

Public Prosecution Service for Northern Ireland

# Disability Action Plan 2017-18



**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 sixth Disability Action Plan to be produced by the PPS and covers the period 1 April 2017 to 31 March 2018.<sup>2</sup> It explains what PPS will do to implement the disability duties over the next year.

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*Notes 1-2: see page 12.*

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> Carried out in 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 Policy and Information, Communications, 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 (DoF). Therefore actions relating to the two disability duties as regards these policy areas will appear in the DoF 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.

*S. Herron*

**Stephen Herron LLB**  
**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 2017-18. This is to reflect the current budgetary position for the year ahead.

In light of this decision the Service has also developed a one-year Disability Action Plan to the end of March 2018, with a new 3-year plan to take effect from 1 April 2018.

3. The PPS acknowledges the work carried out by the NICS Diversity Champions Network (DCN), at which the Senior Assistant Director for Resources and Change represents the Service. The DCN had tasked its Disability Working Group with researching disability diversity in the NICS, and the Group provided its report in December 2016.

The report examined three key areas: recruitment, career development and management support, and how they relate to those with a disability. The findings focus on a number of themes within these areas and set out a series of proposed actions against each theme. These actions, if adopted across the NICS, illustrate the work which may be done in the future to support disability diversity in the NICS.

PPS is committed to engaging with those aspects of any future work programme that fall to individual departments, in continuing to fulfil its own responsibilities with regard to the disability duties.

# PPS Action Plan 2017-18

## *Building Organisational Commitment*

Ref.	Action Measure	DDA Measure	Key Performance Indicator	Responsibility	Timescale
1.	To 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 Policy and Information Unit)	April 2017
2.	To support the NICS work experience scheme for people with disabilities.	Encourage participation by disabled people in public life	The number of PPS participants within the NICS work experience scheme for people with disabilities will be recorded.  We will report to the NICS Diversity Champions Network as appropriate.	<b>SAD Resources and Change</b> (Head of Resource Management)	Ongoing

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

Ref.	Action Measure	DDA Measure	Key Performance Indicator	Responsibility	Timescale
3.	To increase the participation of disabled employees in the Equality and Diversity Steering Group.	Encourage participation by disabled people in public life	The role of EDSG will be promoted to attract new members, in particular those with a disability.	<b>SAD Resources and Change</b> (EDSG members)	Ongoing
4.	To provide an article on the role of the EDSG and its current work programme for inclusion on the PPS Intranet.	Promoting positive attitudes towards disabled people	An appropriate article will be provided for inclusion on the PPS Intranet.	<b>SAD Resources and Change</b> (Equality and Governance Officer)	September 2017



## Staff Training and Awareness Raising

Ref.	Action Measure	DDA Measure	Key Performance Indicator	Responsibility	Timescale
5.	To provide disability awareness and disability equality legislation training to all Assistant Directors and Corporate Services Heads.	Promoting positive attitudes towards disabled people	Disability awareness and disability equality legislation training will be provided to ADs and Corporate Services Heads (12 staff), and an evaluation carried out against its effectiveness.	<b>SAD Resources and Change</b> (Head of Policy and Information Unit)	December 2017
6.	To provide Disability Awareness for Frontline Staff e-learning training for all new staff as appropriate.	Promoting positive attitudes towards disabled people	Disability Awareness for Frontline Staff e-learning training will be provided to all relevant staff.	<b>SAD Resources and Change</b> (Head of Resource Management)	Ongoing

*Staff Training and Awareness Raising (continued)*

Ref.	Action Measure	DDA Measure	Key Performance Indicator	Responsibility	Timescale
7.	To provide opportunities for disability equality speakers to address the Equality and Diversity Steering Group (EDSG), the Victim and Witness Care Unit and other key personnel as appropriate.	Promoting positive attitudes towards disabled people	At least one disability awareness session will be provided to members of the EDSG, VWCU and other key personnel as appropriate.	<b>SAD Resources and Change</b> (Head of Policy and Information Unit)	March 2018

## Partnership Working

Ref.	Action Measure	DDA Measure	Key Performance Indicator	Responsibility	Timescale
8.	To 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 Resources and Change</b> (Head of Policy and Information Unit)	Ongoing
9.	To engage fully with the NICS Diversity Champions Network.	Promoting positive attitudes towards disabled people	The Service will participate in the meetings of the Diversity Champions Network  We will meet all agreed PPS commitments in progressing the findings of the Disability Working Group's Report.	<b>SAD Resources and Change</b> (EDSG members)	Ongoing

## Communication

Ref.	Action Measure	DDA Measure	Key Performance Indicator	Responsibility	Timescale
10.	To review access to information and services relevant to disabled people.	Encourage participation by disabled people in public life	Feedback and complaints received from service users will be monitored in order to identify potential improvements in service delivery.	<b>SAD Resources and Change</b> (Head of Policy and Information Unit)	March 2018
11.	To 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 2018
12.	To 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> (Equality and Governance Officer)	August 2017

## Monitoring

Ref.	Action Measure	DDA Measure	Key Performance Indicator	Responsibility	Timescale
13.	To 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 Policy and Information Unit)	Ongoing
14.	To aid the development of Personal Emergency Evacuation Plans for relevant staff (PEEPs).	Promoting positive attitudes towards disabled people	<p>A request to staff will be issued on an annual basis to invite them to provide confidential disability declarations to aid the development of PEEPs.</p> <p>Feedback received from staff will be reviewed in order to improve data held on the level and diversity of disability among staff.</p>	<b>SAD Resources and Change</b> (Head of Resource Management)	March 2018

*Monitoring (continued)*

Ref.	Action Measure	DDA Measure	Key Performance Indicator	Responsibility	Timescale
15.	To consider relevant survey findings (e.g. staff surveys) and address issues as appropriate.	Encourage participation by disabled people in public life	Survey findings will be reviewed and disability issues highlighted and addressed as appropriate	<b>SAD Resources and Change</b> (Head of Policy and Information Unit / Head of Communications)	Ongoing

## Compliance

Ref.	Action Measure	DDA Measure	Key Performance Indicator	Responsibility	Timescale
16.	To manage PPS statutory equality responsibilities.	Promoting positive attitudes towards disabled people	<p>The Equality and Diversity Steering Group will review the Disability Action Plan measures on a quarterly basis, and identify new measures as appropriate.</p> <p>Regular progress reports will be provided to the Management Board.</p>	<b>SAD Resources and Change</b> (Equality and Governance Officer)	Ongoing
17.	To prepare the S75 Annual Progress Report.	Promoting positive attitudes towards disabled people	The annual Progress Report will be completed and published to the required timescale.	<b>SAD Resources and Change</b> (Equality and Governance Officer)	August 2017

**Compliance (continued)**

Ref.	Action Measure	DDA Measure	Key Performance Indicator	Responsibility	Timescale
18.	To monitor the use of positive advertising on any new recruitment competition where a need is identified.	Encourage participation by disabled people in public life	We will monitor the number of PPS recruitment competitions featuring positive advertising to increase the participation of disabled people in public life.	<b>SAD Resources and Change</b> (NICS HR)	Ongoing



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