



**A Corporate Governance Inspection
of the Public Prosecution Service
for Northern Ireland (CJINI)**

PPS Action Plan

October 2013

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Introduction

Background

The Public Prosecution Service for Northern Ireland (PPS) is subject to review by Criminal Justice Inspection Northern Ireland (CJINI), within the provisions of Part 3 of the Justice (Northern Ireland) Act 2002.

This inspection, undertaken by CJINI during the second half of 2012, was supported by HM Crown Prosecution Service Inspectorate (HMCPSI). The terms of reference for the review focused not only on corporate governance arrangements, but also on the quality of PPS casework and advocacy.

Findings of the Review

Inspectors found that the PPS had made significant progress since it was established in 2005. Inspectors noted good **standards of advocacy being practised in the Crown Court and improvements in advocacy standards in the Magistrates' and Youth Courts.**

Inspectors also noted that there was a sound governance framework in place, which had met **the Service's needs during** its period of expansion and development. However the current fiscal environment and the needs of stakeholders demanded that the PPS move to the next stage of its development; management structures and resourcing models which had served the PPS well during its early days were in need of change, as indeed were the staffing levels, information flows and performance regime.

The Inspection Team found that more could be expected of operational managers and there was a need to introduce a more consistent approach to performance management and accountability. The Service also needed to invest more in training its senior managers to improve service delivery and to secure improved outcomes. It was noted that other prosecution services have had to face similar challenges.

In total Inspectors made only three strategic recommendations which, if fully implemented, would help the PPS take the next step towards its ultimate aim of providing a first class prosecution service. A further 11 areas for improvement were identified which were regarded by Inspectors as 'internal housekeeping' for the organisation.

About this Action Plan

This Action Plan seeks to address all of the recommendations and Areas for Improvement set out by CJINI. It includes the timescales agreed for all milestones identified and sets out responsibilities within the organisation.

This document will be a standing item for the PPS Performance Sub-Committee. Regular progress updates will also be provided to the Management Board by the Deputy Director, as chair of the Sub-Committee.

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Recommendation 1:

The PPS should review the capacity model with a view to updating it to include a wider range of management information and improved links to changes in the volume of cases by end 2013 (Paragraph 3.18).

Key Issues Highlighted by CJINI:

- Against the backdrop of decreasing numbers of cases and a seemingly adequate level of staff, the reported pressure on staff and deterioration in timeliness figures indicated that the capacity model could be improved to make it fit for purpose.
- One particular failure of the capacity model was the lack of attention given to increases in applications, disclosure requirements and correspondence.

Action Plan

PPS Ref	Milestones	Timescales	Actions	Responsibilities
	<u>Business Improvement Team (BIT) - Work Programme*</u> Review of:			Senior Assistant Director (SAD) Resources and Change Head of Central Management Unit (CMU) / Business Improvement Team (BIT)
CG1/13	<ul style="list-style-type: none"> • Regional Case Preparation Function. 	By 31/12/13	<ul style="list-style-type: none"> • Develop terms of reference for reviews and consult internally / with TUS. • Agree methodology / approach to data capture. • Consider Prosecutor Activity Sheets. • Brief management / staff. • Review grading and loading, including analysis via grading guidance or JEGS where appropriate. • Conduct interviews and develop draft job descriptions. • Develop emerging findings and report to senior management. • Consult as appropriate. • Develop implementation plans in conjunction with operational staff. 	
CG2/13	<ul style="list-style-type: none"> • Regional Crown Room (Admin). 	By 31/3/14		
CG3/13	<ul style="list-style-type: none"> • Business Managers. 	By 31/3/14		
CG4/13	<ul style="list-style-type: none"> • Fraud and Departmental Section. 	By 30/6/14		
CG5/13	<ul style="list-style-type: none"> • Regional Complement at Senior Public Prosecutor (SPP) / Public Prosecutor (PP) grades. 	By 30/9/14	<p><i>* All dates are provisional, subject to the availability of resources and the impact of emerging BIT work priorities.</i></p>	

Recommendation 1 (Continued)

PPS Ref	Milestones	Timescales	Actions	Responsibilities
	<u>Assistant Public Prosecutor (APP) Initiative</u>			SAD Resources and Change
CG6/13	<ul style="list-style-type: none"> • Conduct scoping study of APP role. 	Completed	<ul style="list-style-type: none"> • Agree responsibilities / membership of working group. 	APP Working Group
CG7/13	<ul style="list-style-type: none"> • Conduct scoping study of work to be transferred from SPP to PP. 	By 30/11/13	<ul style="list-style-type: none"> • Develop job descriptions, including key duties (in respect of casework / court). 	
CG8/13	<ul style="list-style-type: none"> • Conduct scoping study of Designated Caseworker (DCW) role. 	By 31/1/14	<ul style="list-style-type: none"> • Agree caseload to be cascaded to APP/DCW from PP level. • Identify potential for cascade of caseload from SPP to PP. • Identify benefits / issues for implementation. 	
CG9/13	<ul style="list-style-type: none"> • Develop Business Case for APP / DCW implementation (subject to final Management Board approval). 	As required	<ul style="list-style-type: none"> • Brief Management Board. • Consult internally / with TUS. • Take final decisions regarding implementation. • Develop relevant business cases. 	

Recommendation 1 (Continued):

Expected Outcomes

- **Improved workforce planning.**
- **Opportunities for continuous improvement across the various PPS functions.**
- **Enhanced development opportunities for PPS staff.**

Commentary:

Business Improvement: Work Programme

In March 2013 the prosecutor capacity figures were recalculated, taking into account recent changes in overall caseload, changes in court patterns and emerging requirements for SPP/PP staff (for example in respect of a new Advocacy Monitoring Team). Prosecutor numbers in the regions will be subject to further review by the BIT over the next 12-18 months, where the aim will be (a) to take taking greater account of the full range of SPP / PP responsibilities, including disclosure, applications, line management etc. and (b) to develop a model which is more responsive to changes in patterns of caseload. This review will be preceded by a detailed monitoring exercise in which detailed time spends will be collated (at case level) across both the PP and SPP grades. **It is important that any review takes place on the basis of a 'steady state'; at present the impact of a number of pending initiatives, in particular the Faster, Fairer Justice Programme, is not clear and therefore it is proposed to commence the substantive review work in 2014.**

Business Improvement has already carried out a range of in depth functional reviews, including Casework Support, Central Casework etc. Outstanding functions will be examined over the next 12-18 months, including the key role of regional Business Manager. All BIT reviews will consider staffing numbers (loading), management structures, grading and processes (using the 'LEAN' methodology) and will follow agreed terms of reference.

Assistant Public Prosecutor Initiative

The PPS is examining the scope for introducing a new Assistant Public Prosecutor (APP) grade. The intention is for APPs to focus mainly on decision-making in the more straightforward summary cases. This should release PP capacity to improve prosecutor coverage in the lower courts and allow PPs to take on a greater proportion of the lower end indictable casework. Substantial progress has been made which has included agreement of a detailed job description for the role and initial requirements in terms of APP numbers. Senior management has taken the view that any final decision regarding the rollout of the scheme should be postponed until the various proposals set out under the Faster, Fairer Justice Programme (for example, arrangements for Prosecutorial Fines and Conditional Cautions) have been defined.

Scoping of a Designated Caseworker role (i.e. for non-legally qualified staff) is also underway.

Recommendation 2:

The PPS should establish a benchmarking framework using comparative measures of internal statistics and also comparative measures from most relevant neighbouring jurisdictions by end 2013 (Paragraph 3.28).

Key Issues Highlighted by CJINI:

- The CPS use Core Quality Monitoring Standards as the basis for performance assessment and this methodology has delivered improvements in performance although not simply through the use of standards but more the consistent assessment of performance and holding managers to account for performance management. This is a model the PPS could usefully explore.
- There was a need to clarify what were the performance management indicators within PPS, to provide consistent management information to support managers in assessing performance and develop a framework by which managers can improve performance and be held to account for doing so.
- The experience of CPS Wales was the regular reporting of performance against a range of metrics and validation measures gave a better insight into performance and the sharing of comparatives both internal and external identified means for improvement.

Action Plan

PPS Ref	Milestones	Timescales	Actions	Responsibilities
CG10/13	<u>Core Quality Standards</u> <ul style="list-style-type: none"> • Evaluate CPS Core Quality Standards (CQS) / CQS Monitoring Scheme. 	By 31/12/13	<ul style="list-style-type: none"> • Research current CPS quality standards (including benchmarking visit to CPS Wales). • Review and adapt standards in line with PPS requirements. 	Deputy Director Policy and Quality Sub-Committee
CG11/13	<ul style="list-style-type: none"> • Implement revised PPS QA / dip sampling arrangements. 	By 30/4/14	<ul style="list-style-type: none"> • Examine QA dip sampling arrangements in the light of agreed PPS standards and consult internally. • Agree framework. • Provide relevant training and guidance for managers and staff. • Implement new arrangements. 	Regional Prosecutors (RPs) / Assistant Directors (ADs)

Recommendation 2 (Continued)

PPS Ref	Milestones	Timescales	Actions	Responsibilities
CG12/13	<p><u>Development of Key Performance Indicators</u></p> <ul style="list-style-type: none"> Commence publication of corporate key performance data for 2013-14. 	By 31/10/13	<ul style="list-style-type: none"> Carry out initial review of KPIs for 2013-14. Publish updated performance data on a monthly/quarterly basis. Consider availability / applicability of comparative measures and other benchmarking data, including CPS, COPFS etc. 	<p>Deputy Director</p> <p>SAD for Resources & Change</p> <p>RPs / ADs</p> <p>Head of CMU / Management Information Section (MIS)</p>
CG13/13	<ul style="list-style-type: none"> Benchmark PPS Performance Monitoring Framework / Key Performance Indicators (KPIs) against other prosecutorial authorities, including CPS and COPFS. 	By 31/12/13	<ul style="list-style-type: none"> Consider CPS approach to unit costing / Activity Based Costing model to PPS. 	
CG14/13	<ul style="list-style-type: none"> Develop agreed suite of KPIs, taking account of revised QA arrangements. 	By 31/3/14	<ul style="list-style-type: none"> Evaluate corporate key performance indicators (KPIs) in the context of PPS QA. Consult internally. 	
CG15/13	<ul style="list-style-type: none"> Publish agreed KPIs internally on a quarterly basis. 	By 30/6/14	<ul style="list-style-type: none"> Liaise with ICT regarding relevant Case Management System (CMS) enhancements as appropriate. Carry out briefing as required. Monitor and review performance via accountability meetings. 	

Recommendation 2 (Continued):

Expected Outcomes

- **Improved corporate performance management arrangements, whereby corporate performance is assessed against agreed targets and benchmarks.**
- **Enhanced QA arrangements will provide additional assurances regarding the quality of casework.**

Commentary:

CQS/CQSMS

The Policy and Quality Sub-Committee will evaluate the CPS CQS / CQSM and review existing QA dip sampling arrangements, with a view to extending the range of issues under consideration. The Sub-Committee will also consider Internal Audit findings in respect of current dip sampling procedures (June 2013).

Key Performance Indicators

Pending the conduct of a benchmarking exercise / evaluation of the CQS, an expanded range of key performance measures has been drafted by the Performance Sub-Committee, including the development of targets (where appropriate) and baseline data. These measures will be used to assess regional performance, as part of regular accountability meetings between the Senior Assistant Director for Regional Prosecutions and individual Regional Prosecutors (see below). The revised monitoring framework should allow an improved overview of corporate performance, encompassing for example, the review of charging, allocation / processing times, cracked and ineffective trials, hate crime / domestic violence / serious sexual offences, conviction rates etc.

Outcomes for all agreed measures will be published via the Service's Performance Summary and, where appropriate, made available as management reports via Business Objects 'Infoview'. The performance data will also be made accessible to Business Managers and staff.

Recommendation 3:

Inspectors recommend that an effective and objective assessment process of PPS Prosecutors, Counsel (and future Associate Prosecutors) is established by the end of 2013. This should include stakeholder feedback, court observations and management information on prosecutor performance. The process should complement the appointment of the new panels of Counsel (Paragraph 4.71).

Key Issues Highlighted by CJINI:

- A range of interviewees provided evidence that the assessment of advocacy was piecemeal and unstructured at best. This ultimately led to the conclusion that box markings were not a good indicator of performance in this area possibly because they have to consider a broad range of issues but most probably because a more rigorous assessment of advocacy is needed.
- Although PPS does not have a formal baseline measure of the standard of advocacy managers have a good idea of the performance of most Prosecutors and Counsel. The introduction of a more formal assessment process can draw upon this experience so that improvements in performance can be measured.

Action Plan

PPS Ref	Milestones	Timescales	Actions	Responsibilities
	<u>Advocacy Strategy</u>			
CG16/13	<ul style="list-style-type: none"> • Re-issue of Advocacy Standards to PPS staff and Panel Counsel as part of package of new measures. 	By 31/10/13	<ul style="list-style-type: none"> • Consult with Bar Council / TUS. • Agree strategy and take forward agreed objectives in-year. • Agree detailed procedures for the monitoring and review of advocacy. • Establish Advocacy Monitoring Team in line with agreed framework. 	Deputy Director SAD for Regional Prosecutions
CG17/13	<ul style="list-style-type: none"> • Agreement of PPS Advocacy Strategy. 	By 31/12/13	<ul style="list-style-type: none"> • Communicate changes to PPS staff, Panel Counsel, NICTS and Judiciary. • Implement advocacy monitoring programme. 	AD Policy and Information
CG18/13	<ul style="list-style-type: none"> • Implementation of Advocacy Monitoring Team. 	By 31/12/13	<ul style="list-style-type: none"> • Identify training needs and ensure that remedial action is taken where required. 	
CG19/13	<ul style="list-style-type: none"> • Implementation of Advocacy Assessment Sheets. 	By 31/12/13		

Recommendation 3 (Continued):

Expected Outcomes

- **The Advocacy Strategy will develop the skills and expertise of PPS lawyers and an improved understanding in areas such as case preparation and presentation.**
- **Enhanced monitoring arrangements will provide additional assurances regarding the quality of in-house advocacy.**
- **There will be transparent arrangements in place to assess the advocacy standards of external counsel.**

Commentary:

Advocacy Strategy / Monitoring Team

The PPS is committed to developing and embedding its Advocacy Strategy for the next three years. The strategy will focus on delivering high quality standards of advocacy in all court tiers, as part of an ongoing performance improvement programme. One of the main aim of the Advocacy Strategy will be to provide assurances regarding the quality of advocacy at court through the establishment of agreed standards and monitoring arrangements, thereby ensuring a consistently high standard of service and ultimately to increased public confidence.

At present the performance of Public Prosecutors in the Magistrates' and Youth Courts is assessed by Senior Public Prosecutors. In the future this will be complemented by a new Advocacy Monitoring Team. They will provide a fair and balanced appraisal of advocacy standards by monitoring the quality of **advocates through 'live' assessment at court, the consideration** of assessment sheets, and consulting with line management / senior managers. Where appropriate the team will also be responsible for the identification of training needs and ensuring access to training, coaching and mentoring as required. It is expected that much of the direct advocacy training required will be undertaken by staff from the team.

The function will consist initially of two Senior Public Prosecutors (SPPs). It is expected that the team members will provide briefing to the PPS Policy and Quality Sub-Committee and (where required) to the Senior Management Group and Management Board.

The PPS Advocacy Working Group has also examined potential arrangements to assess the advocacy standards of external counsel and a new framework will be introduced in conjunction with the Bar Council.

Area for Improvement 1:

Projects or initiatives should be deemed successfully completed when the benefits realisation plan is fulfilled (Paragraph 2.20).

- The conclusion of the Inspectors was that the structures and processes to manage information flows and to identify initiatives for improvement were in place and PPS did not suffer from a lack of ideas. If there was any criticism it was that change appeared to take longer than expected. Also Inspectors felt that whilst the mechanics of projects were delivered corporate improvement was slow.

Action Plan

PPS Ref	Milestones	Timescales	Actions	Responsibilities
	<u>Change Management</u>			
	Development of:			
CG20/13	• PPS Change Management Strategy	By 31/12/13	• Change Management Strategy: Identify the priorities for change, the mechanisms required for the effective management of change and an outline of key risks.	SAD Resources and Change Head of CMU
CG21/13	• PPS Change Management Plan	As above	• Change Management Plan: Outline key deliverables, responsibilities and timescales.	RPs / ADs
CG22/13	• Implementation of agreed programme and project management arrangements	To agreed timescales	• Specify programme / project management arrangements and role for Change Board if required. • Agree follow-up actions required (e.g. briefing of staff, training, mentoring etc.) • Monitor and review new arrangements.	Business Managers

Area for Improvement 1 (Continued)

Expected Outcomes

- **Improved information flows and decision-making with regard to key PPS projects and initiatives.**
- **Improved delivery in terms of key initiatives and planned efficiencies.**
- **The Service will be able to demonstrate the effective use of project management methodologies.**

Commentary:

Change Management Strategy

There is scope for the PPS to improve its change management / project management arrangements. The Change Management Strategy will aid in the process of developing a strategic approach to change in the PPS, providing direction, greater co-ordination and an overarching framework for managing and implementing new initiatives and projects.

This is likely to include a new programme / project management function to ensure that initiatives are managed on formal project management lines, offering greater support for the senior management team in, for example, the development of project initiation documents (PIDs), the monitoring of benefits realisation plans etc.

It is anticipated that a Change Programme Board will also be introduced.

Area for Improvement 2:

Regular accountability meetings led by the Senior Assistant Director should be held using a range of performance metrics with action plans for improvement delivered by the Regional Prosecutor. A record of the meeting with proposed remedial actions should be presented to the Senior Management Team (Paragraph 2.38).

Key Issues Highlighted by CJINI:

- The role of the RP/AD could be redefined to include a greater degree of business management.
- The RPs/ADs would become the centre for service delivery and improvement. They would be the accountable people through a regular performance reporting mechanisms using Key Performance Indicators and validation measures.

Action Plan

PPS Ref	Milestones	Timescales	Actions	Responsibilities
CG23/13	<u>Accountability Meetings</u>			Deputy Director
	Implementation of quarterly accountability meetings between:			SAD for Regional Prosecutions
	<ul style="list-style-type: none"> • The SAD for Regional Prosecutions and individual Regional Prosecutors. • The Deputy Director and HQ Assistant Directors. • The Deputy Director and SAD for Regional Prosecutions. 	<p>By 31/1/14</p> <p>As above</p> <p>As above</p>	<ul style="list-style-type: none"> • Establish framework for accountability meetings, including templates for the recording of action points / remedial action and lines of reporting to the Performance Sub-Committee / Senior Management Group. • Benchmark against CPS Wales. • Agree evidence to be considered – to include Statements of Assurance, Performance data / KPIs, '80/40' day report (outstanding cases), RP / AD performance agreements etc. • Evaluate new structures after first six months of operation. 	RPs / ADs
CG24/13	Evaluate the effectiveness of accountability meetings.	By 31/8/14		

Area for Improvement 2 (Continued)

Expected Outcomes

- **Identification of more timely remedial action where needed, leading to improved corporate performance.**
- **Increased accountability for RPs/ADs in terms of service delivery and improvement.**
- **More direct use of key Performance Indicators and validation measures within the corporate reporting framework.**
- **Improved information flows to Management Board with regard to performance across the organisation.**

Commentary:

Accountability Meetings

Accountability meetings will provide a more formal structure to existing 'one to one' meetings at senior management level. These will commence following the appointment of new Assistant Directors (Autumn 2013).

The SAD for Regional Prosecutions will continue to hold monthly meetings of the Assistant Directors' Group to discuss issues of concern, key legal matters etc.

Area for Improvement 3:

The PPS business planning should focus more on delivering changes in service quality and efficient delivery targeting improvement with less emphasis on tasks, activity or volumes of workload. The task level objectives can be included in operational plans at Regional Prosecutor level (Paragraph 3.9).

Key Issues Highlighted by CJINI:

- A high level assessment was that the organisation tended to achieve objectives when defined as activities but the associated targets were missed and in some instances the direction of travel was downwards.

Action Plan

PPS Ref	Milestones	Timescales	Actions	Responsibilities
	<u>Corporate Planning</u>			
	Development of:			
CG25/13	<ul style="list-style-type: none"> • Draft PPS Corporate Plan 2014-17 & Annual Business Plan 2014-15 	By 28/2/14	<ul style="list-style-type: none"> • Benchmark planning arrangements against selected organisations, including the CPS. • Consider issues / outputs from Change Management Strategy. • Consider issues raised via accountability meetings / statements of assurance. 	SAD Resources and Change Head of Central Management Unit RPs / ADs
CG26/13	<ul style="list-style-type: none"> • Draft Region / Section Business Plans (Scorecards) 	By 31/3/14	<ul style="list-style-type: none"> • Agree programme of facilitated planning workshops, comprising Business Managers, Assistant Directors and Members of the Management Board. • Consider requirements for external stakeholder consultation. • Ensure that draft plans are produced to agreed timescales, including the Corporate Plan, Annual Business Plan and local scorecards. • Promote the new plans internally. 	Corporate Services HoBs Business Managers

Area for Improvement 3 (Continued)

Expected Outcomes

- **Clearer strategic focus by senior management on desired outcomes.**
- **More bottom up approach to planning and therefore greater 'buy-in' from management and staff.**

Commentary:

Corporate and Business Planning

The Service will develop a new Corporate Plan for the three year period from 2014. This will present an opportunity to review the PPS Vision and Aim, and the Service's strategic priorities and objectives. It will also present an opportunity to review internal business planning arrangements and to involve managers (at all levels) more closely in the formulation of strategy, so that the process becomes less 'top down'. This will be achieved, for example, via a series of facilitated workshops which will be used to inform early drafts.

It is anticipated that discussions in the context of the change management strategy (which will also involve RPs / ADs and Business Managers) will provide a useful starting point in developing the future strategy for the Service, with an initial focus on the desirable outcomes for the PPS in terms of quality and efficiency of service. PPS will also conduct a stakeholder analysis (see below).

For 2013-14 efforts will be made to raise awareness with regard to business planning, for example through senior management 'roadshows', the Staff Brief and the PPS Intranet. All region / section scorecards will be accessible via the Intranet.

Area for Improvement 4:

The performance management regime for Prosecutors at every level in PPS should reflect a wider range of targets including quality, timeliness and efficiency (Paragraph 3.31).

Key Issues Highlighted by CJINI:

- The conclusions of the Inspection Team were that a higher level of awareness of performance measures among staff existed than in the past. There were some improvements in access to/awareness of data but the raw data alone needed more analysis and explanation of how it reflected performance (see Appendix 6).

Action Plan

PPS Ref	Milestones	Timescales	Actions	Responsibilities
CG27/13	<u>Staff Performance Measures and Objectives</u>			Deputy Director
	Agreement of Performance Objectives for:			SAD Regional Prosecutions
	<ul style="list-style-type: none"> Senior Public Prosecutors and Public Prosecutors. Regional Prosecutors and Assistant Directors. Operational Admin Teams. 	<p>Completed</p> <p>By 30/11/13</p> <p>By 31/3/14</p>	<ul style="list-style-type: none"> Consider outcomes of RP/AD workshop. Agree RP/AD performance monitoring framework, to include responsibilities re legal functions, driving performance improvement, corporate governance, people etc. Develop SPP/PP performance measures, objectives and targets, addressing full range of prosecutor duties. Review existing administrative performance measures. Brief staff and consult TUS. Monitor and review adherence to monitoring framework / consistency of box markings awarded for 2013-14. Evaluate changes at the end of the 2013-14 financial year. 	<p>RPs / ADs</p> <p>Business Managers' Forum</p>
CG28/13	Evaluate revised monitoring arrangements	By 30/6/14		

Area for Improvement 4 (Continued)

PPS Ref	Milestones	Timescales	Actions	Responsibilities
CG29/13	<p><u>Performance Management</u></p> <p>Delivery of Performance Management Refresher training to:</p> <ul style="list-style-type: none"> Regional Prosecutors / Assistant Directors. Senior Public Prosecutors. 	Completed By 31/3/14	<ul style="list-style-type: none"> Identify training requirements. Arrange provider. Liaise with line managers. Follow-up in respect of non-attendance. Conduct training evaluation. Monitor adherence to performance management policy and take action in accordance with policy. 	<p>SAD Resources and Change</p> <p>Head of Human Resources</p>

Expected Outcomes

- **Clear links established between corporate and operational objectives and individual performance agreements.**
- **Increased staff engagement and job satisfaction.**
- **HR policies embedded in working practices across the organisation.**
- **All staff have reviews in line with the performance management process and obtain the feedback they need to help them improve.**
- **Support is in place to assist managers to improve performance.**

Commentary:

Use of Performance Information

It is envisaged that the quality and range of information available for the consideration of prosecutor performance will improve significantly over the next 12-18 months. For example, this will be informed by the outputs of any PPS version of 'CQSMS', and also by the findings of the PPS Advocacy Monitoring Team, which will provide a more formal structure for the assessment of PPS advocacy.

Area for Improvement 5:

PPS continue their efforts in reducing DIRs and take the lead on defining the main issues resulting in DIRs and in conjunction with the police review the interface and establish a programme to improve the quality of police files (Paragraph 3.43).

Key Issues Highlighted by CJINI:

- The automatic inclusion of CCTV evidence where it's available and its submission along with the file would be beneficial.
- An interview summary should be included with all files.
- The sequencing of the file should reflect the Prosecutors' approach to the case.
- The obvious point is that neither agency can solve it on their own and the improved relationship between the PPS and the PSNI offers an opportunity to progress this matter. The PPS have made progress in this area and it would be useful to reinvigorate their efforts.

Action Plan

PPS Ref	Milestones	Timescales	Actions	Responsibilities
CG30/13	<u>Indictable Early Intervention Scheme</u> <ul style="list-style-type: none"> • Establish structures, processes and procedures and commence Pilot (Ards County Court Division). 	Completed	<ul style="list-style-type: none"> • Agree processes and procedures and role of PSNI Gatekeepers. • Arrange regular review meetings between Belfast Regional Prosecutor and Gatekeepers to identify issues arising, emerging training requirements etc. 	SAD Regional Prosecutions Early Intervention Working Group
CG31/13	<ul style="list-style-type: none"> • Complete evaluation of new arrangements. 	By 30/6/14	<ul style="list-style-type: none"> • Implement relevant CMS changes. • Provide training to PPS / PSNI personnel. • Commence pilot. • Conduct evaluation. • Report to Performance Sub-Committee and SMG as required. • Monitor DIRs. 	

Area for Improvement 5 (Continued)

PPS Ref	Milestones	Timescales	Actions	Responsibilities
	<u>Indictable Case File Timeliness</u>			
CG32/13	<ul style="list-style-type: none"> Review arrangements for the allocation of files to Prosecutors. 	By 31/3/14	<ul style="list-style-type: none"> Review dip sample of indictable case allocation times. Review indictable file allocation procedures to ensure early review of full file / identification of gaps in evidential requirements. 	SAD Regional Prosecutions Early Intervention Working Group
CG33/13	<ul style="list-style-type: none"> Agree joint monitoring / Quality Assurance arrangements for DIRs. 	By 31/3/14	<ul style="list-style-type: none"> Monitor allocation times and timeliness of issuing of DIRs on an ongoing basis. 	
CG34/13	<ul style="list-style-type: none"> Implement Ordering of Police Statements. 	By 31/3/14	<ul style="list-style-type: none"> Monitor Decision Information Requests and agree quality assurance mechanisms at senior level. 	
CG35/13	<ul style="list-style-type: none"> Clarify Role of Police Liaison in co-ordination of DIRs. 	By 31/3/14	<ul style="list-style-type: none"> Clarify role of Police Liaison / route for escalation of DIRs 	
CG36/13	<ul style="list-style-type: none"> DIR / PDIR Training Refresh for Prosecutors. 	By 31/3/14	<ul style="list-style-type: none"> Review mode of allocation to prosecutors in indictable cases Provide refresher training / guidance to staff in issue of DIRs / PDIRs Progress ordering of statements with PSNI. 	

Area for Improvement 5 (Continued)

Expected Outcomes

- **Improvements in the quality of investigation files submitted to PPS, with a corresponding reduction in the number of cases where decision information requests are issued to police.**
- **Strengthening of inter-agency working arrangements.**
- **Improvements in timeliness over the next planning period.**

Commentary:

Indictable Early Intervention Initiative

This initiative is being taken forward by the Early Intervention Working Group (chaired by the PPS SAD for Regional Prosecutions), and comprising PPS and PSNI representatives.

It is anticipated that this initiative will lead to a significant improvement in file quality in the most serious cases, through the early involvement of prosecutors / provision of advice during the investigation stage (i.e. before the full file is submitted by police). Over time this should result in a reduction in the number of Decision Information Requests submitted to police, which has been identified as a major factor in avoidable delay.

The role of the PSNI 'Gatekeepers' is key to the initiative in ensuring that the quality of files meets agreed standards before they are submitted to the PPS.

Indictable Case File Timeliness

The above initiatives reflect the recommendations made by an internal review of current arrangements for the management of indictable cases. Whilst it was found that the PPS regional offices were operating in a broadly consistent manner, there were a number of changes required to improve the overall process which, if implemented, could help to address the issue of avoidable delay in more serious cases.

These initiatives, which are being taken forward by the Early Intervention Working Group, are seen as supporting the Early Intervention Scheme; the ultimate aim being to reduce the requirement on the part of the PPS to issue DIRs.

Area for Improvement 6:

PPS should monitor the quality of recording of decisions and instruct Prosecutors to use the appropriate facility on the CMS (Paragraph 4.17)

Key Issues Highlighted by CJINI:

- Inspectors found a general lack of recorded case reviews during the file examination.
- The quality of recording needs to improve substantially in many cases. In practice there appears to be no one system that dictates where a review is documented.

Action Plan

PPS Ref	Milestones	Timescales	Actions	Responsibilities
CG37/13	<ul style="list-style-type: none"> • Re-issue Staff Instruction 1/2012 in relation to File Maintenance. 	By 31/10/13	<ul style="list-style-type: none"> • Staff to be advised of Staff Instruction 1/2012. 	SAD Regional Prosecutions AD Policy & Information Policy & Quality Sub-Committee
CG38/13	<ul style="list-style-type: none"> • Conduct Baseline Quality Assurance Review to assess level of compliance with Staff Instruction 1/2012. 	By 30/11/13	<ul style="list-style-type: none"> • Terms of Reference for Baseline Report to be agreed. • Evaluate extent of compliance. • Evaluate training needs. • Evaluate any thematic issues. • Provide Baseline Report to SAD Regions / P & Q Sub-Committee. 	
CG39/13	<ul style="list-style-type: none"> • Conduct further Quality Assurance Review. 	By 31/3/14	<ul style="list-style-type: none"> • Evaluate extent of compliance and training/performance issues arising. • Provide to SAD Regions, P&Q Sub-Committee and Management Board. 	

Expected Outcomes

- **Improved documentation / recording of key case decisions, including decisions to accept pleas, to withdraw complaints etc.**

Area for Improvement 7:

PPS should ensure that Prosecutors implement the PPS policy on disclosure of unused material (Paragraph 4.28).

Key Issues Highlighted by CJINI:

- In summary cases non-sensitive schedules of unused material were rarely endorsed which was a deviation from the PPS policy on disclosure. This appeared to arise from the practice of the police scanning the schedules onto the PPS CMS. The Prosecutors could not endorse the schedules electronically and so there was no record of the prosecutor's decision.

Action Plan

PPS Ref	Milestones	Timescales	Actions	Responsibilities
CG40/13	<ul style="list-style-type: none"> • Re-issue Staff Instruction 1/2012 (File Maintenance). 	By 31/10/13	<ul style="list-style-type: none"> • Staff to be advised of mandatory requirement to comply with Staff Instruction 1/2012. 	SAD Regional Prosecutions AD Policy & Information RPs/ADs
CG41/13	<ul style="list-style-type: none"> • Complete review of current Staff Instructions/Guidance re PSNI and PPS obligations re disclosure. 	By 31/12/13	<ul style="list-style-type: none"> • Conduct 'mini-QA' to address the recommendation. 	
CG42/13	<ul style="list-style-type: none"> • Agree with PSNI any supplementary guidance required at Joint PPS/PSNI QA Forums. 	By 31/12/13	<ul style="list-style-type: none"> • Terms of Reference for QA Baseline Report to be agreed. • Evaluate extent of compliance. • Evaluate performance issues / training needs. 	
CG43/13	<ul style="list-style-type: none"> • Conduct Baseline QA Review to assess level of compliance with Staff Instruction 1/2012. 	By 31/12/13	<ul style="list-style-type: none"> • Provide Baseline Report to SAD Regions / P & Q Sub-Committee. • Staff to be advised of QA Reviews and consequences of non-compliance. 	
CG44/13	<ul style="list-style-type: none"> • Conduct further QA Review 	By 30/6/14	<ul style="list-style-type: none"> • Evaluate extent of compliance and training/performance issues arising. • Provide to SAD Regions, P&Q Sub-Committee and Management Board. 	

Area for Improvement 7 (Continued)

Expected Outcomes
<ul style="list-style-type: none">▪ Improved compliance with PPS policy on the disclosure of unused material.

Area for Improvement 8:

Where possible the PPS should aim to give Prosecutors experience of both directing and prosecuting cases (Paragraph 4.52).

Key Issues Highlighted by CJINI:

- The Director is keen to develop the advocacy role of PPS prosecutors.
- There is a perception among some prosecutors that advocacy is under-valued in the PPS, with a lack of senior advocate role models.

Action Plan

PPS Ref	Milestones	Timescales	Actions	Responsibilities
CG45/13	<ul style="list-style-type: none"> • All Public Prosecutors (with the exception of those who have medical exemptions) to direct upon and prosecute cases in court. 	Complete	<ul style="list-style-type: none"> • PPS response to Internal Audit of PP role at court (May 2013). • SAD Regions to advise all RPs/ADs of PPS requirements. • All eligible prosecutors to be included in Court prosecution rotas at least once per month. 	SAD Regional Prosecutions RPs/ADs
CG46/13	<ul style="list-style-type: none"> • Establishment of central database to maintain record of PP attendance at court for future Internal Audit / QA review. 	By 31/10/13	<ul style="list-style-type: none"> • RPs/ADs to report after 6 months to SAD re any operational issues and to provide assurances re compliance. • Follow-up review by Internal Audit. 	
CG47/13	<ul style="list-style-type: none"> • Higher Court Advocacy (HCA) Initiative. 	Ongoing	<ul style="list-style-type: none"> • Consideration of business case for extension of further HCAs. 	

Area for Improvement 8 (Continued)

Expected Outcomes

- **Optimised use of public prosecutors in the Magistrates' and Youth Courts and increasing their use in County Court Appeals.**
- **Extending the role of Higher Court Advocates in the Crown Court.**

Commentary:

Role of Public Prosecutors at Court

The DoJ's Internal Audit Team has recently completed a review (for advice and guidance) of the deployment of Public Prosecutors at court. Whilst the overall audit opinion was 'satisfactory', auditors have recommended that PPS maintain a central log of all court rotas for future QA / audit purposes. This is currently being taken forward.

Higher Court Advocacy

The use of in-house prosecutors ('HCAs') as advocates in the Crown Court is an important element within the PPS Advocacy Strategy. Four HCAs were appointed in 2013-14.

Area for Improvement 9:

A more structured approach including a survey of stakeholders with, possibly, dip-sampling to assess satisfaction about any aspect of the prosecution process should be considered by PPS (Paragraph 4.64).

Key Issues Highlighted by CJINI:

- The PPS could make better use of informed feedback in relation to advocacy from stakeholder groups such as the judiciary, the PSNI, the NICTS and victims of, and witnesses to, crime.
- The PPS process to gather stakeholder feedback was passive relying as it did on stakeholders raising issues.

Action Plan

PPS Ref	Milestones	Timescales	Actions	Responsibilities
CG48/13	<ul style="list-style-type: none"> • Complete Victim & Witness Care Unit Pilot Satisfaction Survey. 	By 31/3/14	<ul style="list-style-type: none"> • Conduct baseline survey of satisfaction levels in VWCU Pilot (via postal survey). 	Deputy Director SAD Resources and Change Head of CMU VWCU Evaluation/Project Team
CG49/13	<ul style="list-style-type: none"> • Conduct NI Omnibus Survey to assess public confidence in the PPS. 	By 31/3/14	<ul style="list-style-type: none"> • Implement findings of the DFP review of the PPS Media and Communications function, including development of a new Principal Information Officer and development of a new Communications Strategy. 	
CG50/13	<ul style="list-style-type: none"> • Develop revised PPS Communications Strategy. 	By 30/6/14	<ul style="list-style-type: none"> • Develop communications SLAs with CJSNI partners including PSNI. 	
CG51/13	<ul style="list-style-type: none"> • Conduct PPS Stakeholder Analysis. 	To be agreed	<ul style="list-style-type: none"> • Commission NI Omnibus Survey for 2014 and consider policy and strategy implications for PPS. • Consider wider stakeholder analysis, including mix of quantitative and qualitative approaches. 	

Area for Improvement 9 (Continued)

Expected Outcomes

- **Increased engagement with key stakeholders, the public and the media and a better understanding of their expectations and requirements.**
- **Partnerships strengthened with a wide range of bodies, including voluntary sector organisations.**
- **Increased awareness of the PPS and its role.**
- **Increased public confidence in the PPS.**

Commentary:

Evaluation of the Victim and Witness Care Unit Pilot

In order to inform the evaluation of the VWCU Pilot, the evaluation team is taking forward a postal survey of all victims and witnesses who have come into contact with the Unit. This will include a range of questions concerning the VWCU initiative, such as the clarity of correspondence, the effectiveness of new working arrangements (e.g. dedicated caseworkers) and the availability of support services. Face to face interviews will also be held with stakeholders, for example Victim Support and NSPCC.

Stakeholder Analysis

In preparation for the 2014-2017 Corporate Plan, the PPS Management Board is considering a wider stakeholder analysis, dealing with all aspects of the service provided by PPS. This will comprise a range of interested parties, such as police, the Department of Justice, The NI Courts and Tribunals Service, external counsel, the Judiciary, Criminal Justice Inspection and various voluntary sector groups. The format of the consultation has yet to be decided, but is likely to involve a mix of questionnaires and face to face interviews.

Communications Strategy

The PPS recognises the need to improve engagement with key stakeholders, the media and the public. **Therefore the Director has commissioned DFP's Business Consultancy Service to conduct a review of the PPS Media and Communications function.** The draft report was produced in June 2013.

The desired outcome is a more strategic focus for PPS external communications. BCS has put forward a series of recommendations in support of this outcome, including the development of a new communications strategy, the appointment of a Principal Information Officer, the building of relationships with the media and the agreement of communications SLAs with CJSNI partners.

Omnibus Survey 2014

The PPS module of the Omnibus Survey will be taken forward in January 2014 and will include questions around the effectiveness of the PPS and the fairness and impartiality of the Service. The results will be published via the PPS website.

Area for Improvement 10:

The PPS should review its training programme and link it more closely to the assessment process. Training should be provided shortly after feedback from the assessment process. Increased capacity on the advanced training programme should be sourced (Paragraph 4.79).

Key Issues Highlighted by CJINI:

- In the case of the advanced advocacy course the number of applications heavily outweighed the availability of places.
- Inspectors formed the view that training and development in PPS was primarily a matter for the individual. The corporate targets in the business plan focused on an agreed plan but there was no measurement of efficacy of training.

Action Plan

PPS Ref	Milestones	Timescales	Actions	Responsibilities
CG52/13	<ul style="list-style-type: none"> • Ensure all prosecutors who appear in court receive baseline advocacy training. 	Completed	<ul style="list-style-type: none"> • Deliver training programme/refresher training to all relevant PPS court prosecutors in basis advocacy skills. 	SAD Regions
CG53/13	<ul style="list-style-type: none"> • Enhance advocacy capacity by training a number of prosecutors in 'Advanced Advocacy' (Law Society). 	By 31/3/14	<ul style="list-style-type: none"> • Identify and enrol eligible prosecutors on Law Society Advanced Advocacy Training Programme. 	AD Policy & Information Section
CG54/13	<ul style="list-style-type: none"> • Workshops to increase understanding and effectiveness of linkage between training needs and corporate priorities. 	By 30/6/14	<ul style="list-style-type: none"> • PPS HR and Training Specialists to deliver a seminar to ADs/RPs and Line Managers re effective management of PDPs. 	PPS HR Section

Area for Improvement 10 (Continued)

Expected Outcomes
<ul style="list-style-type: none">▪ More targeted advocacy training in line with business needs.▪ Closer alignment between the Training Plan and the annual business planning cycle to ensure that the identification of training is in line with business objectives and value for money principles.

Area for Improvement 11:

The PPS should ensure that written legal applications properly outline in sufficient detail the legal and factual submissions upon which any application is based. Guidelines with quality assurance of these applications by Senior Prosecutors should be introduced (Paragraph 4.97).

Key Issues Highlighted by CJINI:

The quality of written legal applications could be improved.

Action Plan

PPS Ref	Milestones	Timescales	Actions	Responsibilities
CG55/13	<ul style="list-style-type: none"> A range of Sample Applications to be published on PPS Intranet. 	By 31/12/13	<ul style="list-style-type: none"> Worked examples of Special Measures, Bad Character, Hearsay and Witness Anonymity applications to be placed on the Intranet. 	SAD Regions AD Policy & Information
CG56/13	<ul style="list-style-type: none"> Mechanism established for reporting of Applications refused due to inadequacy of grounds. 	By 31/3/14	<ul style="list-style-type: none"> ADs/RPs to review the quality of Applications through dip-sampling. Training issues identified to be reported to AD Policy & Information. VWCU to report when an application has been refused due to inadequate grounds or any other deficiency. 	RPs/ADs SPP Line Managers

Expected Outcomes

- Improved quality of written legal applications.