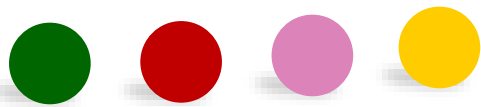


PPS 2030



**A strategic vision for the
future of the Public Prosecution
Service for Northern Ireland**





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50%



decrease in
our estate

15%



reduction in
workforce

Introduction

An independent, fair and effective Public Prosecution Service (PPS) is essential in a modern criminal justice system. We act impartially and in the interests of justice at all times, applying the highest professional standards and treating everyone fairly and with respect.

We are at the heart of the criminal justice system and we work with partners to deliver a modern, innovative and transparent service that shows compassion and understanding towards victims of crime while meeting our obligation to ensure fairness to all.

The PPS has experience of delivering significant change projects. We were a key partner in the roll out of Causeway, an integrated ICT data-sharing hub that shares information between Northern Ireland's criminal justice organisations.

The PPS receives in the region of 45,000 files per annum. We are an entirely demand-led organisation with limited ability to control the number of cases we receive. Nonetheless, in common with other public sector organisations we have had to respond to significant budget pressures. In 2015/16 the PPS implemented an internal transformation programme that reduced our workforce by 15% and our estate by 50%. Since then the overall volume of cases received by the PPS has remained relatively stable. However, the profile of the cases and the work involved in progressing them has changed significantly.

Lower end motoring cases have reduced however, over the same period we have seen a significant rise domestic violence and sexual offences cases. Both these offence types are less likely to result in guilty pleas and generally require more intensive management, including engagement with victims and attention to matters such as consideration of third party material, relating for example to the victim's medical records.

There has been a significant increase in the amount of digital evidence being received from PSNI, including body worn video, CCTV and mobile phone data. Consequently, in a large volume of cases it will take considerably longer for the PPS staff to review material to take prosecution decisions and consider what evidence to serve or disclose.



The other prosecution services across Great Britain and the Republic of Ireland have received additional funding in their baseline to allow them to respond to these issues. In recent years we have relied heavily on in-year funding which constrains our ability to plan respond strategically.

In addition to these challenges, the criminal justice system is collectively seeking to respond to the impact of the Covid-19 pandemic and the unavoidable backlogs that accrued over the past three years. The latest data shows that the number of criminal cases at court (i.e. between first court appearance and disposal) has increased by 67% (from 6,788 in March 2020 to 11,348 in December 2022). We are working closely with partners to ensure backlogs and delays caused by the pandemic are addressed as quickly as resources allow. We recognise that additional delay can impact on victim attrition rates and have a negative impact on public confidence in the criminal justice system.

We commend the hard work and professionalism of all within PPS in responding to all of these challenges. We will continue to make the case for additional resources for the PPS however we also recognise the financial pressures facing all Departments in the current climate and the need to deliver further savings across Northern Ireland.

The purpose of this document is to set out a vision for a more modern, more efficient Public Prosecution Service that will target its resources to those areas of greatest priority and where we can add greatest value.

The vision is built around the following themes –

Effective processes – We will review our current business processes to identify areas for improvement. This will include looking at how cases move through the PPS; looking at issues around file quality and disclosure to facilitate more effective decision making; and ensuring that there is transparency and visibility of cases as they progress.

Proportionate processes – We will work with partners to implement more proportionate ways to deal with cases to allow us to optimise our prosecutorial resources. This will include reviewing the arrangements for “no prosecution” cases and the use of alternatives to prosecution (e.g. Fixed Penalties, Community Resolution Notices, prosecutorial fines etc) to ensure that lower level, less complex cases are dealt with promptly. Implementing more proportionate ways to address lower-level cases will allow us to prioritise our limited resources to more serious and complex prosecutions. We also believe that consid-

67%



Increase in criminal cases at court



PPS 2030

A vision to improve PPS service delivery through:



More **effective** processes



Proportionate decision making



Improving **Digital processes**



Enhanced service to **victims**

eration should be given to increasing the sentencing jurisdiction of Magistrates' Court which would help to address delay in the most serious prosecutions in the Crown Court.

Digital processes – the PPS has already delivered significant digital transformation of its internal and court-facing processes with the development of an electronic case file for prosecutors in Magistrates' Courts and the introduction digital evidence sharing with PSNI. However, the justice system is one that is still constrained by an over-reliance on paper. Embracing digital ways of working will enable the PPS, and the wider criminal justice system, to reimagine how it delivers its services. Integrated digital case management systems can replace inefficient paper processes and improve efficiency throughout the system.

Victim processes – Victims and Witnesses remain a priority for the PPS. The Victim and Witness Care Unit has a key role to play in improving the information and services we provide. We will work with partners to enhance and extend the services we provide to victims with proposals for an enhanced Needs Assessment Service. We will also explore the potential for an end-to-end portal to give victims and witnesses access to real time information about their case.

The over-arching objectives of this programme are to:

- Redesign and optimise our service delivery model and processes to deliver our business more effectively;
- Develop arrangements to allow cases to be dealt with proportionately and contribute to the reduction of avoidable delay;
- Support staff and key stakeholders to work in a changing environment;
- Achieve a sustainable financial operating environment for PPS for the long-term.

This will be a long-term programme of work. We will build on the solid foundations which have already been put in place as we responded to the Covid-19 pandemic and, in partnership with key stakeholders, we will seek to make incremental changes against agreed priorities.



Effective processes

We want to reduce avoidable delay by ensuring that our processes are as streamlined and effective as they can be.

Each year PPS receives around 45,000 files from PSNI and other investigative bodies. The primary role of the PPS is to reach decisions on whether or not to prosecute and to have responsibility for the conduct of criminal proceedings. Additional services are also available which have been designed to enhance the effectiveness of the Service, including the provision of prosecutorial and pre-charge advice. Options are available to allow prosecutors to deal with offenders other than through prosecution. These include cautions, informed warnings and youth conferencing.

File quality and disclosure

In considering whether or not to prosecute, our staff will apply the evidential test and the public interest test set out in the Code of Prosecutors. This requires staff to review all the evidence and material submitted to reach an informed decision. Receiving poor quality files or incomplete disclosure from partners is a significant cause of delay and causes avoidable additional work within PPS. Casework quality is the responsibility of everyone in the PPS. We need to build expertise and empower our prosecution teams to take difficult decisions and be accountable for them.

However, we do not operate in a vacuum. Casework quality begins with the submission of a file from investigative bodies, primarily PSNI. We intend to continue to strengthen and develop our strong relationships with our criminal justice partners, working together to ensure just outcomes for all. To do so we will work to embed a model whereby quality files are submitted at the outset of the process, working in conjunction with our partners to maintain high standards. Ensuring that cases are progressed in a timely and efficient manner throughout the process while ensuring that our obligations under the code to act impartial and fairly.

We will strive to embed a 'get it right first-time model' working with partners to design proportionate file builds that provide all available and relevant evidence from the outset and recognise disclosure duties from investigation to court, reducing the need for additional requests and removing duplication of effort

45,000



files received from
investigators per year



“Our caseload and the nature and volume of evidence we receive has changed dramatically since we rationalised our structures in 2015/16.”

from the process and addressing areas of avoidable delay. This model will involve a commitment to quality standards that will be monitored and a ‘lessons learned’ model embedded for all involved to recognise and learn from their mistakes ensuring a transparent and quality public service.

For those more complex cases which typically require additional material to be requested from police, we will review processes for issuing, tracking and receiving these Decision Information Requests to reduce avoidable delay.

Cracked and ineffective trials

We must drive and track improvements across all aspects of case file quality. This means making sure that all Judge’s orders are complied with on time, and that our casework – including disclosure – meets our quality standards. This will reduce trials which are cracked or ineffective and will help to drive efficiency across the entire system.

The right structures and resources

Our people are our greatest asset. Every single one of our employees contributes to delivering justice through independent and fair prosecutions. Having the right resources in place and providing them with the right supports has to be at the heart of this vision. We must attract and retain talent, invest in continuous development and help our people to progress in whatever profession they choose.

We have already noted that the PPS is a demand-led organisation and that profile of our caseload and the nature and volume of evidence we receive has changed dramatically since we rationalised our structures in 2015/16. The Director of Public Prosecutions has made it clear that, in common with neighbouring jurisdictions, additional baseline funding is essential to allow us to meet these challenges.

In addition, it is important that we demonstrate that our resources and structures are appropriate for the business being undertaken. We will work with staff and Trade Unions to identify and tackle structural challenges (e.g. the lack of progression from Public Prosecutor to Senior Public Prosecutor); we will ensure that we are making optimum use of both our administrative and legal resources; and we will collaboratively develop a range of metrics across our business to allow us to track, anticipate and respond to changing demand. It is also important that we review the design of existing processes and procedures resulting from the changes in the complexity and profile of our caseload. Such design changes need to deliver efficiencies in order to reduce demand on our staff.



The health and wellbeing of our staff is of vital importance. We recognise the work we carry out in prosecuting criminal cases is often sensitive and can be traumatic for all involved in progressing such cases. We will continue to invest in trauma resilience-related training and guidance for our staff to ensure the necessary support and guidance is there for those who need it.

Proportionate processes

We want to ensure that processes are proportionate to the complexity of the issues to allow cases to be progressed in a timely manner.

The 45,000 files we receive each year span a wide range of complexity and seriousness from minor motoring to murder. Some files may only have a couple of statements while other may be comprised of voluminous and complex witness, digital, forensic, scientific, or financial evidence running to thousands of pages. As a result, the amount of time spend on individual files can vary significantly. It is vital that our processes are proportionate to the complexity of the issues to allow cases to be progressed in a timely manner.

No prosecution cases

During 2021/22, of the 45,193 prosecution decisions issued by the PPS, almost 14,000 of these were for no prosecution. In a significant number of these the file will have been received from police with a recommendation for no prosecution because police felt that there was insufficient evidence.

In other jurisdictions some of these files might never be submitted to the prosecuting authority and the decision would be taken by police. We will work criminal justice partners to review the current arrangements for likely 'no prosecution' cases to allow for these to be dealt with in a more proportionate way while ensuring that the continue to be appropriate levels of scrutiny and transparency.

45,193



Prosecution decisions
issued in 2021-22

14,000

of these were
No Prosecution decisions



“The PPS believes that consideration should be given to increasing the sentencing jurisdiction of magistrates courts which would help to address delay in the most serious prosecutions in the Crown Court.”

Alternatives to prosecution

In the same period there were almost 3,000 prosecution decisions for diversion which, as previously noted, may include caution, informed warning, or youth conferencing. Police already have a range of tools available to them to use as alternatives to prosecution including fixed penalties and community resolution notices. Notwithstanding the effective use of these measures, the PPS continues to receive cases which might be considered as lower level offending. For example, in 2021/22 almost 30% of files received related to motoring offences, many of which would be classed as minor motoring.

In many of these cases prosecution may be appropriate (e.g. due to previous offending) but we will work with criminal justice partners to ensure that we are making best appropriate use of our diversionary tools and we will explore the benefits of using new alternatives such as Prosecutorial Fines to ensure that lower level, less complex cases are dealt with promptly.

Sentencing powers of Magistrates' Courts

As noted earlier, the pandemic had a substantial impact on the justice system and recovery will inevitably take a considerable time with some modelling suggesting that it could be 2029 before Crown Court business fully recovers. The challenge in the Crown Court could be exacerbated further by committal reform which would see cases being transferred up at a much earlier stage, increasing the overall case-load.

The PPS believes that consideration should be given to increasing the sentencing jurisdiction of Magistrates' Courts which would help to address delay in the most serious prosecutions in the Crown Court. Currently the maximum penalty that can be imposed for a summary only offence would be 6 months' imprisonment. For other more serious offences which could be dealt by either Magistrates' Courts or the Crown Court the sentencing limit is higher. This is consistent with other proposals around ensuring a proportionate response to prosecutions, however we recognise that this is a significant change which would require both public consultation and legislation.

In relation to Magistrates' Courts business, we will also work with the judiciary and other partners and stakeholders to explore options for brigading similar types of cases to allow it to be disposed of more effectively. The Chief Inspector of Criminal Justice has previously recommended the use of Road Traffic Courts which allow high volume, low complexity cases to be quickly dealt with, usually at the first appearance. Guilty Anticipated Plea (GAP) courts operate on a similar basis for a wider range of motoring and non-motoring offences.



Digital Processes

We want to innovate by embracing existing and emerging technology to quickly and flexibly solve challenges.

Technology is rapidly changing how we live and work. It is also changing the nature of criminality, the cases we prosecute and the volume of evidence we receive.

PPS has already delivered significant digital transformation of its internal and court-facing processes with the development of an electronic case file for prosecutors in Magistrates' Courts and the introduction digital evidence sharing with PSNI. However the justice system is one that is still constrained by an over-reliance on paper.

Embracing digital ways of working will enable PPS, and the wider criminal justice system, to reimagine how it delivers its services. Integrated digital case management systems can replace inefficient paper processes and improve efficiency throughout the system.

Our approach to digital development will be underpinned by a number of strategic design principles – we will:

- Be a Digital First organisation aligned with the wider transformation of Public Services;
- Collaborate in the design of our services with criminal justice partners, stakeholders and service users;
- Adopt a whole organisation approach to digital transformation and ensure that staff are provided with the necessary skills and training to perform their roles;
- Adopt a whole system approach to digital transformation and will collaborate with partner organisations and legal professions to design, build and implement our new digital services.

Building on our existing digital evidence sharing capability we will work collaboratively with partners and service users to develop and implement solutions to facilitate the sharing of electronic bundles with other parties and to enable digital service (of summonses etc) where that is permitted by legislation. We



A 'Digital First'
organisation



will also use technology to automate routine administrative processes and better support our staff to more effectively manage cases.

We will also enhance our line of business IT systems to allow us to more effectively process cases and provide greater transparency and visibility as cases progress.

Victim processes

We want victims and witnesses to have a fair experience interacting with us, regardless of outcome.

We represent the public interest in the criminal justice system. In order to maximise public confidence, we must treat everyone fairly, with respect and empathy and take a trauma informed approach to all our engagements. We must ensure that victims and witnesses know their rights and that we adhere to the standards set out in the Victim and Witness Charters. We should ensure that victims understand the decisions we take and that we are accountable for them. Importantly, ensuring that defendants are treated fairly is also central to our role in upholding the rule of law.

We want all victims and witnesses to have a positive experience of interacting with us. We recognise our reliance on the participation of victims and witnesses to deliver justice, so we will continue to work with partners to ensure that victims and witnesses receive a quality service throughout every case. To do this, we will listen to our partners and understand how we can tailor our services to better meet individual needs.

Not every victim or witness will agree with the decisions we take or the eventual outcome of a case. This should not mean that they feel they have been treated unfairly. We will work hard to make sure that the public know they will be treated fairly by our organisation, further embedding the obligations under Victim and Witness Charters into the processes of the PPS and committing to train all relevant staff in trauma informed practice.

Victim and Witness Care Unit

The Victim and Witness Care Unit has a key role to play in improving the information and services we provide. We will work with partners to enhance and extend the services we provide to victims with proposals for an enhanced Needs Assessment Service.

A new Needs Assessment Service would encompass Victim Support Northern Ireland Needs Assessment Officers working alongside VWCU Case Officers. These Needs Assessment Officers would focus primarily on the individual needs of victims and witnesses providing both specialist help and signposting to other services.

The Needs Assessment Service envisages process coverage from point of crime report rather than submission of the file to the PPS. Hence a more joined up approach and ensures that needs captured at the outset do not have to be repeated by a victim to different providers, with the risk of retraumatisation that causes. This will allow individual needs to be monitored and reassessed throughout case progression. It will enhance services through the provision of specialist staff responsible for the identification of victim and witness need.

It also builds on the existing capabilities of the Unit, particularly around the provision of information and case updates but recognizes that the identification of needs is perhaps a more specialist role.

Separately, we will also explore the potential for an end-to-end online portal to give victims and witnesses access to real time information about their case.

What's next?

PPS 2030 is designed to be a high level vision that sets out what we want to achieve and where we are aiming to be by 2030. We hope it will be helpful for our many and varied partners – providing a clear summary of what we are aiming to do, and the importance we attach to working with them. It is a living document and we will constantly review it to respond to feedback from partners and stakeholders.

The vision sets out what we want to achieve, and each year our business plan will detail priority actions and timeframes against each activity. We will develop success measures aligned to PPS 2030 and regularly checking our progress in this way will ensure that we continue to move steadily forward.

