

Public Prosecution Service for Northern Ireland

# Equality Action Plan 2018-19



**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.

# Introduction

## *Section 75 of the Northern Ireland Act*

Section 75 of the Northern Ireland Act 1998 requires public authorities to have due regard to the need to promote equality of opportunity and regard to the desirability of promoting good relations across a range of categories outlined in the Act. The Public Prosecution Service for Northern Ireland (PPS) is fully committed to the promotion of equality and good relations, as set out in the Act.<sup>1</sup>

The Service works with its criminal justice partners as part of the Criminal Justice System Northern Ireland (CJSNI) to tackle inequalities across the categories specified under Section 75 and to build good relations between persons of differing beliefs, political opinion or racial group. This is achieved through a range of operational mechanisms and policies, and through working in partnership with key stakeholders in the statutory and voluntary and community sectors.

## *The Public Prosecution Service*

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.

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<sup>1</sup> It should be noted that matters relating to the prosecution of offences are excluded from Section 75 by Section 38 of the Justice (Northern Ireland) Act 2002.

Prosecutors may also refer offenders to Driver Improvement Schemes or to a Community Based Restorative Justice Scheme.

### *PPS Equality Structures*

As part of the commitment to our Section 75 obligations, the Management Board has appointed the Senior Assistant Director for Resources and Change as Equality Champion for the Service, whose role is to oversee all aspects of the process. The Equality Champion is accountable to the Management Board and the Director.

The Equality Champion also chairs the Equality and Diversity Steering Group (EDSG), which is made up of representatives from across the Service's business areas, including volunteer staff members with an interest in equality issues. The group meets on a quarterly basis and monitors progress towards meeting the PPS's equality and diversity agenda, in particular ensuring that Section 75 obligations are fulfilled. EDSG reports regularly to the PPS Management Board and maintains responsibility for ensuring that Equality Action Plan objectives are implemented.

The Equality and Governance Officer, working within the PPS Policy and Information Unit, has day to day responsibility for co-ordinating Section 75 statutory obligations across the PPS. The Equality and Governance Officer also takes a lead role in the promotion and embedding of an equality culture within the PPS, raising awareness of Section 75 through induction or other appropriate training provision, ensuring that the Service's working arrangements and policies engender equality best practice. Both the Equality and Governance Officer and a representative from the Policy and Information Unit sit on the EDSG.

All senior managers across the PPS are responsible for ensuring that Section 75 obligations are fully complied with in developing, reviewing and implementing policy decisions within their remit.

The Equality Champion represents the PPS on the Diversity Champions Network (DCN), which brings together senior representatives from across the NI Civil Service and which aims to drive forward the equality and diversity agenda across the system.

The Service also participates in a range of inter-agency groups, to explore cross-sector equality issues.

### *About this Action Plan*

This Action Plan has been produced in accordance with the commitments set out in the PPS's Equality Scheme, and has been subject to public consultation. It is based on an assessment by the Service of those areas where outcomes could be improved in terms of our Section 75 responsibilities.

It should be noted that the PPS Equality 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 2018-19. This is to reflect the current budgetary position for the year ahead.

In light of this decision the Service has developed a one-year Equality Action Plan to the end of March 2019, with a new 3-year plan to take effect from 1 April 2019.

### *Next Steps*

The PPS will monitor progress on the delivery of its action measures and update the plan as necessary to ensure that it remains effective and relevant to its functions and duties.

While the Service will work to meet the specific deliverables set out in this plan, efforts to promote equality across the Section 75 categories will continue in all aspects of the Service's business.

The PPS will also report formally to the Equality Commission as part of its Annual Progress Report.

**PPS Action Plan  
2018-19**

## PPS Strategic Priority 2

### *Building the trust of victims, witnesses and the community we serve*

Outcome	Action Measures	Performance Indicator	Section 75 Group impacted upon	Responsibility for taking actions forward
1. Raised public awareness of the role of the PPS and the standard of services expected among S75 groups and the wider public	1.1 Through outreach events and meetings, senior staff will take every opportunity to address the perceptions of people in affected S75 groups about Hate Crime and the prosecution of offenders, and to explain the PPS role in the overall criminal justice process. <sup>2</sup>	Increased awareness of the PPS, its role and services (NI Omnibus Survey).	All Section 75 groups	<b>SAD Serious Crime and Regions / SAD Resources and Change</b> (All Assistant Directors)
	1.2 respond to the findings of the annual PPS Omnibus Survey, in particular public awareness of the PPS and its role among S75 groups, and take action accordingly.	Report on findings of the PPS Omnibus Survey produced for review by the Management Board, and issues addressed as appropriate.	All Section 75 groups	<b>SAD Resources and Change</b> (Head of Policy and Information Unit)
	1.3 Publication of Annual Hate Crime / 'Aggravated by Hostility' statistics.	Publication of Annual Bulletin.	Race Disability Religion Sexual Orientation	<b>SAD Resources and Change</b> (Head of Policy and Information Unit)

<sup>2</sup> Events in which the PPS will participate during 2018/19 will include the Belfast Pride and Mela festivals.

Outcome	Action Measures	Performance Indicator	Section 75 Group impacted upon	Responsibility for taking actions forward
	1.4 Publication of annual rape / sexual offences statistics.	Publication of Annual Bulletin (fourth Thursday in April 2018 for the 2016-17 bulletin, and September for each subsequent bulletin).	All Section 75 groups but in particular: Gender	<b>SAD Resources and Change</b> (Head of Policy and Information Unit)

Outcome	Action Measures	Performance Indicator	Section 75 Group impacted upon	Responsibility for taking actions forward
<b>2. Increased satisfaction and confidence among S75 groups and members of the wider public</b>	2.1 Consider findings of the annual PPS Omnibus Survey with regards the public perception of the PPS in S75 groups, and in particular our fairness, effectiveness and impartiality, and take action accordingly.	Report on findings of the PPS Omnibus Survey produced for review by the Management Board, and issues addressed as appropriate.	All Section 75 groups	<b>SAD Resources and Change</b> (Head of Policy and Information Unit)
	2.2 Respond to the findings of Criminal Justice Inspection's Report on Equality and Diversity.	Findings from the inspection to be reviewed by senior management, and issues addressed as appropriate.	All Section 75 groups	<b>SAD Resources and Change</b> (Head of Policy and Information Unit)
	2.3 Monitor and assess complaints from service users, including S75 data.	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.	All Section 75 groups	<b>SAD Resources and Change</b> (Head of Policy and Information Unit)

Outcome	Action Measures	Performance Indicator	Section 75 Group impacted upon	Responsibility for taking actions forward
<b>2. Increased satisfaction and confidence among S75 groups and members of the wider public (Continued)</b>	2.4 Respond to the findings of Criminal Justice Inspection's Reports on: <ul style="list-style-type: none"> <li>• Child Sexual Exploitation.</li> <li>• Human Trafficking.</li> </ul>	Findings from the inspections to be reviewed by senior management, and issues addressed as appropriate.	All Section 75 groups but in particular: Age (young people) Gender	<b>SAD Resources and Change</b> (Head of Policy and Information Unit)
	2.5 Respond to the findings of Criminal Justice Inspection's Reports on Domestic and Sexual Violence and Abuse.	Findings from the inspections to be reviewed by senior management, and issues addressed as appropriate.	All Section 75 groups but in particular: Gender Age (young people)	<b>SAD Resources and Change</b> (Head of Policy and Information Unit)

Outcome	Action Measures	Performance Indicator	Section 75 Group impacted upon	Responsibility for taking actions forward
<b>3. Improved services, communication and support provided to victims and witnesses, across all Section 75 groups in Northern Ireland</b>	3.1 Provide ongoing support for the Registered Intermediaries Scheme in the Crown and Magistrates' Courts.	The scheme will be monitored internally and issues escalated as appropriate - to inform DOJ's evaluation / key decisions in relation to the future direction of the scheme.	All Section 75 groups	<b>SAD Serious Crime and Regions / SAD Resources and Change</b> (Regional Assistant Directors / Head of Policy and Information Unit)
	3.2 Carry out needs assessments for all victims and witnesses and ensure that applications for special measures are made as required.	Percentage compliance as measured via internal monitoring.	All Section 75 groups but in particular: Age, Disability, Dependants	<b>SAD Serious Crime and Regions / SAD Resources and Change</b> (Head of VWCU)
	3.3 Respond to the findings from Criminal Justice Inspection's Review of the Care and Treatment of Victims and Witnesses in Northern Ireland.	Findings from the inspection to be reviewed by senior management, and issues addressed as appropriate.	All Section 75 groups	<b>Deputy Director</b> (Head of Policy and Information Unit / Head of VWCU)

Outcome	Action Measures	Performance Indicator	Section 75 Group impacted upon	Responsibility for taking actions forward
<b>3. Improved services, communication and support provided to victims and witnesses, across all Section 75 groups in Northern Ireland (Continued)</b>	3.4 Monitor uptake of the PPS 'Track My Crime' facility (Victim and Witness Information Portal), including feedback from S75 groups.	Improved access to information and increased satisfaction with / confidence in the services and support provided to victims and witnesses during the prosecution process.	All Section 75 groups	<b>SAD Resources and Change</b> (Head of ICT)

Outcome	Action Measures	Performance Indicator	Section 75 Group impacted upon	Responsibility for taking actions forward
<b>4. Improve the range of legal policy guidance available in respect of S75 groups, in consultation with our stakeholders</b>	4.1 Development of PPS Youth Offending Policy.	Publication of policy statement (for consultation).	Age (young people) Dependants	<b>SAD Resources and Change</b> (Head of Policy and Information Unit)
	4.2 Development of PPS Policy on Dealing with Offenders with a Mental Disorder.	Publication of policy statement (for consultation).	All Section 75 groups but in particular: Disability, Age Dependants	<b>SAD Resources and Change</b> (Head of Policy and Information Unit)
	4.3 Development of PPS Guidelines for the Use of Diversions	Publication of policy statement (for consultation).	All Section 75 groups	<b>SAD Resources and Change</b> (Head of Policy and Information Unit)

Outcome	Action Measures	Performance Indicator	Section 75 Group impacted upon	Responsibility for taking actions forward
<b>4. Improve the range of legal policy guidance available in respect of S75 groups, in consultation with our stakeholders (Continued)</b>	4.4 Response to PPS Participation in 'G3P' Programme to raise awareness of international standards / understanding of hate crimes among justice, police, and prosecution officials.	Findings from the study to be reviewed by senior management, and issues addressed as appropriate.	Race Disability Religion Sexual Orientation	<b>SAD Resources and Change</b> (Head of Policy and Information Unit)

## PPS Strategic Priority 4

*To inspire our people and promote a culture of continuous improvement*

Outcome	Action Measures	Performance Indicator	Section 75 Group impacted upon	Responsibility for taking actions forward
5. Increased staff awareness in respect of equality, disability and diversity issues and the importance of promoting equality of opportunity	6.1 Provide mandatory e-learning training for all staff in Section 75 matters.	Percentage of available staff trained in Section 75 matters.	All Section 75 groups	<b>SAD Resources and Change</b> (Head of Resource Management)
	6.2 Provide 'Unconscious Bias' training for all new staff.	Percentage of new staff members trained in Section 75 matters.	All Section 75 groups	<b>SAD Resources and Change</b> (Head of Resource Management)
	6.3 Provide 'Unconscious Bias' refresher training as appropriate.	Number of staff receiving training.	All Section 75 groups	<b>SAD Resources and Change</b> (Head of Resource Management)

Outcome	Action Measures	Performance Indicator	Section 75 Group impacted upon	Responsibility for taking actions forward
<b>5. Increased staff awareness in respect of equality, disability and diversity issues and the importance of promoting equality of opportunity (Continued)</b>	6.4 Arrange training for PPS staff to raise awareness of 'ACES' (Adverse Childhood Experiences).	Training provided to all relevant staff.	Age – young people	<b>SAD Resources and Change</b> Head of Policy and Information Unit

# **Annex 1**

## **Action Rationale**

This section details the underlying evidence identified to support each action described in the main section of this report.

Linked Outcome	Supporting Evidence	Inequality or issue to be addressed
<p><b>1. Raised public awareness of the role of the PPS and the standard of services expected among S75 groups and the wider public</b></p>	<p><u>The NI Omnibus Survey 2017</u></p> <p>In particular analysis of findings to Question 2:</p> <p><i>“Have you heard of the Public Prosecution Service for Northern Ireland “The PPS”?”</i></p>	<p>Increase awareness of the PPS, its role and services, among all S75 groups.</p> <p>Analysis of the findings for Question 2 of the 2017 PPS module of the Omnibus Survey showed that more men than women (84% and 75%) had heard of the PPS. 82% of Protestant respondents had heard of the PPS, compared with 76% of Catholics.</p>
<p><b>2. Increased satisfaction and confidence among S75 groups and members of the wider public</b></p>	<p><u>The NI Omnibus Survey 2017</u></p> <p>In particular analysis of findings to Question 4:</p> <p><i>“How confident are you that the PPS provides a fair and impartial prosecution service?”</i></p>	<p>Increase public confidence in the PPS.</p> <p>In 2017 confidence levels were lower for Catholic respondents than for Protestants (71% and 81% respectively).</p> <p>Confidence levels were slightly higher for female respondents than for male (77% and 76% respectively).</p>

Linked Outcome	Supporting Evidence	Inequality or issue to be addressed
<p><b>2. Increased satisfaction and confidence among S75 groups and members of the wider public.</b></p>	<p><u>PPS Complaints Database</u></p> <p>The PPS currently monitors all complaints received from stakeholders and the public. Satisfaction levels among complainants are monitored on an ongoing basis, which includes relevant S75 data.</p>	<p>The numbers of complaints dealt with by the PPS on an annual basis remains small (approximately 70 - 75). However individual complainants have raised specific issues, for example in respect of the quality of correspondence (e.g. is it clear and easy to understand).</p>
<p><b>3. Improved services, communication and support provided to victims and witnesses, across all Section 75 groups in Northern Ireland.</b></p>	<p><u>NI Victim and Witness Survey (NIVAWS) 2017</u></p> <p>The 2017 includes a range of questions in relation to the standards of information provision and services provided by the VWCU and the PPS as a whole. For example, questions address satisfaction levels with the information provided regarding particular needs and uptake in terms of referrals to the NSPCC's Young Witness Service.</p>	<p>The need to improve the provision of accessible information, communication and support to victims and witnesses in all Section 75 groups.</p> <p>Note: The 2017 survey content differs from previous surveys and therefore comparative data are not available.</p>

Linked Outcome	Supporting Evidence	Inequality or issue to be addressed
<p><b>3. Improved services, communication and support provided to victims and witnesses, across all Section 75 groups in Northern Ireland (Continued)</b></p>	<p>“Making a difference to victims and witnesses of crime; Improving access to justice, services and support, a five-year strategy” (DOJ).</p> <p>In summary the key actions include:</p> <ul style="list-style-type: none"> <li>- Each criminal justice organisation will have measureable standards and each year they will monitor and assess how services are delivered to victims and witnesses and their satisfaction levels. These results will be published.</li> <li>- Introduce clearly defined communication procedures, setting out the information that should be given to victims and the associated timescales for each criminal justice organisation.</li> <li>- Continue to develop technical solutions to improve the provision of up-to-date information to victims and witnesses about the progress of the case.</li> <li>- Provision of information in a suitable format for people with disabilities and children.</li> </ul>	<p>The need to improve the provision of accessible information, communication and support to victims and witnesses in all Section 75 groups.</p>

Linked Outcome	Supporting Evidence	Inequality or issue to be addressed
<p><b>3. Improved services, communication and support provided to victims and witnesses, across all Section 75 groups in Northern Ireland (Continued)</b></p>	<ul style="list-style-type: none"> <li>- Establishment of a registered intermediaries scheme to help vulnerable victims, witnesses and defendants with significant communication difficulties to provide evidence.</li> <li>- Develop accessible outreach measures promoting greater public awareness of the services and information available to victims and witnesses and the experiences and views of victims.</li> <li>- Continue to involve appropriate representative organisations and encourage them to be involved with the system.</li> <li>- Commence video-recorded cross-examination and re-examination of victims and witnesses as set out in Article 16 of the Criminal Evidence (Northern Ireland) Order 1999.</li> <li>- Development of a statutory witness charter.</li> </ul>	<p>As above.</p>

Linked Outcome	Supporting Evidence	Inequality or issue to be addressed
<p><b>4. Improve the range of legal policy guidance available in respect of S75 groups, in consultation with our stakeholders</b></p>	<p><u>The NI Omnibus Survey 2016</u></p> <p>In particular analysis of findings to Question 6b:</p> <p><i>“Is it important for people to know more about what the PPS does and its role within the criminal justice system”?</i></p> <p>In the analysis, 83% of respondents agreed with this statement, with high levels of agreement reflected across S75 groups.</p>	<p>The need to improve public understanding of the PPS’s role and its approach to the prosecution of offenders.</p>

Linked Outcome	Supporting Evidence	Inequality or issue to be addressed
<p><b>5. Increased staff awareness in respect of equality and diversity issues and the importance of promoting equality of opportunity</b></p>	<p><u>NICS Well-being at Work Survey 2014/15</u></p> <p>This survey provided a range of information in respect of staff perceptions of departmental / NICS promotion of positive attitudes towards people with disabilities and equal opportunities.</p> <p>For example:</p> <p><i>“Your Department promotes a positive attitude towards people with disabilities”</i></p> <p>Results for this question found that 80% of PPS respondents felt that the PPS promoted a positive attitude towards people with disabilities - against an overall NICS figure of 89%.</p> <p><u>NICS People Survey 2017</u></p> <p>The 2017 NICS People Survey included questions regarding staff members’ experiences of discrimination on the basis of a range of S75 categories.</p> <p>Overall 12% reported some form of discrimination over the previous 12 months (NICS 13%).</p>	<p>Provide opportunities to increase staff awareness / knowledge of equality and diversity and equal opportunities issues.</p>

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