

EQUALITY COMMISSION FOR NORTHERN IRELAND
Public Authority 2007 - 2008
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 2007 to 31 March 2008**. This template also includes a number of questions regarding implementation of Section 49A of the DDO from the **1 July 2007 to 31 March 2008**. 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 **30 September 2008**.

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, was designated as a public authority for the purposes of S75 compliance in 2006. A draft Equality Scheme was produced and issued for widespread consultation during 2007. Following further discussions with the Equality Commission and consideration of responses to the consultation, amendments were made to the document. The revised PPS Equality Scheme will be published in late September 2008, therefore the period covered by this report is prior to its publication or implementation. Reporting on progress with implementation of our statutory obligations to year ending 31 March 2008 is therefore limited, and will focus on key policy/service developments during the year that should contribute to better promotion of equality of opportunity and good relations, and the main initiatives planned for the 2008/09 reporting year.

In order to progress work on production and implementation of the Equality Scheme, PPS appointed a dedicated Equality & Diversity Officer in June 2008. An Equality Champion has also been appointed at Assistant Director level to ensure the commitment and support of senior management. A training programme has been agreed that will raise awareness of Section 75 statutory obligations among all staff with management responsibilities in the first instance. To facilitate this process,

an experienced practitioner in the field of Section 75 implementation has been appointed to conduct this training by the end of 2008.

PPS is still a relatively new organisation, with recruitment, structures and processes all having been under continuous development since its inception. Much guidance and support is received from the Northern Ireland Office, and in many areas such as personnel and recruitment, its policies have been adopted in full. Following recommendations of the Criminal Justice Review, PPS has become a regionally based organisation, with a Community Liaison function established in each of the regional offices. This facilitates better access to services and information, and in particular provides improved support for victims and witnesses at a local level. The PPS was represented on the CJSNI Victims and Witnesses Group which produced a 5 year inter-agency strategy in September 2007 for providing improved services and support to these groups.

- **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?**

PPS Management Board commissioned a review of the Community Liaison function in mid 2007. The scope of the review encompassed all aspects of the role, including processes and procedures, the documentation issued to victims and witnesses, and the training available to members of staff. As a result, improved procedures will be introduced by October 2008. A new training programme for all prosecutors and relevant operational staff has

been developed, including detailed briefing on the Victims and Witnesses Policy, and this will be delivered during 2008/09.

PPS is in the process of appointing a Communications Officer who will review all current internal and external communication processes within the organisation. The Communications Officer will make recommendations to the Management Board and a Communication Strategy will be developed for implementation during 2009.

- **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	• nil	
Persons of different political opinion	• nil	
Persons of different racial groups	• nil	
Persons of different age	• nil	
Persons with different marital status	• nil	
Persons of different sexual orientation	• nil	
Men and women generally	• nil	
Persons with and without a disability	• nil	
Persons with and without dependants	• nil	

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 2007-08.**

A key milestone set in the Business Plan for 2007/08 was to produce a draft Equality Scheme and issue it for widespread consultation. This consultation took place in mid 2007. Revisions were made as a result of consultation response and further discussions with the Equality Commission, with the scheme being approved earlier this year. Following publication of the Equality Scheme, implementation of the commitments contained therein will be steered by the Equality Champion at a senior management level. An Equality Steering Group, which will report to the Management Board, has been established and will meet on a quarterly basis. The Equality Officer is a member of the Criminal Justice Equality Network Group which meets regularly and aims to share good practice on equality issues among the Criminal Justice organisations.

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. Key milestones under each of these objectives are set out for 2008/09, and include a commitment to have an equality training plan for staff in place by the end of 2008, along with other initiatives as detailed in the Executive Summary above.

An Independent Assessor of Complaints deals with all complaints about the service delivered by PPS (ie non-prosecutorial complaints) and compiles a formal report on outcomes each year. The Equality Scheme includes information on who to contact within PPS to make a complaint about non-compliance with the scheme.

Equality objectives will be agreed by the Management Board and be integrated into PPS business plans from 2008/09 onwards. Equality objectives will feed into personal performance plans as appropriate throughout the organisation.

Section 2: Screening

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

Pending publication of our Equality Scheme, no Section 75 screening took place in the reporting period. In line with our Action Plan to implement the statutory duties, an initial screening exercise will be undertaken by policymakers within PPS to examine all existing relevant policies and is scheduled for completion by December 2008. This process is being facilitated by the appointment of Dr John Kremer, an experienced practitioner in this area.

Section 3: Equality Impact Assessment (EQIA)

- **Please provide an update of policies subject to EQIA during 2007/08, stage 7 EQIA monitoring activities and an indicative EQIA timetable for 2008-09.**

Pending publication of our Equality Scheme, no EQIAs were undertaken in the reporting period. Following the initial screening exercise outlined above, any policies that should proceed to EQIA will be identified, a timetable proposed, and all screening and EQIA information issued for consultation. Consultation may run to 31 March 2009, therefore no EQIAs will be completed by that date.

2008-09 EQIA Time-table

Title of EQIAs due to be commenced during April 2008 – March 2009	Existing or New policy?	Please indicate expected timescale of Decision Making stage i.e. Stage 6
NONE		

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.**

The training priorities identified for 2007/08 included Equality and Diversity training as a key area.

PPS staff are all NI Civil Servants, seconded to the Northern Ireland Office (NIO). Equality & Diversity training awareness sessions provided by the NIO are now mandatory for all PPS staff, and this programme commenced during the reporting period. At 31 March 2008, 186 staff within PPS (both administrative and legal) had received this training, and the training is continuing to roll out across the whole organisation.

The majority of the legal staff required for the new PPS were recruited during 2006 and 2007. NICEM were contracted throughout that time to provide equality & diversity awareness training for one full day as part of the 6 month induction training undertaken by all new legal staff. All staff who did not receive the NICEM training because they were already in post, or have taken up employment within the PPS more recently, are receiving the NIO training detailed above.

Human Rights awareness was also a training priority during 2007/08. It is a core element in the ongoing induction training for new lawyers recruited to the PPS. The intranet is used to keep staff informed of developments on human rights issues throughout the 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 on the delivery of Section 75 duties will commence following publication of the Equality Scheme at the end of September 2008. A consultation list has been established to include statutory organisations, voluntary and community sector groups, S75 representative organisations and other bodies with a particular interest in the work of the PPS. This will be updated on a regular basis. Copies of the Equality Scheme will be widely distributed, and the document will be placed on the PPS website www.ppsni.gov.uk providing contact details within the organisation. A copy of this first annual progress report will also be placed on the website.

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 Office and the PPS has been kept informed. A pilot data collection scheme has been conducted and as at 31 March 2008, an initial scheme for the collection of data (in charge cases only) had been proposed.

Pending the development of an agreed CJSNI-framework, only limited information re the various S75 categories is made available by police through the 'Causeway' Data Sharing Mechanism and retained by the PPS (primarily age and gender of victims, witnesses and suspects / defendants only). The PPS has limited contact with defendants and whilst it has more contact with witnesses it is reliant on other agencies within the CJSNI for supply of this data and for ensuring that it is accurate.

The preferred PPS approach for the future is that relevant S75 data, such as community background and sexual orientation, should not be recorded directly on the Service's Case Management System. Ideally any analysis

involving the S75 categories (e.g. religion / political affiliation) should be performed by a third party, such as the NI Statistics and Research Agency (using suitably anonymised data), in order to ensure that the integrity of PPS decision-making is maintained.

It should be noted that the PPS Case Management System also includes a 'motivation' field, at suspect / defendant level. This information is 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. This information was published for the first time as part of the Service's 2007/08 Annual Report (Annex C) and included summary data on the decisions reached in such cases.

PPS Staff Composition: Publication of Statistics

Information on the gender and community background of PPS staff is included in returns of the Northern Ireland Office to the Equality Commission *and is generally not disaggregated*. However, from time to time the information has been published, most recently as part of the Criminal Justice Inspection (CJINI) Report 'An Inspection of the Public Prosecution Service for Northern Ireland', published in July 2007. Such figures have been published on two previous occasions, in the Report of the Criminal Justice Review (relating to the then Department of the Director of Public Prosecutions) and also in reports issued by the Justice Oversight Commissioner, Lord Clyde.

The figures provided to the CJINI have since been published as part of the 2007/08 PPS Annual Report and included a percentage breakdown of staff according to both gender and community background¹ (see page 41, PPS Annual Report).

PPS Research

The PPS, as a relatively young organisation, has been developing a limited research strategy, focusing primarily on the development of internal (staff) and external (stakeholder) surveys. The key surveys conducted during 2007/08 included the following:

NI Omnibus Survey

In January 2008, 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 in order to gauge public awareness of the PPS and its role, to examine public perceptions of the Service's fairness and impartiality² and the services provided.

¹ *The figures outlined in the CJINI Report, which reflected the position at 31 March 2007, indicated that more than three-fifths (62.2%) of PPS staff were female. In terms of community background, 48.1% were 'perceived Protestant', 50.0% were 'perceived Roman Catholic' and the remaining 1.9% were 'not determined'.*

² *Three quarters (75%) were very or fairly confident regarding the fairness and impartiality of the Service. This compared with 73% in January 2007;*

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 are being considered by the Management Board and will assist in the ongoing development of the PPS Community Outreach and Communication Strategy and will inform the formulation of PPS policy.

The survey will be repeated on an annual basis.

PPS Victim and Witness Survey

Over the course of the year the Prosecution Service's Victims and Witnesses Survey, which had been carried out in Belfast and the Omagh Office of the Western and Southern Region, was extended to the Lisburn and Ballymena Offices. To date the monitoring data collected has included age, gender and disability, pending development of a CJSNI-wide approach (see above).

The Service has also been involved in the development of a more extensive NI-wide victims and witnesses survey which is being taken forward by the CJSNI Victims and Witnesses Group. This new survey, which will be piloted in late 2008, will include the full range of S75 monitoring data.

PPS Staff Survey

“Your Views”, the first PPS staff attitudes survey, was conducted in March / April 2007. The purpose of the survey was 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 survey is to be repeated in autumn 2008 and will include a new section focusing on the Service’s obligations under Section 75.

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

The Equality Commission’s Section 75 Monitoring Guide is available within PPS. In addition, information will be provided on the Intranet site to enable ease of access to the guidance by staff.

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.**

During this reporting period, PPS has produced two public information leaflets – “The Role of the PPS” and “Making a Complaint about the Public Prosecution Service”. Two further leaflets are currently being produced on “Domestic Violence Policy” and “Services to Victims and Witnesses”. Consideration will be given to publishing further information leaflets on the work of the PPS on an ongoing basis. Leaflets are currently distributed throughout the PPS regional network, and will be placed on the website. Provision of information to our external service users will form part of the review to be undertaken by the Communications Officer when this post is established.

PPS staff have contributed to a wide range of working groups and inter-agency initiatives, including the CJSNI Victims & Witnesses Group. In addition to fully supporting the 5 year Victims and Witnesses Strategy produced in 2007 by this group, the PPS published its own Victims and Witnesses Policy which clearly sets out the level of service these groups can expect from PPS in order to meet their needs, and also provides some information on how prosecution decisions may be reached.

The purpose of the PPS Victims & Witnesses Survey (see Section 6) is to ensure that services offered meet the needs of users and to improve our present arrangements. More than three-quarters (76.5%) of those whom

responded were very or fairly satisfied with the service provided by PPS. Survey results have also been used to inform the Community Liaison Review.

PPS is also an active member of an interagency hate crime sub-group, which is a sub-group of the Community Safety Forum. The group was established to consider the response to the CJI Thematic report on hate crime, and it provides an appropriate mechanism for a more co-ordinated approach to hate crime across the criminal justice system.

In an attempt to raise awareness and provide transparency of the prosecution process that is undertaken by PPS, the 'Code for Prosecutors' was included in its entirety as an annex in the PPS Annual Report for 2007/08.

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 Section 75 related complaints were received within PPS during the reporting period, as the Equality Scheme was not yet published.

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.**

PPS has carried out a number of events during 2007/08 in all 4 PPS regions. This is in line with Community Outreach aims of improving community engagement and meetings with 10 schools took place, which included participation in 'open days' at courthouses. Meetings have also been held with community groups such as Colin Neighbourhood Partnership and Falls Women's Centre. A number of presentations were given to voluntary sector organisations including Victim Support, NSPCC, Women's Aid, Action on Elder Abuse and the Vulnerable Adults Forum.

One of the PPS-specific questions in the NI Omnibus Survey (see Section 6) revealed that the categories of crime of greatest public concern in NI included many that particularly effect people in the Section 75 groups, for instance offences against the elderly, offences against children, sexual offences and Hate Crime. Findings from the survey will assist PPS in the further development of the Community Outreach and Communication Strategy, and inform future policy development.

A PPS stakeholder analysis was carried out in December 2007 to assist in the ongoing development of the Service. One of the strands covered was "Working with Others – are key stakeholders consulted in an appropriate way in respect of PPS objectives, policy and strategy?" Face to face interviews were conducted with all key stakeholders, including

representatives from across the voluntary sector in Northern Ireland. Stakeholders commented on a range of areas, such as provision of services to victims and witnesses, inter-agency communication and co-operation, and the need to develop a more defined public profile. The Management Board has approved an Action Plan to address the main areas of concern.

Two members of staff attended the Introduction to Islam & Muslim Culture Awareness Days held at Belfast Mosque during this period and found these informative.

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 new regional office at Omagh Chambers, which will provide a service to the counties of Fermanagh and Tyrone, was officially opened on 14 December 2007. Guests included public representatives and church and voluntary and community groups from both sides of the community, as well as public representatives and persons from the various criminal justice agencies. At the event the Attorney General, Baroness Scotland's, speech noted the increasing importance of engagement with local communities in the provision of an accountable and transparent prosecution service in which people can have confidence.

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

The Equality Commission's Good Relations Guide is available within PPS. In addition, information will be provided on the Intranet site to enable ease of access to this guidance for staff.

Section 11: Additional Comments

- Please provide any additional information/comments

As stated at the start of this report, the PPS Equality Scheme is due for publication at the end of September 2008. Following the recent appointment of an Equality Officer, PPS will aim to produce a Disability Action Plan in line with requirements under the Disability Discrimination Act 1995 (as amended by Article 5 of the Disability Discrimination (Northern Ireland) Order 2006) within the next six months.

Annual Report July 2007/ March 2008
'Disability Duties' Questions

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



Fully
Achieved



Partially
Achieved



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 ³	Outcomes / Imp
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National ⁵			
Regional ⁶			
Local ⁷			

³ **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.

⁴ **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.

⁵ **National** : Situations where people can influence policy at a high impact level e.g. Public Appointments

⁶ **Regional**: Situations where people can influence policy decision making at a middle impact level

⁷ **Local** : Situations where people can influence policy decision making at lower impact level e.g. one off consultations, local forums.

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

	Training Action Measures	Outputs	Outcome / Impact
1			
2			
3			
4			

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			
2			
3			
4			

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

	Encourage others Action Measures	Outputs	Outcome / Impact
1			
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 / Imp
1			
2			
3			

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

	Action Measures partly achieved	Milestones ⁸ / Outputs	Outcomes/Impacts	Reasons achieved
1				
2				
3				
4				

4. Please outline what **action measures have not** the reasons why?

	Action Measures not met	Reasons
1		
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

⁸ **Milestones** – Please outline what part progress has been made towards the particular measures; even if full output or outcomes/ impact have not been achieved.

(b) Quantitative

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: Yes / No

If yes please outline below:

	Revised/Additional Action Measures	Performance Indicator	Tim
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?
