

Public Prosecution Service for Northern Ireland

# Disability Action Plan 2016-17 Draft for Consultation



Independent, Fair and Effective

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# PPS Vision and Aim

## Our Vision

To be recognised as providing a first class prosecution service for the people of Northern Ireland.

## Our Aim

The aim of the Public Prosecution Service is to provide the people of Northern Ireland with an independent, fair and effective prosecution service.

- **Independence**

The Service will be wholly independent of both police and Government; its decisions will be impartial, based on an independent and impartial assessment of the available evidence and the public interest.

- **Fairness**

All actions will be undertaken with complete impartiality, to the highest ethical and professional standards. All persons, including those accused of offences, will be treated fairly. All victims and witnesses will be treated with respect and sensitivity.

- **Effectiveness**

All prosecution decisions will be taken and every prosecution conducted in an effective and efficient manner. We will provide value for money, while delivering a timely and quality service.

# **PUBLIC PROSECUTION SERVICE DISABILITY ACTION PLAN**

## **Introduction**

Under Section 49A of the Disability Discrimination Act 1995 (DDA 1995) (as amended by Article 5 of the Disability Discrimination (Northern Ireland) Order 2006), the Public Prosecution Service for Northern Ireland (PPS) is required when carrying out its functions to have due regard to the need to:

- promote positive attitudes towards disabled people; and
- encourage participation by disabled people in public life ('the disability duties').<sup>1</sup>

Under Section 49B of the DDA 1995, the PPS is also required to submit a Disability Action Plan to the Equality Commission for Northern Ireland showing how it proposes to fulfil these duties in relation to our functions.

## **Statement of Commitment from the Director of Public Prosecutions for Northern Ireland**

This is the fifth Disability Action Plan to be produced by the PPS and covers the period 1 April 2016 to 31 March 2017.<sup>2</sup> It explains

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*Notes 1-2: see page 12.*

what PPS will do to implement the disability duties over the next year.

As the Director of Public Prosecutions for Northern Ireland, I am committed to effectively fulfilling these disability duties through the implementation of this Disability Action Plan.

We will allocate appropriate resources including people, time and money, in order to implement this plan effectively and, where appropriate, will build measures and targets relating to the disability duties into corporate and annual plans.

We will continue to have the appropriate internal arrangements in place to ensure that the disability duties are complied with and that this Disability Action Plan is effectively implemented.

We will ensure that this plan is communicated to all staff and that the necessary training and guidance is provided to enable them to provide a first class service to all those with whom they come into contact through the course of their work.

Responsibility for the implementation, review and evaluation of this Disability Action Plan sits with the PPS Management Board. As part of the commitment to our obligations, the Management Board has appointed the Senior Assistant Director for Resources and Change, who is a member of the Management Board, as Equality Champion for the Service. Contact details are as follows:

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I also confirm the PPS's commitment to submitting an annual progress report to the Equality Commission, as well as carrying out a five-year review of our disability plans<sup>3</sup>. The Annual Progress Report on the Implementation of Section 75 will include coverage of the Disability Action Plan and a report on its implementation.

A copy of this plan is available on our website at [www.ppsni.gov.uk](http://www.ppsni.gov.uk) within the Equality section, where all Annual Progress Reports on Section 75 implementation and Disability Action Plan implementation can also be found.

The PPS also undertakes to publish the 5 year review of its action plan when this is carried out. Press releases will be issued as appropriate to help publicise the issue of these documents.

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<sup>3</sup> To be carried out by 31 March 2017 in light of the proposed publication schedule for the Service's new Equality Scheme for the period 2017-2022.

## The Public Prosecution Service

### *Role of the PPS*

The PPS is the principal prosecuting authority in Northern Ireland. In addition to taking decisions as to prosecution in cases investigated by the police in Northern Ireland, it also considers cases investigated by other statutory authorities, such as HM Revenue and Customs.

The primary role of the PPS is to reach decisions to prosecute or not to prosecute and to have responsibility for the conduct of criminal proceedings. A range of additional services are available which have been designed to enhance the effectiveness of the Service, including the provision of prosecutorial and pre-charge advice and an enhanced service to victims and witnesses.

A range of options are also available for dealing with offenders other than through prosecution. These options include informed warnings, restorative cautions and youth conferencing. Prosecutors may also refer offenders to Driver Improvement Schemes or to a Community Based Restorative Justice Scheme.

In taking a decision as to the appropriate disposal in an individual case the prosecutor will take into account a range of public interest considerations including, for example, where the victim or defendant had, at the time of the offence or trial, significant mental or physical ill-health.

The PPS works with partner agencies, including the Police Service of Northern Ireland (PSNI), the Northern Ireland Courts and Tribunals Service (NICTS), Victim Support (VSNI) and the National Society for the Prevention of Cruelty to Children (NSPCC) to help witnesses, including those who are vulnerable, to give evidence at court.

The PPS is committed to ensuring the effective operation of legislation which provides for:

- offences against the use of threatening, abusive or insulting words or behaviour concerning disability; and
- increased penalties for offences aggravated by hostility towards a person's disability.

The PPS has also developed a Hate Crime policy which is aimed at ensuring consistency of approach in prosecuting hate crime, for example in making the Court aware of its enhanced sentencing powers in relation to offences aggravated by hostility.

### *Policy Development*

PPS also has a significant role in the development of policy within the criminal justice system and in the consultative process which is undertaken on proposed legislative reform.

## *Supporting Functions*

A number of business areas support the main functions of the PPS, including Central Management Unit, Finance, Human Resources and Information and Communications Technology.

It should be noted that responsibility for the development of policies relating to the recruitment and management of our workforce, as with all Northern Ireland Civil Servants, is the responsibility of the Department of Finance and Personnel (DFP). Therefore actions relating to the two disability duties as regards these policy areas will appear in the DFP Disability Action Plan.

## **Public Life Positions**

There are currently two independent non-executive members of the PPS Management Board, who also have a role as chair and member of the Service's Audit and Risk Committee. In addition, there is an Independent Assessor of Complaints whose role is to oversee the complaints handling processes of the PPS in relation to non-prosecutorial matters. Whilst these positions are not defined as 'public appointments' as such, people from all sections of the community were invited to apply through an open recruitment competition. These competitions were widely advertised in the press in order to reach as many people as possible.

## Action Measures

Annex A (below) sets out the measures which we propose to take forward over the coming year, together with the associated performance indicators and targets.

The measures cover the following areas:

- Building Organisational Commitment
- Staff Training and Awareness Raising
- Partnership Working
- Communication
- Monitoring
- Compliance

Progress in meeting the action plan will be monitored by the PPS Equality and Diversity Steering Group (EDSG), which is chaired by the Equality Champion. Regular updates will be included in the reports made to the Management Board on equality, diversity and disability issues.



**Barra McGrory QC**  
**Director of Public Prosecutions**  
**for Northern Ireland**

## Notes

1. Matters relating to the prosecution of offences are excluded by virtue of Section 49A(2)(a) of the Disability Discrimination Act 1995 (DDA 1995) (as amended by Article 5 of the Disability Discrimination (Northern Ireland) Order 2006).
2. The PPS Disability Action Plan will normally be aligned with the Service's business planning cycle; that is, it will usually cover a three year period, mirroring the Service's Corporate Plan.

However this position has now changed, in that the Service has agreed to produce a one-year business plan for 2016-17. This is to reflect the one-year budget set by the Northern Ireland Executive.

In light of this decision the Service has developed a one-year Disability Action Plan to the end of March 2017, with a new 3-year plan to take effect from 1 April 2017.

**PPS Action Plan  
2016-17**

## *Building Organisational Commitment*

Ref.	Action Measure	DDA Measure	Key Performance Indicator	Responsibility	Timescale
1.	We will set out our commitments to disability equality in Corporate Business Plans, of which this action plan forms a part.	Promoting positive attitudes towards disabled people	The Corporate Business Plan will take account of, and reinforce our commitment to, implementation of the disability duties and other requirements under DDA legislation.	<b>SAD Resources and Change</b> (Head of Central Management Unit)	April 2016
2.	We will support the proposed NICS work experience scheme for people with disabilities.	Encourage participation by disabled people in public life	Record the number of PPS participants within the NICS work experience scheme for people with disabilities.  Report to the Diversity Champions Network as appropriate.	<b>SAD Resources and Change</b> (Head of Human Resources)	Ongoing

***Building Organisational Commitment (continued)***

<b>Ref.</b>	<b>Action Measure</b>	<b>DDA Measure</b>	<b>Key Performance Indicator</b>	<b>Responsibility</b>	<b>Timescale</b>
3.	To increase the participation of disabled employees in the Equality and Diversity Steering Group.	Encourage participation by disabled people in public life	Promote role of EDSG to attract new members, in particular those with a disability, on an annual basis.	<b>SAD Resources and Change</b>	June 2016

## Staff Training and Awareness Raising

Ref.	Action Measure	DDA Measure	Key Performance Indicator	Responsibility	Timescale
4.	Provide Disability Awareness for Frontline Staff e-learning training for all new staff as appropriate. <sup>4</sup>	Promoting positive attitudes towards disabled people	Disability Awareness for Frontline Staff e-learning training provided to all relevant staff.	<b>SAD Resources and Change</b> (Head of Human Resources)	Ongoing
5	Provide disability awareness and disability equality legislation training to all Board members.	Promoting positive attitudes towards disabled people	Disability awareness and disability equality legislation training provided to all Board members.	<b>SAD Resources and Change</b> (Head of Central Management Unit)	September 2016
6.	Provide an article on disability equality legislation for inclusion on the PPS Intranet.	Promoting positive attitudes towards disabled people	Article provided for inclusion on the PPS Intranet.	<b>SAD Resources and Change</b> (The Equality and Governance Officer)	September 2016

<sup>4</sup> Disability Awareness for Frontline Staff eLearning was provided to PPS staff during 2015/16

*Staff Training and Awareness Raising (continued)*

Ref.	Action Measure	DDA Measure	Key Performance Indicator	Responsibility	Timescale
7.	We will provide opportunities for disability equality speakers to address the Equality and Diversity Steering Group (EDSG) and other key personnel as appropriate.	Promoting positive attitudes towards disabled people	To provide at least one disability awareness session to members of the EDSG and other key personnel as appropriate.	<b>SAD Resources and Change</b> (Head of Central Management Unit)	March 2017

## Partnership Working

Ref.	Action Measure	DDA Measure	Key Performance Indicator	Responsibility	Timescale
8.	Monitor feedback received from disabled people or representative groups via agreed consultation arrangements.	Encourage participation by disabled people in public life	PPS will record the number of consultation responses received from disabled people or representative groups and assess the number of changes made as a result of their comments.	<b>SAD Serious Crime and Regions</b> (Assistant Director, Legal Guidance and Advice)	Ongoing

## Communication

Ref.	Action Measure	DDA Measure	Key Performance Indicator	Responsibility	Timescale
9.	Review access to information and services relevant to disabled people.	Encourage participation by disabled people in public life	Monitoring of feedback and complaints received from service users.	<b>SAD Resources and Change</b> (Head of Central Management Unit / Head of Communications)	March 2017
10.	We will encourage staff and stakeholders to submit articles, promoting positive attitudes towards disability, for inclusion on the PPS Intranet.	Promoting positive attitudes towards disabled people	At least one article promoting positive attitudes towards disability will be written and published on the PPS Intranet.	<b>SAD Resources and Change</b> (Head of Communications)	March 2017
11.	Publish and promote the Disability Action Plan.	Encourage participation by disabled people in public life	The Disability Action Plan will be published electronically and circulated to all staff. All PPS consultees will be notified of its publication.	<b>SAD Resources and Change</b> (Head of Central Management Unit / Equality and Governance Officer)	May 2016

## Monitoring

Ref.	Action Measure	DDA Measure	Key Performance Indicator	Responsibility	Timescale
12.	Monitor and assess complaints from service users with a disability.	Encourage participation by disabled people in public life	Data captured through the complaints follow-up questionnaires will be assessed on a regular basis to ensure that complaints are addressed and handling arrangements are effective.	<b>SAD Resources and Change</b> (Head of Central Management Unit)	Ongoing
13.	Human Resources will issue a yearly request to staff to invite them to provide confidential disability declarations to aid the development of a Personal Emergency Evacuation Plan (PEEP).	Promoting positive attitudes towards disabled people	Request issued by HR.  Feedback received from staff will improve data held on the level and diversity of disability among staff.	<b>SAD Resources and Change</b> (Head of Human Resources)	January 2017

*Monitoring (continued)*

Ref.	Action Measure	DDA Measure	Key Performance Indicator	Responsibility	Timescale
14.	Consider the NICS Staff Attitude Survey findings relevant to PPS and address issues as appropriate.	Encourage participation by disabled people in public life	Findings report produced for review by the Management Board, and issues addressed as appropriate.	<b>SAD Resources and Change</b> (Head of Central Management Unit)	June 2016

## Compliance

Ref.	Action Measure	DDA Measure	Key Performance Indicator	Responsibility	Timescale
15.	Manage PPS's statutory equality responsibilities	Promoting positive attitudes towards disabled people	<p>Quarterly meetings of the internal Equality and Diversity Steering Group to review Disability Action Plan measures, and to identify new measures as appropriate.</p> <p>Regular progress reports will be provided to the Management Board.</p>	<b>SAD Resources and Change</b> (Head of Central Management Unit / Equality and Governance Officer)	Ongoing
16.	Preparation of S75 Annual Progress Report.	Promoting positive attitudes towards disabled people	Progress Report completed and published.	<b>SAD Resources and Change</b> (Head of Central Management Unit / Equality and Governance Officer)	August 2016

**Compliance (continued)**

Ref.	Action Measure	DDA Measure	Key Performance Indicator	Responsibility	Timescale
17.	Use of positive advertising on any new recruitment competition where a need is identified.	Encourage participation by disabled people in public life	Number of recruitment competitions featuring positive advertising to increase the participation of disabled people in public life.	<b>SAD Resources and Change</b> (Head of Human Resources)	Ongoing

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