

EQUALITY COMMISSION FOR NORTHERN IRELAND

Public Authority 2010 – 2011 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 2010 to 31 March 2011**. This template also includes a number of questions regarding implementation of Section 49A of the DDO from the **1 April 2010 to 31 March 2011**. 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 2011**.

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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Please indicate whether you would prefer to receive correspondence from the Commission by:

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Electronically ✓

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), was established in 2005 by the Justice (Northern Ireland) Act 2002 and designated as a public authority for the purposes of S75 compliance in 2006. Since that time, the Service has changed from a centrally based organisation to a regionally based operation in line with the recommendations of the Criminal Justice Review, with the sixth and final regional office at Newry opening in June 2010.

The other regional offices are established in Londonderry, known as Foyle Chambers, Belfast (which also serves as the headquarters of the PPS), Ballymena, Lisburn and Omagh. The provision of regional offices has allowed the Service to better assess and address local issues through increased accessibility to local community and voluntary organisations. Each of these offices has a dedicated Community Liaison Team which provides information to victims and witnesses regarding the progress of their case, arranges their attendance at court and can direct people to appropriate support throughout what can be a stressful process.

Following the devolution of policing and justice matters in April 2010, the PPS was established as a non-ministerial government department. In accordance with Section 42(1) of the Justice (Northern Ireland) Act 2002 the functions of the Director are exercised by him independently of any other person.

Section 75 of the Northern Ireland Act 1998 (the Act) 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. It must 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.

Media and Communications

The PPS External Communication Strategy published in early 2011 seeks 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 continued to see an increase in the issue of press statements and briefings alongside press and television interviews. These have focused on high profile cases or issues of wider public interest, for example, issues surrounding avoidable delay and the new arrangements following devolution of policing and justice.

Review of Community Liaison Teams

Improving services and support to victims and witnesses is vital in building effective relationships between the community and the Criminal Justice System. The PPS Business Improvement Team conducted a review of the regionally based Community Liaison Teams (CLTs) during the year with the objective of providing senior management with advice on how to ensure consistently good service provision across all the regional offices. CLT staff are often the 'public face' of the PPS and first point of contact for most victims and witnesses needing to engage with the Service. Their role is to keep victims and witnesses informed as their case progresses and to provide information and guidance on the support services available. Many of the Section 75 groups have a high representation amongst victims and witnesses, for example, where Hate Crime, Road Traffic Offences, Rape or

Domestic Violence may be involved. The Team looked at the grading of the CLT posts and determined the optimum number of staff required to provide victims and witnesses with an excellent service. One of the recommendations from the review was that a 'caseworker' role should be adopted for every case. A single member of staff would be responsible for handling all processing activity and all enquiries associated with that case, thereby ensuring continuity of service provision for the victim and witnesses involved. A response to this review is planned for early 2012. The feasibility of extension of the CLT function to the Crown Court will also be considered in the year ahead.

PPS Victim Care Working Group

A new working group was established in year to review all aspects of services to victims and witnesses, which will inform a revision of the current Victims and Witnesses policy. The group will undertake a review of correspondence issued to victims, witnesses and young defendants, general information leaflet provision and also consider service provision for those with particular communication needs during the 2011-12 reporting year.

Electronic Witness Referral Scheme

This scheme, currently not available in all courts, ensures that details of young witnesses are sent by the PPS to the NSPCC in advance of their attendance at court, allowing the NSPCC to offer assistance to young people, who may find the experience particularly stressful. More than 400 referrals were made during this reporting period. An evaluation of the above scheme, which commenced in January 2010, was carried out in this reporting year, the results of which will inform the further roll-out of the

scheme. An equivalent scheme exists for adults in association with Victim Support, with more than 11,000 referrals in the year.

Revised Arrangements for the 'Giving of Reasons'

In 2009 the Service revised 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 late 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 meeting or a telephone discussion where they feel this would be beneficial to victims or families.

The operation of these arrangements was evaluated by the PPS Quality Assurance Team during the period of this report. This evaluation highlighted a number of issues and recommended that the guidance for staff be revised. Many of these issues are being addressed through the concurrent correspondence review and policy in this area will be further considered during 2011-12.

- **What are the main initiatives planned in the coming year to ensure the authority improves outcomes in terms of equality of**

Victims and Witness Taskforce

The PPS is a member of the inter-agency Victim and Witness Taskforce established under the authority of the Criminal Justice Board, and is fully signed up to its 5 year strategy on services for victims and witnesses. Various subgroups are established to take forward initiatives of the Taskforce and to undertake an analysis of the cross-cutting training requirements of staff in the criminal justice sector who engage with victims and witnesses. The Taskforce will continue to implement its action plan throughout 2011-12.

Review of Court Witness Expenses

The PPS pays expenses, up to fixed limits, incurred by witnesses arising out of their attendance at court on behalf of the prosecution. A review of the current arrangements for compensation will be commenced in 2011-12. It is recognised that some groups, for example people with certain types of disability, may require more support than other witnesses in order to be able to attend court. Issues such as this will be explored as part of the review.

Implementation of the External Communication Strategy

The Acting 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. The 2011-12 year will take forward the implementation of this strategy and build on the work already underway to improve communications. A better understanding of the role of the PPS and how the Service is striving to provide a first class

prosecution service for all the people of Northern Ireland will be promoted through engagement with the media and a wide range of community outreach events with the aim of increasing public confidence. These initiatives will support the work of a new Community Outreach Strategy which will build upon the PPS's current level of engagement with all sections of the community, and which will be published by April 2013.

Launch of the '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 focussing on 'hate crime' will be officially launched in June 2011 with representatives from the affected Section 75 groups invited to attend the event. This important policy 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 2011-12, the new processes will continue to be implemented and specific guidance will be provided for approximately 170 legal staff to raise awareness of such cases. The policy is intended to send out a clear message to the community that hate crimes are not acceptable. The PPS hopes that outcomes will include increased public confidence and reassurance for victims of hate crime that they will be treated with courtesy and sensitivity if they report such crimes.

Policy for Prosecuting Cases of Rape

The PPS published a new policy in December 2010 which although specific to rape, the practices and procedures set out will be applied to all other types of sexual offences. This policy will be officially launched in June 2011 at a separate event to which key stakeholders from external organisations will be invited. The document recognises the barriers that exist which make some sections of the community less likely to report offences. For example, people from Black and Minority Ethnic communities, or Travellers, may have experienced racism or prejudice and fear they may not be believed or that they will not receive proper treatment from the criminal justice sector. Cultural and religious beliefs play a part in preventing others from reporting offences. Victims in cases that involve rape within same sex relationships may fear homophobic reactions, or that they will be 'outed' by the process. Disabled people may fear reporting rape where the offender is a carer, and those with learning difficulties or mental health issues may feel they will not be believed. Older people may feel severe shame or embarrassment and this will also deter them from reporting. The policy also explores the myths and stereotypes surrounding the offence of rape and clearly sets out that these must not influence the decisions made by prosecutors.

Both of the above draft policies were widely consulted upon and meetings also took place with a range of organisations representing specifically affected Section 75 groups, for example Rainbow, Disability Action and Northern Ireland Council for Ethnic Minorities (NICEM). This input was welcomed by policy section staff and views put forward helped to shape the final policy documents. Moving forward into 2011-12, these new policies will raise public awareness and ensure consistency of approach by prosecutors working on cases involving hate crime and sexual offences.

Publication of these documents at this time also strongly reinforces to the community the commitment of the PPS to dealing with these serious crimes appropriately.

The PPS is also represented on the Regional Strategy Group on Tackling Sexual Violence and Abuse and its related Protection and Justice Sub Group, which aims to build confidence in the criminal justice system through an appropriate, professional and sensitive approach to reported crime.

A policy on Dealing with Cases involving Youth Offenders will be issued for consultation by 31 March 2012.

Combating Avoidable Delay

The PPS is working in partnership with PSNI, Northern Ireland Courts and Tribunals Service and others to deliver speedier justice. Four projects have been initiated, one of which will consider avoidable delay in youth cases. A pilot immediate youth conferencing scheme is being taken forward in conjunction with the Youth Justice Agency and will be in place by the end of 2011. A joint action plan has been agreed to take forward the recommendations of the Criminal Justice Inspection following its review in June 2010.

Quality Assurance Team

This team has been established to carry out quality checks and thematic reviews across the full range of prosecutorial activity in order to support the PPS's aim to provide an effective and efficient service to all. The team will set out its work programme at the start of each financial year and this will

be reviewed by PPS senior management on a regular basis. The priorities for the work of the Quality Assurance Team will have regard to the inspections that are carried out by the Criminal Justice Inspectorate for Northern Ireland (CJINI) and will also review compliance with recommendations set out for PPS in the CJINI reports. The Team will also consider areas identified internally both as a result of previous reviews and during the normal course of business.

Planned Policy Development

PPS policy staff are actively engaged in policy and legislation development across the criminal justice sector in relation to mental health issues in respect of victims, witnesses and offenders. The PPS also engages closely with the Youth Justice Agency to try to address issues specific to young offenders.

Complaints

Complaints about the service delivered by the PPS (ie non-prosecutorial complaints) are monitored centrally and are used to identify areas for improvement in service delivery. The Independent Assessor of Complaints, Mr Alasdair MacLaughlin, produces a yearly report which details the complaints received in the previous calendar year. In the 6th Annual Report published in March 2011 a total of 60 complaints were received during 2010. Of these, 53 have been concluded, of which 21 were upheld and 5 partially upheld. All the Assessor's reports are available on the PPS website at www.ppsni.gov.uk The PPS continues to be an organisation with a low incidence of complaints, having a caseload in 2010-11 of 58,821 cases. There is currently no Section 75 monitoring carried out

due to the small numbers involved, however this is currently under review (see below).

Review of PPS Complaints Handling Arrangements

The Independent Assessor's report also makes recommendations on how procedures could be improved, and following last year's recommendation, a review of arrangements for complaints handling was carried out in order to identify any shortcomings and a report issued to senior management in January 2011. A total of 19 recommendations for change were made in this report. The key recommendations included:-

- A stronger role for local PPS Business Managers as 'Complaint Officers';
- A move away from the centrally based recording system to a locally based mechanism;
- Staff workshops should be conducted for key personnel at a local level and used to raise awareness of the importance of complaints monitoring to the Service.

The recommendations are currently under consideration by Senior Management and it is intended that revised arrangements will be implemented by the end of March 2012.

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

Revised Equality Scheme and Action Plan

The PPS will publish a revised Equality Scheme for submission to the Equality Commission by 1 November 2011. An Action Plan for the period to 31 March 2014, in line with the PPS corporate planning cycle, will be produced in association with the new Equality Scheme. This Action Plan will be based on an audit of key inequalities, as identified by the Service, in relation to the Section 75 groups where outcomes can be achieved over this period.

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 and reference the title of the relevant EQIA in the space provided below:

	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"> • Input from affected groups through consultation resulted in changes to the published Hate Crime policy 	
Persons of different political opinion		
Persons of different racial groups	<ul style="list-style-type: none"> • Consistent interpreter and translation provision including sign language and telephone interpretation has improved services for people whose first language is not English. • Input from affected groups through consultation resulted in changes to the published Hate Crime policy 	
Persons of different age	<ul style="list-style-type: none"> • Publication of the PPS policy on Assisted Suicide clarified the public interest factors that will be taken into account for and against making a decision to prosecute or not 	
Persons with different marital status		
Persons of different sexual orientation	<ul style="list-style-type: none"> • Input from affected groups through consultation resulted in changes to the published Hate Crime policy 	
Men and women generally	<ul style="list-style-type: none"> • Changes were made to the Rape policy as a result of consultation with affected groups. 	
Persons with and without a disability	<ul style="list-style-type: none"> • Input from affected groups through consultation resulted in changes to the published Hate Crime policy • Consistent arrangements for sign language and translation provision have improved services to people with certain disabilities. • Publication of the PPS policy on Assisted Suicide clarified the public interest factors that will be taken into account for and against making a decision to prosecute or not 	
Persons with and without dependants	<ul style="list-style-type: none"> • Inter-agency work on 'reducing avoidable delay' in bringing cases to court particularly impacts 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 2010-11**

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

The PPS External Communication Strategy was issued for consultation in December 2010. The final publication can be downloaded from the PPS website at www.ppsni.gov.uk – see the ‘Information Documents’ sub-section within the ‘Publications’ area.

Throughout this reporting year, considerable effort has been made across the Service to increase the opportunities for engagement with individual members of the public, and also with representative groups across the spectrum. Further detail is provided in Section 9 of this report. A commitment has been given in the next Corporate Plan to develop a comprehensive new Community Outreach Strategy by 30 April 2013 to cover the period to March 2016.

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

The PPS is committed to working with partners to tackle issues that cut across the criminal justice organisations, particularly regarding the service provided to victims and witnesses throughout the process of their contact

with the criminal justice system. During this reporting year, the PPS has continued to contribute to the training of police officers. The Service contributes to the work of the Criminal Justice Board and senior policy staff are members of a range of sub-groups, including the Victims and Witnesses Task Force, the Hate Crime Sub-group, Public Information Working Group, Youth Justice Forum and Steering Groups on Domestic Violence and Sexual Offences.

The existence of the 'avoidable delay' that can occur in some instances as cases are progressed through the criminal justice system, and the effect this can have on all parties involved with the case, including on their family life, is recognised. Tackling such avoidable delay in case progression, particularly at the interface between the PSNI and the PPS, is a priority for both organisations. A detailed action plan was produced during the year by the PPS, PSNI and other partner agencies to address this issue, which will be taken forward within the objective 'to work with partners to improve our service delivery and reduce avoidable delay' set out in the new Corporate Plan.

The new Corporate Plan for the period 2011-2014, incorporating the Annual Business Plan for 2011-12 was published in June 2011. This sets out the 4 strategic priorities of the Service. These are:

- Delivering an efficient and effective prosecution service;
- Building the confidence and trust of the community we serve;
- Strengthening our capability to deliver; and
- Building the capability of our people.

Equality and good relations objectives, key initiatives, milestones and expected outcomes are built into both the Annual Business Plan and the overall 3 year Corporate Plan within these strategic priorities.

Satisfaction Survey

PPS sought the views of respondents to the Department of Justice 'NI Victim and Witness Survey 2010-11' on their level of satisfaction with the information and services provided by the Service. Overall 69.3% were satisfied. See Section 6 for further information.

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 <u>F</u> or <u>R</u></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.
Acceptance and Provision of Gifts and Hospitality	<u>R</u> – with consultees invited to request a copy of any of the full reports	N	N
Fraud Prevention Policy and Response Plan	<u>R</u> – with consultees invited to request a copy of any of the full reports	N	N
Use of External Consultants	<u>R</u> – with consultees invited to request a copy of any of the full reports	N	N
Courier Service Policy	<u>R</u> – with consultees invited to request a copy of any of the full reports	N	N

Section 3: Equality Impact Assessment (EQIA)

- **Please provide an update of policies subject to EQIA during 2010-11, stage 7 EQIA monitoring activities and an indicative EQIA timetable for 2011-12**

EQIA Timetable – April 2010 - March 2011

Title of Policy EQIA	EQIA Stage at 31 March 11 (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 2, moving to Step 3 (see below)	Initial Screening of existing policies raised concerns on possible adverse impact within current access to information arrangements on several s75 groups – race, age, people with disabilities/learning difficulties
Recruitment and Use of Panel Counsel	Step 4, moving to Step 5 – consultation will issue in May 2011	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 2010-11 (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 remained behind schedule as it was anticipated in last year’s report that it would reach Step 6 by April 2011. This EQIA was initially re-prioritised to allow the Service to focus on the work necessary to complete what is now entitled the ‘Recruitment and Use of Panel Counsel’ EQIA and which issues for consultation in May. The devolution of justice and policing to the Northern Ireland Assembly in April 2010 changed the status of the PPS to that of a non-ministerial department, with many functions previously undertaken by the Northern Ireland Office transferred to the PPS. This resulted in extensive and ongoing internal

restructuring of senior staff and associated areas of responsibility however work on this EQIA commenced in mid 2010.

The subsequent publication of the Equality Commission’s revised guidance on Section 75 around this time required the PPS to publish a revised Equality Scheme with an associated action plan by 1 November 2011, following an audit to identify key inequalities. After full consideration of the new guidance it was agreed that, as work already undertaken in connection with this EQIA and other evidence indicated that communication and liaison with victims and witnesses was potentially a key area of inequality for the PPS, the Equality Scheme action plan should be developed to take forward action in this area over the next corporate planning cycle. To make best use of resources, the information gathered to date in connection with the production of the proposed EQIA will instead be used to inform the audit of key inequalities and produce an action plan which will work to identify and address the communication needs of specific Section 75 groups. The draft action plan will be issued for consultation when completed.

Ongoing EQIA Monitoring Activities April 2010- March 2011

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 APPLICABLE		

- Please outline any proposals, arising from the authority’s monitoring for adverse impacts, for revision of the policy to achieve better outcomes for the relevant equality groups:

2011-12 EQIA Time-table

Title of EQIAs due to be commenced during April 2011 – March 2012	Existing or New policy?	Please indicate expected timescale of Decision Making stage i.e. Stage 6
NONE CURRENTLY SCHEDULED		

Section 4: Training

- **Please outline training provision during the year associated with the Section 75 Duties/Equality Scheme requirements including**

Equality and Diversity training for all staff

Equality and Diversity training remained a key area with the Service's priorities for training during the year 2010-11. PPS staff are civil servants, recruited through the Northern Ireland Civil Service (NICS) process. The Centre for Applied Learning (CAL) is contracted to provide a range of generic training courses to the whole of the NICS. At the end of this reporting period, 94% of current staff had completed Equality and Diversity training. CAL introduced an e-learning training package in March 2011 to enable staff to undertake mandatory 'refresher' training on equality and diversity at 3 yearly intervals, with classroom training remaining in place for new entrants to PPS. By March 2012, it is anticipated that approximately 390 of our staff will have undertaken refresher training. Feedback on this course remains generally positive with many staff feeling that the sessions provide a timely reminder to staff on the need for ensuring a harmonious workplace is provided for all of our employees.

Corporate Induction Programme

New members of PPS staff, whether recruited externally or transferring from another NICS department, undergo the Corporate Induction Programme. On their first day of service, staff are provided with background information on the Section 75 and the Section 49A DDO legislation. They are made aware of the PPS's obligations under both, and informed of the PPS Disability Action Plan and Equality Scheme and where they can find these. A full two day Induction Programme is delivered when sufficient numbers of staff are recruited. During 2010-11 a total of 23 members of staff completed the full Induction Programme.

Specific Screening/EQIA Training and Guidance

During the course of this reporting year, specific staff from Policy and Information Section were provided with training sessions to provide guidance on aspects of the Service's Section 75 implementation. These sessions were facilitated by an independent external consultant with many years' experience in working with Section 75 legislation. The sessions provided sufficient focus to enable the progression of the two EQIAs noted earlier in this report. In addition, an awareness session was provided to the Senior Management Team and the Head of Policy and Information Section on the implications of the Section 75 revised guidance of 2010 for the Service. Feedback from senior management and staff involved in these awareness sessions was very positive and it was felt to have made a significant contribution to their overall understanding of the Section 75 legislation and its obligations.

Opportunities are taken throughout the year to raise awareness of the Service's Section 75 implementation where these present. All Section 75 reports and guidance are made available to all staff on a designated Equality section of the intranet. The new draft Disability Action Plan (the previous plan covered the period to 31 March 11) was also publicised via the intranet and staff were encouraged to respond to the consultation. Use was also made of the Business Managers' Forum to highlight the statutory duties with a wide number of staff during the year. A Staff Communication Forum has recently been re-established, which includes staff representation from both legal and administrative grades and from across the regions, and this will provide a further opportunity to raise awareness of equality issues with staff in the future.

Senior Management within the PPS present regional Roadshows on a regular basis throughout the year 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, and were used to further publicise the draft Disability Action Plan towards the end of the reporting period. The Roadshows will continue to be a valuable method of communicating with a large number of staff and will be utilised in 2011 to raise staff awareness of the new Equality Scheme and Action Plan, and of a proposed diversity strategy for the PPS.

Mindwise/MENCAP Awareness Training

The PPS Community Liaison Teams are often the first point of contact (generally telephone contact) for victims and witnesses who have to engage with the criminal justice system. Awareness training was provided for 27 staff, including 15 from the Community Liaison Teams across the Regions, in two joint, full day sessions run by Mindwise and MENCAP during March 2011. The aim of the sessions was to provide staff with some insight into the situations experienced by people with mental health issues or learning disabilities. Feedback from participants on this course was excellent and further evaluation will be carried out in order to assess its success in raising awareness of the staff involved. Mindwise also provided a training session to the PPS policy team which was positively received.

In addition, legal staff provide training seminars to PSNI recruits, for example, to give guidance as to the quality and format of evidence required by the PPS from those officers carrying out child sex abuse investigations.

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 focuses 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 current and past 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 area' has also been set up on the website which is used to publicise policy consultations as they issue. Updates to section 75 consultees providing information on all policy screening decisions, forthcoming EQIAs and consultations are issued regularly, with full screening documents being made available on request. Several requests were received during the course of the year. This information will continue to be issued on a regular basis in line with Equality Commission's new section 75 guidance. A review of the Section 75 Consultation List was undertaken at the end of 2010. Information held was updated where possible with electronic contact details, and several organisations were added to the list during the course of the year at their request.

The staff intranet site also has a dedicated equality section. This makes available our Annual Progress Report, Disability Action Plan, Equality Scheme, Section 75 Consultation List. For staff in policy areas who are involved in screening or equality impact assessment, the site provides other useful information on Section 75 implementation, together with links to other organisations' websites, for example the Equality Commission, Participation Network, and to specific equality publications and good practice guidance. There is also a dedicated area on the staff website for diversity issues. Staff are encouraged to provide ideas for inclusion on the site.

Staff continue to be updated on progress or developments within the PPS to fulfil the Section 75 obligations and the Disability Discrimination Order 2006 duties through the regional Roadshows as necessary. Other internal communication forums, for example the Business Managers Forum, Community Liaison Team Forum and Staff Communication Forum are used to communicate with, and seek the views of, staff where issues have a more localised focus. An organisation-wide 'Core Brief' will commence in early 2011-12 to communicate key business developments and topical issues of interest to all staff, and will also be used to keep staff updated on equality progress.

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, including the needs and experiences of people with multiple identities.**

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 2010/11 included the following:

NI Omnibus Survey

In February 2011, 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 seven questions were included in the survey, for example, to gauge public awareness of the PPS and its role and to examine public perceptions of the Service's independence, fairness and impartiality.

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 PPS

strategy and planning for community outreach. The survey will be repeated in early 2012.

PPS Victim and Witness Survey

As part of the Department of Justice's NI Victim and Witness Survey 2010-11 (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 an internal review team which has been set up to examine victim and witness services provided the PPS.

The information available through the survey includes a range of Section 75 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 fourth 'Your Views' survey was conducted in February / March 2011 and included a range of Section 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 NICS practice.

The 2010/11 survey also included sections focusing on staff perceptions of equality of opportunity within the PPS, disability (e.g. provision of reasonable adjustments where appropriate) and diversity.

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

Policy on ‘Hate Crime’

The Service intends to publish details of the number of cases during 2010/11 which were 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 will 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 for all Northern Ireland civil servants) is included in returns made

by the Department of Finance and Personnel (DFP) to the Equality Commission for the NICS as one whole employer.

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 with the piloting of a recording mechanism, 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 are reliant on other agencies within the CJSNI for supply of this data and for ensuring that it is accurate.

PPS policy team staff have developed a wide network of informal contacts through their membership of, and engagement with, a large number of

interagency groups and through other meetings with external voluntary and community organisations. These contacts provide qualitative data to the PPS team which is used to inform policy development on an ongoing basis and is shared with other criminal justice partners where appropriate.

- **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

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

- **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.**

Correspondence and Information Leaflets

A key focus in the NI Victim and Witness Survey 2009-10 was about clarity of correspondence issued by the PPS.

An audit and review of existing correspondence issued to victims has been carried out in the latter part of the reporting year, with the aim of simplifying the language used where possible. This review has been undertaken in conjunction with other ongoing work which has the objective of removing barriers to communication with some groups, for example young people, people who cannot speak English and people with learning disabilities.

The next step in the process will be to complete a review of the Service's information leaflet provision during 2011.

Review of Letters to Victims and Witnesses

Work began towards the end of the reporting period on a systematic review of the format and content of 55 letters and forms that PPS issues to victims and witnesses. The purpose of this review was to produce, where this is possible within the legal context, correspondence in an easily read format, using plainer language and in an empathetic style that is more appropriate. Special focus has been given to reaching young offenders. In doing so, the views of legal and administrative staff and victims' representatives were sought and taken into account. Once completed and new draft letters are available, there will be a consultation process with the key stakeholders. It is hoped the work will be completed in the autumn. Further work will be undertaken in relation to the development of new letters, and revision of information leaflets issued by the PPS during the year ahead.

Expansion of Interpreting Services

Interpretation services provided to the PPS during the 2010-11 financial year indicate that the 5 languages most requested for the year were, in order, Polish, Lithuanian, Slovak, Portuguese and Russian. A new interpretation contract was signed in early 2011 in a joint arrangement with other criminal justice partners to provide face-to-face interpretation and telephone interpretation services. Arrangements for written word translation and transcription services are now also in place. In addition, Action on Hearing Loss (formerly RNID) is contracted to provide sign language interpreters where witnesses have been called by the PPS.

Communication Strategy

The External Communication Strategy was published in early 2011. Implementation of the strategy in the year ahead will proactively address the service's external communications, including the dissemination of information to the public and the media.

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.**

The PPS is currently working with other criminal justice organisations through a subgroup of the Criminal Justice Board, with input from the voluntary and community sector, to produce best practice guidance on consultation. The guidance when published will lead to change in consultation practices across the sector, with increased focus on a more targeted approach to consultation.

PPS has further developed and prioritised its community outreach programme during the reporting period. Under the community outreach initiative, senior staff across the regions undertake a series of events throughout the year in order to provide a clearer understanding of the role of the PPS via engagement with the voluntary and community sectors, schools, health professionals and the wider 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, for example groups working with victims of sexual or domestic violence. Senior legal staff visited Methodist College to engage in discussion with 6th Form pupils about the work of the PPS. Western Region staff met with members of representative groups, including a group concerned with issues affecting Travellers, at an event organised by the Human Rights Commission. Staff across the PPS at both regional and policy development level have excellent links with Women's Aid, with

the Service being represented at many of their events during the reporting year. Presentations were made to local District Policing Partnerships, Domestic Violence Partnerships and to other organisations within the community/voluntary sector.

Senior Policy Section staff also continued to take an active role in community engagement throughout the year. They also participate in a wide range of other interagency groups, many of which cut across the criminal justice organisations and also include voluntary sector representation, for example NIACRO, Barnardos, Victim Support. Policy Section staff represent the Service 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.

Policy and other senior staff have attended a number of conferences and events arranged by voluntary and community sector organisations during the year where issues impact on the service provided by the PPS. These include events about disability and mental health issues in relation to the criminal justice system, hate crime and racism. One event of this nature was the 'Challenge Hate Crime Project' lead by Rainbow.

The Service continues to work closely with the Youth Justice Agency to address issues that affect young offenders.

Where appropriate, senior staff will meet with members of the public to address issues of particular concern. An example would be where someone seeks an explanation for a decision taken in a particular case.

From September 2010 all community outreach activity has been centrally recorded. In the period up to March 2011 alone, there were 160 outreach events, involving 50 PPS staff with a staff time commitment of 665 hours.

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 Acting 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 main function of the local Community Liaison Teams is to provide information to victims and witnesses on the progress of their case.

The provision of a regionally based service has provided new opportunities for Regional Prosecutors and their senior legal staff to increase direct engagement with community and voluntary groups and local criminal justice partners. The ongoing PPS Community Outreach programme and the development of a new strategy to 2016 will set out the Service's commitment to strengthen and widen its engagement with all sections of the community. Through the outreach programme, the Service works to increase confidence across the whole community in the PPS as an organisation which provides an independent, fair and effective prosecution service to every section of society.

To this end, 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. To this end, 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 procedures set out in the

new Hate Crime policy will ensure consistency of approach in prosecuting hate crime and particularly in making the Court aware of its enhanced sentencing powers in relation to offences aggravated by hostility. Effective implementation and monitoring of this policy should improve the confidence of the affected Section 75 groups and should therefore increase the reporting levels of such incidents. In particular those individuals who become 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: New/Revised Equality Schemes

- **If the Commission has notified you of its intention to request a new/revised scheme or formally requested a new/revised scheme and associated action plan, please outline below what progress has been made in this reporting period.**

The PPS, in line with other criminal justice organisations, must provide the Equality Commission with a revised Equality Scheme by 1 November 2011. Work commenced at the end of this reporting year, following attendance at awareness raising sessions on Action Plans provided by the Commission and discussions with other organisations within the criminal justice sector.

Section 12: Additional Comments

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

Annual Report 1 April 2010 / 31 March 2011
'Disability Duties' Questions

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

13

Fully
Achieved

1

Partially
Achieved

2

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	The PPS does not have any responsibility for public appointments.		
Regional ⁵	PPS is a member of the criminal justice Interagency Hate Crime Subgroup which also includes representatives from Victims groups	Twice yearly meetings held to progress A cohesive approach to tackling hate crime and ensuring it is identified and dealt with appropriately is developing through ongoing cross-sector co-operation a cohesive approach from the criminal justice system to tackling hate crime across the region	Ensuring hate crime, which specifies people with disabilities as one of the groups most affected, is identified as such by the criminal justice system from start to finish and dealt with appropriately will support those who become victims of this offence
Local ⁶			

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

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

⁶ **Local** : Situations where people can influence policy decision making at lower impact level e.g. one off consultations, local fora.

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

	Training Action Measures	Outputs	Outcome / Impact
1	Textphone training was provided to staff in the regional Community Liaison Teams and Headquarters branches to ensure a sufficient number of staff can operate these	15 staff undertook this half day training and were able to train other staff in each office	Textphones are now operational in each of the PPS regional offices, Human Resources Branch and Central Management Unit and numbers are published on information leaflets, letters and main publications
2	Raise awareness of loop system provision in regional and HQ offices	Premises Officers in each building were instructed to ensure they were familiar with the location of these and to further raise awareness with staff on their use	Premises Officers can advise all staff in their building on use of the loop systems installed should a visitor to the office have a hearing disability
3	Awareness of the PPS 'disability duties' and its Disability Action Plan forms part of the PPS Induction programme	23 staff received the full PPS Induction Programme in year	New staff in PPS are made aware of, and gain a better understand of, their responsibilities to both other staff and service users with disabilities right at the start of their employment
4	Diversity Training which includes a session on working with disabled colleagues is provided to all staff	Ongoing half day programme with 94% of staff in post at 31/3/11 trained and the remainder scheduled to complete by end of June 2011. An e-learning package was introduced in March 2011 which will provide 'refresher' training to staff in PPS every 3 years	All staff are kept fully aware of their responsibilities towards disabled staff and of the impact their own contribution can make in maintaining an inclusive and welcoming workplace for all
5	Awareness Training on Mental Health/Learning Disabilities	2 full day sessions were provided by Mindwise/MENCAP to staff working in the Community Liaison Teams to improve their understanding of these type of disabilities	Feedback from these sessions was very good. Staff reported much greater awareness which should help them engage more appropriately with people they come into contact with

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	Provision of a textphone service for people with hearing disabilities	Sufficient numbers of staff across the PPS can operate the textphones where these are provided	A Textphone service is available for anyone wishing to contact PPS by this method and numbers are widely circulated on publications, letters and main information leaflets
2	Use of internal staff briefing mechanisms to promote awareness of the Disability Action Plan and the disability duties	Views of staff were sought on the new Disability Action Plan from 2011 via internal communication forums, roadshows and the intranet	Staff awareness of all equality and disability statutory obligations and of work being taken forward in these areas is maintained through the utilization of formal meeting forums on an ongoing basis. An organisational Core Brief has been introduced which will provide further regular opportunities to raise staff awareness
3	Promotion of positive attitudes	The Equality Commission's Statutory Duty Team met with Senior Management Team in May 2010 to provide guidance and advice on fulfilling obligations under the disability duties.	Senior Management Team's awareness of the responsibilities placed on the PPS through the legislation was significantly raised
4	Equality and Diversity Steering Group membership	Members recommended that an action measure within the new draft Disability Action Plan for late 2011 will be to review the membership of this internal group and to seek applications from staff with disabilities who may wish to become volunteer members for a two year period	An opportunity will be provided for interested staff to contribute to the ongoing work and discussions of this group and raise awareness of issues particularly affecting people with disabilities
5	Staff Survey 2010	Survey was completed in February 2011 to include staff perceptions of equality of opportunity for staff with disabilities	An internal Staff Survey Working Group has been established following publication of the survey report to look at the issues highlighted by staff and work to resolve these. There were however no specific issues regarding disability raised by PPS staff through the staff survey of 2010

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 that contractors will comply with the terms of the Disability Discrimination (NI) Order 2006	Appointed contractors must agree to observe the requirements placed on the PPS has under this legislation and Section 75 legislation

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	A new draft Disability Action Plan was issued for consultation in March 2010.	The new plan contains the actions that the PPS will take up to March 2014 to promote positive attitudes towards people with disabilities	Progress and outcomes will be monitored by the Equality and Diversity Steering Group throughout the life of the plan
2	Disabled Person’s Car Parking Provision	Current allocation of spaces for both staff and visitors across the regional offices and headquarters branches reviewed to ensure provision was adequate to meet needs	Regular yearly review of provision will aim to meet the needs of current staff and visitors to the buildings where possible. Alteration work was carried out in year to adjust the space available at Belfast Chambers

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

	Action Measures partly achieved	Milestones ⁷ / Outputs	Outcomes/Impacts	Reasons not fully achieved
1	Access to PPS buildings	Review Belfast Chambers for full compliance with Disability Discrimination (Providers of Services, Adjustments of Premises) Regulations NI 2003	Some aspects regarding full accessibility remained at Belfast Chambers following its completion. Much of the work required as a result of the review has been carried out by 31 March 2011.	Ongoing delays with extensive work programme has resulted in some slippage of timetable, now nearing completion. It is now anticipated that the work programme will be completed by 31 August 2011

4. Please outline what action measures have not been achieved and the reasons why?

	Action Measures not met	Reasons
1	Training of legal staff on PPS Hate Crime policy	The publication of the PPS Hate Crime policy was delayed and it was officially launched in June 2011. It remains the intention that staff training on the policy will be carried out within the next 12 months
2	Evaluation of the PPS Hate Crime Policy	As above. The evaluation of this policy will be scheduled at a later date due to the delay in its implementation

⁷ **Milestones** – Please outline what part progress has been made towards the particular measures; even if full output or outcomes/ impact have not been achieved.

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

Progress with the implementation of the Disability Action Plan is overseen by the Equality Officer and the Equality and Diversity Steering Group (EDSG) throughout the life of the plan. The EDSG consists of managers from across a wide range of business areas including policy development, business planning, finance and Human Resources and includes both administrative and legal staff. In addition, volunteer staff with an interest in diversity issues are members. The group is chaired by the Equality Champion, who is a member of the Management Board. Regular reports are made to both the Senior Management Team and the Management Board.

(b) Quantitative

At present PPS holds no monitoring information in its own right for a number of complex reasons, such as the exclusions provided under Section 38 of the Justice Act 2002 and noted in the S75 Executive Summary in this document. The PPS is a member however of the Equity and Diversity Monitoring Subgroup of the Criminal Justice Board, which is working to take forward and improve Section 75 monitoring across the criminal justice sector as a whole to inform policy development in all the organisations with regard to equality issues. Internally, the new Quality Assurance Team through its programme of reviews of PPS policy and practices will seek to identify areas where action could be taken to improve the experiences people have through contact with PPS, including those with disabilities, in order to ensure that they can participate fully in the criminal justice process.

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

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

A new Disability Action Plan has been put in place for 2011 to 2014 which has taken account of the learning gained during the life of the first PPS plan.