an effective and high quality prosecution service

Strategic Priority 1

**43,332**

CASES RECEIVED IN 2019-20

**50,174**

DECISIONS ISSUED

**30,512**

DEFENDANTS DEALT WITH AT COURT

Building confidence in the independence, fairness and effectiveness of the service

Strategic Priority 2

**77%**

CONFIDENCE IN THE FAIRNESS AND IMPARTIALITY OF THE PPS

**53**

COMPLAINTS RECEIVED. 7 UPHELD AND 14 PARTIALLY UPHELD

**89%**

OF COMPLAINTS ASSESSED AND COMPLETED WITHIN AGREED TIMESCALES

**195**

REQUESTS FOR REVIEW OF A PROSECUTION DECISION, 14 RESULTED IN THE ORIGINAL DECISION BEING CHANGED

Meeting the needs of victims and witnesses

Strategic Priority 3

**89%**

OF ALL 28 DAY CHARGE CASES WERE REVIEWED WITHIN AGREED TIMELINES

**10**

TARGETS WERE ACHIEVED IN TIMELINESS OF DECISIONS

Strengthening our capability by continuously improving the way we work

Strategic Priority 4

**£38.2m**

TOTAL BUDGET FOR 2019-20

**£36.8m**

NET RESOURCE OUTTURN

**100%**

FOI REQUESTS DEALT WITH WITHIN AGREED TIMESCALES

**97.8%**

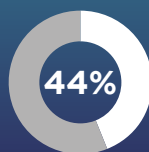
OF INVOICES PAID WITHIN 10 WORKING DAYS

**99.6%**

OF INVOICES PAID WITHIN 30 WORKING DAYS

Supporting and empowering our people

Strategic Priority 5



EMPLOYEE ENGAGEMENT - NICS STAFF ATTITUDE SURVEY

**418.3**

SUBSTANTIVE FTE AS AT 31 MARCH 2020

**93%**

OF STAFF WORKING IN FRONTLINE SERVICES



► Corporate Planning in the Public Prosecution Service

The Role of the Public Prosecution Service

The PPS is the principal prosecuting authority in Northern Ireland, with responsibility for taking decisions as to prosecution in all cases initiated or investigated by the police and for the conduct of criminal proceedings. PPS also considers cases initiated or investigated by other statutory authorities, for example HM Revenue and Customs.

The primary role of the PPS is to reach decisions to prosecute or not to prosecute. Additional services are also available which enhance effectiveness including the provision of prosecutorial and pre-charge advice. Options are also available to allow prosecutors to deal with offenders other than through prosecution including adult and restorative cautions, informed warnings and youth conferencing. Prosecutors may also refer offenders to the National Driver Alertness Course. The purposes of diversion include dealing quickly and simply with less serious offenders, reducing the risk of reoffending and engaging the offender in a restorative process with the victim and society as a whole.

PPS Structures

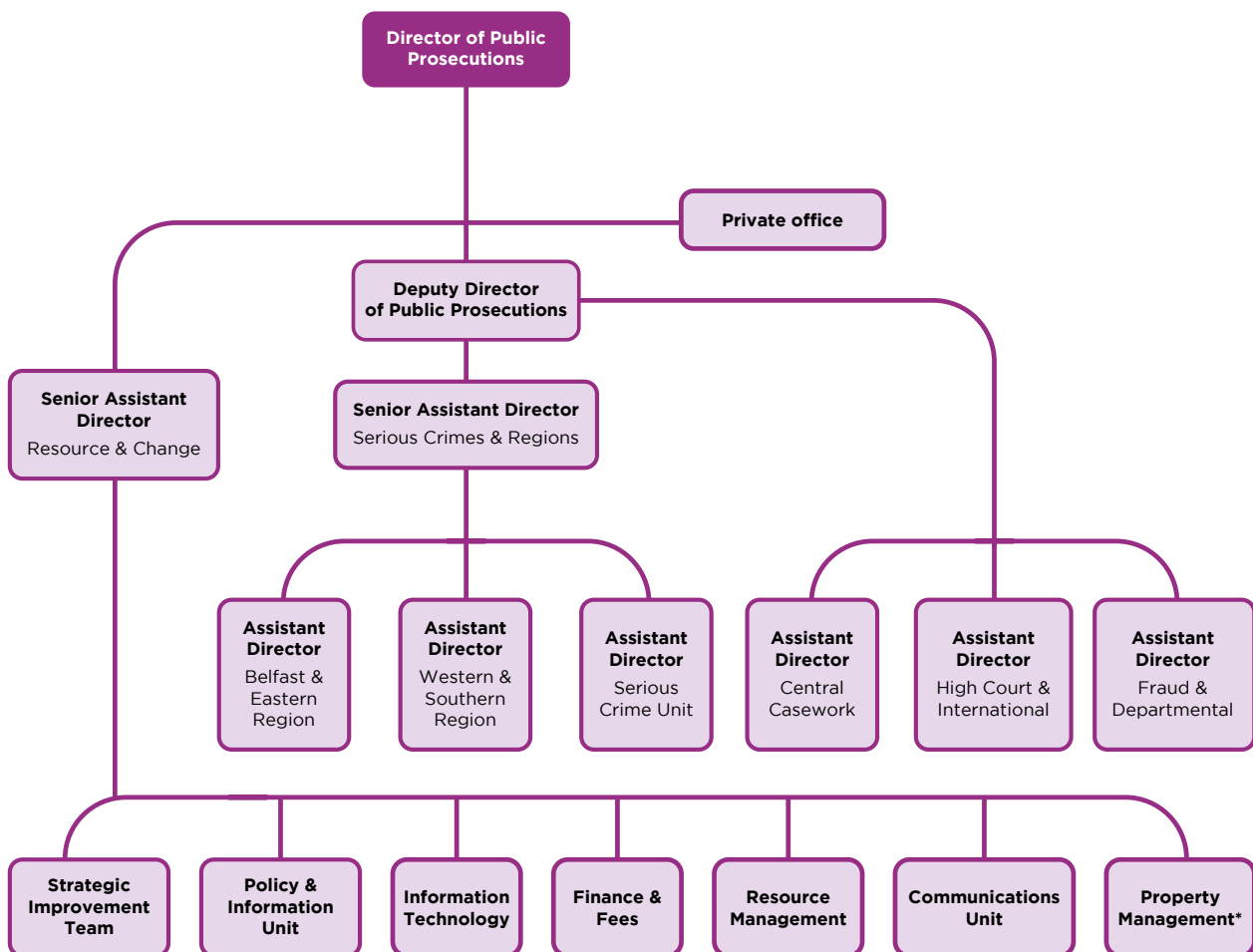
The PPS is a regionally based organisation. There are two regions, Belfast and Eastern Region and Western and Southern Region, each of which is headed by an Assistant Director (AD). The AD is responsible for working with the courts and the police to provide a high quality prosecution service in their area. The regions deal with a range of cases, from the less serious summary cases, which are heard in the Magistrates' Courts, through to more serious indictable cases which are heard in the Crown Court.

In addition there are four legal sections, based in the PPS Headquarters, which are also headed at AD level:

- The Serious Crime Unit, which deals with a range of the most serious offences including murder, manslaughter, human trafficking, rape and other serious sexual offences.
- Central Casework Section, which handles some of the most high profile and difficult cases in Northern Ireland, including files relating to terrorism and organised crime.



- Fraud and Departmental Section, dealing with serious and complex fraud files submitted by the police, as well as files from government departments and agencies.
- High Court and International Section, which deals with a wide range of specialist legal matters, including High Court bail applications, appeals to the Court of Appeal, judicial reviews, restraint and confiscation orders, extradition, international letters of request and cases referred by the Criminal Cases Review Commission.



*Includes Business Assurance and the Victim and Witness Care Unit.



The Senior Assistant Director (SAD) Resource and Change is responsible for the organisation's support services such as Policy and Information, Finance, Communications, Resource Management, Business Assurance, Information and Communications Technology and Strategic Improvement Team, as well as the Victim and Witness Care Unit (VWCU).

Standards Applied

In exercising its functions, the PPS complies with the binding obligations of international law ratified by the UK. It also complies with the Convention rights incorporated into domestic law by the Human Rights Act 1998, the UN Declaration of Basic Principles of Justice for Victims of Crime, relevant EU Directives and Conventions and relevant case law.

Prosecutors will also have regard to any legal guidance provided by the Director and the Attorney General for Northern Ireland, including Human Rights Guidance issued under Section 8 of the Justice (Northern Ireland) Act 2004.

Prosecution Decisions

Prosecutions are instituted or continued only where the public prosecutor is satisfied that the Test for Prosecution is met. The Test for Prosecution is met if:

- The evidence which can be adduced in court is sufficient to provide a reasonable prospect of conviction – the Evidential Test; and
- Prosecution is required in the public interest – the Public Interest Test.

The Test for Prosecution is a key element of the Code for Prosecutors issued under Section 37 of the Justice (Northern Ireland) Act 2002. The Code gives guidance on the general principles to be applied in determining in any case whether criminal proceedings should be brought, what charges should be preferred and how prosecutions should be conducted. It also sets out the standards of conduct that the PPS requires from prosecutors, including external counsel instructed on behalf of the Director.



Conduct of Prosecutions

The majority of prosecutions are heard in the Magistrates' Court. Prosecutions in the Magistrates' and Youth Courts, and appeals to the County Court, are conducted by Public Prosecutors (PP) - in house lawyers with rights of audience in NI Courts. The most serious offences are heard in the Crown Court. These cases are generally conducted by external counsel who also cover cases at the High Court and the Court of Appeal. This role makes external counsel essential to the effective delivery of PPS services.

All members of external counsel provide their services to PPS under Terms of Engagement and are required to comply with the policies and guidance of the Director, including PPS Advocacy Standards and Code of Ethics.

Working in Partnership: Criminal Justice System Northern Ireland

The PPS works in partnership with the Police Service of Northern Ireland (PSNI), the Northern Ireland Courts and Tribunals Service (NICTS), the Northern Ireland Prison Service (NIPS), the Probation Board for Northern Ireland (PBNI), the Youth Justice Agency (YJA) and the DoJ, as part of the Criminal Justice System Northern Ireland (CJSNI).

The Director is a member of the Criminal Justice Board (CJB), established to improve engagement between the most senior leaders within the CJSNI. The Board also provides strategic oversight to the work of the Criminal Justice Programme Delivery Group (CJPDG). The PPS is represented on the CJPDG which comprises senior officials from each of the various agencies.

PPS Strategic Priorities

PPS corporate planning is based around five strategic priorities which act as a framework to drive our planning outcomes and our approach to managing performance and risk. Within each priority area a number of objectives have been set out as the focus of the PPS's work programme and will progress the delivery of the Service's vision.



Risk Management

The PPS is committed to high standards in corporate governance. Effective risk management processes have been developed to improve the quality of decision making and the ability to deliver on strategic and operational objectives.

The PPS risk management framework was updated in December 2019 and complements the current corporate and annual business planning and financial management arrangements which together provide the systems to manage the Service's resources.

The Corporate Risk Register is aligned with the five strategic priorities of the PPS. During 2019-20 the Board identified ten corporate risks that could, if not managed properly, have reduced the Service's ability to deliver against its strategic priorities.



Strategic Priority	Risk Area	Description
Supporting a safer community by providing an effective and high quality prosecution service	Management of Serious and High Profile Cases	Delay in the consideration of serious / high profile cases, including serious sexual offences, has the potential to damage victim and witness confidence and the reputation of the Service.
	Legacy Cases	There is no political agreement for the handling of legacy work, with the result that current complex legacy cases cannot progress without additional funding and appropriate arrangements cannot be put in place in preparation for Historical Investigation Unit (HIU) implementation.
	Disclosure of Evidence	The disclosure regime is not applied in a consistent manner, so as to maintain the trust and confidence of those involved in the criminal justice system and the wider public.
Building confidence in the independence, fairness and effectiveness of the Service	Stakeholder Engagement	The Service does not seize opportunities to engage and influence its stakeholders and the public, resulting in a failure to build political and public confidence.
	Information Management and Security	PPS systems do not comply with GDPR requirements and/or cyber-security best practice, resulting in data and privacy breaches and potential financial penalties.
Meeting the needs of victims and witnesses	Victim and Witness Service	The PPS does not provide the standards of service to which victims and witnesses are entitled, with the result that our commitments under the Victim and Witness Charters are not met.
	Funding	The Service does not have a sustainable baseline and unavoidable funding pressures may have a negative impact on current levels of service delivery and the range of functions provided.
Strengthening our capability by continuously improving the way we work	Change Management	Ineffective management of change and engagement with CJSNI partner agencies puts at risk the implementation of strategic initiatives and efforts to tackle avoidable delay.
	Brexit	Uncertainty regarding the timing and scope of Brexit leads to difficulties in operational planning and the assessment of any resource impact on the Service.
Supporting and empowering our people	PPS People Plan	Failure to meet our People Plan objectives has a significant impact on levels of staff engagement and service delivery.
	Coronavirus (Covid-19)	<p>There is a risk that this will impact on PPS delivery and performance as the Covid-19 pandemic leads to severe difficulties in terms of operational and staff planning which have a significant negative impact on service delivery and organisational performance.</p> <p>There is also a risk of an adverse impact on the well-being of staff.</p> <p>Agreed mitigation measures in response to the pandemic are insufficient to protect the health and well-being of staff.</p>



Programme for Government (PfG)

On 26 May 2016, the NI Executive agreed the draft Programme for Government (PfG) Framework for 2016-21. The draft framework contained 14 strategic outcomes which, taken together, were to set a clear direction of travel and enable continuous improvement on the essential components of societal wellbeing. They touched on every aspect of government, including the attainment of good health and education, economic success and confident and safer communities.

In addition to merely fulfilling statutory obligations, the aim was to be able to target those things that make real improvements to the quality of life for the citizen. The outcomes were supported by 42 indicators which were clear statements for change. Each indicator was accompanied by measures intended to demonstrate performance in relation to the outcomes - providing a basis to monitor progress and take corrective action.

A key feature of the PfG was its dependence on collaborative working between organisations and groups, whether in the public, voluntary, or private sectors. The underlying intent was for the various bodies to work collectively to deliver this programme, driving work across boundaries and focusing on the outcomes rather than traditional departmental lines.

Outcome 7 is the primary focus for the criminal justice system: “we have a safe community where we respect the law and each other”. Although the work of the PPS extends across a number of the indicators linked to this outcome, the key contribution is in respect of Indicator 38, and in particular in tackling avoidable delay:

- Indicator 38: Increased effectiveness of the criminal justice system. Speeding up the criminal justice system has been a priority since the devolution of policing and justice in April 2010. The speed of the system matters to victims and witnesses, and to their families and communities. It is important to offenders too, and early resolution of cases can help with offenders’ understanding of the implications of their actions. Overall, speed is one element of confidence in the system. Confidence in the justice system is also important as it helps demonstrate legitimacy and respect for the rule of law.



Performance during 2019-20

STRATEGIC PRIORITY 1:

Supporting a safer community by providing an effective and high quality prosecution service

Objective: To deliver the highest standard of decision-making, case preparation and advocacy on a fair and consistent basis.

Legal Quality Assurance

A number of quality assurance reviews were undertaken by the Policy and Information Unit during 2019-20, including:

- Compliance with PPS case management procedures in indictable cases;
- Prosecution of cases involving domestic violence and abuse;
- Use of 'streamline' no prosecution file builds (Working Together Project);
- Recording of reasons for indictable prosecution decisions; and
- Use of toxicology reports.

Members of the Policy team have also quality assured the PSNI's use of Community Resolution Notices and Penalty Notices for Disorder. This was carried out monthly on the basis of a Service Level Agreement.

In addition, senior managers have reviewed a range of serious cases where there has been an unsuccessful outcome (for example, No Bills and Acquittals by Direction in the Crown Court) to ensure that any lessons learned have been considered.

Policy Development

A range of policy areas have been progressed during 2019-20. A number of policy statements were published for consultation including guidelines for the prosecution of young offenders and an updated policy for the prosecution of road traffic offences. The preparation of the young offenders and road traffic policies were informed by pre-consultation exercises, targeted at specific public bodies and voluntary sector groups. An updated policy on the use of diversionary disposals was published in July 2019.



A number of internal guidance documents have also been published, covering issues such as the prosecution of drugs-related offences, third party disclosure, cases involving indecent images, fitness to plead and cases involving non-fatal strangulation / choking.

The Gillen Review

In November 2018 the Right Honourable Sir John Gillen published his 'Preliminary Report into the Law and Procedures in Serious Sexual Offences in Northern Ireland' for consultation. This independent review was commissioned by the CJB in April 2018. It formally commenced in May 2018 and focused on the timeframe of an offence, beginning from when it was committed to its eventual disposal in the justice system. The purpose of the Review was to determine whether current arrangements deliver the best outcomes for victims, defendants and justice and to make recommendations for improvements.

The draft report went to consultation and the PPS responded prior to the closure date of 13 February 2019. The final report was published on 9 May 2019 and identified 253 final recommendations, the implications of which the PPS has considered particularly in respect of the resource impact of both implementation and the recommendations themselves. The PPS have temporarily appointed a dedicated Principal Public Prosecutor (PPP) to work alongside the Assistant Director for the Serious Crime Unit on implementation and a permanent PPP policy lead for sexual offences who will feed into this work. A senior multi-agency group chaired by the DoJ is overseeing Gillen implementation and the PPS is at the forefront of the delivery of a number of the key recommendations. A copy of the [Implementation Plan](#), and the timeline of key deliverables, can be found on the DoJ website.



Hate Crime

Official Statistics

In August 2019, the PPS published detailed statistics in relation to the prosecution of cases involving hate crime during the 2017-18 and 2018-19 financial years. The coverage of these statistics included details of enhanced sentences imposed in cases aggravated by hostility.

Review of Hate Crime Legislation

The DoJ has commissioned an independent review of hate crime legislation in Northern Ireland, led by Judge Desmond Marrinan. The purpose of the review is to consider whether the existing hate crime legislative provisions represent the most effective approach for the Criminal Justice System to deal with criminal conduct motivated by hatred, malice, ill will or prejudice, including hate crime and abuse which takes place online.

In carrying out the Review, Judge Marrinan is supported by a reference group of relevant experts, and a broader forum of key stakeholders. The PPS is represented on both the Core Expert and Key Stakeholder groups, and in addition to attending regular meetings of the respective groups, PPS policy staff have also engaged in extensive email communication with the Review Team to provide a PPS perspective in response to a range of issues raised.

The Review Team launched a major public consultation exercise on 8 January 2020. In response, the PPS Policy and Information Unit provided detailed answers to the consultation questions.

The final report is due to be presented to the Justice Minister and the DoJ by 30 November 2020 and will be published thereafter. The DoJ will then decide what steps are necessary to take forward any final recommendations.

Hate Crime Delivery Group

The Hate Crime Delivery Group (HCDG) provides a mechanism for a co-ordinated approach to hate crime across the CJSNI. The HCDG is chaired by the (DoJ) and is made up of officials representing each of the relevant criminal justice agencies, including PPS. The HCDG deals with Hate Crime related tasks, projects, emerging issues and proposals with outcomes assessed at HCDG meetings.



No Place for Hate Initiative

PPS has been actively engaged with PSNI as part of their *#noplaceforhate* initiative during 2019-20. Following a *#noplaceforhate* event at Belfast City Hall in February 2019, the Belfast Hate Crime Steering Group was established, consisting of representatives from PPS, PSNI, PBNI, the Hate Crime Advocacy Service, and local Police and Community Safety Partnerships. The Steering Group has developed a shared action plan and terms of reference which has led to a more co-ordinated approach to hate crime being adopted by relevant stakeholders. This has also helped to build positive working relationships and improve communications between key stakeholders on the issue of hate crime.

During 2019-20, PPS representatives have attended regular meetings of the Steering Group and participated at community-based events across the various PSNI districts, including Lisburn, Newtownards, Omagh, Downpatrick and Belfast.

Through membership of the Hate Crime Steering Group, PPS staff have also attended and participated in specific hate crime events, including a hate crime information session for staff and students at Queen's University Belfast during Hate Crime Awareness Week (October 2019), a racial hate crime event at the Clayton Hotel Belfast (November 2019) and an online hate crime event at Belfast City Hall (February 2020).

Review of Serious Crime Unit

A review of the Serious Crime Unit (SCU) was conducted by Business Consultancy Services during 2018-19 and relevant recommendations have now been implemented. These recommendations have included the provision of additional resources and a revised structure, including a new 'Gateway Team' with responsibility for engagement with PSNI and the initial triage of police files.

The performance of the new model has been monitored by senior management over the course of the year. A formal evaluation will be conducted during 2020-21.



Advocacy

Advocacy Standards

Training continues to play an important role in maintaining the quality of our advocacy. During 2019-20, nine PPs attended the Law Society's Advanced Advocacy Course.

Higher Court Advocates

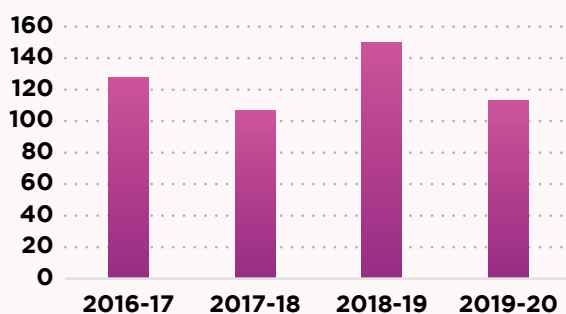
The PPS continues to use three in-house Higher Court Advocates (HCAs) to conduct Crown Court cases. During 2019/20 a total of 214 cases were briefed to HCAs which accounted for 17% of overall briefings in the Crown Court. This produced a saving to the Department of approx. £11k when set off against salaries. PPS remains committed to the use of HCAs in Crown Courts and the scheme continues to be monitored for effectiveness and financial savings.

Panel Counsel

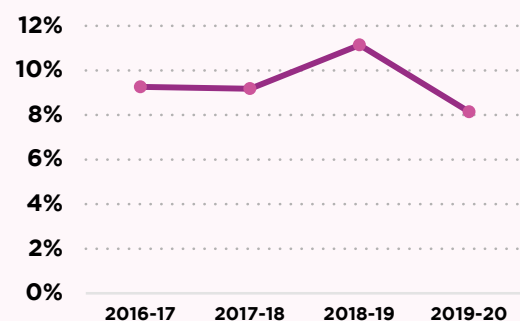
In 2009, the Service established a Panel Scheme for the instruction of external counsel, both junior and senior. A refresh of the junior panel was taken forward in 2015, via an open competition, and a new panel appointed. The senior panel was dispensed with from this date, as small numbers made briefing restrictive. The junior panel continued to operate effectively during 2019-20.

Over the course of the financial year, Senior Counsel was briefed in 8.1% of Crown Court cases, a decrease against the 2018-19 rate of 11.1%.

Case numbers briefed to Senior Counsel



% of cases briefed to Senior Counsel





Security Policy Framework

Information Assurance

The main focus for the Service during 2019-20 was the implementation of the General Data Protection Regulation (GDPR) and the related Data Protection Act 2018. In line with the requirements of the new legislation, the Service has appointed a permanent Data Protection Officer (DPO). The DPO has led compliance implementation, for example developing a suite of privacy notices for PPS data, reviewing all information assurance policies, contracts and Information Sharing Agreements and carrying out staff awareness and training. The DPO has worked closely with colleagues in the wider Northern Ireland Civil Service (NICS) via the DPO Forum to develop corporate approaches where appropriate.

The DPO has reported regularly to the People and Resources Committee over the course of the year and continues to provide regular updates to the Senior Management Team (SMT) and assists them in responding to data incidents.

Business Resilience

A review of the Corporate Business Continuity Plan (BCP) took place in early 2020. This was due to be signed off by the Management Board in March 2020. Following the onset of the COVID-19 pandemic, the Board postponed consideration of the BCP in order to respond to the current crisis.

The Board intends to further review the BCP in light of the response to the current COVID-19 crisis. However, this will not take place until the current incident is over. Until then, the Business Continuity Coordinator is maintaining a record of the response to the incident and will prepare a report of the PPS response. This will then inform the further review of the BCP.



STRATEGIC PRIORITY 2:

Building confidence in the independence, fairness and effectiveness of the Service

Objective: Publish information and explain our work to victims, our partners, stakeholders and the wider community to build trust and understanding of our role.

Communications Project

A new PPS website launched last year and work on a new Communications Strategy and refreshed intranet site is ongoing.

The draft Communications Strategy has been built on research undertaken to better understand the communication needs of the PPS internally, and of all external stakeholders, including partner agencies and victims and witnesses. It is due to be completed within the 2020-21 year.

Outreach Programme

During the course of 2019-20 a series of inter-agency and outreach events and activities were conducted across the PPS. These have multiple aims including highlighting the work of the PPS and building public confidence. Events included:

- Meetings with victims and witnesses and representative groups.
- The establishment of a new Stakeholder Engagement Forum.
- Participation in multi-agency events and working groups.
- Representation at the Belfast Pride and Mela Festivals.
- Presentations to voluntary organisations on the role of the PPS.
- Meetings with local elected representatives, including MPs and MLAs.
- Seminars with school and university students, including the Attorney General's 'Living Law' Programme and presentations to law students from Ulster University.
- Media interviews and briefings.
- Participation in Business in the Community initiatives.
- The hosting of foreign delegations.



Complaint Handling

The PPS has a three tier process for handling complaints regarding service delivery. In the first instance complaints are referred to the relevant regional office and will normally be considered by the Regional AD. The majority of complaints are satisfied at this early stage but where this is not possible, a complaint can be escalated for consideration by a member of the Senior Management Team.

There is also an Independent Assessor of Complaints (IAC) for the Public Prosecution Service. The role of the IAC is to conduct a review where the complainant is not satisfied with the way in which the PPS has dealt with the matter. The IAC can investigate only after the case has been considered by the PPS, and if the complaint is not primarily prosecutorial in nature. The current post holder, Ms Sarah Havlin, was appointed in July 2019.

During the year, a total of 53 complaints were received by the PPS, a slight decrease on 2018-19 (59). Seven of these complaints were fully upheld and a further fourteen upheld in part.

The IAC's Annual Report for 2019-20 will be published on the [PPS website](#) which also contains previous reports and further information on the complaint handling process.

Equality Scheme

The Service published a detailed Equality Action Plan for 2019-20. Key objectives achieved during the year included the publication of statistical bulletins on the prosecution of sexual offences and hate crime, attendance at public outreach events and continued awareness training on Section 75.

The Annual Progress Report on Section 75 of the Northern Ireland Act 1998 and Section 49A of the Disability Discrimination Act 1995 (as amended) was submitted to the Equality Commission in August 2019.

Disability Action Plan

The Service's Disability Action Plan covered a one year period to 31 March 2020. The plan set out a range of actions through which the Service would seek to implement its disability duties in areas such as victim and witness services, partnership working, communication and staff training. Issues addressed during 2019-20 included the provision of disability awareness e-learning training to staff, and reviewing access to information and services relevant to disabled people.



The SAD for Resources and Change, as the PPS Equality Champion, has participated in the regular meetings of the NICS Diversity Champions Network. The Equality Officer attends quarterly meetings of the Criminal Justice Equality, Diversity and Inclusion Network.

The Rural Needs Act

The Rural Needs Act (Northern Ireland) 2016 came into operation for public authorities on 1 June 2017. The Act requires policy makers to have due regard to rural needs when developing and implementing policies and when designing and delivering public services. In order to fulfil its obligations under Section 1 of the Act, one Rural Needs Impact Assessment has been completed during 2019-20, in relation to the updated PPS policy for Prosecuting Road Traffic Offences.

STRATEGIC PRIORITY 3:

Meeting the needs of victims and witnesses

Objective: Deliver our service to victims and witnesses with care and sensitivity to their needs, listening to them, keeping them informed and offering tailored support when required.

Services to Victims and Witnesses

Victim and Witness Care Unit

During 2019-20, the Victim and Witness Care Unit (VWCU) has delivered on its obligations under the Victim and Witness Charters, as well as to front-line service delivery functions within the PPS. The VWCU's management continue to work with their delivery partner, PSNI, to ensure the Unit is resourced effectively.

During the year PPS has assisted Victim Support NI (VSNI) to deliver training to Court Observers as part of an innovative new project. Efforts have also been made, in conjunction with VSNI, to improve court waiting times.

Registered Intermediaries Scheme

The PPS has continued to support the Registered Intermediaries (RI) Scheme and representatives from the PPS attend the RI Users Group.



Victim and Witness Steering Group

The PPS is a member of the inter-agency Victim and Witness Steering Group (VWSG) which provides a co-ordinating forum to deliver the strategic policy direction given by the CJB. There were a number of meetings of the VWSG during 2019-20 to afford CJSNI partners an opportunity to discuss issues pertaining to implementation of the Victim and Witness Action Plan 2017-2020 and how compliance with the Victim Charter can be monitored.

Witness Expenses

Where prosecution witnesses attend court in proceedings to which they have been summoned, PPS is responsible for meeting their expenses. Each witness is allocated a Case Officer from within the VWCU who will assist witnesses with queries, help determine what payments they are entitled to and make travel arrangements on their behalf. The rates of witness expenses payable are equivalent to those paid by the Crown Prosecution Service in England and Wales. Total PPS witness expenses for 2019-20 were £274k, compared with £300k in 2018-19.

STRATEGIC PRIORITY 4:

Strengthening our capability by continuously improving the way we work

Objective: We will work collaboratively with partners to modernise our service delivery through innovative approaches to increase efficiency and address avoidable delay.

Tackling Avoidable Delay

Speeding-Up Justice Programme

The PPS is participating in the Speeding-Up Justice Programme which provides the strategic context and framework for the range of initiatives set out in the Justice Act (Northern Ireland) 2015. A delivery group has been established, including PPS representation, to provide oversight for the delivery of the overall Programme.



During 2019-20, this work has been wide-ranging, involving a number of different strands. For example, the committal reform initiative, which originates from the 2015 Act, sets out a number of significant changes to the committal arrangements in Northern Ireland. These include the direct committal from the Magistrates' to the Crown Court of an accused person, charged with specified offences (such as murder or manslaughter).

The overall aim of the initiative is to speed up conduct of cases, facilitate early and targeted case management and reduce demands on witnesses. The Committal Reform Working Group, which includes PPS membership, has made significant progress in developing the legal framework and technical changes which are needed to support the reform. The final target date for implementation is subject to the passage of the Criminal Justice (Committal Reform) Bill which provides for a number of additional changes, such as the abolition of oral evidence at committal.

Working Together

In November 2015, Criminal Justice Inspection Northern Ireland (CJINI) released a report on the quality and timeliness of police files. In response to the report, PPS and PSNI formed a joint project team to explore the key issues raised. Several methods for improving file quality and reducing delay are being trialled during a pilot exercise based on offences investigated by PSNI's A District (Belfast City).

Phase 2 of the project commenced in February 2018 and focused on the following key areas:

- The extension of agreed evidential standards to most common indictable offence types.
- A proportionate file build based on the anticipated plea of the defendant.
- Early submission of 28-day charge files by police.
- Early sharing of decision documents with the defence, prior to first appearance in the Magistrates' Courts.
- Sharing of the Structured Outline of Case with the defence and the court to assist with the taking of instructions and case management.



The approach piloted in Phase 2 resulted in better quality files, improved timeliness, more effective court appearances and a reduced number of court adjournments.

Following a full evaluation, conducted in October 2018, it was decided that the Working Together principles would be rolled out for the majority of summary offence types across Northern Ireland. This was carried out on a phased basis between February and October 2019.

Responsibility for the project on the PPS side transferred to the Strategic Improvement Team in August 2019. During the latter part of the financial year, work has been ongoing to reinforce operational compliance with the processes and procedures agreed with PSNI. This work has included:

- Quarterly Police Decision Maker / Prosecutor meetings;
- The introduction of a governance structure for the review of Working Together files;
- Expansion of evidential standards to other offence types;
- Joint quality assurance work in respect of domestic violence files; and
- Implementing changes to file builds as required.

Indictable Cases Process

The Indictable Cases Process (ICP) roll-out commenced in May 2017. The initiative aims to reduce avoidable delay for certain offences prosecuted in the Crown Court. It seeks to streamline the investigation and prosecution processes by applying agreed evidential standards, embedding the use of proportionate evidence, supporting judicial case management and effective sentencing arrangements.

The focus in 2019-20 remained on identifying and driving cases under this initiative in order to deliver improved timeliness. PSNI and PPS continue with efforts to raise awareness and to highlight the benefits of the process operationally.

The PPS Strategic Improvement Team has provided input to an interim DoJ evaluation and a final report is pending.



Case Progression Officer Pilot

In March 2018 the NI Audit office published their Report 'Speeding up Justice: Avoidable Delay in the Criminal Justice System'. One of the key recommendations in the report highlighted the need for a dedicated resource to assist the Judiciary with case progression. In response to this recommendation DoJ established a new Pilot covering Belfast and Newry / Craigavon Crown Courts, for a period of 12 to 18 months.

The PPS appointed two Case Progression Officers (CPOs) – one for Belfast and one for Newry and Craigavon. The PPS CPOs have worked closely with the Northern Ireland Courts and Tribunals Service (NICTS) CPO staff, to resolve issues and progress cases through the system. The CPOs have spent time during the pilot gathering data which has identified some points in the process where there is avoidable delay and have assisted in developing processes to address these issues.

The wider extension of the CPO role will be subject to a formal evaluation during 2020-21.

Problem Solving Justice

Problem Solving Justice (PSJ) is a DoJ led programme which aims to tackle the root causes of offending behaviour and reduce rates of re-offending. In total there are five initiatives under the PSJ umbrella. PPS has been closely involved with two of these initiatives – the Domestic Violence Perpetrator Programme (DVPP) in Londonderry Magistrates' Court and the Substance Misuse Court (SMC) in Belfast Magistrates' Court.

Working Arrangements with Partner Agencies

Participation in CJSNI Working Groups

PPS is involved in a wide range of inter-agency working groups, all designed to improve the efficiency and effectiveness of the CJSNI, and to ensure that all key interests are represented and considered during policy development and implementation.



Proceeds of Crime

During the year, the PPS continued to build effective working relationships with those criminal justice investigative agencies which have a particular focus on proceeds of crime issues, including restraint and confiscation. Representatives from PPS actively participate in regular meetings of the Organised Crime Task Force (OCTF), including the Strategy Group and the various subgroups within the OCTF.

PPS has also participated in a Mutual Evaluation of the United Kingdom conducted by the Financial Action Task Force (FATF). The FATF is an international body established in 1989 and its objectives are to set standards and promote effective implementation of legal, regulatory and operational measures for combating money laundering, terrorist financing and other related threats to the integrity of the international financial system.

During 2019-20 a total of 22 confiscation orders were granted by the courts, with a value of £1,756k. This compared with the total of 43 orders granted during 2018-19, with a value of £2,088k.

Information and Communications Technology (ICT)

The PPS continues to explore ways in which enhanced digital transformation can improve the efficiency and effectiveness of its services. There is ongoing investment in ICT systems, including the Case Management System (CMS) which supports the PPS's business processes. A new CMS contract has been awarded to provide support and development services for the next 5 years.

The Causeway System already provides for electronic sharing of information between the main criminal justice organisations in Northern Ireland. A range of CMS and Causeway enhancements have been progressed during the year. The key development taken forward relates to the digital sharing of multimedia evidence, such as body worn video, CCTV and photographs. ICT and business changes have been developed and tested and the initial phase, enabling sharing between PSNI and PPS, was implemented in June 2020. Additional phases supporting digital working and sharing between PPS, NICTS and defence solicitors will be delivered during 2020-21.

During 2018-19 the PPS completed full rollout of a tablet based electronic case file which is used in court. The last financial year saw further enhancements to the solution to make it more effective and efficient.



A large number of printers have been replaced with a much reduced number of multifunctional printing devices which provide printing, scanning and copying services.

Having developed the PPS's Digital Strategy, the PPS have worked with the DoJ and other criminal justice organisations to develop a joint Digital Justice Strategy to cover the period 2020 – 2025. This strategy not only explores emerging technologies and their application to the justice process, but also encourages PPS staff to seek new and better ways of doing things. Understanding what citizens expect and want is critical as we shape our future priorities.

Sustainable Development

Sustainable Development continues to be promoted across the Service. The removal of 'personal' bins allied to the introduction of combined dry waste and collection of food waste has seen a considerable increase in the various items being deposited in the correct waste streams. Results from waste audits demonstrate a reduction in general waste and an increase in recycling material which is a significant improvement on recent years. This has resulted in the diversion of waste from landfill with the majority of general waste being converted into waste derived fuel which is sent to purpose built energy facilities.

As part of our green housekeeping agenda the Service remains committed to the three key tenets of sustainability – Recycle, Reduce & Re-Use. The recent introduction of multi-function printer / scanner devices has also contributed to our green housekeeping efforts.

The 21st anniversary of the NI Environmental Benchmarking Survey saw the PPS gain a Silver Award. This was down from the Gold awarded last year, but this was primarily due to the introduction of a new scoring matrix.

The Service's maintenance, procurement and off-site storage contracts are centrally managed by the Department of Finance's Central Procurement Directorate where sustainable development is factored into the establishment of all contracts.



STRATEGIC PRIORITY 5:

Supporting and empowering our people

Objective: Support the development of our people to contribute fully in a well-led, outcome focused and high performing organisation, in which all staff feel valued.

Staffing levels

The PPS's current full time equivalent (FTE) staff capacity is 483. As at 31 March 2020, the overall FTE staffing level was 418.3 permanent staff, 58.6 temporary staff and 6 seconded staff.

Over the year, the PPS Resource Management Team (RMT) has striven to maintain FTE staffing levels against capacity. The 2019-20 recruitment programme involved the use of existing external competitions, including those for Senior Public Prosecutor (SPP), Principal Public Prosecutor (PPP) and Public Prosecutor (PP) posts, as well as elective transfers. A total of 31 administrative staff were promoted via NICS General Service promotion competitions, most of them being retained within PPS. This was also the case for the 15 legal staff who were promoted from the aforementioned competitions with 13 being retained within PPS. These promotions/moves were also managed by the RMT.

Learning and Development

The Service's Corporate Training Plan for 2019-20 was developed around the training needs as identified by senior management as part of the consultation process between the RMT and senior management.

In addition to generic training delivered by the Centre for Applied Learning, a wide range of specialist training was procured and delivered to staff across the organisation. RMT ensured that all generic, mandatory and specialist training needs were procured and delivered within the guidelines and to a high standard.

Staff were also invited to make use of the NICS Assistance to Study for Adult Further Education programme, which made funding available for continuing applications in the 2019-20 year.



A total of 378 training days and 75 training events were attended by PPS staff. A range of e-learning packages are also available to all staff across the organisation.

Investors in People

The PPS currently holds Investors in People (IiP) status until August 2021, under the Sixth Generation Standard. As part of the ongoing assessment process, the Service was the subject of an annual review which took place in November 2019. The review focused on achievements and challenges, what had changed in the last 12 years, and identified areas for future focus, in preparation for the next review date scheduled for November 2020.

PPS People Plan

Whilst the NICS has ownership of the NICS People Strategy, the PPS has responsibility for developing and delivering a department-specific People Plan that clearly aligns with the NICS vision, core messages and intent, but which at the same time remains relevant and engaging for the staff in the PPS. PPS is committed to the following principles: Encouraging effective management and leadership at every level; providing a role model in good behaviours; and creating better infrastructure to support internal communications. Following a consultation process with staff across the Service, five key priorities were identified which informed the PPS People Plan.

Year one of the three year plan reflects the progress made in terms of the appointment of five strand leads at senior management level, with the focus centred around the development of individual action plans and measures put in place to monitor implementation. A staff engagement network, the 'People Forum', has also been established, and is chaired by a member of the Senior Management Team.

Respect for Human Rights

PPS follow all guidelines set down and ensures staff undertake any necessary training.

Health and Safety

The PPS is committed to adhering to the Health and Safety at Work (NI) Order 1978 and all associated legislation in order to ensure that staff and all service users enjoy the benefits of a safe business environment.



During the course of the year a range of health and safety assessments has been carried out and some minor accidents have been investigated. The PPS Health and Safety Committee meets on a quarterly basis and PPS continue to be represented on the NICS Inter-departmental Health and Safety Committee and the Central Government Fire Safety Committee.

As a result of Covid-19 the health and well-being of staff remain the primary concern of the organisation and detailed risk assessments at both corporate and office levels have been completed and continue to be reviewed up to the date of publishing this report. Social distancing measures are in place as is the message that staff that can work remotely should continue to do so. Guidance was provided for staff working remotely that covered a number of areas including personal well-being, data security and the use of electronic devices.



Performance Analysis

► Performance against Key Delivery Targets

The PPS Business Plan for 2019-20 set out how the PPS's objectives were to be taken forward and included a total of 32 key delivery targets against which the performance of the Service was to be measured. These targets spanned the five PPS strategic priorities for the year.

Details of the Service's caseload and performance for the year are set out below, including information in respect of longer term trends where appropriate.

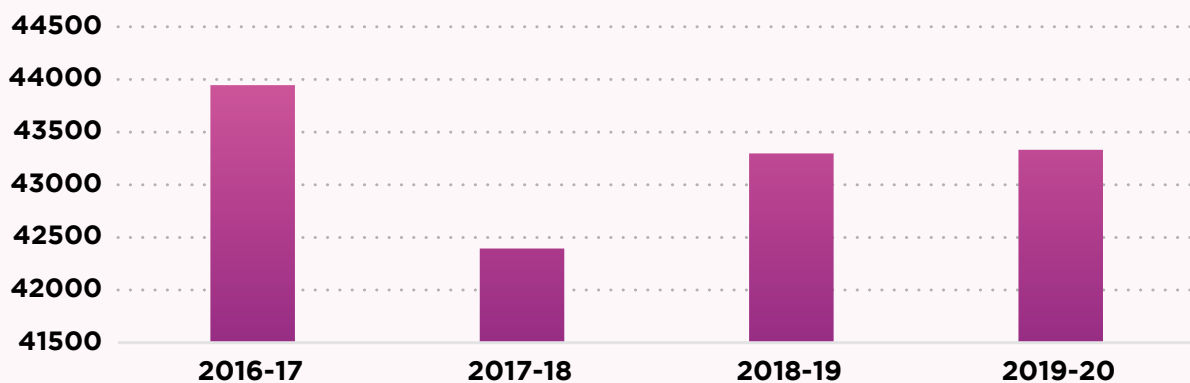
STRATEGIC PRIORITY 1:

Supporting a safer community by providing an effective and high quality prosecution service

Caseloads

In 2019-20, the PPS received 43,332 cases, a level similar to that in 2018-19 (43,298). Over previous years, there had been a steady decline in file numbers and the current volume represents a decrease of 12.7% on the 49,628 cases received in 2012-13. This was largely due to reductions in less complex summary cases, for example involving minor disorder and lower value retail theft, many of which are now dealt with directly by PSNI by way of Penalty Notices for Disorder (PND) or Community Resolution disposals.

PPS Caseload 2016-17 to 2019-20





In contrast case numbers in the more serious case categories have been more consistent. In 2019-20, 4,813 files were received in 'case weight' categories 1 – 4 (including homicide, sexual offences and serious fraud), which are normally dealt with by Senior Public Prosecutors. This compared with 4,438 in 2018-19.

Decisions Issued

A total of 50,174 prosecutorial decisions were issued by the Service during 2019-20, which included 1,788 decisions for prosecution on indictment (2018-19, 1,697) and 29,659 for summary prosecution (2018-19, 29,201).

The Test for Prosecution was met in the majority of cases considered by prosecutors during 2019-20. Of the 50,174 persons subject to a prosecutorial decision, almost seven-tenths (69.6%) were issued with a decision for prosecution or for diversion from the courts. This was broadly similar to the previous year (68.5%).

Over the period from 2012-13, the volume of decisions issued has fallen by 19.0% (from 61,955 to 50,174), mirroring the decline in case receipts.

Persons Dealt with at Court

During 2019-20, 1,576 defendants were dealt with in the Crown Court in Northern Ireland. This was an increase of 8.1% on the previous financial year (1,458).

The overall conviction rate in the Crown Court during 2019-20 remained high at 87.6%. The equivalent figure for 2018-19 was 84.4%.

In the Magistrates' Courts, 28,936 defendants were dealt with during 2019-20, a decrease of 0.7% on the previous year (29,153). The conviction rate during 2019-20, at 81.3%, was similar to 2018-19 (81.1%).



Quality Assurance

Dip Sampling

A key component of the PPS's legal quality assurance arrangements is the dip sampling of cases by ADs against the Service's Prosecution Quality Standards (PQS), introduced in 2015. The PQS framework provides for a number of in-depth reviews to be carried out on a monthly basis. All cases for dip sampling are selected independently by statisticians from the Northern Ireland Statistics and Research Agency.

During the year, 323 cases were dip sampled under the PQS framework. An analysis of the findings has shown that the quality of decision-making remains high, with 96.3% of decisions assessed as being in accordance with the Code for Prosecutors (2018-19: 99.0%).

No Bills and Acquittals by Direction

In addition to monthly dip sampling, senior managers review a range of serious cases in the Crown Court where there has been a No Bill¹ or An Acquittal by Direction. Where necessary all lessons learnt from the review are communicated to staff via Staff Instructions or through specific staff training events.

During 2019-20, a total of 20 No Bills (all charges) were granted and there were 11 Acquittals by Direction. The figures for the previous years were 19 and 19 respectively.

Budget Outturn

The total budget of the PPS for 2019-20 was £38.2m of which £37.0m was in respect of Resource DEL. The Net Resource Outturn was £36.8m which reflects a total underspend of £1.4m. Detailed explanations of the variances are given in the Statement of Assembly Supply at pages 85 and 86.

¹ No Bill Applications are made by defence teams after a case has been committed for trial to the Crown Court. The application can be made in respect of all counts on an indictment or some counts. The application is made where the defence consider insufficient evidence has been provided by the prosecution in order for their client to be arraigned.



Payment of Suppliers

PPS is committed to the prompt payment initiative which sets out a target for Northern Ireland Departments to pay 95% of external supplier invoices within 10 working days of receipt of valid invoices. PPS payment processing is conducted by Account NI and performance is monitored monthly. For the year ended March 2020, PPS achieved payment of 97.8% of invoices within 10 working days and 99.6% of invoices within 30 working days. The equivalent performance for 2018-19 was 98.0% and 99.4% respectively.

The Service had also set a target for 95% of purchase orders to be compliant with Account NI procurement guidance. The outcome for the year was 98.5%, compared to 99.0% for 2018-19.

STRATEGIC PRIORITY 2:

Building confidence in the independence, fairness and effectiveness of the Service

Public Confidence - The Northern Ireland Life and Times Survey

Due to the discontinuation of the Omnibus Survey by the Northern Ireland Statistics and Research Agency, the PPS commissioned a module for inclusion in the 2018 Northern Ireland Life and Times Survey (NILTS) and again in 2019. NILTS, which was launched by the University of Ulster and Queen's University of Belfast in 1998, was selected as its methodology broadly matches that of the Omnibus Survey in terms of its representativeness across Northern Ireland.

The fieldwork for the 2019 survey was conducted between September 2019 and February 2020. Four questions were asked and the key findings were as follows:

- Just over four-fifths of respondents (83.1%) stated that they had heard of the PPS (2018: 80.8%).
- Almost two-thirds (66.3%) were confident that the PPS is effective at prosecuting people accused of committing a crime (2018: 64.2%).
- More than three-quarters (76.6%) were confident that the PPS provides a fair and impartial prosecution service (2018: 68.7%).
- Nearly seven-tenths (69.1%) were confident that the PPS takes prosecution decisions independently (2018: 64.8%).



The results of both surveys, which were published in June 2019 and June 2020 respectively, have been considered by senior managers and will help to inform the development of PPS policies and the Service's communication strategy.

Freedom of Information

During the year, a total of 72 requests were dealt with under the Freedom of Information Act. All requests were dealt with within the required time limit of 20 working days.

Complaints

Targets in this area relate to the acknowledgement of complaints (95% within 5 working days) and the completion of the assessment of complaints (95% within 20 working days). In 2019-20, PPS acknowledged 98% of complaints within 5 days however the percentage of complaints completed in 20 days was below target at 89%. The equivalent figures for the previous year were 100% and 86% respectively.

STRATEGIC PRIORITY 3:

Meeting the needs of victims and witnesses

Victim and Witness Care

The performance of the VWCU continues to be reviewed by the VWCU Operations Board on the basis of agreed performance measures. Key outcomes for 2019-20 were as follows:

- 91.8% of file receipt notifications were issued within 7 days (target 90%);
- 95.8% of decision notifications were issued within 7 days (target 90%); and
- 97.0% of notifications of the arraignment date were issued within 7 days (target 80%).

Requests for Review

During 2019-20, 195 requests for review of a prosecution decision were made by victims of crime, 14 of which resulted in the original decision being changed. This compared with 186 reviews in the previous year, nine of which resulted in a change of decision.



STRATEGIC PRIORITY 4:

Strengthening our capability by continuously improving the way we work

Review of Charges

The PPS target is to review 90% of charge sheets in 28 day charge cases within 3 working days of first appearance at court. Overall performance during 2019-20 was 89.0% (2018-19, 89.8%).

Timeliness of Decisions

Performance in respect of the timeliness of prosecutorial decisions is monitored by senior management on an ongoing basis. The PPS Business Plan for 2019-20 included 10 new timeliness targets, based on performance against a 2018-19 baseline (median and 80th percentile). This approach broadly mirrors that undertaken by the DoJ.

The 2019-20 targets covered the issue of indictable prosecution decisions, summary prosecution decisions, diversionary decisions and no prosecution decisions. All 10 were achieved.

STRATEGIC PRIORITY 5:

Supporting and empowering our people

NICS People Survey 2019

The NICS People Survey is the successor to the Staff Attitudes Survey conducted within the NICS up to 2015. The 2019 People Survey is the third annual survey conducted among NICS staff.

The questions in the survey were split across nine main categories, examples of which included 'My work', 'Organisational objectives and purpose' and 'Leadership and managing change'. The response rate for the PPS in 2019 was 44%; this was lower than for the NICS as a whole (53%).



There were a number of positive findings for the PPS within the survey, particularly in the following areas:

- In 2018, the overall employee engagement index was 56%. In the current survey, this rose to 58% and compared with the NICS overall score of 51%.
- In 2019, 84% of staff felt they had a clear understanding of the PPS's objectives, while 87% understood how their work contributed to these objectives. This was an improvement on 2018 and was higher than the equivalent NICS overall scores (69% and 73% respectively).
- 92% of staff stated that they were interested in their work. This compared with 82% for the NICS overall.

A number of issues were also highlighted by PPS staff where improvement is needed, including dealing with poor performance, pay and benefits and learning and development.

The results of the survey have been disseminated to staff and are being used to inform the ongoing development of the PPS's People Plan.



► Financial Performance Summary

A reconciliation of the resource expenditure as declared within the Estimates, Accounts and Budgets has been provided below. The only reconciling item is voted expenditure outside the budget, in respect of the notional audit fee due to the Northern Ireland Audit Office and a notional charge from the NICS Welfare Support Service.

Reconciliation of Resource Expenditure between Estimates, Accounts and Budgets

	2019-20 £'000	2018-19 £'000
Net Resource Outturn (Estimates)	36,814	33,471
Adjustments:		
Non-Voted Income in the resource account	-	-
Net Operating Costs (Accounts)	36,814	33,471
Adjustments:		
Voted Expenditure outside budget	(59)	(56)
Resource Budget Outturn (Budget)	36,755	33,415
Of which:		
Departmental Expenditure Limits (DEL)	36,745	33,809
Annually Managed Expenditure (AME)	10	(394)

Statement of Assembly Supply

As a non-ministerial Department the PPS is financed directly from the Northern Ireland Consolidated Fund through the supply process operated by the Department of Finance (DoF).

The NI Assembly votes on the Main and Supplementary Estimates in order to provide approval for the expenditure of all NI Departments, including PPS. As set out in the Statement of Assembly Supply, the Department was voted a Resource Estimate Provision of £38,228k for 2019-20 (2018-19: £36,071k). Details of the PPS Estimates are available from the DoF website.



The PPS outturn for 2019-20 was £36,814k (2018-19: £33,471k) as shown in the Statement of Assembly Supply which is £1,414k lower than the net resource limit. The majority of this variance against the Estimate is an easement of £1,128k under Annually Managed Expenditure (AME) in respect of potential budget cover for provisions not subsequently required. The Resource DEL easement, at only £285k, represented a 0.77% underspend.

The net cash requirement of the Department, at £35,227k was £2,975k less than the Assembly limit as set out in the Reconciliation of Net Resource Outturn to the Net Cash Requirement (SoAS 3). This was primarily due to changes in working capital and provisions.

Statement of Comprehensive Net Expenditure

The Statement of Comprehensive Net Expenditure represents the total net administrative and programme resources consumed. The net costs during 2019-20 were £36,814k (2018-19: £33,471k) and included income of £536k (2018-19: £361k) as analysed at note 4. The financial operating performance of the Department has been considered in detail under Long-Term Expenditure Trends.

Statement of Financial Position

The Department was in a net negative equity position of £2,226k at 31 March 2020 (£1,046k as at 31 March 2019). Total assets comprised property, plant and equipment, intangibles and trade receivables of £8,594k (£9,445k, 31 March 2019). The Department had liabilities and provisions of £10,820k (£10,491k, 31 March 2019).

The PPS as a government department is funded by the NI Assembly through the Estimates process and there is no reason to believe that future approvals will not be forthcoming. It has accordingly been considered appropriate to adopt a going concern basis for the preparation of the PPS's financial statements for 2019-20.



Asset Recovery Incentivisation Scheme (ARIS)

The PPS is an approved recipient of incentivisation receipts under the DoJ's ARIS and, as such, eligible for 22.5% of funds recovered from confiscations secured on conviction under the Proceeds of Crime Act 2002. Incentivisation receipts totalled £489k in 2019-20 (2018-19: £323k). The funding received during 2019-20 has contributed to a number of initiatives, including conduct of related proceedings.

The realisation of cash has become increasingly difficult in the current economic environment and therefore these amounts are not easy to forecast. Depending on the timing of receipts, these funds can also be difficult to use effectively as they are not subject to automatic End of Year Flexibility.

Future Developments

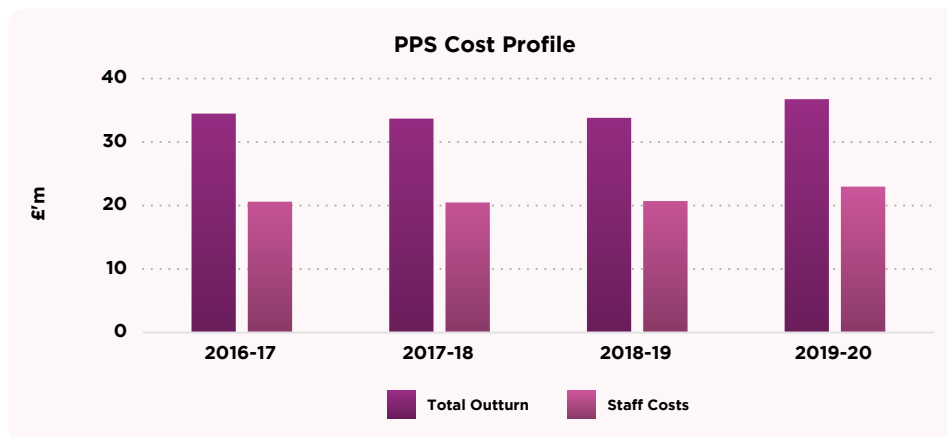
The main factor influencing the future financial performance of the PPS will be the need to achieve a sustainable budget baseline especially in light of potential operational pressures which are driven by a number of factors, outside of our control, including legacy casework, Brexit, the implementation of direct committal to the Crown Court, the demands of digital evidence and the need for effective disclosure processes.

The consequent prioritisation of resources within the PPS will be undertaken by the Accounting Officer (AO) with the advice and support of the Management Board.

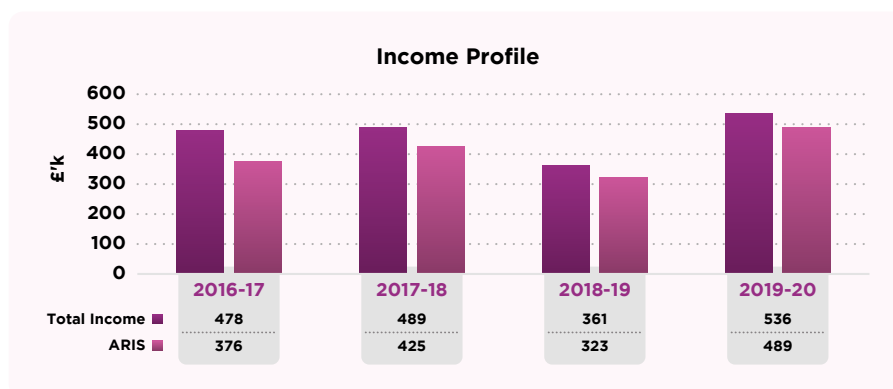


► Long-Term Expenditure Trends

An analysis of departmental expenditure for 2019-20 and 3 prior years is shown on page 49. Due to implementation of the transformation programme, reducing office space, staff numbers and other key costs, the total expenditure of PPS has reduced over the last four years. However in 2019-20 the department was faced with increased pension contributions and agency staff costs that reversed this trend.



Most departmental expenditure is programme (94%) and is focused on front line service delivery. Administration costs relate to staff and office costs for corporate services support functions.



The majority of PPS income is derived from incentivisation funds generated from the realisation of assets confiscated as a result of successful prosecutions under the Proceeds of Crime Act. Income is distributed to eligible parties under the ARIS. It is recognised on a receipts basis, is difficult to forecast and increasingly difficult to realise.



Total Departmental Spending

	2016-17 Outturn £'000	2017-18 Outturn £'000	2018-19 Outturn £'000	2019-20 Outturn £'000
Resource DEL				
A-1: Public Prosecution & Legal Services	34,473	33,694	33,809	36,745
Total Resource DEL	34,473	33,694	33,809	36,745
Of Which:				
▶ Income	(478)	(489)	(361)	(536)
▶ Staff Costs	20,611	20,477	20,713	22,982
Which includes VES Costs of -	-	-	-	-
▶ Purchase of Goods and Services	5,825	6,777	6,084	6,820
Which includes Counsel Fees of -	4,929	5,450	5,195	6,149
▶ Rentals	1,681	1,538	1,703	1,664
▶ Other Expenditure	4,899	3,667	3,817	3,822
Resource AME				
A-2: Public Prosecution & Legal Services	960	1,441	(394)	10
Total Resource AME	960	1,441	(394)	10
Of which the changes were:				
▶ Borrowing Costs (unwinding the discount)	117	104	88	97
▶ Provision for Counsel Fees	763	(179)*	(25)*	(7)
▶ Provision for Other	80	85*	(55)*	461
▶ Provision for Onerous Lease	-	1,431	(402)*	(541)
Total Resource Budget	35,433	35,135	33,415	36,755
Of Which:				
▶ Depreciation	1,538	1,643	1,853	1,993
▶ Loss on Disposal	831	4	(5)	-
Capital DEL				
Acquisition of Property, Plant and Equipment	1,408	891	811	527
Which includes costs for the enhancing of Belfast Chambers of -	479	177	154	50
Total Capital DEL	1,408	891	811	527
Total Capital AME	-	-	-	-
Total Capital Budget	1,408	891	811	527
Total Departmental Spending	36,841	36,026	34,226	37,281
Of Which:				
▶ Total DEL	35,881	34,585	34,620**	37,271
▶ Total AME	960	1,441	(394)	10
Administration Costs				
Total Administration Budget	1,750	1,703	1,848	1,566
Of Which:				
▶ Staff Costs	1,603	1,577	1,691	1,411
▶ Rentals	77	67	94	95
▶ Other Administration Costs	70	59	63	60

* Value restated to reflect in-year movement of AME.

** Value restated to include capital figure of £811k.

Declaration

I confirm that this Performance Report reflects the position of the Public Prosecution Service for the year ended 31 March 2020.

S. Herron

Stephen Herron
Accounting Officer
05 October 2020



Accountability Report

Corporate Governance Report

► Non-Executive Director's Report

Risk Management

The criminal justice sector continues to be challenging with cases becoming increasingly complex and greater demands being placed on finite numbers of staff.

Within such an environment risk management is particularly important and the PPS Management Board has focused considerable energy on identifying corporate and reputational risks and the potential mitigating actions that can be taken to minimise residual risk.

Within the Governance Statement we report that a Strategic Improvement Board has been established whose purpose is to provide a framework for the oversight and delivery of key operational PPS projects and inter-agency service improvement initiatives. Only large scale operational initiatives with a significant legal input, such as Indictable Case Processes, Committal Reform and Judicial Case Management, will fall within the scope of this Programme. Given the high profile nature of these initiatives and their importance in tackling delay, there is a need to ensure that they are delivered effectively. At the same time there is a recognition that there are significant constraints on budgets, and as a result the PPS has only limited flexibility in responding to changing demands and in addressing the competing requirements of current commitments and new initiatives. Therefore it is essential that the Service's efforts are co-ordinated and (where necessary) prioritised. Due to the strategic nature of these initiatives, the Management Board obtains relevant assurances regarding their progress and risk management.

As reported last year the joint PPS/PSNI Operational Efficiency Group, established to improve file quality and manage the risks associated with decision making, continues to meet. The Working Together initiative has delivered detailed guidance on agreed evidential standards and proportionate file builds which have greatly assisted in promoting understanding and improving performance.



In light of the risks associated with funding constraints, the Board recognise the need for change within PPS to meet current and future demands and are considering the better use of proportionality and technology to manage increasing volumes of data and communications.

As the cash requirements of the PPS are met through the Estimate process, financial instruments play a more limited role in creating and managing risk than would apply to a non-public sector body of a similar size. Financial instruments employed relate to contracts for non-financial items in line with the PPS's expected purchase and usage requirements and the Department is therefore exposed to little credit, liquidity or market risk.

Increasingly information security governance is a priority for public bodies and arrangements in the PPS conform to the requirements set out in the Cabinet Office Security Policy Framework and the National Cyber Security Centre recommendations. The Senior Assistant Director for Resources and Change is the Senior Information Risk Owner and additionally all our senior managers have been designated as the Information Asset Owners (IAOs) for their own functional areas, to provide further assurance that information assets are subject to continuous review and management. All IAOs are required to review information security compliance and to highlight any new assets or risks within their business areas in their quarterly assurance statements, which they are required to submit to the Senior Management Team.

The PPS Business Assurance Team has responsibility for all aspects of security within the PPS, including physical and personnel, IT security policy and the accreditation of ICT systems in line with government requirements. They coordinate the development of the information assurance framework and data handling and security arrangements across the Service. PPS has appointed a Data Protection Officer within the team who is also responsible for ensuring the organisation's compliance with the General Data Protection Regulation (GDPR) and Data Protection Act (2018).

The PPS is required to ensure that PPS information systems are formally assessed in accordance with HMG Information Assurance Standard Numbers 1 and 2 (Information Risk Management). A review of this document set was completed in March 2019 to take account of the changes in the PPS infrastructure such as the introduction of tablet PCs and the replacement of the Disaster Recovery Suite.



Role of the Audit and Risk Committee

The remit of the ARC is to provide assurances to the DPP that governance arrangements within the Service are operating effectively. In my role as Chair, I remain confident that the Committee is fulfilling this function, providing independent oversight and challenge on internal control, risk management, governance and accountability.

The ARC functions in accordance with best practice contained in the Audit and Risk Assurance Committee Handbook (NI) (March 2014) and operates under agreed terms of reference which are reviewed annually. Meetings are attended by representatives of the Northern Ireland Audit Office (NIAO) and by the Head of Internal Audit (HIA).

I provided a report on the key issues discussed at the ARC for each Management Board meeting and oversaw completion of the ARC Annual Report for 2019-20, summarising the work of the committee and providing its clean opinion on the comprehensiveness and reliability of the assurances available to support the Board and, specifically, the Director as Accounting Officer in his accountability obligations. The ARC provided the AO with assurance that all significant risks appear to be proactively managed by the PPS's SMT, appropriate management controls were in operation and the quality of both internal and external audit work is sufficient to place reliance on their work.

The ARC has also reviewed the 2019-20 Annual Report and Accounts and provided assurance to the AO of their suitability. There are no material events which have occurred since year end that affect the operation of the PPS or the true and fair view presented.

Board Impact and Effectiveness

2019-20 has represented a time of bedding in for the new Management Board and non-executive members. The Board is performing effectively and I am confident it has the right mix of skills to support the DPP and SMT. Meetings are well attended and Non-Executive Directors (NEDs) participate in various committees and support other activities, such as representing PPS at other NICS/DoJ Internal Audit forums.



The Board plans strategically and sets key performance targets by business area, against which results are measured and scrutinised to maintain a high quality service. In the absence of the Northern Ireland Assembly, budgets have been allocated on an annual basis in recent years which limits the time frame over which detailed corporate planning can be made. The Board have identified the risks to succession planning and the use of resources associated with this and accordingly PPS has only published annual business plans over this period.

The Management Board normally comprises the Director, Deputy Director, two Grade 3 SADs and two NEDs. All members of the Management Board have complied with the requirement to disclose significant interests, or anything, which may conflict with their management responsibilities and a register of interests is maintained by the Board Secretariat. There are no conflicts recorded. Access to the register can be arranged by email request to info@ppsni.gov.uk.

The Board is supported by appropriate and reliable management information which enables it to review both business area and organisational performance in order to identify and drive improvements. Representatives from the relevant business area are requested to attend to support discussions as required. All information is provided by professionally qualified teams and the Board considers it can be assured as to the quality of the data it uses to inform decision making.

I am confident the Board will continue to feel supported and capable of progressing the programme of positive changes already in motion.

David Best
Non-Executive Director
and Chair of the Audit & Risk Committee



► Statement of the Accounting Officer's Responsibilities

Under the Government Resources and Accounts (Northern Ireland) Act 2001 the Department of Finance has directed the Public Prosecution Service for Northern Ireland (PPS) to prepare for each financial year resource accounts detailing the resources acquired, held or disposed of during the year and the use of resources by the Service during the year. The accounts are prepared on an accruals basis and must give a true and fair view of the state of affairs of the PPS, and of its income and expenditure, Statement of Financial Position and cash flows for the financial year.

In preparing the accounts, the Accounting Officer is required to comply with the requirements of the Government Financial Reporting Manual and in particular to:

- Observe the Accounts Direction issued by the Department of Finance, including the relevant accounting and disclosure requirements, and apply suitable accounting policies on a consistent basis;
- Make judgements and estimates on a reasonable basis;
- State whether applicable accounting standards as set out in the Government Financial Reporting Manual have been followed, and disclose and explain any material departures in the accounts; and
- Prepare the accounts on a going concern basis.

The Department of Finance has designated the Director of Public Prosecutions as Accounting Officer of the PPS. The responsibilities of an Accounting Officer, including responsibility for the propriety and regularity of the public finances for which the Accounting Officer is answerable and for keeping proper records and for safeguarding PPS assets, are set out in Managing Public Money NI issued by the Department of Finance.

So far as the Accounting Officer is aware, there is no relevant information of which the Department's auditors are unaware. The Accounting Officer has taken all the steps that ought to have been taken to be aware of any relevant audit information and to establish that the Department's auditors are aware of that information.

The Director of Public Prosecutions as Accounting Officer confirms that the Annual Report and Accounts as a whole is fair, balanced and understandable and takes personal responsibility for the Annual Report and Accounts and the judgements required for determining that it is fair, balanced and understandable.



► Governance Statement

Accountability Arrangements

The PPS was established on 13 June 2005 by the Justice (Northern Ireland) Act 2002 and is headed by the Director of Public Prosecutions for Northern Ireland, Stephen Herron. The responsibilities of the Director are specified in the 2002 Act, which requires that they be exercised by him independent of any other person.

Since the devolution of policing and justice to the Northern Ireland Assembly in April 2010, the PPS has been designated as a non-ministerial government department. Funding for the PPS is provided by the Northern Ireland Assembly through the Estimate process. The Director and Deputy Director are public appointments and all other members of staff are Northern Ireland Civil Servants.

In June 2020 Brenda King was appointed as the interim Attorney General for Northern Ireland, as part of the devolved justice arrangements. The Justice (Northern Ireland) Act 2002 provides for the Director and Attorney General to consult with each other as required on any matter for which the Attorney General is accountable to the Northern Ireland Assembly.

At present a number of prosecutorial matters are reserved to Parliament at Westminster. Duties in respect of these matters are performed by the Advocate General for Northern Ireland, The Rt. Hon. Suella Braverman QC MP, who is the Attorney General for England and Wales.

Roles and responsibilities

As Accounting Officer, I have responsibility for maintaining a sound system of internal control that supports the achievement of the Department's policies, aims and objectives, whilst safeguarding the public funds and Departmental assets for which I am personally responsible, in accordance with the responsibilities assigned to me in Managing Public Money Northern Ireland.

The Advocate General for Northern Ireland pursuant to section 42(6) of the Justice (Northern Ireland) Act 2002 must lay before each House of Parliament a copy of the Annual Report and Accounts.



The Attorney General for Northern Ireland (AGNI) pursuant to section 42(6) of the Justice (Northern Ireland) Act 2002 must lay before the Assembly a copy of the Annual Report and Accounts. The AGNI may exclude a part of an annual report from the copy to be published if, in his opinion, the publication of the part;

- would be against the public interest, or
- might jeopardise the safety of any person.

If the AGNI excludes a part of an annual report from publication, he must publish with the annual report a statement that it has been excluded.

The PPS Corporate Governance Framework

The PPS Corporate Governance Framework, as approved by the Management Board, aligns with the key principles set out in the DoF guidance, 'Corporate Governance in Central Government Departments: Code of Good Practice NI' (2013). It provides detailed information on the sound system of internal direction and control which the Accounting Officer oversees within PPS with a view to achieving the organisation's objectives, whilst safeguarding the public funds and departmental assets for which he is personally responsible. A copy of this document is available on the PPS website at www.ppsni.gov.uk.

The PPS's corporate governance arrangements comply fully with DoF's guidance, except in one regard. The guidance states that in non-ministerial departments there should be an agreement as to which Minister(s) from within the NI Executive should answer for the department's affairs in the Assembly. However, under current arrangements there is no agreement on this point. Assembly Questions, which cannot be answered by any other Department, are therefore dealt with via direct correspondence with the MLA concerned.

The Management Board

The PPS Management Board supports the Director in his leadership of the PPS and in reaching decisions on the strategic direction of the Service. The Board receives standing information for each meeting on key areas of performance including achievement against agreed key delivery targets and financial data. The Board's impact and effectiveness is covered in the NEBM report on pages 52 & 53 along with an assessment of the quality and acceptability of the data provided to the Board.



The Management Board’s objectives are to:

- set the strategic direction of the Service through the corporate priorities and objectives;
- ensure accountability for the Service’s performance; and
- provide assurance that the resources of the Service are being used effectively and represent value for money.

The Management Board carries out its business according to an agreed operating framework which sets out the Board’s objectives and remit, membership, responsibilities and procedures. This operating framework was last reviewed in April 2018.

During 2019-20, the Management Board met on 9 occasions. Members of the Board and individual attendance at Board meetings during the year were as follows:

Attendance at Management Board Meetings during 2019-20

Board Member	Number of Meetings Attended ¹
Stephen Herron Director of Public Prosecutions (Chair of Management Board)	9
Michael Agnew Deputy Director	7
Ian Hearst SAD Resources and Change	9
Marianne O’Kane SAD Serious Crime and Regional Prosecutions	8
Glen Houston Independent Board Member	9
David Best Independent Board Member	9
Christopher Welford² Independent Board Member	4

¹ Excludes an additional planning event held on 21 January 2020.

² Stepped down as Independent Board Member on 5 September 2019.



The Audit and Risk Committee (ARC)

The ARC comprises a Non-Executive Director (Chair), and two other members, currently a non-executive director and an external representative. The remit of the ARC is to provide assurances to the DPP that governance arrangements within the Service are operating effectively.

During the financial year, the ARC met on three occasions. The fourth scheduled meeting in late March 2020 was postponed due to lockdown as a result of the Covid-19 pandemic but has met subsequently using video conferencing facilities.

During the year, the ARC dealt with a wide range of issues including the consideration of: corporate and reputational risk; quarterly Statements of Assurance; Internal Audit work plans and reports; information assurance (including cyber-security incidents and adherence to GDPR); the annual report and resource accounts for 2018-19 and the NI Audit Office's annual Audit Strategy and Report to Those Charged with Governance. The ARC received regular updates during the period from the HIA and examined progress against previous audit reports to ensure recommendations were being adequately addressed. The HIA has provided overall satisfactory assurance for 2019-20.

The ARC is also briefed on lessons learned from Public Accounts Committee hearings and on new financial policy issued by the DoF where the Finance Team sets out actions planned, etc. to meet any consequential requirements. At each meeting, the ARC considers the incidence of losses, special payments, whistleblowing and suspected fraud. None arose during 2019-20.

Board Committees

During 2019-20, in addition to the ARC, the Board was supported by five operational committees which played a key role in the governance of the PPS:

- Senior Management Group.
- People and Resources Committee.
- Performance and Delivery Committee.
- Policy and Quality Committee.
- Strategic Improvement Board



All committees had clear terms of reference, covering the scope of decision-making and reporting requirements to the Board. Full minutes of all committee meetings are circulated to Management Board members and at each meeting of the Board the respective committee chairs provided members with updates.

The Senior Management Group

The Senior Management Group (SMG) comprises the Deputy Director (as Chair), the SADs, the Head of Policy and Information and the Head of Resource Management, and meets on a monthly basis. SMG's purpose is to ensure there is effective co-ordination and decision-making in respect of a range of PPS strategic performance, governance and policy issues, as well as effective communication between the Management Board, the PPS senior management team and the Board's Committees. The SMG met on nine occasions during 2019-20.

People and Resources Committee

The People and Resources Committee (PRC) is chaired by the SAD for Resources and Change, and considers the key financial and resource issues impacting on the Service. The Committee met on eight occasions during 2019-20 and examined a range of human resource and employee relations issues, and provided oversight in terms of budgetary monitoring, procurement, health and safety and equality and diversity matters. Membership of the PRC includes the Service's NICS HR Strategic Business Partner who provided the Committee with regular updates on key human resource issues. The Committee also considered reward, recognition and agile working opportunities under the PPS People Plan.

Performance and Delivery Committee

The Performance and Delivery Committee (PDC), chaired by the SAD for Serious Crime and Regional Prosecutions, supports the SMG in meeting key organisational standards and targets. It is responsible for driving continuous improvement in operational performance and working practices and for identifying strategic and operational issues impacting on delivery. The PDC met on seven occasions during 2019-20. Key discussion points included the analysis of monthly and quarterly performance statistics against standards and targets, consistency of decision making, innovation opportunities, capacity and resource issues, and performance management under the PPS People Plan.



Policy and Quality Committee

The Policy and Quality Committee (PQC), chaired by the Deputy Director, is responsible for monitoring and considering the key legal policy issues impacting on the organisation and for the setting of priorities for future legal policy development and quality assurance activity. The Committee met on four occasions during 2019-20. Key issues discussed included the drafting of new or revised policy statements, requirements for internal guidance and a range of quality assurance matters.

Strategic Improvement Board

The Strategic Improvement Board (SIB), chaired by the Deputy Director, is responsible for managing initiatives taken forward under the Service Improvement and Innovation Programme (SIIP). The SIIP provides a framework for the oversight and delivery of key operational PPS projects and inter-agency service improvement initiatives, such as the Indictable Cases Process, Committal Reform, Judicial Case Management, the Criminal Justice Digital Strategy and the joint PPS / PSNI Working Together Project. The Committee held its first meeting in September 2019 and met on three occasions up to the end of the financial year.

Risk Management

The Department aims to assess and manage effectively risk to the achievement of its business objectives. Its capacity to manage risk derives from the experience and ability of managers to operate the fully documented risk management process. The Department's Risk Management Framework is in line with best practice set out in the Northern Ireland Audit Office report on "Good Practice in Risk Management".

The Framework details the Department's approach to risk management, including: risk appetite; the hierarchy for managing risks; the risk identification and escalation process; and the roles and responsibilities of the various levels of management. This approach allows risks to be identified and managed at all levels and to be escalated as appropriate.

During 2019-20, the risk management framework has been complemented by a range of other control measures:

- Incident Management and Business Continuity Plans to limit operational disruption;



- A Whistleblowing policy to give staff confidence and protection to raise concerns;
- An Anti-Fraud Policy and Fraud Response Plan to deal with suspected cases of fraud;
- The PPS Fraud Working Group which provides a forum for the exchange of information and experience on fraud issues, and building fraud proofing into core policy development;
- Review of all new guidance issued by the DoF to identify relevant changes for PPS and the action required as a result;
- PPS Procurement and Purchasing Procedures have been updated and issued to staff to ensure best practice and compliance;
- PPS Business Case guidance has been updated and issued to staff to support best practice and compliance;
- Policy and procedural changes are issued as Staff Instructions or Policy Information Notes to all front line staff to mitigate against errors in due process;
- A register of interests has been maintained covering all senior staff and protecting against potential conflicts of interest; and
- A register of gifts and hospitality is maintained covering all staff, further protecting against potential conflicts of interest.

Effectiveness of the PPS Governance Framework

Assurance as to the adequacy of the governance, management and controls in place and the actions planned to address any weaknesses identified, can come from a number of sources:

Management

- Performance and Accountability Meetings (PAMs), led by the Deputy Director and SAD for Serious Crime and Regional Prosecutions, are held on a quarterly basis with ADs and their key personnel. Issues discussed during PAMs include:
 - The steps being taken to address any deficits in performance identified via the Service's key performance measures and other performance reports.
 - Details of business plan objectives which were not being met or where there has been significant slippage.



- Matters which may impact on the future performance of the Region / Section (for example, resource changes or potential increases in workload).
- Key operational or legal matters, such as the conduct of high profile cases and legal quality assurance (e.g. review of No Bills in the Crown Court).
- Updates on any action points agreed at previous meetings.
- The SAD for Resources and Change acts as the Principal Establishment and Finance Officer for the Service and as such is responsible for ensuring that proper controls are in place to safeguard public funds and departmental assets.
- Detailed assurance statements are provided on a quarterly basis to the Management Board and the ARC by senior managers who have responsibility for the development and maintenance of the internal control framework in their respective areas.
- Regular financial and performance reports are provided to the Board and senior management.
- Independent Board Members who provide challenge and advice.
- The Chair of the ARC who provides feedback at Management Board meetings and an Annual Report.

Policy and Process

- The Policy and Information Unit provides an independent assessment of the quality of decision-making, case preparation and presentation within the Service.
- Dip sampling by ADs, based on a sample of cases drawn by NISRA statisticians. Cases found to be below the acceptable standard are followed up by the Senior Team.
- The maintenance of casework risk registers by ADs ensures identified risks in the most serious cases are managed and mitigated. These are underpinned by Prosecution Strategy Documents which assist the prosecutor and AD in identifying and recording strategic issues that arise and create a comprehensive record of how such issues have been approached and resolved.



Independent parties

- *The Department of Finance*

The DoF within the NI Civil Service is the source of key shared services available to PPS such as: Account NI, NICS HR (which provides human resource services and support), HR Connect (which provides transactional HR work and a payroll service for the PPS) and the Central Procurement Directorate. These functions are independently audited and PPS can place reliance on the adequacy of their operation.

- *The Independent Assessor of Complaints (IAC)*

Where a complainant does not feel their issue has been resolved satisfactorily through internal PPS mechanisms, their complaint can be referred to the IAC, Ms Sarah Havlin. Mr Alan Henry OBE served as the IAC until August 2019 and his annual report for 2018-19 (published in that month) noted the increasing level of professionalism and efficiency which the PPS have demonstrated in handling complaints from members of the public which they serve, and that complaints handling arrangements in the PPS are fit for purpose, effective and reflect best practice set against equivalent arrangements in other organisations in the public and private sector. The report stated that standards which are now being achieved and maintained by the PPS, particularly over the last 3 years, are excellent, and in many cases, exemplary.

- *Criminal Justice Inspection Northern Ireland (CJI)*

The PPS is subject to review by CJI, within the provisions of Part 3 of the Justice (Northern Ireland) Act 2002. CJI provides an independent assessment of business efficiency and effectiveness through a programme of thematic reviews.

In June 2019, CJI published the results of '[No Excuse: Public Protection Inspection II](#)', a thematic inspection of the handling of domestic violence and abuse cases by the Criminal Justice System in Northern Ireland. This included a number of recommendations for the PPS.

CJI also progressed a number of other inspections or follow-up reports over the course of the year, focusing on the care and treatment of victims and witnesses, child sexual exploitation, human trafficking and the enforcement of road traffic legislation in Northern Ireland.

PPS has engaged with inspectors during the course of all reviews and responded to all requests and recommendations as appropriate.



Internal Audit

Internal Audit within the PPS is provided by the DoJ's Internal Audit Branch operating within the NICS Group Internal Audit and Fraud Investigation Service. A three year rolling programme of systems based audits is agreed with the PPS Audit and Risk Committee. The internal audit service is provided in accordance with the Public Sector Internal Audit Standards.

During the financial year Internal Audit conducted a number of audit assignments, in accordance with the annual audit plan for 2019-20. Five audit reports were completed, each resulting in a satisfactory opinion, focusing on the following areas:

- Cyber Security (June 2019);
- Corporate Governance (July 2019);
- Financial Management (October 2019);
- Engagement of Counsel (December 2019); and
- Complaints Handling (March 2020).

The HIA provides an annual independent opinion on the adequacy and effectiveness of the Service's system of internal control and identifies significant control issues. This opinion is based on internal audits carried out in respect of 2019-20 and cumulative assurances derived from internal audit activity during the previous two years. For 2019-20, the HIA concluded that a robust and comprehensive framework of assurance exists in the PPS and overall there was a satisfactory system of governance, risk management and control. While the HIA accepted there may be some residual risk identified, they were of the opinion that this should not significantly impact on the achievement of system objectives. There have been no significant issues raised this year.

External Audit

The Northern Ireland Audit Office (NIAO) are responsible for the audit of the PPS Annual Report and Accounts and the Comptroller and Auditor General will provide an opinion on whether they provide a true and fair view; identify, assess and examine risks to regularity, propriety and financial control and report on significant weaknesses; and provide constructive advice to help improve their corporate governance, financial risk management control and reporting.



PPS Senior Management has reviewed the Northern Ireland Audit Office 2019-20 Report to those Charged with Governance and there were no significant internal control problems highlighted by the NIAO. The Comptroller and Auditor General’s report was unqualified.

Personal Data Incidents

Data security presents operational challenges for PPS and in the processing of over 40,000 cases per annum there are always risks of human error, leading most frequently to inappropriate disclosure.

The PPS DPO is responsible for managing the response to data incidents. During the reporting period a total of 45 data incidents were reported to the DPO, as summarised below. In 31 cases the investigation revealed that no data had in fact been compromised. In the remaining 14 cases an investigation was carried out and appropriate remedial action taken where required.

Category	Total Reported	Explanatory Note
Loss of electronic media and paper documents from secured government premises	9	In 5 instances, electronic data was encrypted and no loss occurred. In the remaining 4 instances, investigations could not determine if any data had in fact been lost.
Loss of electronic media and paper documents from outside secured government premises	2	In both cases reported, data was lost after proper disclosure to 3 rd parties.
Unauthorised disclosure	32	In 24 instances investigations revealed that no data had been lost.
Lost secure access fob	2	These devices are encrypted to government standards and no data loss occurred.

One of these incidents was reported to the Information Commissioner’s Office (ICO) and a response is pending. A summary of this incident is provided below.



Nature of incident	Nature of data involved	Number of people potentially affected	Notification steps
Unauthorised disclosure. Defendant is a social worker, and a summons was received by a colleague due to an incorrect name being added to case records by NICTS following unrelated probation proceedings.	Defendant Summons	1	Reported to the ICO by DPO. Response pending.

Information assurance is a standing item on the agenda of the Audit and Risk Committee (ARC), with escalation to the Management Board where necessary.

Significant Control Issues

The work of the PPS is demand-led and can be subject to in-year fluctuations, depending on the number of cases received and the number subsequently processed through the courts. In an ever tightening financial climate this presents challenges in managing workloads. Whilst the Service has a statutory obligation to take prosecutorial decisions in all cases initiated or investigated by police, it may be necessary to profile work internally in order to manage resources effectively. Hence delay in casework can arise where resources have to be allocated or reallocated to meet the most immediate demands.

Decisions regarding prioritisation and the allocation of resources can be difficult and will not always be understood or agreed with by victims or sections of the public. An inability to progress, or delay in progressing, cases can result in PPS being challenged, including by means of judicial review. These proceedings can be costly and time-consuming and can further distract from and delay the conduct of the PPS's core prosecutorial functions. Successful challenge can also result in the re-prioritisation of resources. This environment of competing demands and the potential for such challenge presents a risk for the PPS in future years.



Impact of Covid-19

The emergence of Covid-19 in the closing period of 2019-20 has had far reaching impacts on the Department and its staff. The restrictions imposed as a result of Covid-19 resulted in a move by the Office of the Lord Chief Justice and Northern Ireland Courts and Tribunal Service to deal with only urgent or agreed matters. This necessary pausing of issuing new proceedings and only limited numbers of cases being progressed through a reduced number of court venues had significant impact on the normal business of the PPS. The PPS has followed guidelines published by the various government and health bodies in managing the lockdown imposed in early March 2020 as a result of Covid-19. The response has been led by the Gold Team, chaired by the Director and supported by the Senior Management Team and various Heads of Business Areas like ICT and Property Management, with the authority to take appropriate decisions to ensure business continuity.

The health and well-being of staff remain the primary concern of the organisation and detailed risk assessments at both corporate and office levels have been completed and continue to be reviewed up to the date of publishing this report. Social distancing measures are in place as is the message that staff that can work remotely should continue to do so. Guidance was provided for staff working remotely that covered a number of areas including personal well-being, data security and the use of electronic devices.

The Department needs to be prepared to respond with agility as the Covid-19 situation evolves, making sure that we provide a sustainable service, as the needs of those we serve changes and business processes involving other stakeholders are revised. PPS is fully engaged in the Criminal Justice recovery planning as the court venues start to open again and efforts are made to return to some form of normal working. Inevitably there are backlogs of work and the gradual return of staff to the offices must be done in a controlled and safe manner. The Senior Management Team continue to prioritise and identify work streams through engagement with the Judiciary, Court Service, Police, Defence practitioners and other justice partners while ensuring victims and witnesses are communicated with effectively.



An Operational Recovery Group has been established to guide the organisation through this next phase. The PPS has maintained all strategic communications activity since March, with targeted plans put in place at the earliest stage to engage effectively with staff, stakeholders (including victims and witnesses) and the media in the specific context of Covid-19 disruption. All communications activity has been guided directly by PPS Senior Management as it has moved the organisation through emergency planning into recovery mode. Each plan was drafted as a flexible framework within which activity is continually monitored, evaluated and adjusted to meet all communications requirements as they evolve in the coming months.

Conclusion

The governance framework as outlined has been in place in the PPS throughout the year ended 31 March 2020 and up to the date of approval of the Annual Report and Resource Accounts.

As Accounting Officer for the Service, I am responsible for reviewing the effectiveness of governance and control systems within the PPS and ensuring that the public monies and other resources for which I am accountable are deployed effectively and appropriately.

I have sought assurance and considered the evidence from the sources set out within this Governance Statement and I can confirm that PPS has an effective system of controls to support the Department's work. During the year we have continued to improve our governance, risk management and control arrangements to ensure the Department is able to meet its strategic objectives.



Remuneration and Staff Report

► Remuneration Report (audited information)

Scope of Responsibility

The salaries of the Director of Public Prosecutions and the Deputy Director are set in line with the Judicial Appointments Scale as determined by the Department of Finance.

The Non-Executive Directors (NEDs) are remunerated on the basis of the per diem rate. This was uplifted from 1 August 2019 to £535 per day in line with the recommendations of the Senior Salary Review Body, who have also recommended a further 1% uplift per annum on 1 August each year up to 2020-21. In addition, the NEDs are entitled to travel and subsistence expenses at NICS rates incurred while on departmental business.

The NED's remuneration is paid through the PPS's payroll and Employers National Insurance and PAYE accounted for at source.

Remuneration Policy

The pay policy for the Northern Ireland (NI) public sector, including senior civil servants (SCS), is normally approved by the Minister of Finance. In the absence of an Executive, the Department of Finance's Permanent Secretary set the 2019-20 NI public sector pay policy (October 2019) in line with the overarching HMT parameters and in a manner consistent with the approach taken by the previous Finance Minister in 2016-17. Annual NICS pay awards are made in the context of the wider public sector pay policy. The pay award for NICS staff, including SCS staff, for 2019-20 has been finalised and was paid in July 2020.

The pay of SCS is based on a system of pay scales for each SCS grade containing a number of pay points from minima to maxima, allowing progression towards the maxima based on performance.



Service Contracts

The Civil Service Commissioners (NI) Order 1999 requires Civil Service appointments to be made on merit on the basis of fair and open competition. The Recruitment Code published by the Civil Service Commissioners for Northern Ireland specifies the circumstances when appointments may be made otherwise.

Unless otherwise stated, the officials covered by the report hold appointments that are open-ended. Early termination, other than for misconduct, would result in the individual receiving compensation as set out in the Civil Service Compensation Scheme.

Further information about the work of the Civil Service Commissioners for Northern Ireland can be found at www.nicscommissioners.org.

Employment, Training and Advancement of Disabled Persons

The Northern Ireland Civil Service (NICS) applies the recruitment principles as set out in the Recruitment Code of the Civil Service Commissioners for Northern Ireland, appointing candidates based on merit through fair and open competition. Recruitment and selection training, which includes raising awareness of unconscious bias, is offered to all members of NICS recruitment panels. The NICS also has mandatory unconscious bias training for all staff.

To maintain and promote a diverse and inclusive workforce, the NICS has policies in place to support any alterations to the working environment required by disabled persons.

The NICS has a wide and active network of Diversity Champions and has appointed one of its' Deputy Secretaries as the NICS Diversity Lead for Disability. The NICS has a committed Disability Working Group and is a lead partner with Employers for Disability Northern Ireland. Through this collaboration the NICS is working towards creating a truly inclusive workplace where all colleagues feel valued. The NICS promotes a number of schemes for disabled colleagues, including a Work Experience Scheme for People with Disabilities.



Other Employee Matters

The NICS People Strategy 2018-21 sets out the shared view of the people priorities across the NICS under the following themes:

- A well-led NICS
- High performing NICS
- Outcomes-focused NICS
- An inclusive NICS in which diversity is truly valued – a great place to work.

Equality, Diversity and Inclusion

The [NICS People Strategy 2018-21](#) places diversity and inclusion at its centre and includes a range of actions that will help accelerate the NICS' ambition to be a service that reflects the society we serve.

The NICS continues to carry out its statutory obligations under fair employment legislation, including the annual return to the Equality Commission for NI. The NICS publishes a wide range of [NICS Human Resource Statistics](#).

Learning and Development

The NICS recognises the importance of having skilled and engaged employees and continues to invest in learning and development.

NICSHR Learning and Development is responsible for development and delivery of all generic staff training. It offers a variety of learning delivery channels to enable flexible access to learning, blending different solutions into coherent learning pathways that are aligned to both corporate need and the [NICS Competency Framework](#).

The NICS offers a wide range of career development opportunities through mentoring, secondment and interchange opportunities, elective transfers, temporary promotion, job rotation and job shadowing.

Talent management is a key theme of the NICS People Strategy and work is underway to develop a more corporate approach to managing talent across the NICS.



Employee Consultation and Trade Union Relationships

The Department of Finance is responsible for the NICS Industrial Relations Policy. The centralised human resource function, NICSHR, consults on HR policy with all recognised Trade Unions and local departmental arrangements are in place to enable consultation on matters specific to a department or individual business area.

Remuneration and Pension Entitlements

The following sections provide details of the remuneration and pension interests of the senior management of the Department.

Salary

Salary includes gross salary; overtime; reserved rights to London weighting or London allowances; recruitment and retention allowances; private office allowances; and any other allowance to the extent that it is subject to UK taxation and any severance or any ex-gratia payments.

Benefits in Kind

The monetary value of benefits in kind covers any benefits provided by the employer and treated by HM Revenue and Customs as a taxable emolument. The PPS does not provide any benefits in kind to staff.

Pay Multiples

Reporting bodies are required to disclose the relationship between the remuneration of the highest-paid director in their organisation and the median remuneration of the organisation's workforce.

	2019-20	2018-19
Band of Highest Paid Director's Total Remuneration* (£000)	185-190	180-185
Median Total Remuneration* (£)	25,540	25,175
Ratio	7.4	7.2

**Total remuneration includes salary, non-consolidated performance-related pay, and benefits-in-kind. It does not include severance payments, employer pension contributions and the cash equivalent transfer value of pensions.*



The banded annualised remuneration of the highest-paid director in PPS in the financial year 2019-20 was £185-190k (2018-19, £180-185k). This was 7.4 times (2018-19, 7.2 times) the median remuneration of the workforce, which was £25,540 (2018-19, £25,175). In 2019-20 and 2018-19, no employee included in this disclosure received remuneration in excess of the highest-paid director.

The range of staff remuneration is from £18,513 to £188,901 (2018-19, £17,796 to £181,566) and the median salary has remained steady from last year and represents the top point of the Executive Officer II scale.



Remuneration (Including Salary) and Pension Entitlements

	2019-20				2018-19			
	Salary £'000	Benefits in Kind (to nearest £100)	Pension Benefits* (to nearest £1,000)	Total £'000	Salary £'000	Benefits in Kind (to nearest £100)	Pension Benefits* (to nearest £1,000)	Total £'000
Statutory Appointments								
Mr Stephen Herron Director	185-190	-	94,000	280-285	180-185	-	230,000***	410-415***
Mr Michael Agnew Deputy Director	150-155	-	71,000	220-225	145-150	-	186,000	330-335
Officials								
Ian Hearst SAD of Resources and Change	95-100	-	39,000	135-140	90-95	-	51,000	140-145
Marianne O'Kane SAD of Serious Crime and Regional Prosecutions	90-95	-	91,000**	180-185	80-85	-	82,000**	160-165
Ciaran McQuillan SAD of Regional Prosecutions (Temporarily promoted from 2 January to 31 March 2018)	-	-	-	-	70-75	-	-	70-75
Roger Davison SAD of Regional Prosecutions (Temporarily promoted from 1 July 2018 to 1 January 2019)	-	-	-	-	80-85	-	58,000	140-145
Non-Executive Directors								
David Best	5-10	-	-	5-10	0-5	-	-	0-5
Glen Houston	5-10	-	-	5-10	0-5	-	-	0-5
Christopher Welford (resigned 5 September 2019)	5-10	-	-	5-10	5-10	-	-	5-10
David Hughes Hallett (resigned 30 September 2018)	-	-	-	-	0-5	-	-	0-5

* The value of pension benefits accrued during the year is calculated as (the real increase in pension multiplied by 20) plus (the real increase in any lump sum) less (the contributions made by the individual). The real increases exclude increases due to inflation and any increase or decrease due to a transfer of pension rights.

** Includes additional voluntary contribution.

*** Values restated for 2018-19 during 2019-20.



Pension Entitlements

	Accrued pension at pension age as at 31/03/20 and related sum £'000	Real increase in pension and related sum at pension age £'000	CETV at 31/3/20 £'000	CETV at 31/3/19 £'000*	Real increase in CETV £'000	Employer contribution to partnership pension account Nearest £100
Statutory Appointments						
Mr Stephen Herron Director	55-60 Lump Sum 120-125	5-7.5 Lump Sum 7.5-10	932	833	51	-
Mr Michael Agnew Deputy Director	35-40 Lump Sum Nil	2.5-5 Lump Sum Nil	572	507	32	-
Officials						
Ian Hearst SAD of Resources and Change Management	25-30 Lump Sum Nil	0-2.5 Lump Sum Nil	394	346	24	-
Marianne O'Kane SAD of Regional Prosecutions	30-35 Lump Sum 75-80	2.5-5 Lump Sum 7.5-10	595	498	63	-

* Where additional information becomes available CETV's figures can change from the previously reported figures.

Northern Ireland Civil Service (NICS) Pension Schemes

Pension benefits are provided through the NICS pension schemes which are administered by Civil Service Pensions (CSP).

The alpha pension scheme was introduced for new entrants from 1 April 2015. The alpha scheme and all previous scheme arrangements are unfunded with the cost of benefits met by monies voted each year. The majority of existing members of the classic, premium, classic plus and nuvos pension arrangements also moved to alpha from that date. Members who on 1 April 2012 were within 10 years of their normal pension age did not move to alpha and those who were within 13.5 years and 10 years of their normal pension age were given a choice between moving to alpha on 1 April 2015 or at a later date determined by their age. Alpha is a 'Career Average Revalued Earnings' (CARE) arrangement in which members accrue pension benefits at a percentage rate of annual pensionable earnings throughout the period of scheme membership. The rate is 2.32%.



New entrants joining can choose between membership of alpha or joining a good quality ‘money purchase’ stakeholder arrangement with a significant employer contribution (partnership pension account).

New entrants joining on or after 30 July 2007 were eligible for membership of the nuvos arrangement or they could have opted for a partnership pension account. Nuvos is also a CARE arrangement in which members accrue pension benefits at a percentage rate of annual pensionable earnings throughout the period of scheme membership. The current rate is 2.3%.

Staff in post prior to 30 July 2007 may be in one of three statutory based ‘final salary’ defined benefit arrangements (classic, premium and classic plus). From April 2011, pensions payable under classic, premium, and classic plus are reviewed annually in line with changes in the cost of living.

New entrants joining on or after 1 October 2002 and before 30 July 2007 could choose between membership of premium or joining the partnership pension account.

All pension benefits are reviewed annually in line with changes in the cost of living. Any applicable increases are applied from April and are determined by the Consumer Prices Index (CPI) figure for the preceding September. The CPI in September 2019 was 1.7% and HM Treasury has announced that public service pensions will be increased accordingly from April 2020.

Employee contribution rates for all members for the period covering 1 April 2020 – 31 March 2021 are as follows:

Scheme Year 1 April 2020 to 31 March 2021

Annualised Rate of Pensionable Earnings (Salary Bands)		Contribution rates – All members
From	To	From 01 April 2020 to 31 March 2021
£0	£23,999.99	4.6%
£24,000.00	£55,499.99	5.45%
£55,500.00	£152,499.99	7.35%
£152,500.00 and above		8.05%



Benefits in classic accrue at the rate of 1/80th of pensionable salary for each year of service. In addition, a lump sum equivalent to three years' pension is payable on retirement. For premium, benefits accrue at the rate of 1/60th of final pensionable earnings for each year of service. Unlike classic, there is no automatic lump sum (but members may give up (commute) some of their pension to provide a lump sum). Classic plus is essentially a variation of premium, but with benefits in respect of service before 1 October 2002 calculated broadly as per classic.

The partnership pension account is a stakeholder pension arrangement. The employer makes a basic contribution of between 8% and 14.75% (depending on the age of the member) into a stakeholder pension product chosen by the employee. The employee does not have to contribute but where they do make contributions, the employer will match these up to a limit of 3% of pensionable salary (in addition to the employer's basic contribution). Employers also contribute a further 0.5% of pensionable salary to cover the cost of centrally-provided risk benefit cover (death in service and ill health retirement).

The accrued pension quoted is the pension the member is entitled to receive when they reach their scheme pension age, or immediately on ceasing to be an active member of the scheme if they are at or over pension age. Scheme Pension age is 60 for members of classic, premium, and classic plus and 65 for members of nuvos. The normal scheme pension age in alpha is linked to the member's State Pension Age but cannot be before age 65. Further details about the NICS pension schemes can be found at the website www.finance-ni.gov.uk/civil-service-pensions-ni.

Cash Equivalent Transfer Values

A Cash Equivalent Transfer Value (CETV) is the actuarially assessed capitalised value of the pension scheme benefits accrued by a member at a particular point in time. The benefits valued are the member's accrued benefits and any contingent spouse's pension payable from the scheme. A CETV is a payment made by a pension scheme or arrangement to secure pension benefits in another pension scheme or arrangement when the member leaves a scheme and chooses to transfer the benefits accrued in their former scheme. The pension figures shown relate to the benefits that the individual has accrued as a consequence of their total membership of the pension scheme, not just their service in a senior capacity to which disclosure applies. The CETV figures, and from 2003-04 the other pension details, include the value of any pension benefit in another scheme or arrangement which the individual has transferred



to the NICS pension arrangements. They also include any additional pension benefit accrued to the member as a result of their purchasing additional years of pension service in the scheme at their own cost. CETVs are calculated in accordance with The Occupational Pension Schemes (Transfer Values) (Amendment) Regulations 2015 and do not take account of any actual or potential benefits resulting from Lifetime Allowance Tax which may be due when pension benefits are taken.

Real Increase in CETV

This reflects the increase in CETV effectively funded by the employer. It does not include the increase in accrued pension due to inflation, contributions paid by the employee (including the value of any benefits transferred from another pension scheme or arrangement) and uses common market valuation factors for the start and end of the period. However, the real increase calculation uses common actuarial factors at the start and end of the period so that it disregards the effect of any changes in factors and focuses only on the increase that is funded by the employer.

Compensation for loss of office

There was no compensation payment in 2019-20 (2018-19: Nil).



► Staff Report

Staff Numbers and Related Costs (The following section is subject to audit)

The agreed full time equivalent (FTE) capacity of the PPS is 483. The full time equivalent staffing of the PPS at 31 March 2020 was 418.3 permanent staff, 58.6 temporary staff and 6 seconded staff.

There were 450 staff permanently employed. The staff complement of 450 included 161 males and 289 females.

The average number of whole-time equivalent persons employed during the year was as follows:

Average FTE staff	2019-20			2018-19
	Permanent Staff	Others	Total	Total
RfR A Objective A	428	53	481	471
Total	428	53	481	471

The ten senior management positions within PPS are the Director, Deputy Director, two Grade 3 Senior Assistant Directors and six Grade 5 Assistant Directors. At 31 March, of these staff, seven were male and three female, two at Grade 5 and one at Grade 3.

The staff costs reported in the Statement of Comprehensive Net Expenditure for the year ended 2019-20 are set out below in greater detail. Agency staff have been classified as 'other' and inward secondments refer to staff based with PPS but employed by other public organisations. Of the total staff costs for 2019-20, £Nil (2018-19: £Nil) has been charged to capital.



Staff Costs (The following section is subject to audit)

	2019-20 £'000			2018-19 £'000
	Permanent Staff	Others	Total	Total
Wages and Salaries	15,411	995	16,406	15,426
Social Security Costs	1,635	-	1,635	1,608
Other Pension Costs	4,733	-	4,733	3,513
Sub-Total	21,779	995	22,774	20,547
Plus Inward Secondments	227	26	253	166
Less Outward Secondments	(45)	-	(45)	-
Total Net Costs	21,961	1,021	22,982	20,713

Of which:

	Charged to Administration	Charged to Programme	Total
Total Net Costs	1,411	21,571	22,982



The NICS main pension schemes are unfunded multi-employer defined benefit schemes but the PPS is unable to identify its share of the underlying assets and liabilities. The Government Actuary's Department (GAD) is responsible for carrying out scheme valuations. The Actuary reviews employer contributions every four years following the scheme valuation. The 2016 scheme valuation was completed by GAD in March 2019. The outcome of this valuation was used to set the level of contributions for employers from 1 April 2019 to 31 March 2021.

For 2019-20, employers contribution of £4,742,729.48, were payable to the NICS pension arrangements (2018-19: £3,476,560.99) at one of three rates in the range 28.7% to 34.2% of pensionable pay, based on salary bands.

This change is primarily due to the reduction in the SCAPE discount rate (as announced at Budget 2018) to 2.4% per annum above CPI. The contribution rates are set to meet the cost of the benefits accruing during 2019-20 to be paid when the member retires, and not the benefits paid during this period to existing pensioners.

Employees can opt to open a partnership pension account, a stakeholder pension with an employer contribution. Employers' contribution of £5,191 (2018-19: £5,098) were paid to one or more of the panel of two appointed stakeholder pension providers. Employer contributions are age-related and range from 8% to 14.75% (2018-19: 8% to 14.75%) of pensionable pay.

The partnership pension account offers the member the opportunity of having a 'free' pension. The employer will pay the age-related contribution and if the member does contribute, the employer will pay an additional amount to match member contributions up to 3% of pensionable earnings.

Employer contributions of £236.02, 0.5% (2018-19: £231.61, 0.5%) of pensionable pay, were payable to the NICS Pension schemes to cover the cost of future provision of lump sum benefits on death in service and ill health retirement of these employees. Contributions due to the partnership pension providers at the reporting period date were £Nil. Contributions prepaid at that date were £Nil.

One member of staff (2018-19: 0 persons) retired early on ill-health grounds; the total additional accrued pension liabilities in the year amounted to £Nil (2018-19: £Nil).



Employee Benefits

Under IAS19 Employee Benefits, all staff costs must be recorded as an expense as soon as the organisation is obligated to pay them. This includes the costs of any untaken leave at the year-end which has been determined using data from staff leave records. The employee benefit accrual as at 31 March 2020 was £685k (2018-19, £683k).

Off payroll Engagements

The PPS did not have any off-payroll engagements during the year 2019-20 (2018-19: Nil).

Consultancy Expenditure

Expenditure on consultancy during 2019-20 was £23,586 (2018-19, £61,905).

Civil Service and Other Compensation Schemes - Exit Package

There were no exit packages paid during 2019-20 (2018-19: one employee / £16k).

Managing Attendance

Sickness absence in the Northern Ireland Civil Service is measured and reported on annually by the Northern Ireland Statistics and Research Agency. The Minister of Finance sets targets for all NICS Departments. The PPS target for sickness absence was 7.5 working days lost per full time equivalent member of staff (2018-19: 7.5 days). PPS actual performance for 2019-20 (based on estimated NICS data) was an average of 12.6 working days lost per whole time equivalent member of staff (2018-19: 14.3 days).

The PPS target for long-term absence was a frequency rate of 7.6% (2018-19: 7.6%) but the actual performance for 2019-20 (based on estimated NICS data) was 13.1% (2018-19: 15.6%).



Assembly Accountability and Audit Report

► Statement of Assembly Supply (audited information)

In addition to the primary statements prepared under IFRS, the Government Financial Reporting Manual (FReM) requires the PPS to prepare a Statement of Assembly Supply (SoAS) and supporting notes.

The SoAS and related notes are subject to audit, as detailed in the Certificate and Report of the Comptroller and Auditor General to the Northern Ireland Assembly.

The SoAS is a key accountability statement that shows, in detail, how an entity has spent against their Supply Estimate. Supply is the monetary provision for resource and cash (drawn primarily from the Consolidated Fund), that the Assembly gives statutory authority for entities to utilise. The Estimate details Supply and is voted on by the Assembly at the start of the financial year and is then normally revised by a Supplementary Estimate at the end of the financial year. It is the final Estimate, normally the Spring Supplementary Estimate, which forms the basis of the SoAS.

Should an entity exceed the limits set by their Supply Estimate, called control limits, their accounts will receive a qualified opinion.

The format of the SoAS mirrors the Supply Estimates to enable comparability between what the Assembly approves and the final outturn. The Supply Estimates are voted by the Assembly and published on the DoF website.

The supporting notes detail the following: Outturn detailed by Estimate line, providing a more detailed breakdown (note 1); a reconciliation of outturn to net operating expenditure in the SCNE, to tie the SoAS to the financial statements (note 2); a reconciliation of net resource outturn to net cash requirement (note 3); an analysis of income payable to the Consolidated Fund (note 4), a reconciliation of income recorded within the Statement of Comprehensive Net Expenditure to operating income payable to the Consolidated Fund (note 5); and detail on non-operating income – excess Accruing Resources (note 6).



Summary of Resource Outturn 2019-20 (all figures presented in £'000)

Request for Resources	Note	Outturn			Estimate			Outturn vs Estimate, saving / (excess)	Prior Year Outturn Total, 2018-19
		Gross Expenditure	Accruing Resources	Net Total	Gross Expenditure	Accruing Resources	Net Total		
A	SoAS 1	37,350	(536)	36,814	38,884	(656)	38,228	1,414	33,471
Total Resources		37,350	(536)	36,814	38,884	(656)	38,228	1,414	33,471
Non-operating cost Accruing Resources	SoAS 4	-	-	-	-	-	-	-	(5)

Net Cash Requirement 2019-20 (all figures presented in £'000)

	Note	Outturn	Estimate	Outturn vs Estimate, saving / (excess)	Prior Year Outturn Total, 2018-19
Net Cash Requirement	SoAS 3	35,227	38,202	2,975	33,397

Summary of Income Payable to the Consolidated Fund

In addition to accruing resources, the following income relates to the Department and is payable to the Consolidated Fund (cash receipts being shown in italics):

	Note	Forecast 2019-20		Outturn 2019-20	
		Income £'000	Receipts £'000	Income £'000	Receipts £'000
Total amount payable to the Consolidated Fund	SoAS 4	-	-	(5)	-

Explanation of variances between Estimate and Outturn is given in Note SoAS 1 and in the Performance Report.



Notes to the Statement of Assembly Supply, 2019-20 (£'000)

This note mirrors Part II of the Estimates: (Revised) Subhead Detail and Resource to Cash Reconciliation.

SoAS note 1. Outturn detail, by Estimate line

	Resource outturn						Estimate			Outturn vs Estimate (inc virements), saving / (excess)	Prior Year Outturn Total, - 2018-19
	Admin	Other Current	Grants	Gross expenditure	Accruing Resource	Net Total	Net Total	Virements*	Net Total inc virements		
RfR A: Increasing public confidence in the criminal justice system through independent, fair and effective prosecutions:											
	1,566	35,784	-	37,350	(536)	36,814	38,228	-	38,228	1,414	33,471
Departmental Expenditure in (DEL):											
A-1 Public Prosecution and Legal Services											
	1,566	35,715	-	37,281	(536)	36,745	37,030	-	37,030	285	33,809
Annually Managed Expenditure (AME):											
A-2 Public Prosecution and Legal Services											
	-	10	-	10	-	10	1,138	-	1,138	1,128	(394)
Non-Budget:											
A-3 Notional Charges											
	-	59	-	59	-	59	60	-	60	1	56
Resource Outturn	1,566	35,784	-	37,350	(536)	36,814	38,228	-	38,228	1,414	33,471

*Virements are the reallocation of provision in the Estimates that do not require Assembly authority (because the Assembly does not vote to that level of detail and delegates to DoF). Further information on virements are provided in the Supply Estimates in Northern Ireland Guidance Manual, available on the DoF website. The Outturn vs Estimate column is based on the total including virements. The Estimate total before virements have been made is included so that users can reconcile this Estimate back to the Estimates approved by the Assembly.

PPS Net Resource Outturn was £36.814m against a NI Estimate of £38.228m. £1.128m of the total underspend of £1.414m was Annually Managed Expenditure in respect of budgetary cover for provisions not subsequently required.



Detailed explanations of the main variances are given below:

DEL

Income – Increase in ARIS receipts of £166k to £489k (2018-19: £323k);

Staff costs – Increase in expenditure of £2,269k to £22,982k (2018-19: £20,713k) is mainly due to additional pension contributions of approx. £1,300k, pay award accrual £275k and agency staff costs £525k.

Fees to Independent Counsel – Increase in expenditure of £954k to £6,149k (2018-19: £5,195k) is due to increased number of court cases and payments to counsel.

AME

Provisions – Increase of £404k to £10k (2018-19: (£394k)) mainly due to new provisions for holiday pay and dilapidation costs offset by provisions written back or utilised in-year.

SoAS note 2. Reconciliation of outturn to net operating expenditure

	Note	Outturn	Supply Estimate	Outturn compared with Estimate	Prior Year Outturn Total, 2018-19
Net Resource Outturn	SoAS 1	36,814	38,228	1,414	33,471
Prior Year Adjustments		-	-	-	-
Non-supply Income (CFERs)	SoAS 4	-	-	-	-
Net Operating Expenditure in Statement of Comprehensive Net Expenditure	SOCNE	36,814	38,228	1,414	33,471

As noted in the introduction to the SoAS above, outturn and the Estimates are compiled against the budgeting framework, which is similar to, but different from, IFRS. Therefore, this note reconciles the resource outturn to net operating expenditure, linking the SoAS to the financial statements.

As the total resource outturn in the SoAS is the same as net operating expenditure in the SCNE, there is no additional reconciliation note required.



SoAS note 3. Reconciliation of net resource outturn to net cash requirement

	Note	Outturn total	Estimate total	Outturn vs Estimates, Saving / (Excess)
Resource Outturn	SoAS 1	36,814	38,228	1,414
Capital				
Acquisition of Property, Plant and Equipment	5, 6	527	910	383
Non-operating Accruing Resources				
Proceeds of asset disposals	3	-	-	-
Accruals to cash adjustment:				
Adjustments to remove non-cash items:				
Depreciation	3	(1,993)	(1,740)	253
New provisions, and adjustments to previous provisions	11	(376)	(1,138)	(762)
Other non-cash items	3	(59)	(60)	(1)
Changes to working capital other than cash		(226)	1,826	2,052
Changes in payables falling due after more than one year		-	-	-
Use of provision	11	540	176	(364)
Excess cash receipts surrenderable to the Consolidated Fund	SoAS 4	-	-	-
Net Cash Requirement		35,227	38,202	2,975

As noted in the introduction to the SoAS above, outturn and the Estimates are compiled against the budgeting framework, not on a cash basis. This reconciliation bridges the resource outturn to the net cash requirement.



SoAS note 4. Amounts of income to the Consolidated Fund

SoAS 4.1 Analysis of income payable to the Consolidated Fund

In addition to income retained by the Department, the following is payable to the Consolidated Fund (cash receipts shown in italics).

	Note	Forecast 2019-20		Outturn 2019-20	
		Income	<i>Receipts</i>	Income	<i>Receipts</i>
Operating income – excess Accruing Resources	SoAS 5	-	-	-	-
Non-operating income – excess Accruing Resources	SoAS 6	-	-	-	-
Excess cash surrenderable to the Consolidated Fund	SoAS 3	-	-	-	-
Total amount payable to the Consolidated Fund		-	-	-	-

SoAS note 5. Reconciliation of income recorded within the Statement of Comprehensive Net Expenditure to operating income payable to the Consolidated Fund

	Note	2019-20 £'000	2018-19 £'000
Operating income	4	536	361
Gross income		536	361
Income authorised to be Accruing Resources		(536)	(361)
Operating income payable to the Consolidated Fund	SoAS 4.1	-	-

SoAS note 6. Non-operating income – Excess Accruing Resources

	Note	2019-20 £'000	2018-19 £'000
Principal repayments of voted loans		-	-
Proceeds on disposal of property, plant and equipment	3	-	(5)
Other		-	-
Non-operating income – excess Accruing Resources		-	(5)

The notes on pages 98 to 121 form part of these accounts.



Other Assembly Accountability Disclosures (audited information)

i. Losses and special payments

There was no losses or special payments in excess of £250,000 in either 2019-20 or 2018-19.

ii. Remote Contingent Liabilities

Note 12 details contingent liabilities disclosed. The Department has no further remote contingent liabilities required to be disclosed under Assembly Reporting requirements.

Declaration

I confirm that this Accountability Report reflects the position of the PPS for the year ended 31 March 2020.

Stephen Herron

Accounting Officer

Public Prosecution Service for Northern Ireland

05 October 2020



► The Certificate and Report of the Comptroller and Auditor General to the Northern Ireland Assembly

Opinion on financial statements

I certify that I have audited the financial statements of the Public Prosecution Service for Northern Ireland for the year ended 31 March 2020 under the Government Resources and Accounts Act (Northern Ireland) 2001. The financial statements comprise: the Statements of Comprehensive Net Expenditure, Financial Position, Cash Flows, Changes in Taxpayers' Equity; and the related notes, including significant accounting policies. These financial statements have been prepared under the accounting policies set out within them.

I have also audited the Statement of Assembly Supply, and the related notes, and the information in the Accountability Report that is described in that report as having been audited.

In my opinion the financial statements:

- give a true and fair view of the state of the Department's affairs as at 31 March 2020 and of its net operating expenditure for the year then ended; and
- have been properly prepared in accordance with the Government Resources and Accounts Act (Northern Ireland) 2001 and Department of Finance directions issued thereunder.

Opinion on regularity

In my opinion, in all material respects:

- the Statement of Assembly Supply properly presents the outturn against voted Assembly control totals for the year ended 31 March 2020 and shows that those totals have not been exceeded; and
- the expenditure and income recorded in the financial statements have been applied to the purposes intended by the Assembly and the financial transactions recorded in the financial statements conform to the authorities which govern them.



Basis of opinions

I conducted my audit in accordance with International Standards on Auditing (UK) (ISAs) and Practice Note 10 'Audit of Financial Statements of Public Sector Entities in the United Kingdom'. My responsibilities under those standards are further described in the Auditor's responsibilities for the audit of the financial statements section of this certificate. My staff and I are independent of Public Prosecution Service for Northern Ireland in accordance with the ethical requirements of the Financial Reporting Council's Revised Ethical Standard 2016, and have fulfilled our other ethical responsibilities in accordance with these requirements. I believe that the audit evidence obtained is sufficient and appropriate to provide a basis for my opinions.

Conclusions relating to going concern

I have nothing to report in respect of the following matters in relation to which the ISAs (UK) require me to report to you where:

- the Public Prosecution Service for Northern Ireland's use of the going concern basis of accounting in the preparation of the financial statements is not appropriate; or
- the Public Prosecution Service for Northern Ireland has not disclosed in the financial statements any identified material uncertainties that may cast significant doubt about the Public Prosecution Service for Northern Ireland's ability to continue to adopt the going concern basis.

Other Information

The Accounting Officer is responsible for the other information. The other information comprises the information included in the annual report other than the financial statements, the parts of the Accountability Report described in the report as having been audited, and my audit certificate and report. My opinion on the financial statements does not cover the other information and I do not express any form of assurance conclusion thereon.

In connection with my audit of the financial statements, my responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or my knowledge obtained in the audit or otherwise appears to be materially misstated. If, based on the work I have performed, I conclude that there is a material misstatement of this other information, I am required to report that fact. I have nothing to report in this regard.



Opinion on other matters

In my opinion:

- the parts of the Accountability Report to be audited have been properly prepared in accordance with Department of Finance directions made under the Government Resources and Accounts Act (Northern Ireland) 2001; and
- the information given in the Performance Report and Accountability Report for the financial year for which the financial statements are prepared is consistent with the financial statements.

Responsibilities of the Accounting Officer for the financial statements

As explained more fully in the Statement of Accounting Officer's Responsibilities, the Accounting Officer is responsible for the preparation of the financial statements and for being satisfied that they give a true and fair view.

Auditor's responsibilities for the audit of the financial statements

My responsibility is to audit, certify and report on the financial statements in accordance with the Government Resources and Accounts Act (Northern Ireland) 2001.

My objectives are to obtain evidence about the amounts and disclosures in the financial statements sufficient to give reasonable assurance that the financial statements are free from material misstatement, whether caused by fraud or error. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISAs (UK) will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

A further description of my responsibilities for the audit of the financial statements is located on the Financial Reporting Council's website www.frc.org.uk/auditorsresponsibilities. This description forms part of my certificate.



In addition, I am required to obtain evidence sufficient to give reasonable assurance that the Statement of Assembly Supply properly presents the outturn against voted Assembly control totals and that those totals have not been exceeded. I am also required to obtain evidence sufficient to give reasonable assurance that the expenditure and income recorded in the financial statements have been applied to the purposes intended by Assembly and the financial transactions recorded in the financial statements conform to the authorities which govern them.

Matters on which I report by exception

I have nothing to report in respect of the following matters which I report to you if, in my opinion:

- adequate accounting records have not been kept; or
- the financial statements and the parts of the Accountability Report to be audited are not in agreement with the accounting records; or
- I have not received all of the information and explanations I require for my audit; or
- the Governance Statement does not reflect compliance with the Department of Finance's guidance.

Report

I have no observations to make on these financial statements.

KJ Donnelly
Comptroller and Auditor General
Northern Ireland Audit Office
106 University Street
Belfast
BT7 1EU

08 October 2020



Financial Statements

Statement of Comprehensive Net Expenditure for the year ended 31 March 2020

This account summarises the expenditure and income generated and consumed on an accruals basis. It also includes other comprehensive income and expenditure, which include changes to the values of non-current assets and other financial instruments that cannot yet be recognised as income or expenditure.

	Note	2019-20 £'000	2018-19 £'000
Revenue from contracts with customers	4	-	-
Other operating income	4	(536)	(361)
Total operating income		(536)	(361)
Staff costs	2,3	22,982	20,713
Purchase of goods and services	3	10,582	9,843
Depreciation and impairment charges	3	1,993	1,853
Provision expense	3	10	(394)
Other operating expenditure	2,3	1,783	1,817
Total operating expenditure		37,350	33,832
Net Operating Expenditure		36,814	33,471
Finance income		-	-
Finance expense		-	-
Net expenditure for the year		36,814	33,471
Other comprehensive net expenditure			
Items that will not be classified to net operating costs:			
-Net (gain)/loss on revaluation of Property, Plant & Equipment	5	(369)	(287)
-Net (gain)/loss of revaluation of Intangible Assets	6	(149)	(83)
-Actuarial (gain)/loss on pension scheme	11	170	(16)
Other comprehensive net expenditure		(348)	(386)
Total comprehensive net expenditure for the year		36,466	33,085

All income and expenditure is derived from continuing operations.

The notes on pages 98 to 121 form part of these accounts.



Statement of Financial Position

as at 31 March 2020

This statement presents the financial position of the Public Prosecution Service. It comprises three main components: assets owned or controlled; liabilities owed to other bodies; and equity, the remaining value of the entity.

	Note	2020 £'000	2019 £'000
Non-current assets:			
Property, plant and equipment	5	6,388	7,340
Intangible assets	6	1,061	1,057
Total non-current assets		7,449	8,397
Current assets:			
Trade and other receivables	9	1,145	1,048
Total current assets		1,145	1,048
Total assets		8,594	9,445
Current liabilities			
Trade and other payables	10	(5,402)	(5,162)
Cash and cash equivalents	8	(284)	(201)
Provisions	11	(1,242)	(1,278)
Total current liabilities		(6,928)	(6,641)
Total assets less current liabilities		1,666	2,804
Non-current liabilities			
Provisions	11	(3,892)	(3,850)
Other payables		-	-
Total non-current liabilities		(3,892)	(3,850)
Total assets less total liabilities		(2,226)	(1,046)
Taxpayers' equity and other reserves			
General fund		(4,362)	(3,326)
Revaluation reserve		2,136	2,280
Total taxpayers' equity		(2,226)	(1,046)

S. Herron

Stephen Herron

Accounting Officer

05 October 2020



Statement of Cash Flows

for the year ended 31 March 2020

The Statement of Cash Flows shows the changes in cash and cash equivalents of the Public Prosecution Service during the reporting period. The statement shows how the Public Prosecution Service generates and uses cash and cash equivalents by classifying cash flows as operating, investing and financing activities. The amount of net cash flows arising from operating activities is a key indicator of service costs and the extent to which these operations are funded by way of income from the recipients of services provided by the Department. Investing activities represent the extent to which cash inflows and outflows have been made for resources which are intended to contribute to the Department's future public service delivery.

	Note	2019-20 £'000	2018-19 £'000
Cash flow from operating activities			
Net operating expenditure		(36,814)	(33,471)
Adjustment for non-cash transactions:	3	2,149	1,991
(Increase)/decrease in trade and other receivables	9	(97)	171
Increase/(decrease) in trade and other payables	10	240	(553)
Less movements in receivables relating to items not passing through the SCNE	9	83	(113)
Less movements in payables relating to items not passing through the SCNE	10	166	43
New provision provided in year	11	514	15
Use of provisions	11	(775)	(667)
Net cash inflow/(outflow) from operating activities		(34,534)	(32,584)
Cash flows from investing activities			
Proceeds of disposal of non-financial assets		-	5
Purchase of property, plant and equipment	5	(296)	(853)
Purchase of intangible assets	6	(397)	-
Net cash inflow/(outflow) from investing activities		(693)	(848)
Cash flows from financing activities			
From the Consolidated Fund (Supply) – current year		34,943	33,196
From the Consolidated Fund (Supply) – prior year		201	315
From the Consolidated Fund (non-supply)			
Net Financing		35,144	33,511
Net increase/(decrease) in cash and cash equivalents in the period before adjustments for receipts and payments to the Consolidated Fund		(83)	79
Receipts due to the Consolidated Fund which are outside the scope of the Department's activities		-	-
Payments of amounts due to the Consolidated Fund		-	(5)
Net increase/(decrease) in cash and cash equivalents in the period after adjustments for receipts and payments to the Consolidated Fund		(83)	74
Cash and cash equivalents at the beginning of the period	8	(201)	(275)
Cash and cash equivalents at the end of the period	8	(284)	(201)

The notes on pages 98 to 121 form part of these accounts.



Statement of Changes in Taxpayers' Equity for the year ended 31 March 2020

This statement shows the movement in the year on the different reserves held by the Public Prosecution Service, analysed into 'general fund reserves' (i.e. those reserves that reflect a contribution from the Consolidated Fund). The Revaluation Reserve reflects change in asset values that have not been recognised as income or expenditure. The General Fund represents the total assets less liabilities of the Department, to the extent that the total is not represented by other reserves and financing items.

	Note	General Fund £'000	Revaluation Reserve £'000	Taxpayers' Equity £'000
Balance at 31 March 2018		(3,915)	2,505	(1,410)
Net Assembly Funding		33,196	-	33,196
Payable to Consolidated Fund		(5)	-	(5)
Supply receivable		201	-	201
Comprehensive Net Expenditure for the Year		(33,471)	371	(33,100)
Revaluation gain		16	-	16
Notional charge	3	18	-	18
Auditors Remuneration	3	38	-	38
Other reserve movements including transfers		596	(596)	-
Balance at 31 March 2019		(3,326)	2,280	(1,046)
Net Assembly Funding		34,943	-	34,943
Payable to Consolidated Fund		-	-	-
Supply receivable		284	-	284
Comprehensive Net Expenditure for the Year		(36,814)	518	(36,296)
Revaluation gain		(170)	-	(170)
Notional charge	3	17	-	17
Auditors Remuneration	3	42	-	42
Other reserve movements including transfers		662	(662)	-
Balance at 31 March 2020		(4,362)	2,136	(2,226)



► Notes to the Financial Statements

Statement of Accounting Policies

The financial statements have been prepared in accordance with the 2019-20 Government Financial Reporting Manual (FReM) issued by the Department of Finance (DoF). The accounting policies contained in the FReM apply International Financial Reporting Standards (IFRS) as adapted or interpreted for the public sector context. Where the FReM permits a choice of accounting policy, the accounting policy which is judged to be most appropriate to the particular circumstances of the Public Prosecution Service for the purpose of giving a true and fair view has been selected. The particular policies adopted by the Department are described below. They have been applied consistently in dealing with items that are considered material to the accounts.

In addition to the primary statements prepared under IFRS, the FReM also requires the Department to prepare one additional primary statement. The Statement of Assembly Supply and supporting notes show outturn against Estimate in terms of the net resource requirement and the net cash requirement.

See IAS 1 and IAS 8 for further guidance.

1.1 Accounting Convention

These accounts have been prepared under the historical cost convention, modified to account for the revaluation of property, plant and equipment, and intangible assets.

1.2 Non-Current Assets

Expenditure on items capable of being used for a period exceeding one year and the cost of which is equal to or greater than £1,000, is capitalised under non-current assets.

On initial recognition, assets are recorded at cost, including any costs such as development or installation directly attributable to bringing them into working condition. They are restated at current value in existing use each year by reference to indices compiled by the Office for National Statistics. The carrying values of assets are reviewed annually for impairment if events or changes in circumstances indicate the carrying value may not be recoverable.



Upward revaluations are credited to the Revaluation Reserve and permanent reductions in the value of property, plant and equipment are charged to the Statement of Comprehensive Net Expenditure. Any subsequent revaluation of assets is credited to the Statement of Comprehensive Net Expenditure to the extent that it reverses previous revaluation decreases recognised as an expense in the Statement.

In compliance with IAS 16, subsequent expenditure on an asset which does not meet the criteria of enhancement or improvements is treated as an expense.

1.2.1 Property, Plant and Equipment

Property, plant and equipment comprise building leasehold improvements, plant and machinery and computer equipment. The following asset categories are amalgamated under the Plant and Machinery heading: furniture and fittings; office equipment; and security equipment.

Costs classified by PPS as buildings relate to leasehold improvements. These are depreciated over the term of the lease and there is no requirement for quinquennial revaluation in respect of these costs. Where the building has been vacated by PPS and is no longer in use, the residual valuation of fit out costs and furniture and fittings has been judged as nil and written off as an impairment cost.

1.2.2 Intangible Assets

Intangible assets comprise development expenditure, software licenses and some other information technology.

1.3 Depreciation

All assets are depreciated at rates calculated to write them down to their estimated residual value on a straight-line basis over their estimated useful lives.

Estimated useful lives, which are reviewed regularly, are set at:

Asset category	Useful Life
Buildings: Fit out Costs	Lease term
Plant and Machinery	10-15 years
Information Technology	5-6 years
Intangible Assets	3-5 years



Depreciation is calculated on the revalued amount of assets. Hence an element arises due to the increase in valuation and is in excess of the depreciation that would be charged on the historical cost of assets. The amount relating to this excess is a realised gain on disposal and results in a transfer from the Revaluation Reserve to the General Fund.

1.4 Income and Expenditure

The Statement of Comprehensive Net Expenditure is analysed between administration and programme income and expenditure. The classification of expenditure and income as administration or as programme follows the definition of administration costs set out in Consolidated Budget Guidance by HM Treasury.

Where output Value Added Tax (VAT) is charged or input VAT is recoverable, the revenue and expenditure amounts are stated net of VAT. Irrecoverable VAT is charged to the relevant expenditure category or included in the capitalised purchase cost of the non-current assets.

1.5 Financing and Operating Income

Financing

The Department is primarily resourced by funds approved by the NI Assembly through the annual Supply process. Resources are drawn down to meet expenditure requirements and are credited to the General Fund.

Operating Income

Operating income is income which relates directly to the operating activities of the Department. It principally comprises receipts from the ARIS, recovery of court costs and fees and charges to other departments and public bodies. It includes both income classified as Accruing Resources and income due to the Consolidated Fund, which in accordance with FReM, is treated as operating income.

1.6 Pension Costs

Past and present PPS employees are covered by the provisions of the Principal Civil Service Pension Scheme (PCSPS) and the PCSPS (NI). Each of these defined benefit schemes are unfunded.



The Department accounts for pension and other post-retirement benefits in accordance with IAS 19 and recognises the expected cost of these elements on a systematic and rational basis over the period during which it benefits from employees' services by payment to the PCSPS and the PCSPS (NI) of amounts calculated on an accruing basis. Liability for payment of future benefits is a charge on the PCSPS and the PCSPS (NI).

In respect of defined contribution schemes, the PPS recognises the contributions payable for the year.

The PPS has a responsibility for the Broadly by Analogy (BBA) pension schemes of public appointments in respect of some retired Directors and Deputy Directors. A BBA pension arrangement entitles the recipient to benefits similar to the classic schemes in both the PCSPS and PCSPS (NI). The PPS and members were obliged to make contributions in line with the PCSPS and the Department is responsible for paying accrued benefits. Provision has been made for the future costs of benefits under this scheme. The scheme is no longer available to new entrants.

PPS relies on the Government Actuary's Department and Civil Service Pensions (NI), in determining the pension cost, defined obligation of the pension scheme and related sensitivity analysis. A number of assumptions are used including the discount rate, salary growth, price inflation, the expected return on the schemes' investments and mortality rates.

Further details regarding the above schemes are contained in the Staff Report within the Accountability Report and in Notes 2, 3 and 11 of the Accounts.

1.6.1 McCloud Judgement

In 2015, the Government introduced reforms to public service pensions, meaning most civil servants were moved from classic, classic plus, premium and nuvos into the alpha pension scheme. Those within 10 years of their normal pension age remained in their old schemes with 'transitional protection'. In December 2018, the Court of Appeal ruled that the 'transitional protection' offered to some members of the judges' and firefighters' schemes gave rise to unlawful discrimination. This became known as the ['McCloud Judgment'](#).



The pension scheme changes being developed to remove the discrimination found in the new 2015 pension schemes will be applied to all the main public service pensions, including the Civil Service Pension Scheme. The pension scheme changes are very complex and will take time to develop. The government is developing these proposals with key stakeholders and will provide more details later this year.

1.7 Leases

PPS does not have any finance leases. Rentals due under operating leases are charged to the Statement of Comprehensive Net Expenditure on the basis of actual rentals payable where this fairly reflects the usage. Where PPS sub-leases office space to other tenants, including other government departments, rental costs are recognised net due to the immateriality of the impact.

1.7.1 Onerous Leases

Where buildings under operational leases are no longer in use by the PPS, the lease commitments have been considered to meet the requirement of IAS 37. The value of the net PPS obligations to lease end were recognised in full as a provision in 2017-18 and the lease payments recognised as a movement against the provision during 2019-20.

1.8 Contingent Liabilities

In addition to contingent liabilities disclosed in accordance with IAS 37, the Department discloses for Assembly reporting and accountability purposes certain statutory and non-statutory contingent liabilities where the likelihood of a transfer of economic benefit is remote, but which have been reported to the Assembly in accordance with the requirements of Managing Public Money Northern Ireland.

Where the time value of money is material, contingent liabilities which are required to be disclosed under IAS 37 are stated at discounted amounts and the amount reported to the Assembly separately noted. Contingent liabilities that are not required to be disclosed by IAS 37 are stated at the amounts reported to the Assembly.

1.9 Insurance

PPS in line with wider government policy does not insure but rather meets liabilities as they arise. Notional insurance premiums are not charged to the Statement of Comprehensive Net Expenditure. Instead, expenditure in connection with uninsured risks is charged as incurred.



1.10 Provisions

PPS provides for legal or constructive obligations which are of uncertain timing or amount at the reporting date on the basis of the best estimate of the expenditure required to settle the obligation. Where the effect of the time value of money is significant, the estimated risk-adjusted cash flows are discounted using the real rate set by HM Treasury (currently 3.5%).

1.10.1 Costs Awarded Against PPS

Costs are primarily awarded against PPS when a judicial review is taken on an aspect of a case and the decision finds against the previous practice of the PPS. The court may require the PPS to pay the costs of the appellant in these circumstances. Where cases are on-going at year end an estimate of potential costs awarded will be made.

1.10.2 Accounting for Counsel Fees

Independent counsel are engaged in the prosecution of cases and are paid under the Prosecution Fee Scheme ruling at the point of briefing. The scheme provides a formulaic approach to calculating fees taking into account a range of set cost factors including the number of defendants, type of counsel, volume of evidence, number of witnesses and length of trial. Payment is made at completion of a case on the basis of a detailed record of the work undertaken.

An estimation is made of the value of fees for work in progress on cases at year-end. Actual counsel fees in more complex cases are accrued for on a case by case basis. For other cases, costs will be accrued where an accurate calculation can be made, for example on the basis of post year-end payments. In all other circumstances the PPS estimates outstanding fee commitments on the case of the number of active cases and stage of progress at the 31 March 2020 and reflects this in the accounts as a provision.

1.11 Operating Segments

PPS financial management and reporting is conducted at departmental level hence there is no analysis by operating segment.

1.12 Impending application of newly issued accounting standards not yet effective

Management has reviewed new accounting standards that have been issued but are not yet effective, nor adopted early for these accounts.



IFRS 10 Consolidated Financial Statements, IFRS 11 Joint Arrangements and IFRS 12 Disclosure of Interests in Other Parties

The IASB issued new and amended standards (IFRS 10, IFRS 11 & IFRS 12) that affect the consolidation and reporting of subsidiaries, associates and joint ventures. These standards were effective with EU adoption from 1 January 2014.

Accounting boundary IFRS are currently adapted in the FReM so that the Westminster departmental accounting boundary is based on ONS control criteria, as designated by Treasury. A similar review in NI, which will bring NI departments under the same adaptation, has been carried out and the resulting recommendations were agreed by the Executive in December 2016. With effect from 2022-23, the accounting boundary for departments will change and there will also be an impact on departments around the disclosure requirements under IFRS 12. ALBs apply IFRS in full and their consolidation boundary may have changed as a result of the new Standards

As the PPS is a single operating entity with no ALBs then these IFRS's will not impact the presentation of figures in the PPS accounts.

IFRS 16 Leases

IFRS 16 *Leases* replaces IAS 17 *Leases* and is effective with EU adoption from 1 January 2019. In line with the requirements of the FReM, IFRS 16 will be implemented, as interpreted and adapted for the public sector, with effect from 1 April 2021.

The PPS currently has 6 leased buildings of which 2 are currently unoccupied and are disclosed as Onerous Leases in the accounts and for the purpose of IFRS 16 these have been excluded. Of the remaining 4 buildings the financial impact on the accounts in 2021-22 is estimated to be an increase of:

- Capital DEL - £10.285m
- Resource DEL (Depreciation) - £1.246m
- Resource DEL (Interest) - £0.165m



IFRS 17 Insurance Contracts

IFRS 17 *Insurance Contracts* will replace IFRS 4 *Insurance Contracts* and is effective for accounting periods beginning on or after 1 January 2023. In line with the requirements of the FReM, IFRS 17 will be implemented, as interpreted and adapted for the public sector, with effect from 1 April 2023.

IFRS 17 will not impact the presentation of figures in the PPS accounts.

2. Other Administration Expenditure

	Note	2019-20 £'000	2018-19 £'000
Staff costs*			
Wages and salaries		1,008	1,264
Social Security Costs		105	134
Other Pension Costs		298	293
		1,411	1,691
Goods and services			
Property running costs		10	10
Rates		29	29
Other expenditure		21	24
		60	63
Other Operating Expenses			
Hire of plant and machinery		-	-
Other operating leases		95	94
		95	94
Non-cash items			
Non-cash items		-	-
Total		1,566	1,848

* Further analysis of staff costs is provided in the Staff Report on page 79.



3. Programme Expenditure

	Note	2019-20 £'000	2018-19 £'000
Staff Costs*			
Wages and Salaries		15,559	14,299
Social Security Costs		1,543	1,482
Other Pension Costs		4,469	3,241
		21,571	19,022
Goods and services			
Fees to independent counsel		6,149	5,195
Court related costs		671	889
Property running costs		1,155	1,073
Rates		519	509
IT and telephone, maintenance and consumables		755	771
Postage, stationery, printing and publications		363	413
Training and professional subscriptions		239	232
Other expenditure		731	761
		10,582	9,843
Other Operating Expenses			
Hire of plant and machinery		27	15
Other operating leases		1,542	1,594
Profit/loss on disposal of non-current assets		-	(5)
		1,569	1,604
Non-cash items			
Depreciation charges	5 & 6	1,993	1,853
Interest cost on BBA pension scheme liability	11	97	88
Auditor's remuneration and expenses		42	38
Notional Charge		17	18
		2,149	1,997
Increase/(decrease) in provision	11	(87)	(482)
		2,062	1,515
Total		35,784	31,984

* Further analysis of staff costs is provided in the Staff Report on page 79.



4. Income

Other Operating Income	2019-20 £'000	2018-19 £'000
<i>Programme Income (RfR A):</i>		
Other income	-	-
Receipts from the Asset Recovery Incentivisation Scheme	489	323
Recovery of court costs	2	5
Fees and charges to other departments	45	33
Total programme income	536	361
Total Income	536	361



5. Property, Plant and Equipment

2019-20	Buildings £'000	Plant & Machinery £'000	Information Technology £'000	Total £'000
Cost or valuation at 1 April 2019	16,785	461	2,782	20,028
Additions	50	-	80	130
Disposals	-	-	(181)	(181)
Reclassifications and transfers	-	-	-	-
Impairments	-	-	-	-
Indexation (Note a)	731	7	1	739
Revaluation (Note b)	-	-	-	-
At 31 March 2020	17,566	468	2,682	20,716
Depreciation at 1 April 2019	(10,573)	(315)	(1,800)	(12,688)
Charged in year	(998)	(37)	(416)	(1,451)
Disposals	-	-	181	181
Reclassifications and transfers	-	-	-	-
Impairments	-	-	-	-
Indexation (Note a)	(508)	(5)	(1)	(514)
Revaluation (Note b)	-	4	140	144
At 31 March 2020	(12,079)	(353)	(1,896)	(14,328)
Carrying amount at 31 March 2020	5,487	115	786	6,388
Carrying amount at 31 March 2019	6,212	146	982	7,340
Asset Financing:				
Owned	5,487	115	786	6,388
Carrying amount at 31 March 2020	5,487	115	786	6,388

Note a - Indexation relates to the changes in cost and the associated depreciation as a result of the application of indexation. Indices were applied in March 2020.

Note b - Revaluation relates to changes in cost and the associated depreciation as a result of the annual review of an asset's useful life.



5. Property, Plant and Equipment

2018-19	Buildings £'000	Plant & Machinery £'000	Information Technology £'000	Total £'000
Cost or valuation at 1 April 2018	16,167	482	2,933	19,582
Additions	154	-	237	391
Disposals	-	(21)	(410)	(431)
Reclassifications and transfers	-	-	-	-
Impairments	-	-	-	-
Indexation (Note a)	464	-	22	486
Revaluation (Note b)	-	-	-	-
At 31 March 2019	16,785	461	2,782	20,028
Depreciation at 1 April 2018	(9,331)	(313)	(1,858)	(11,502)
Charged in year	(948)	(38)	(432)	(1,418)
Disposals	-	21	410	431
Reclassifications and transfers	-	-	-	-
Impairments	-	-	-	-
Indexation (Note a)	(298)	-	(14)	(312)
Revaluation (Note b)	4	15	94	113
At 31 March 2019	(10,573)	(315)	(1,800)	(12,688)
Carrying amount at 31 March 2019	6,212	146	982	7,340
Carrying amount at 31 March 2018	6,836	169	1,075	8,080
Asset Financing:				
Owned	6,212	146	982	7,340
Carrying amount at 31 March 2019	6,212	146	982	7,340

Note a - Indexation relates to the changes in cost and the associated depreciation as a result of the application of indexation. Indices were applied in March 2019.

Note b - Revaluation relates to changes in cost and the associated depreciation as a result of the annual review of an asset's useful life.



6. Intangible Assets

2019-20	Development Expenditure £'000	Information Technology £'000	Software Licenses £'000	Total £'000
Cost or valuation at 1 April 2019	888	1,528	377	2,793
Additions	-	304	93	397
Disposals	-	-	-	-
Impairments	-	-	-	-
Reclassifications and transfers	-	-	-	-
Indexation (Note a)	20	40	10	70
Revaluation (Note b)	-	-	-	-
At 31 March 2020	908	1,872	480	3,260
Amortisation at 1 April 2019	(798)	(673)	(265)	(1,736)
Charged in year	(93)	(297)	(152)	(542)
Disposals	-	-	-	-
Impairments	-	-	-	-
Reclassifications and transfers	-	-	-	-
Indexation (Note a)	(18)	(21)	(8)	(47)
Revaluation (Note b)	47	20	59	126
At 31 March 2020	(862)	(971)	(366)	(2,199)
Carrying amount at 31 March 2020	46	901	114	1,061
Carrying amount at 31 March 2019	90	855	112	1,057
Asset Financing:				
Owned	46	901	114	1,061
Carrying amount at 31 March 2020	46	901	114	1,061

Note a - Indexation relates to the changes in cost and the associated depreciation as a result of the application of indexation. Indices were applied in March 2020.

Note b - Revaluation relates to changes in cost and the associated depreciation as a result of the annual review of an asset's useful life.



6. Intangible Assets

2018-19	Development Expenditure £'000	Information Technology £'000	Software Licenses £'000	Total £'000
Cost or valuation at 1 April 2018	912	1,104	284	2,300
Additions	-	337	83	420
Disposals	-	-	-	-
Impairments	-	-	-	-
Reclassifications and transfers	(48)	48	-	-
Indexation (Note a)	24	39	10	73
Revaluation (Note b)	-	-	-	-
At 31 March 2019	888	1,528	377	2,793
Amortisation at 1 April 2018	(719)	(445)	(147)	(1,311)
Charged in year	(94)	(225)	(116)	(435)
Disposals	-	-	-	-
Impairments	-	-	-	-
Reclassifications and transfers	8	(8)	-	-
Indexation (Note a)	(21)	(18)	(7)	(46)
Revaluation (Note b)	28	23	5	56
At 31 March 2019	(798)	(673)	(265)	(1,736)
Carrying amount at 31 March 2019	90	855	112	1,057
Carrying amount at 31 March 2018	193	659	137	989
Asset Financing:				
Owned	90	855	112	1,057
Carrying amount at 31 March 2019	90	855	112	1,057

Note a - Indexation relates to the changes in cost and the associated depreciation as a result of the application of indexation. Indices were applied in March 2019.

Note b - Revaluation relates to changes in cost and the associated depreciation as a result of the annual review of an asset's useful life.



7 Capital and Other Commitments

7.1 Capital commitments

	2019-20 £'000	2018-19 £'000
Contracted capital commitments at 31 March not otherwise included in these financial statements		
Property, plant and equipment	-	-
Intangible assets	-	-
Total	-	-

7.2 Commitments under Operating Leases

	2019-20 £'000	2018-19 £'000
Total future minimum payments under operating leases are given below for each of the following periods:		
Buildings:		
Not later than one year	1,715	1,702
Later than one year and not later than five years	5,444	5,654
Later than five years	3,905	5,106
	11,064	12,462
Other:		
Not later than one year	16	16
Later than one year and not later than five years	28	44
Later than five years	-	-
	44	60
Total	11,108	12,522

Note - The PPS continues to hold leases in respect of premises in Ballymena and Lisburn which it has vacated but partially sublet. An onerous lease provision has been made in respect of the future costs at 31 March 2020 but PPS is actively marketing these premises and further subletting may reduce the costs to lease end; further information is provided in Note 11.



8. Cash and Cash Equivalents

	2019-20 £'000	2018-19 £'000
Balance at 1 April	(201)	(275)
Net change in cash and cash equivalents balance	(83)	74
Balance at 31 March	(284)	(201)
The following balance at 31 March is held at: Commercial banks and cash in hand	(284)	(201)
Balance at 31 March	(284)	(201)

9. Trade Receivables, Financial and Other Assets

	2019-20 £'000	2018-19 £'000
Amounts falling due within one year:		
Trade receivables	23	166
Amounts due from the Consolidated Fund in respect of Supply	284	201
Other receivables	379	318
Prepayments and accrued income	459	363
	1,145	1,048
Amounts falling due after more than one year:		
Other receivables, prepayments and accrued income	-	-
Total	1,145	1,048

**10. Trade Payables, Financial and Other Liabilities**

	2019-20 £'000	2018-19 £'000
Amounts falling due within one year:		
Trade payables	-	-
Other payables	40	43
Accruals and deferred income	3,321	2,912
Property, plant and equipment accruals	213	379
Consolidated Fund Extra Receipts to be paid to the Consolidated Fund:		
Received	397	397
Excess Accruing Resources	5	5
Contingency Fund Payable	1,426	1,426
Amounts issued from Consolidated Fund but not spent at year end	-	-
	5,402	5,162
Amounts falling due after more than one year:		
Other payables, accruals and deferred income	-	-
Total	5,402	5,162

Within payables, amounts in respect of the Consolidated Fund Extra Receipts (£397k) and Contingency Fund (£1,426k) arose due to the absence of a Spring Supplementary Estimate in 2016-17. The Contingency Fund amount of £1,426k and the Consolidated Fund Extra Receipts of £397k are repayable and as the NI Assembly is operational again, approval can now be granted for this repayment.



11. Provisions for Liabilities and Charges

	2019-20 £'000 Pension	2019-20 £'000 Counsel Fee	2019-20 £'000 Onerous Lease	2019-20 £'000 Other	2019-20 £'000 Total	2018-19 £'000 Total
Balance at 1 April	3,430	559	1,029	110	5,128	5,708
Provided in year	-	-	53	461	514	15
Actuarial loss/(gain)	170	-	-	-	170	(16)
Provisions not required written back	-	(7)	(228)	-	(235)	(30)
Provisions utilised in year	(174)	-	(366)	-	(540)	(637)
Interest cost on BBA pension scheme liability	97	-	-	-	97	88
Balance at 31 March	3,523	552	488	571	5,134	5,128

11.1 Analysis of Expected Timing of Discounted Flows

	2019-20 £'000 Pension	2019-20 £'000 Counsel Fee	2019-20 £'000 Onerous Lease	2019-20 £'000 Other	2019-20 £'000 Total	2018-19 £'000 Total
Not later than one year	175	552	299	216	1,242	1,278
Later than one year and not later than five years	700	-	189	355	1,244	1,271
Later than five years	2,648	-	-	-	2,648	2,579
Balance at 31 March	3,523	552	488	571	5,134	5,128

Pension Provision

The Public Prosecution Service has responsibility for the Broadly By Analogy (BBA) pension scheme of public appointments in respect of three retired Directors and Deputy Directors of Public Prosecution or their dependents. The scheme is no longer available to new entrants hence there is no in year or future contributions.



The BBA pension arrangement falls under rules which are broadly by analogy consistent with the Principal Civil Service Pension Scheme (PCSPS) and is a collection of three separate defined benefit one-person schemes. All benefits accrued up to 31 March 2020 have been included in the assessment. The scheme liabilities were calculated by the Government Actuary's Department (GAD) in March 2020 and amounted to £3.523m at 31 March 2020 (2018-19: £3.430m). Liabilities are valued on an actuarial basis using the Projected Unit Method. The actuary has calculated the disclosures at the balance sheet date in respect of the inflation-linked pension payments that are expected to be made over the lifetimes of the scheme members and their partners. The BBA pension provision is unfunded, with benefits for service provided being paid as they fall due and guaranteed by the Department. There is no fund therefore there is a net liability.

Maturity Profile

	2019-20 £'000	2018-19 £'000
Payments due within one year	175	170
Payments due after one year	3,348	3,260
Total present value of scheme liabilities at 31 March	3,523	3,430

Present Value of Scheme Liabilities

	2019-20 £'000	2018-19 £'000
Liability in respect of active members	-	-
Current scheme members	3,523	3,430
Total present value of scheme liabilities at 31 March	3,523	3,430

Analysis of Movement in Scheme Liability

	2019-20 £'000	2018-19 £'000
Scheme liability at 1 April	3,430	3,528
Movement in the year:		
Interest cost	97	88
Actuarial (gain)/loss	170	(16)
Provisions not required written back	-	-
Benefits paid	(174)	(170)
Scheme liability at 31 March	3,523	3,430



Expense to be recognised in the Statement of Comprehensive Net Expenditure

	2019-20 £'000	2018-19 £'000
Interest cost	97	88
Provisions not required written back	-	-
Total expense/(income)	97	88

Actuarial (gain)/loss to be recognised in the Statement of Changes in Taxpayers' Equity

	2019-20 £'000	2018-19 £'000
Experience (gain)/loss arising on the scheme liabilities	(9)	24
Changes in assumptions underlying the present value of the scheme liabilities	179	(40)
Total actuarial (gain)/loss	170	(16)

History of experience (gains)/losses

	2019-20	2018-19	2017-18	2016-17	2015-16
Experience (gain)/loss arising on the scheme liabilities:					
Amount (£'000)	(9)	24	(12)	(18)	(58)
Percentage of scheme liabilities at the end of year	(0.26%)	0.70%	(0.34%)	(0.01%)	(1.70%)

Assumptions - life expectancy at retirement

	2019-20 Years	2018-19 Years
Current scheme members		
Exact Age		
Female scheme members currently aged 60	28.40	29.30
Female scheme members currently aged 65	23.50	24.30
Male scheme members currently aged 60	26.80	27.60
Male scheme members currently aged 65	21.90	22.70



Sensitivity Analysis

The sensitivity analysis of the main actuarial assumptions indicates the following:

- Increasing the discount rate by 0.5% would result in a corresponding decrease in liabilities of approximately £198,000 or 6%;
- Increasing the CPI inflation assumption by 0.5% would result in a corresponding increase in liabilities of approximately £201,000 or 6%;
- Increasing assumed life expectancies in retirement by around 1 year would result in a corresponding increase of approximately £117,000 or 3%.

The opposite changes in assumptions to those set out above would produce approximately equal and opposite changes in the liability. Similarly, doubling the changes in the assumptions would produce approximately double the changes in the liability.

The sensitivities show the change in each assumption in isolation. In practice the financial assumptions rarely change in isolation and given the interdependencies between them, the impacts of such changes may offset each other to some extent.

Covid-19 Implications

The disclosures were produced at a time when the UK is in the midst of dealing with the Covid-19 pandemic:

- The assumptions for the discount rate and pension increases are specified by HM Treasury in the PES (2019) 11 Revised, dated 6 December 2019, and remain unchanged. The PES assumptions reflect market conditions at the previous 30 November and are typically not amended for any changes between November and the accounting date. The PES document sets out that the discount rate is based on returns from AA corporate bonds.
- The current population mortality projections make no specific allowance for the impact of Covid-19 or any other pandemics. The starting rates of mortality improvement are based on projections of past trends in UK mortality and the effects of past pandemics will already be reflected in these trends. In general, the effects of pandemics on mortality rates are usually expected to be short term, with rates going back to what they would have been before the pandemic after a year or two, unless the pandemic remains over several years. GAD's view is that it is too early in the pandemic to determine whether Covid-19 changes the long-term view of life expectancy in



the UK. It is therefore not unreasonable to retain the existing mortality assumptions. A death rate from Covid-19 in excess of that already allowed for in the mortality assumptions would emerge as an experience gain over the next year's accounts.

- It is too early to speculate on the potential long-term effects of the pandemic on future economic/salary growth or mortality rates; therefore at this stage no amendments have been made to the assumptions underpinning the liability. This will be reviewed ahead of the 2020-21 accounts.

Counsel Fee Provision

At the 31 March 2020 there was an element of work in progress (WIP) that has been completed on prosecution cases by counsel but for which no fee request will have been submitted to the finance department. An estimation has been made on the basis of the number of indictable cases that have had counsel work completed (but have not been accrued or paid) and the stage of progress of the case as at 31 March 2020.

The total carrying amount at year end of counsel fees was; accrual £1,508k and provision £552k (2018-19: counsel fee accrual £1,219k and provision £559k).

Onerous Leases

As at 31 March 2020 a proportion of the PPS premises in Lisburn and Ballymena had not been sublet. While these are still being actively marketed, the PPS has provided for the net financial obligations to the end of the lease, estimated at £488k (2018-19: £1,029k).

Other Provisions

Court of Appeal

The provision is for costs awarded against the PPS primarily in respect of proceedings in the Court of Appeal. Due to uncertainty regarding both timing and the amount of the liability, a provision has been made.

Dilapidation Costs

There may be dilapidation expenses which fall to PPS at the end of the leases of the Ballymena and Lisburn offices, which are no longer occupied by PPS and for which an onerous lease provision had been made. These would be payable at the point of cessation of the leases which will occur during 2020-21 but have yet to be negotiated with the landlord.



Holiday Pay

This provision follows The Court of Appeal (CoA) judgment from 17 June 2019 (PSNI v Agnew) which determined that claims for Holiday Pay shortfall can be taken back to 1998. However, the PSNI has appealed the CoA judgment to the Supreme Court. Due to delays in relation to the Covid-19 situation, it is expected that this will not be heard until 2021 but could result in a decision which either reduces the period of liability or confirms the full period back to 1998. The 2019-20 Holiday Pay provision has been estimated by NICS HR and covers the period from 1998 to 31 March 2020. There are still some very significant elements of uncertainty around this estimate for a number of reasons:

- The appeal to the Supreme Court (as detail above);
- Lack of accessible data for years previous to 2011 and for some groups of staff beyond 2011;
- Ongoing negotiations with Trade Unions;
- A reliable estimate for the pension element is not yet available so this has not been factored into the provision; and
- The provision is gross (inclusive of Employee National Insurance and PAYE) and also includes an uplift of 13.8% for Employer National Insurance Contributions (NI). Taxation issues are still under discussion with HMRC so the position is subject to change.

12. Contingent Liabilities

The contingent liability is in relation to an ongoing personnel case which the Department is defending. As the outcome will be confirmed by uncertain future events, i.e. court cases, that are not wholly within the control of the Department and the outflow of economic resources is remote then it has been disclosed in the accounts as a contingent liability and not as a provision.

13. Related party transactions

The PPS has had a number of material transactions with other government departments and other central government bodies. Most of these transactions have been with the Department of Finance.

During the year no board member, key manager or other party has undertaken any material transactions with PPS.



14. Events after the Reporting Date

At the time of signing these accounts the Department continued with business as usual with the majority of staff working at home following the outbreak of COVID-19.

The Working Time (Coronavirus) (Amendment) Regulations (Northern Ireland) 2020 came into operation on 24 April 2020 and allows those workers who are unable to take annual leave as result of the pandemic to carry over up to four weeks' annual leave into the next two leave years. Any exemption will apply only to circumstances where workers are unable to take their leave as a result of the outbreak, and carry over of annual leave will be limited to the next two leave years. The change in regulations may lead to an increase in the value of accrued annual leave carried over in the next two years by the Department. It is not possible for the department to give a reasonable estimate of the impact at this time.

► Date Authorised for Issue

The Accounting Officer authorised these financial statements for issue on 08 October 2020.



Public Prosecution Service

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