

EQUALITY COMMISSION FOR NORTHERN IRELAND
Public Authority 2009 - 2010
Annual Progress Report on Section 75 of the NI Act 1998 and
Section 49A of the Disability Discrimination Order (DDO) 2006

This report template includes a number of self assessment questions regarding implementation of the Section 75 statutory duties from **1 April 2009 to 31 March 2010**. This template also includes a number of questions regarding implementation of Section 49A of the DDO from the **1 April 2009 to 31 March 2010**. Please enter information at the relevant part of each section and ensure that it is submitted electronically (by completing this template) and in hardcopy, with a signed cover letter from the Chief Executive or, in his/her absence, the Deputy Chief Executive to the Commission by **31 August 2010**.

In completing this template it is essential to focus on the application of Section 75 and Section 49. This involves progressing the commitments in your equality scheme or disability action plan which should lead to outcomes and impacts in terms of measurable improvement for individuals from the equality categories. Such outcomes and impacts may include changes in public policy, in service provision and/or in any of the areas within your functional remit.

Name of public authority

Public Prosecution Service (PPS)

Equality Officer

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DDO (if different from above):

S75 Executive Summary

- **What were the key policy/service developments made by the authority during this reporting period to better promote equality of opportunity and good relations and what outcomes were achieved?**

The Public Prosecution Service (PPS), established in 2005 and designated as a public authority for the purposes of S75 compliance in 2006, has been through a period of continuous development and expansion necessitated by the drive to change from a centrally based organisation to a regionally based operation following recommendations of the Criminal Justice Review. By April 2009 five regional offices were established; the most recent in Londonderry, known as Foyle Chambers, and in Lisburn, Belfast, Ballymena and Omagh. Difficulties in procuring a suitable site for the sixth office in Newry were finally resolved in early 2009 and Newry Chambers, the final regional office planned for the PPS, became fully operational in June 2010. The provision of regional offices has allowed the service to address local issues and makes the PPS increasingly accessible to local communities and enables the provision of support for victims and witnesses through their local Community Liaison Teams. The devolution of policing and justice matters to the NI Assembly on 12 April 2010 changed the status of the PPS to that of a non-Ministerial department in order to maintain the independence of the Director of Public Prosecutions.

Media and Communications

The PPS Communication Strategy when implemented will seek to engage more effectively with the public and key stakeholders and work towards increasing the transparency of how the PPS conducts its business. This reporting year has seen an increase in the issue of press releases

alongside press and television interviews regarding high profile cases or issues of wider public interest, for example, the policy considerations for prosecutors when considering cases that involve assisted suicide. The work underway to improve communications will promote a better understanding within the media, and consequently within the general public, of the role of the PPS and how the organisation is striving to provide a first class prosecution service for all the people of Northern Ireland. The Director of Public Prosecutions has stated that the PPS must make every effort to explain to the community what we do as prosecutors and what services we provide to and for them. These initiatives will support the work that will be carried out within the service's new revised Community Outreach Strategy, also due for publication in mid 2010.

Services to Victims and Witnesses

During 2009-10 work has continued on the development of PPS services in this area, both internally and in conjunction with stakeholders. A key development has been the NSPCC Electronic Witness Referral Scheme, provided for young witnesses, which was implemented in January 2010. This scheme ensures that details of relevant witnesses are sent by the PPS in advance of attendance at court which allows the NSPCC to offer services to young people at all Crown Courts and in the Magistrates' and Youth Courts in Belfast, Craigavon, Lisburn and Londonderry. The scheme will be evaluated in 2010-11 to inform further rollout to all courts. This scheme mirrors the scheme introduced in March 2009 for adult witnesses in conjunction with Victim Support, and to which over 7,000 referrals were made in the reporting period. While all witnesses are given an opportunity

to opt out of the scheme, early evaluation has demonstrated a high level of witness participation to date.

The PPS Victim and Witness Working Group continued to meet regularly and key areas of work this year included an audit of existing literature such as the range of information leaflets available and a review of correspondence issued to victims and witnesses. The Group also considered inter-agency policy and training issues.

Revised Arrangements for the 'Giving of Reasons'

Following a successful pilot in 2009, the service has revised its arrangements in respect of the giving of reasons in a number of specific case categories where a decision is made not to prosecute. The policy as set out in the Code for Prosecutors allows for the giving of reasons in all cases to be in general terms, but allows for prosecutors to consider what further information may reasonably be given if a request for more detailed reasons is made. From 1 October 2009 detailed reasons have been given to all victims and their families irrespective of whether such a request has been made in the categories of cases of homicide, sexual offences, hate crime and those involving victims who are vulnerable on account of their age or mental or physical incapacity. Prosecutors may also offer to conduct a telephone discussion or a meeting where they feel this would be beneficial to victims or families.

- **What are the main initiatives planned in the coming year to ensure the authority improves outcomes in terms of equality of opportunity and good relations for individuals from the nine categories covered by Section 75?**

Services to Victims and Witnesses

In addition to the groups mentioned above, the service is also a member of the inter-agency Victims and Witnesses Taskforce, established under the authority of the Criminal Justice Board, which is delivering a 5 year strategy on services to victims and witnesses. Senior policy staff are also active on a range of inter-agency subgroups which are tasked with taking forward other initiatives such as interpreter provision, data protection and victim impact reports and staff training requirements.

A new Disability Action Plan will be developed in late 2010 to allow for consultation with both staff and external groups in early 2011.

Communication Strategy

The PPS is at the heart of the criminal justice system and is committed to providing a service in which all the people of Northern Ireland can have confidence. The organisation is aware that community engagement is key to fulfilling this objective. 2010-2011 will see the implementation of the aforementioned comprehensive communication strategy, designed to engage with the community, the media and key stakeholders including the voluntary sector. Through more open communication with both the media and our service users, the PPS aims to increase public awareness and understanding of the work of the service and confidence in how it operates.

'Hate Crime' Policy

Once an offence is perceived by the victim or any other person to be motivated by hate or prejudice towards a person's race, religion, sexual orientation or disability then it is classified as a 'hate crime'. The PPS's policy on 'hate crime', which is due for publication in early autumn introduces new processes to assist in the identification of cases in which there is an aggravating motive for an offence. This will also allow prosecutors to alert the courts to such a factor prior to sentencing. Throughout 2010-11, the new processes will be implemented and training is scheduled for approximately 170 legal staff.

Provision of Information Policy

An Equality Impact Assessment (EQIA) is scheduled to commence in August 2010 which will review the PPS's provision of information policies. This EQIA will give consideration to improving equality of access to all our information and services across the whole community. This will include the arrangements for the provision of PPS documents, such as those setting out complaints procedures and information for victims and witnesses, in alternative formats and languages.

Complaints

Complaints about the service delivered by the PPS (ie non-prosecutorial complaints) are dealt with by an Independent Assessor. The 5th Annual Report of the Independent Assessor of Complaints for the year April 2009 to March 2010 was published in July 2010 and is available on the PPS website at www.ppsni.gov.uk The PPS continues to be an organisation with a low incidence of complaints despite an increase in workload this year

to in excess of 68,000 cases, representing a 20% increase over the previous year. The number of non-prosecutorial complaints received during the period covered by this report was 54. There is currently no Section 75 monitoring carried out due to the small numbers involved, however this is under review (see Section 6).

The Independent Assessor's recommendations and other information within the report are used by senior management to identify areas for improvement within our service delivery. One of the recommendations in this year's report is that the PPS should examine and review the timetables relating to acknowledging and concluding complaints, and to providing effective responses to complainants in a timely manner. The Independent Assessor also raised some points around the use of 'legal' language in communications with complainants and considering an extension of the use of 'information packs'. The Director has now initiated a review of all aspects of the complaints handling processes which will be completed by the end of 2010.

Complaints regarding compliance with the PPS Equality Scheme are dealt with separately as set out in the Equality Scheme document (see Section 8).

Please give examples of changes to policies or practices which have resulted in outcomes. If the change was a result of an EQIA please tick the appropriate box in column 3:

	Outline change in policy or practice which have resulted in outcomes	Tick if result of EQIA
Persons of different religious belief	<ul style="list-style-type: none"> consultation with affected groups in the development of the Hate Crime policy resulted in some changes to the draft improved arrangements for recording and reporting of 'special measures' applications will reduce concerns of vulnerable victims and witnesses around giving evidence in court 	
Persons of different political opinion	<ul style="list-style-type: none"> improved arrangements for recording and reporting of 'special measures' applications will reduce concerns of vulnerable victims and witnesses around giving evidence in court 	
Persons of different racial groups	<ul style="list-style-type: none"> consistent language interpreter services including sign language provision now established in courts consultation with affected groups in the development of the Hate Crime policy resulted in some changes to the draft 	
Persons of different age	<ul style="list-style-type: none"> improved arrangements for recording and reporting of 'special measures' applications will reduce concerns of vulnerable victims and witnesses around giving evidence in court exemption granted to the issue of postal summonses for people vulnerable by reason of age 	
Persons with different marital status		
Persons of different sexual orientation	<ul style="list-style-type: none"> consultation with affected groups in the development of the Hate Crime policy resulted in some changes to the draft 	
Men and women generally	<ul style="list-style-type: none"> introduction of the PPS policy on cases involving rape introduction of the PPS policy on cases involving assisted suicide 	
Persons with and without a disability	<ul style="list-style-type: none"> consultation with affected groups in the development of the Hate Crime policy resulted in some changes to the draft improved arrangements for recording and 	

	<ul style="list-style-type: none"> ● consistent language interpreter services including sign language provision now established in courts ● removal from the interim policy on assisted suicide within 'factors against prosecution' of references to a victim having 'a severe and incurable physical disability; or a severe degenerative physical condition' ● exemption granted to the issue of postal summonses for people vulnerable by reason of infirmity or mental state 	
<p>Persons with and without dependants</p>	<ul style="list-style-type: none"> ● inter-agency work on 'reducing avoidable delay' in bringing cases to court will particularly impact positively on those with dependants 	

Section 1: Strategic Implementation of the Section 75 Duties

- **Please outline evidence of progress made in developing and meeting equality and good relations objectives, performance indicators and targets in corporate and annual operating plans during 2009-10**

The Corporate Plan 2008-2011 includes objectives to “improve public confidence by engaging with the community” and “to ensure that our service delivery addresses the needs of victims and witnesses of crime” under two of its Strategic Priorities.

1. To Improve Public Confidence by Engaging with the Community

Implementation of the new PPS Communication Strategy was stated as a key milestone for 2009-10 in the Corporate Plan 2008-2011. As reported last year, the production of this strategy was further delayed due to the preparation work necessary to bring about the devolution of policing and justice. The draft strategy for 2010-2012 has now been produced and will be issued for consultation shortly. It will also be available to download from the PPS website at www.ppsni.gov.uk. The training programme developed to raise equality and diversity awareness amongst PPS staff at all levels continued to be rolled out throughout the year and details are set out in Section 4 of this report. As part of our drive towards establishing a joined up service and consistent quality standards across the criminal justice system, the PPS joined with other organisations in 2009 to agree a contract for the provision of face to face interpreters, including sign language interpretation. This will be extended to the provision of telephone interpreter and written word translation services.

2. To Ensure that our Service Delivery Addresses the Needs of Victims and Witnesses of Crime

A key milestone for the year was to have the Newry regional office operational by mid 2009. As noted elsewhere, difficulties with securing land or suitable premises in the Newry area caused considerable delay, however the Newry office opened in June 2010. This provides a much more accessible, localised service to the community in the southern region.

The PPS Annual Business Plan for 2010-11 also includes milestones for both of the above stated objectives which aim to improve our service delivery to all sections of the public and which remain key to the successful implementation of the organisation's strategic priorities for the current year.

Section 2: Screening

- Please provide an update of new/proposed/revised policies screened during the year.

Title of policy subject to screening	Was the <u>F</u> ull Screening Report or the <u>R</u> esult of initial screening issued for consultation? <i>Please enter F or R</i>	Was initial screening decision changed following consultation? <u>Yes/No</u>	Is policy being subject to EQIA? <u>Yes/No</u> ? If yes indicate year for assessment.
Policy on Prosecuting Cases involving Hate Crime	<u>R</u> – the draft policy was issued for a full consultation, which included the screening decision.	N	N
Graduated Fee Scheme and Very High Cost Case Scheme	<u>R</u> – with consultees invited to request a copy of any of the full reports	N	N
Road Traffic Accident Policy	<u>R</u> – the draft policy was issued for a full consultation, which included the screening decision	N	N
Policy on Prosecuting Rape Cases	<u>R</u> – the draft policy was issued for a full consultation, which included the screening decision	N	N
Policy on Assisted Suicide	<u>R</u> – the draft policy was issued for a full consultation, which included the screening decision	N	N – amendments were made to the draft policy as a result of comments made by some Section 75 groups.

Section 3: Equality Impact Assessment (EQIA)

- Please provide an update of policies subject to EQIA during 2009-10, stage 7 EQIA monitoring activities and an indicative EQIA timetable for 2010-11

EQIA Timetable – April 2009 - March 2010

Title of Policy EQIA	EQIA Stage at 31 March 10 (Steps 1-6)	Outline adjustments to policy intended to benefit individuals, and the relevant Section 75 categories due to be affected.
Provision of Information	Step 1	Screening raised concerns on possible adverse impact within current access to information arrangements on several s75 groups – race, age, people with disabilities/learning difficulties
Appointment and Use of Panel Counsel	Step 4	This EQIA considers the appointment process and the constitution of the two Panels of junior and senior independent Counsel that are called upon to work on PPS cases. It also considers the policy around the allocation of such available work amongst these Panel members since the Panels were established.

- Where the EQIA timetable for 2009-10 (as detailed in the previous annual S75 progress report to the Commission) has not been met, please provide details of the factors responsible for delay and details of the timetable for re-scheduling the EQIA/s in question.

The Provision of Information EQIA is behind schedule as it was anticipated in last year's report that it would reach Step 6 by June 2010. The EQIA should have commenced in September 2009 but it was postponed by Policy Section in order to first complete the work on the Appointment and Use of Panel Counsel EQIA. Further delays were caused from early 2010 due to the extensive preparation required within the service for the forthcoming devolution of justice and policing. This would see the PPS

become a non-Ministerial department and resulted in the need for considerable internal restructuring of staff and duties. Following the reorganisation of corporate functions and in particular the responsibilities for information provision, work on this EQIA has only been able to be taken forward from August 2010 (see table below). It is hoped to produce the draft EQIA without further delay as staff are now commencing the necessary research and it is anticipated that Step 6 should be reached by April 2011.

Ongoing EQIA Monitoring Activities April 2009- March 2010

Title of EQIA subject to Stage 7 monitoring	Indicate if differential impacts previously identified have reduced or increased	Indicate if adverse impacts previously identified have reduced or increased
NONE		

2010-11 EQIA Time-table

The following EQIAs were identified as a result of the initial screening of existing policies and were prioritised for completion:

Title of EQIAs due to be commenced during April 2010 – March 2011	Existing or New policy?	Please indicate expected timescale of Decision Making stage i.e. Stage 6
Provision of Information	Existing	30/04/2011
Reward, Recognition & Performance Management	Existing	The PPS may seek to withdraw this EQIA as it expects to fully align with existing NICS policy in these areas, which have already been assessed for equality impact by DFP Central Personnel Group

Section 4: Training

- **Please outline training provision during the year associated with the Section 75 Duties/Equality Scheme requirements including types of training provision and conclusions from any training evaluations.**

Equality and Diversity training was a key area in the training priorities for 2009/10. PPS staff are recruited by the Northern Ireland Civil Service and, prior to the devolution of policing and justice matters in April 2010, were seconded to the Northern Ireland Office (NIO). PPS staff received mandatory Equality & Diversity awareness training within an ongoing NIO programme which commenced in 2007 and which continued to June 2010, with 95% of current staff having attended the training. Feedback on this course is generally good and many staff feel that the sessions provide a timely reminder to staff on the need for ensuring a harmonious workplace is provided for all. The NICS have developed a new equality and diversity training package and all new entrants to the PPS will attend this mandatory course. In addition, all staff will receive 'refresher' training via e-learning on a regular basis. New staff also receive awareness on the background to the section 75 duties and the 'two disability duties' including the PPS Disability Action Plan through the Corporate Induction Programme. During 2009-10 this was delivered to 31 members of staff.

Staff who were assigned to work on the EQIAs scheduled for autumn 2009 received training and guidance from an independent external consultant with many years' experience in working with Section 75 legislation. Feedback from the staff involved has been very positive and it was felt that this greatly contributed to their understanding of the EQIA process.

As part of the Equality Scheme implementation plan, Section 75 awareness training has been undertaken throughout the year within business areas. A training and awareness session was provided in June for a small group of staff who were designated as Equality Drivers in each of the service's offices. This provided them with a detailed background to the statutory duties placed on public authorities under Section 75, and information was provided on other relevant equality legislation. The Equality Drivers were appointed to provide a local 'equality' contact for staff at a local level through which they could raise any equality issues of concern to staff or suggest ideas to improve local service provision and these would be escalated to the Equality Officer or the Equality and Diversity Steering Group. Use was also made of the Business Managers' Forum to highlight the statutory duties with a wide number of staff during the year.

Senior Management within the PPS present regional Roadshows on a regular basis which all staff are expected to attend. The Roadshows are used to keep staff up-to-date with developments within the organisation at a corporate level. The Roadshows held in May 2009 included awareness raising sessions on both the statutory duties imposed under Section 75 and also the duties required by Section 49A of the DDO 2006, including the Disability Action Plan. Roadshows will continue to be a useful method of communicating with staff and raising awareness of the equality duties on a regular basis.

Representatives from Women's Aid provided Domestic Violence awareness training to PPS prosecutors on two occasions during this period. Feedback from those attending was very positive. The sessions

also provided an opportunity to explore how partnership working between the PPS and Woman's Aid in support of victims could be better developed in order to reduce the likelihood of support for a prosecution being withdrawn.

The PPS Hate Crime policy will be published shortly following some revision to the draft to reflect the views put forward during the consultation period. All PPS prosecutors will receive awareness training on the new policy during 2010-2011 as a priority.

In connection with the new arrangements for the 'giving of reasons' outlined in the executive summary, 140 prosecutors received training during the year on how to implement these new procedures where appropriate.

Exploratory meetings were held with Mindwise and MENCAP during the year with a view to arranging awareness training for Community Liaison Team managers on people with mental health issues or learning difficulties in the 2010-2011 year.

Section 5: Communication

- **Please outline how the authority communicated progress on delivery of the Section 75 Duties during the year and evidence of the impact/success of such activities.**

Communication to service users of the organisation's engagement with Section 75 has focused to date on the provision of a dedicated equality section on the PPS website at www.ppsni.gov.uk. The site includes background information on Section 75 commitments; our full Equality Scheme and also a summary version; the Annual Progress Reports; Disability Action Plan; and a link to PPS consultation information. The page will continue to be updated and expanded with suitable information, for example, further progress reports, EQIAs, the Five Year Review and others. Details of our headquarters textphone and a specific equality 'mailbox' have been provided in our Equality Scheme, as well as names and direct contact details of the staff responsible within PPS for equality issues. A 'consultation zone' has also been set up on the website which will be used to publicise all future policy consultations as they issue. The first update to section 75 consultees providing information on all policy screening activity, forthcoming EQIAs and consultations was issued in January 2010, with full screening documents being made available on request. Several requests were received. This information will continue to be issued on a regular basis in line with Equality Commission's new section 75 guidance.

A dedicated equality section has also been set up for staff on our intranet site. This makes available our Annual Progress Report, the Equality Scheme and provides much other useful information on Section 75

together with links to other organisations' websites, for example the Equality Commission, and to specific equality publications. Staff are encouraged to provide ideas for inclusion on the site.

Staff have also been made aware of and will continue to be updated on all progress within the PPS to implement our Section 75 duties and the work around our Disability Action Plan through the regional Roadshows. Other internal communication forums, for example the Business Managers Forum, Community Liaison Team Forum will continue to be used to communicate Section 75 implementation and issues. It is intended that staff ideas will be sought through these Forums in connection with the production of the new Disability Action Plan due from 1 April 2011 and in developing a Diversity Strategy for the PPS.

Section 6: Data Collection & Analysis

- **Please outline any systems that were established during the year to supplement available statistical and qualitative research or any research undertaken/commissioned to obtain information on the needs and experiences of individuals from the nine categories covered by Section 75.**

Equity Monitoring

The Criminal Justice Review (Recommendation 5) tasked the Criminal Justice Board and its research sub-committee with developing and implementing a strategy for equity monitoring across the criminal justice system. The development of an equity monitoring framework in Northern Ireland has been taken forward on this basis, led by the Northern Ireland Office¹, via the Criminal Justice Board's Equity and Diversity Sub-Group. Membership of the Sub-Group includes PPS representation.

Whilst progress has been made, an agreed CJSNI-wide monitoring framework is not yet in place. Therefore the position as previously reported is largely unchanged; i.e. only limited information regarding the various s75 categories is available to PPS through the 'Causeway' Data Sharing Mechanism (primarily age and gender of victims, witnesses and defendants).

It should be noted that, pending the implementation of a CJSNI scheme, it has not been possible for PPS to develop its own interim arrangements. PPS has only limited contact with defendants, victims and witnesses and

¹ Since 12 April 2010 (i.e. devolution of criminal justice powers) this has been led by the Department of Justice.

are reliant on other agencies within the CJSNI for supply of this data and for ensuring that it is accurate.

Policy on 'Hate Crime'

The Service published a new policy statement on hate crime for consultation. Responses to the consultation were received from a range of interested parties including the Northern Ireland Human Rights Commission, Disability Action, Committee on the Administration of Justice, Victim Support NI and the Presbyterian Church Committee on Public Morals.

In support of the new policy, processes have been developed to assist in the identification of cases in which there is an aggravating motive for an offence. This will also allow prosecutors to alert the courts to such a factor prior to sentencing.

The final policy document, amended in the light of consultation, will be published in September 2010.

The PPS Annual Report for 2009/10 includes details of the number of cases considered by the PPS to have been aggravated by hostility; i.e. cases broadly classified as 'hate crimes', based on an assessment by the prosecutor (i.e. the decision-maker) as to whether incidents were homophobic, sectarian or racial in nature or related to the victim's disability. The statistics include summary data on the prosecutorial decisions taken in such cases.

PPS Staff Composition: Publication of Statistics

Information on the gender and community background of PPS staff, as is the case with all Northern Ireland civil servants, is included in returns made by the Department of Finance and Personnel (DFP) to the Equality Commission. This information is generally not disaggregated and therefore relevant data (i.e. for the PPS) has not been made available by DFP.

PPS Complaints Arrangements

The PPS has recently commenced a review of its complaints handling arrangements. One of the objectives of the review will be to benchmark the Service against other Northern Ireland departments and criminal justice agencies. This benchmarking exercise will cover the approaches taken to the collection and collation of s75 monitoring data with respect to complainants.

PPS Research

The PPS has continued to develop its research strategy, focusing primarily on the development of internal (staff) and external (stakeholder) surveys. The key surveys conducted during 2009/10 included the following:

- **NI Omnibus Survey**

In January 2010, the PPS commissioned questions for inclusion in the Northern Ireland Omnibus Survey, which is carried out by the Central Survey Unit of the Northern Ireland Statistics and Research Agency (NISRA).

A total of nine questions were included in the survey to gauge public awareness of the PPS and its role, to examine public perceptions of the Service's independence, fairness and impartiality and its views on issues such as diversionary options and the categories of crime of greatest concern to the community. These were considered to be drugs offences, offences against children and offences against the elderly.

The analysis provided by NISRA included a breakdown of the survey results according to respondents' age, community background, gender and marital status.

The results of the survey have been considered in detail by the PPS Management Board and have helped to inform the development of the PPS Communication Strategy and planning for Community Outreach. The survey will be repeated in 2011.

- **PPS Victim and Witness Survey**

As part of the Northern Ireland Office's NI Victim and Witness Survey 2009-10 (NIVAWS), the PPS included a series of questions designed to determine respondents' views on whether the services and information provided by PPS met their needs.

The results of the survey are now available and are being considered in detail by the PPS Management Board. The information available through the survey includes a more extensive range of s75 monitoring data.

PPS Staff Survey

The purpose of the PPS staff survey (“Your Views”) is to provide all members of staff with an opportunity to put forward their views and opinions about the PPS, its work and their role within the Service.

The third ‘Your Views’ survey was conducted in November 2009 and included a range of 75 questions, including:

- Gender;
- Responsibility for dependants;
- Disability;
- Ethnicity;
- Community background;
- Marital status; and
- Sexual orientation.

Inclusion of these categories brings the PPS survey into line with Northern Ireland Office / NICS practice.

The 2009/10 survey also included new sections focusing on staff perceptions of equality of opportunity within the PPS (including the extent to which the Service provides a harmonious working environment), disability (e.g. provision of reasonable adjustments where appropriate) and diversity.

The results of this module of the survey have been analysed by NISRA statisticians and made available to relevant parties, including the PPS Equality and Diversity Steering Group.

- **Please outline any use of the Commission's Section 75 Monitoring Guide.**

The Equality Commission's Section 75 Monitoring Guide is available to staff within the PPS. The publication can also be accessed on the Intranet site.

Section 7: Information Provision, Access to Information and Services

- **Please provide details of any initiatives/steps taken during the year, including take up, to improve access to services including provision of information in accessible formats.**

A number of initiatives have been taken forward during this period to assist people with some types of disability. A textphone is operational in the Community Liaison Team in each of our regional offices and headquarters offices. An independent review of the PPS website was carried out and remedial work was undertaken to ensure it complied with W3C AA 2.0 standards.

Correspondence

A key focus in the NI Victim and Witness Survey 2009-10 was about clarity of correspondence issued by the PPS. Results indicated that the large majority (over 90%) of respondents felt that the documents issued around the prosecution process were clear and easy to understand, however this also suggests that 10% do not find this to be the case. Work to be undertaken within the forthcoming EQIA on provision of information will include reviewing standard correspondence issued and the accessibility by all sections of the community to the information we provide in leaflet form.

Information Leaflets

The PPS has updated and extended its range of information leaflets during the reporting period aimed at raising public awareness of the services available to victims and witnesses. "The Role of the Public Prosecution Service" pamphlet has been revised to include clear guidance regarding

the procedures for requesting a review of a prosecutorial decision. All letters advising of a 'no prosecution' decision to victims are now clearly signposted to this guidance.

Interpreter Services

The provision of face-to-face interpreter services was streamlined during summer 2009 following the signing of a joint contract by the PPS, Probation Board for NI, PSNI and Northern Ireland Court Service (NICtS) with a service provider. PPS also has a contract in place with RNID to provide sign language interpreters for the deaf or hard of hearing, where witnesses have been called by the PPS.

Communication Strategy

The Communication Strategy will proactively address the service's external communications, including the dissemination of information to the public and the media. As part of the engagement with the media, PPS prosecutors held talks with student journalists at courthouses to explain the role of the PPS and the proceedings that take place in Magistrates' Courts.

Section 8: Complaints

- **Please identify the number of Section 75 related complaints:**
 - **received and resolved by the authority (including how this was achieved);**
 - **which were not resolved to the satisfaction of the complainant;**
 - **which were referred to the Equality Commission.**

No complaints relating to Section 75 were received during the reporting period.

Section 9: Consultation and Engagement

- **Please provide details of the measures taken to enhance the level of engagement with individuals and representative groups during the year.**
- **Please outline any use of the Commission's guidance on consulting with and involving children and young people.**

Senior staff throughout the regions undertook a series of outreach initiatives and events throughout the year in order to provide a clearer understanding of the role of the PPS and to engage with the voluntary and community sector and the public. Regional Prosecutors are involved in a wide range of community activity at a local level, having established links with Court User Forums, Community Relations Forums and other community groups. Visits were made to Down High Schools by one Regional Prosecutor to engage with pupils, while PPS prosecutors participated in a 'mock trial' event for young people from a number of schools which was held at Newry Courthouse. Northern Region has developed a strong relationship with Women's Aid, with the PPS being represented at many of their events during the reporting year and a member of regional staff joining one of their committees. Presentations were made to local District Policing Partnerships and to other organisations within the community/voluntary sector.

Senior Policy Division staff also took an active part in community engagement throughout the year. They met with representatives from Northern Ireland Human Rights Commission, the Committee on the Administration of Justice, Disability Action, NICEM and Victim Support in connection with the consultation on Hate Crime. The Head of Policy

Division engaged with students on a visit to Belfast Metropolitan College. Policy Division is represented on the Sexual Assault Referral Centre (SARC) Project Group in addition to four Domestic and Sexual Violence subgroups, all of which include voluntary sector organisations, such as Women's Aid, NSPCC. These groups are:

Domestic Violence Protection and Justice Subgroup;
Domestic Violence Barriers to Justice Subgroup;
Sexual Violence Protection and Justice Subgroup; and
Sexual Violence Public Information Campaign Subgroup.

Policy staff continued to participate in a wide range of other interagency groups, many of which cut across the criminal justice organisations and include voluntary sector representation. One example is a project steering group chaired by the NI Council for the Homeless which has taken forward the establishment of high tolerance hostel accommodation to accommodate drug users who are going through treatment programmes.

The PPS continued to play an active part in events during April 2009's 'Criminal Justice Week'. One of the service's Regional Prosecutors spoke at an 'Engaging the Community' seminar at Hillsborough Castle which was attended by representatives from the community and voluntary sector. The service continues to work closely with the Youth Justice Agency to consider issues that affect young offenders. As an example, a workshop was held which focused on 'reducing delay in youth cases' and a building confidence and awareness raising event was held by the Youth Conference Service in December 2009.

The Chief Executive of Disability Action was invited to attend a meeting with the Equality and Diversity Steering Group to discuss and highlight issues of particular interest and concern to people with disabilities and to suggest some cost-effective ways in which the PPS could improve communications and accessibility for many disabled people. The group found the visit both informative and thought provoking.

The Equality Officer represented the PPS at a number of local events held by representative groups and other organisations on equality issues, including Rainbow's launch of the 'Through our Eyes' report on homophobic hate crime.

Section 10: The Good Relations Duty

- **Please provide details of additional steps taken to implement or progress the good relations duty during the year. Please indicate any findings or expected outcomes from this work.**

The Director, through his membership of the Criminal Justice Board, is committed to ensuring the PPS plays its part in the delivery of a criminal justice system which serves and protects the people of Northern Ireland and in which the whole community can have confidence. The six regional offices are all operational following the opening of Newry. Each has a Community Liaison Team which provides information to victims and witnesses on the progress of their case. A range of options is increasingly available for dealing with offenders through diversion rather than through prosecution. These include caution, informed warning, youth conferencing, the Driver Improvement Scheme and the Community Restorative Justice Scheme. The purposes of such diversion is to deal more quickly and simply with less serious offenders and to engage the offender in a restorative process with the victim and society as a whole. Having an office located in the heart of the local community provides increased accessibility for our service users and also provides new opportunities for direct engagement with community and voluntary groups and local criminal justice partners.

The PPS continues to work with its partner agencies such as the police and the NI Court Service to help ensure that the whole criminal justice process brings perpetrators of hate crime to justice. The new Hate Crime policy procedures will help the PPS as public prosecutors to ensure offences that have been motivated by hostility receive an appropriate sentence.

Effective implementation and monitoring of this policy should improve public confidence that the PPS provides an independent, fair and effective prosecution service to all sections of the population, and should therefore increase the reporting levels of such incidents. In particular those people in the groups that are generally the victims of Hate Crime offences should feel they are receiving increased recognition and support from within the wider society from which they can often feel excluded.

- **Please outline any use of the Commission’s Good Relations Guide.**

The Equality Commission’s Good Relations Guide is available within PPS. In addition, it is also available on our Intranet site along with much other reference material on the statutory duties that are placed on public authorities.

Section 11: Additional Comments

- **Please provide any additional information/comments**

Annual Report 1 April 2009 / 31 March 2010
'Disability Duties' Questions

1. How many action measures for this reporting period have been?

16

Fully
Achieved

4

Partially
Achieved

1

Not
Achieved

2. Please outline the following detail on all actions that have been fully achieved in the reporting period.

2 (a) Please highlight what **public life measures** have been achieved to encourage disabled people to participate in public life at National, Regional and Local levels:

Level	Public Life Action Measures	Outputs ²	Outcomes / Impact ³
National ⁴			
Regional ⁵	To improve arrangements for the reporting and recording of 'special measures' applications	Ensuring victims and witnesses are informed prior to attending court that they have been granted 'special measures'	Alleviating the fears and concerns of vulnerable people, for example Hate Crime victims/witnesses, about giving evidence in court will result in more cases proceeding to prosecution.

² **Outputs** – defined as act of producing, amount of something produced over a period, processes undertaken to implement the action measure e.g. Undertook 10 training sessions with 100 people at customer service level.

³ **Outcome / Impact** – what specifically and tangibly has changed in making progress towards the duties? What impact can directly be attributed to taking this action? Indicate the results of undertaking this action e.g. Evaluation indicating a tangible shift in attitudes before and after training.

⁴ **National** : Situations where people can influence policy at a high impact level e.g. Public Appointments

Level	Public Life Action Measures	Outputs ⁶	Outcomes / Impact ⁷
Local ⁸	<p>Establish links with representative disability groups and other people with disabilities for the purposes of consultation/dialogue</p> <p>To increase the membership and the diversity of the PPS Equality & Diversity Group (EDSG) by seeking applications for volunteer members from all staff. Applications to be particularly encouraged from staff with disabilities</p> <p>Diversity information and promotion of the NIO's Disability Network made available on intranet and via emails</p>	<p>Contacts established by policy division staff and meetings held with a variety of disability organisations for the purposes of consultation and/or discussion</p> <p>Four new volunteer members were recruited for EDSG, with a new opportunity to volunteer to be open to all staff every two years.</p> <p>Intranet area set up for diversity information within the Human Resources area of the intranet with staff contact details provided</p>	<p>Increased inclusion of representative groups in the PPS policy making process. Disability Action also attended a meeting of EDSG and provided a very useful insight into the issues that affect people with disabilities in many areas of public life.</p> <p>New members have brought a different perspective to many discussions within the reformed group, and also have increased the range of issues covered within its meetings</p> <p>Increased inclusion in the workplace. Staff invited to contribute any information for the intranet</p>

⁵ **Regional:** Situations where people can influence policy decision making at a middle impact level

⁶ **Outputs** – defined as act of producing, amount of something produced over a period, processes undertaken to implement the action measure e.g. Undertook 10 training sessions with 100 people at customer service level.

⁷ **Outcome / Impact** – what specifically and tangibly has changed in making progress towards the duties? What impact can directly be attributed to taking this action? Indicate the results of undertaking this action e.g. Evaluation indicating a tangible shift in attitudes before and after training.

b) What **training action measures** were achieved in this reporting period?

	Training Action Measures	Outputs	Outcome / Impact
1	Training in textphone use	15 staff in regional offices Community Liaison Teams received training	Each office can provide a textphone service to the public and phone numbers are published on all letters issued by the PPS to victims and witnesses
2	Deaf Awareness Training	15 staff in Community Liaison Teams attended this presentation by RNID	Raised awareness of the particular problems deaf people face in dealing with public authorities and advice on how to improve their experience in using our services
3	Equality & Diversity Training	95% of current PPS staff have received this training	Provided an opportunity for staff to reconsider their attitudes and tendencies to 'stereotype' both people they work with/those within the criminal justice system and promoted discussions on the value of diversity.
4	Counselling Training	18 staff at management level were trained in Basic Counselling Skills	A team of staff now available across the PPS who can provide support to staff who do not perhaps wish to discuss issues with their immediate management.

⁸ **Local** : Situations where people can influence policy decision making at lower impact level e.g. one off consultations, local fora.

2(c) What Positive attitudes **action measures** in the area of **Communications** were achieved in this reporting period?

	Communications Action Measures	Outputs	Outcome / Impact
1	Website accessibility audit	Independent audit was carried out and work undertaken to ensure compliance with recognised standards	Compliance to W3C AA achieved
2	Staff survey 2009	Anonymous survey widened the section 75 information requested and sought views on staff attitudes to disability in the workplace and on the working environment	Results of the survey scrutinised by senior management to identify areas for action, however no specific issues were raised regarding disability by any staff responding to the survey
3	Inter agency Hate Crime Subgroup	PPS is represented at the regular meetings of this group	A cohesive approach to tackling hate crime will be developed across the criminal justice system through policy development and cross sector co-operation
4	Textphone service	Textphones now operational in each PPS regional office and a headquarters textphone is published on all PPS new publications	Provides an alternative method of contact with the PPS for those with hearing disabilities.

2 (d) What action measures were achieved to ‘**encourage others**’ to promote the two duties:

	Encourage others Action Measures	Outputs	Outcome / Impact
1	Through procurement of goods and services	All PPS contracts have a requirement for those submitting tenders to comply with the terms of the Disability Discrimination (NI) Order 2006 and Section 75 of the NI Act 1998.	Appointed contractors must support the PPS in its observance of requirements under the legislation.
2			
3			
4			

2 (e) Please outline **any additional action measures** that were fully achieved other than those listed in the tables above:

	Action Measures fully implemented (other than Training and specific public life measures)	Outputs	Outcomes / Impact
1	Network of in-house Equality Drivers established	A contact in each PPS office is in place through which staff can raise any issues around diversity or equality and have these brought to the attention of the Equality and Diversity Officer/Equality and Diversity Steering Group for discussion.	Provides staff with a quick, informal way to raise any diversity issues of concern to them and have these elevated to management.
2	Amendment of the PPS Equality Screening Form	The screening form was adapted to include the two 'disability duties' questions	Ensures policy development staff consider the disability duties at an early stage within all policy proposals.
3	Car Parking at PPS offices	A review of the current provision of disabled car parking spaces for the public was carried out	It was agreed that current provision was adequate but that a review would be carried out yearly to ensure this remained appropriate.

3. Please outline what action measures have been **partly achieved** as follows:

	Action Measures partly achieved	Milestones ⁹ / Outputs	Outcomes/Impacts	Reasons not fully achieved
1	Review of the Induction Programme	Arrangements are now in place to provide new staff with mandatory equality and diversity training and refresher training for all staff on a regular basis	Increased staff awareness on the need to contribute to an inclusive and welcoming workplace and how to better support service users with a disability	An in-house induction programme is also delivered to all new staff and already includes information on the PPS Disability Action Plan and Section 75 obligations. It was intended to review the content of this 2 day programme during 2009/10 however this has not been possible to date due to other training priorities
2	Publication of the Hate Crime Policy	The draft Hate Crime policy was issued for full consultation during 2009	Improved identification of cases where there has been an aggravating motive for an offence. Courts can be alerted to such a factor prior to sentencing	The final policy on Hate Crime was not published as planned before the end of the reporting year, however, it will be published in early autumn

⁹ **Milestones** – Please outline what part progress has been made towards the particular measures; even if full output or outcomes/ impact have not been achieved.

	Action Measures partly achieved	Milestones ¹⁰ / Outputs	Outcomes/Impacts	Reasons not fully achieved
3	Staff in Community Liaison Teams who deal with victims and witnesses will have the information available to direct service users with a disability to appropriate local support structures	Increased staff awareness of local support groups would enable them to better advise victims and witnesses with disabilities	Arrangements are now in place for all victims and witnesses to be directed to their local Victim Support, or the NSPCC for younger people, who are best placed to advise them	After discussion at a local level, it was agreed that this was not an appropriate role for PPS staff. However in connection with this action measure, staff in the Community Liaison Teams requested awareness training in dealing with victims and witnesses who may have learning disabilities or mental health issues. This training is scheduled to be carried out by two local community sector organisations during 2010/11 year.
4	Staff discussions on the promotion of positive attitudes at various staff Forums and Team Briefs.	Staff at all levels within PPS will be part of a discussion about the disability duties at least yearly.	Staff awareness on this legislative requirement will be kept to the fore and a discussion opportunity provided about the creation of a harmonious working environment and providing a good	Formal meeting structures and staff forums have been used during the year to highlight the disability duties and to promote positive attitudes from senior management down. The development

¹⁰ **Milestones** – Please outline what part progress has been made towards the particular measures; even if full output or outcomes/ impact have not been achieved.

			service to disabled people through their work	of a team brief mechanism during 2010/11 will enable this message to reach all staff within PPS on a regular basis.
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4. Please outline what action measures have not been achieved and the reasons why?

	Action Measures not met	Reasons
1	Hate Crime training for all public prosecutors	The Hate Crime training will now take place during the 2010/11 reporting year. This is as a result of the delay in finalising and publishing the final policy document, following consultation, which required some amendment to the draft policy
2		
3		

5. What **monitoring tools have been put in place to evaluate the degree to which actions have been effective / develop new opportunities for action?**

(a) Qualitative

The implementation of the Disability Action Plan is overseen by the Equality Officer and the Equality and Diversity Steering Group (EDSG), which meets at least quarterly. There is a monthly report made to the Senior Management Team, and a regular report to the Management Board. Members of EDSG ensure actions within their area of business are moved forward when requested by the Group. The whole

process is led by the Chair of the Group, who is also the Equality and Diversity Champion. The Group consists of senior managers from a variety of business areas such as Policy, Business Planning, Finance, Regional Legal Staff and Corporate Services, in addition to volunteer staff members.

(b) Quantitative

At present PPS hold no monitoring information in its own right. This is for a number of complex reasons, however the service is a member of the Equity and Diversity Monitoring Subgroup of the Criminal Justice Board which is tasked with considering the issue of how section 75 monitoring can be improved across the criminal justice system.

6. As a result of monitoring progress against actions, has your organisation either:
- made any **revisions** to your plan during the reporting period or
 - taken any **additional steps** to meet the disability duties which were **not outlined in your original** disability action plan / any other changes.

Please delete: No

If yes please outline below:

	Revised/Additional Action Measures	Performance Indicator	Timescale
1			
2			
3			
4			
5			

7. Do you intend to make any further **revisions to your plan** in light of your organisations annual review of the plan? If so, please outline proposed changes?

This report details the progress on the first year of our Disability Action Plan, which also covers the 2010-2011 year. A second plan will be in place from April 2011. Lessons have been learnt from this, our first, plan and it is the intention to focus on a smaller number of significant and achievable actions in the new plan. This new plan will be developed in consultation with both staff and external stakeholders, and work on its preparation will commence in September 2010.