



**Public
Prosecution
Service**

Independent
Fair
Effective

Annual Business Plan 2021-22

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Foreword

By the Director

I am pleased to present our Annual Business Plan for the 2021-22 financial year.

This document sets out our priorities as a Service and the milestones we will use to assess our progress.

Casting our minds back to the start of the last financial year, we could not possibly have imagined the extent to which our Service would be forced to shift by the unprecedented events of the last 12 months. This plan has inevitably been drafted against the backdrop of the ongoing global pandemic and the PPS's role in the ongoing recovery work across the criminal justice system.



Stephen Herron
Director of Public Prosecutions
for Northern Ireland

Undoubtedly, the pandemic has had a profound impact on our operations. We have had to learn to be more agile, and to work differently. Many of us have moved for now from office-based working to working from home. Prosecutors, Court Support staff and others, who need to appear before the courts, have also seen significant shifts in their work, including the use of remote court appearances via video link.

Notwithstanding the challenges the Covid-19 pandemic has presented, we remain firmly committed to further improving service delivery. In fact, the pandemic has in some instances accelerated modernisation projects for us and for our partners across the criminal justice system.

You will read below about some of these initiatives, including the Service Improvement and Innovation Programme (SIIP). This Programme was established by the Management Board in 2019 to support a range of criminal justice initiatives designed to improve operational delivery, including tacking avoidable delay, which unfortunately has been exacerbated by the pandemic. The 'Speeding up Justice' Programme, Committal Reform, the Indictable Cases Process, the CJSNI Digital Strategy and the joint PPS / PSNI Working Together Initiative are all key components of achieving the desired improvements.

Building public confidence in our work and meeting the needs of victims and witnesses are clear priorities for the PPS in the year ahead. A key component of this will be the review of the Victim and Witness Care Unit which is operated jointly with

police. We will also publish a Communications and Engagement Strategy as a clear signal of our desire to be accountable and transparent in explaining our role, to engage more positively and further enhance understanding of our work.

We began work on improving our digital capabilities long before the pandemic, but it has brought home the importance of modernising our service, which in recent months has included the roll out of digital evidence sharing with police and a new accessible website. Further enhancements are planned, as we work to implement the CJSNI's Digital Strategy alongside our own priorities for transformation.

For managers at all levels within the PPS, ensuring the wellbeing of our staff is a primary aim. Indeed this has been at the forefront of our minds in recent times, in light of the added challenges and pressures created by the pandemic, both for office-based staff and those working remotely. This plan sets out our objective to support and empower our people, to continue to keep our staff safe and well, and to implement in full our People Plan objectives for the year.

Finally I would like to take this opportunity to pay tribute to PPS colleagues across all areas of business for the extraordinary lengths they have gone to over the past year to adapt to these unprecedented circumstances.

It is my firm belief that this business plan sets the foundations for how the PPS can strive to improve our service over the coming year. It is noted that the Executive hopes that the one year budget set for 2021-22 will act as a bridge to a multi-year budget which will allow it to properly prioritise its spending and plan for the longer term. I share this desire for funding certainty to allow us to realise our vision to modernise the Service to meet the changing demands facing us in the years ahead.



Stephen Herron
Director of Public Prosecutions
for Northern Ireland

May 2021

Our Purpose

We will provide an independent, fair and effective prosecution service for the people of Northern Ireland. We will 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 will work with partners to build a safer community in which we respect the law and each other. We will strive 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.

Our Values

Independence and Integrity

We will maintain our independence and act at all times with integrity, fairness and impartiality. We will seek to deliver justice in every case in accordance with the law, respecting the human rights of all persons.

Openness and Honesty

We will communicate openly and honestly, in accordance with our professional duties. We will set clear standards about the service the public can expect from us.

Respect

We will respect each other, our colleagues and the public we serve, showing courtesy, sensitivity and understanding.

Excellence

We will make the best use of our people and resources, seeking to achieve excellence in everything we do.

Partnership

We will work in partnership within the criminal justice system to better serve the community

Our Organisation

The Public Prosecution Service (PPS) is the principal prosecuting authority in Northern Ireland. In addition to taking decisions as to prosecution in all cases initiated or investigated by the police, it also considers cases initiated or investigated by other statutory authorities, for example HM Revenue and Customs.

The PPS was established in June 2005. The Justice (Northern Ireland) Act 2002 defines the PPS, its statutory duties and responsibilities, and the legislative framework within which it must provide its services.

Since the devolution of policing and justice to the Northern Ireland Assembly in April 2010, the Service has been designated as a non-ministerial government department. Funding for the PPS is provided by the Northern Ireland Assembly and, as Accounting Officer for the Service, the Director is responsible for ensuring that the public monies provided are used efficiently. All staff, other than the Director and Deputy Director, are members of the Northern Ireland Civil Service.

PPS Services

The primary role of the PPS is to reach decisions to prosecute 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. Prosecutors may also refer offenders to the National Driver Alertness Course.

PPS Structures

The PPS is a regionally based organisation. There are two regions:

- Belfast and Eastern; and
- Western and Southern.

Each region is headed by an Assistant Director (AD). The AD is responsible for working with the courts and the police to provide a high quality prosecution service in their area. The regions deal with a wide range of cases, from the less serious

summary cases, which are heard in the Magistrates' Courts, through to more serious indictable cases which are heard in the Crown Court.

In addition there are four legal sections, based in PPS Headquarters, which are also headed at AD level. These sections are as follows:

- The Serious Crime Unit deals with a range of the most serious offences including murder, manslaughter, rape and other serious sexual offences, human trafficking, prostitution and related offences.
- Central Casework Section deals with some of the most high profile and difficult cases in Northern Ireland, including files relating to terrorism and organised crime.
- Fraud and Departmental Section deals with serious and complex fraud files submitted by the police, as well as files from Government Departments and agencies.
- High Court and International Section deals with a range of specialist legal matters, including High Court bail applications, restraint and confiscation orders, extradition, international letters of request, judicial reviews, appeals to the Court of Appeal and cases referred by the Criminal Cases Review Commission.

Corporate Services provides the PPS with a variety of professional, technical and other support services, and includes the Policy and Information Unit, Victim and Witness Care Unit, Information and Communications Technology, Resource Management, Finance and Fees, Communications, Business Assurance and Property Management.

An Organisation Chart for the PPS is presented at **Annex A**.

Working in Partnership: Criminal Justice System Northern Ireland (CJSNI)

The PPS works in partnership with the Police Service of Northern Ireland (PSNI), the Northern Ireland Courts and Tribunals Service (NICTS), the Northern Ireland Prison Service (NIPS), the Probation Board for Northern Ireland (PBNI), the Youth Justice Agency (YJA) and the Department of Justice (DOJ), as part of the Criminal Justice System Northern Ireland.

The Director is a member of the Criminal Justice Board which is chaired by the Minister of Justice. This was established by the Minister to improve engagement between the most senior leaders within the criminal justice system and to provide strategic oversight for the work of the CJSNI.

Managing Change

The Service Improvement and Innovation Programme

The Service Improvement and Innovation Programme (SIIP) was established by the Management Board in 2019 in order to provide a framework for the oversight and delivery of key PPS projects and inter-agency service improvement initiatives.

Tackling avoidable delay is an increasing focus for the criminal justice system in Northern Ireland. This need has been underlined in reports by Criminal Justice Inspection Northern Ireland and the Northern Ireland Audit Office. In order to address this issue, the PPS is actively engaged in a range of criminal justice initiatives with the Department of Justice and other CJSNI partners, including PSNI and NICTS.

This includes the 'Speeding up Justice' Programme which provides the framework for the initiatives set out in the Justice Act (Northern Ireland) 2015. A number of these initiatives are also reflected in the NI Executive's 'New Decade, New Approach', and as such are of strategic importance in terms of enhancing service delivery, improving efficiency and delivering better outcomes within the criminal justice system.

In addition, the Service is taking forward a number of internal service delivery projects, as well as implementing the CJSNI Digital Strategy.

Key initiatives under the SIIP umbrella include Committal Reform, the Indictable Cases Process (ICP), Gillen Review implementation, the CJSNI Digital Strategy and the joint PPS / PSNI Working Together initiative.

Strategic Improvement Board

The Strategic Improvement Board (SIB), chaired by the Deputy Director, is responsible for managing initiatives taken forward under SIIP. The Senior Assistant Director for Resources and Change and Senior Assistant Director for Serious Crime and Regional Prosecutions act jointly as the Senior Responsible Officer (SRO) for SIIP.

The Board held its first meeting in September 2019

Challenges for the Year Ahead

Ahead of each annual business planning cycle, it is important that we assess our current operating context. As well as helping to plan for the year ahead, this allows us to focus on key priorities and to respond to any new opportunities and challenges, so that we can provide our managers and staff with the information and support they need. The summary below outlines a number of the key themes identified for the year, including the ongoing impact of the coronavirus (Covid-19) pandemic.

This business plan should be regarded as a 'living document'. The PPS is operating in a dynamic environment, and we must be willing to adapt as circumstances dictate. Therefore throughout 2021-22, the PPS Management Board will take regular opportunities to look ahead to identify emerging trends, so that our approach can be adjusted as necessary.

Coronavirus (COVID-19)

The coronavirus (COVID-19) pandemic has presented the PPS and our partners across the CJSNI with very significant challenges. Our operational response has evolved during the emergency, and we have been fully engaged in cross-criminal justice emergency planning activity throughout this period. We have played a central role in making sure that essential work to deliver justice can continue, including maintaining our presence in the courts, while taking all necessary steps to protect our people, our partners and the public. In the short term, this meant making a series of immediate changes as Northern Ireland entered periods of lockdown – including the adoption of remote working while ensuring that appropriate social distancing measures were enforced in our offices where this was not an option.

The situation continues to evolve, and as business levels across all court tiers continue to increase, we have the added challenge of addressing case backlogs at court which have inevitably built up over the last 12 months. Going forward, we will act on the latest information in order to review and adapt our working practices. We will also seek to provide regular information and updates to victims and witnesses who are of course central to these efforts.

Domestic and Sexual Violence and Abuse

Domestic and sexual violence and abuse are among the most challenging crimes prosecuted by the PPS and we understand the devastating impact on victims. Over the next year, we will continue to build our capacity in this area, for example by working with police to embed the new operating arrangements in place between our Serious Crime Unit and the PSNI's Public Protection Branch in respect of cases

involving serious sexual offences. Implementing the recommendations from the review carried out by Sir John Gillen remains a priority.

The new Domestic Abuse and Civil Proceedings Act, which received Royal Assent in March 2021, represents a major step forward in terms of our ability to deal effectively with domestic abuse cases. The PPS has engaged with the Department of Justice, PSNI, NICTS and other partner agencies to ensure that implementation, scheduled for late 2021, can proceed as planned. A number of complementary initiatives have also been put forward, including the introduction of new specialist prosecutors within the PPS.

Digital Justice

The technology we use to support our operations is evolving rapidly as we engage with partners in implementing the CJSNI Digital Strategy. For example, new mechanisms will be progressed during 2021-22 to transfer digital evidence (such as CCTV footage) electronically to the courts and to the defence, removing the need to transport and manage physical discs. The operating difficulties experienced during the pandemic have also emphasised the need for innovation, for example in our working arrangements and the need for a more agile approach. This will be developed further during the year as the NICS strategy evolves.

The nature of PPS casework is also changing and is becoming more and more complex as both police and prosecutors must now deal with unprecedented volumes of digital evidence. This represents a major challenge in terms of our resources and is evidenced across a broad range of offence types, including sexual and domestic violence and abuse and the more serious drug cases.

PPS Resources

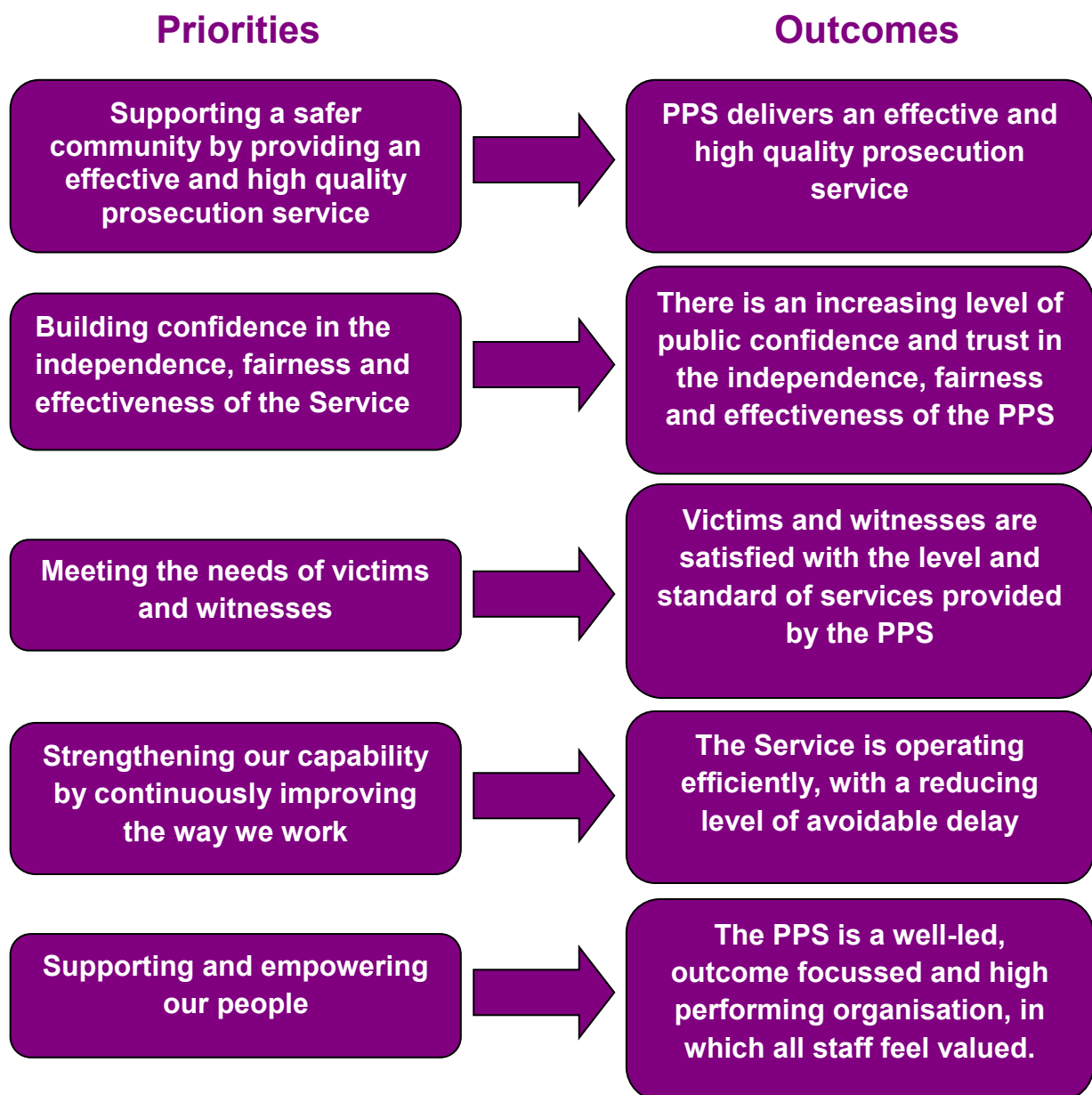
The PPS's budget position continues to be a difficult one. In particular, the demand-led nature of the PPS workload makes budgetary management difficult as the standard measures of reducing services or discontinuing activities are not readily available to senior management.

Details of the allocation for 2021-22, which is in line with the 2020-21 baseline, are set out at page 20. Whilst delivery of the full range of PPS services will prove challenging within this allocation, we will seek to address these pressures as we move through the financial year.

Our Priorities

PPS corporate planning is based around five strategic priorities which act as a framework to drive our planning outcomes and our approach to managing performance and risk.

Our approach includes an Outcomes-based Accountability (OBA) element. The NICS is committed to embedding the OBA approach and the PPS hopes to develop this aspect of our planning framework over the next planning cycle.

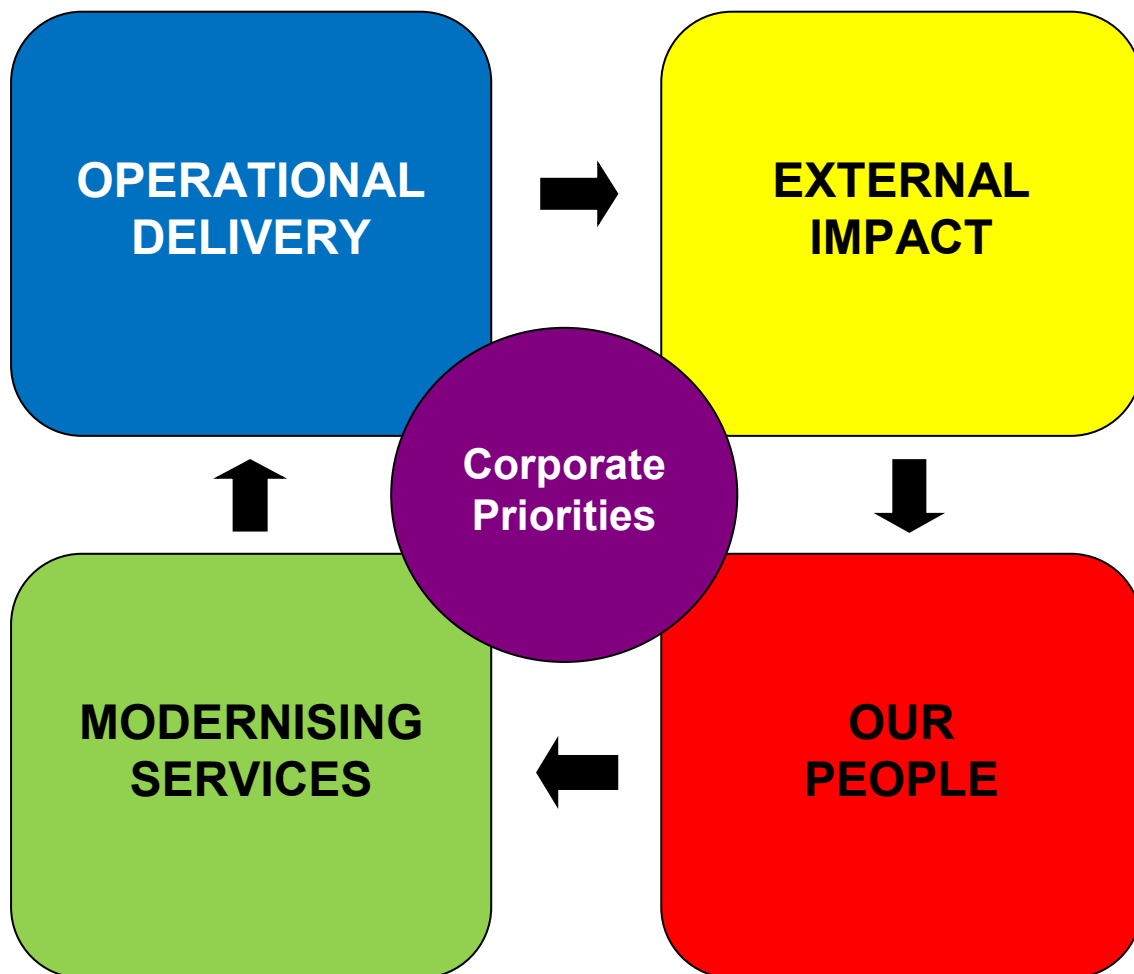


What We Plan to Achieve in 2021-22

Our Annual Business Plan for 2021-22 is in the form of a 'Balanced Scorecard'. This sets out the actions and initiatives we intend to take forward as the focus of our work programme over the next 12 months, in support of delivering our business priorities and associated outcomes.

Our Scorecard is based around four areas:

- **Operational delivery** (for example, maintaining or improving the standard of our casework and advocacy).
- **External impact** (for example, the delivery of victim and witness services).
- **Modernising services** (for example, greater use of digital / IT processes).
- **Our people** (for example, supporting staff engagement and well-being).



2021-22 Scorecard Areas

Operational Delivery

| Priority | Initiatives and actions |
|---|--|
| <p>Priority 1: Supporting a safer community by providing an effective and high quality prosecution service</p> | <ul style="list-style-type: none"> • Working with CJSNI partners to implement the Domestic Abuse and Civil Proceedings (Northern Ireland) Act 2021, including: <ul style="list-style-type: none"> (a) Development and testing of IT system changes in support of the new provisions; (b) Drafting of legislative and procedural guidance for staff; and (c) Design and delivery of a comprehensive training and awareness programme. • Introduction of new Domestic Violence and Abuse (DV & A) Specialist Prosecutors. • Implementation of a DV & A Prosecution Clinic Model (Belfast Pilot). • Implementation of a new DV & A Contest Court (Belfast Pilot). • Working with CJSNI partners to implement the recommendations of the Gillen Review. • Publication of a new Sexual Violence and Abuse Policy. • Agreement of a five year Sexual Offences Strategy, including the development of a new suite of performance measures. • Ongoing engagement in respect of the arrangements for dealing with legacy cases. |

Operational Delivery

| Priority | Initiatives and actions |
|---|--|
| <p>Priority 1: Supporting a safer community by providing an effective and high quality prosecution service (Continued)</p> | <ul style="list-style-type: none"> • Working with CJSNI partners to implement the recommendations of the Independent Review of Hate Crime Legislation in Northern Ireland. • Development of legal policy and guidance, including the publication of: <ul style="list-style-type: none"> (a) Modern Slavery and Human Trafficking Policy; (b) Guidelines for Prosecuting Cases involving Young People; (c) Guidelines on Prosecuting Cases involving Electronic Communications; and (d) An updated Domestic Violence and Abuse Policy. • Delivery of the PPS Quality Assurance Review Programme, including the assessment of casework against the Service's Prosecution Quality Standards (PQS) via monthly dip sampling. • Covid-19 pandemic: Maintenance of region / section recovery plans. |

External Impact

| Priority | Initiatives and actions |
|--|---|
| <p>Priority 2: Building confidence in the independence, fairness and effectiveness of the Service</p> | <ul style="list-style-type: none"> • Development of action plans in response to Criminal Justice Inspection Northern Ireland recommendations and ongoing monitoring of agreed action plan objectives. • Implementation of the PPS Communications Strategy and agreed objectives for 2021-22. • Publication of Official Statistics and performance data in line with the agreed schedule, including statistical bulletins on hate crime and sexual offences. • Management of complaints and requests for review, identifying learning to inform improved services and processes for victims and witnesses and other service users. • Publication of the Annual Report of the Independent Assessor of Complaints for 2020-21 and the implementation of agreed actions. • Achievement of action plan objectives for 2021-22 in support of the PPS Equality Scheme / Disability Discrimination Act. |

External Impact

| Priority | Initiatives and actions |
|--|--|
| <p>Priority 3: Meeting the needs of victims and witnesses</p> | <ul style="list-style-type: none"> • Working with partners to deliver the review of the Victim and Witness Care Unit (VWCU) in line with the agreed action plan, including: <ul style="list-style-type: none"> (a) An enhanced approach to victim and witness needs assessment; (b) Development of resource plans; and (c) A staff training and development programme. • Development of a new VWCU service model to ensure enhanced provision of care. • Working with partners to meet the objectives set out in the CJSNI's Victim and Witness Strategy for 2021-24, including the development of mechanisms to monitor how well we are delivering the rights and entitlements as laid out in the Victim and Witness Charters. • Working with partners through the Victim and Witness Steering Group to identify and respond to emerging issues and deliver improved outcomes for victims and witnesses. • Provision of continued support for the Registered Intermediaries Scheme. • Ongoing consultation and engagement via the PPS Stakeholder Engagement Forum (Quarterly). |

Modernising Services

| Priority | Initiatives and actions |
|--|--|
| <p>Priority 4: Strengthening our capability by continuously improving the way we work</p> | <ul style="list-style-type: none"> • 'PPS 2027': Development of a five year Strategic Plan (2022 – 2027) for the PPS. • Delivery of key operational PPS projects and inter-agency initiatives under the Service Improvement and Innovation Programme, including: <ul style="list-style-type: none"> (a) Achievement of Committal Reform Programme objectives for 2021-22; (b) Ongoing development of the PSNI/PPS Working Together initiative, including scoping the potential extension of the key principles to additional file types; (c) Ongoing development of the Indictable Cases Process (ICP), including scoping the potential expansion of ICP offences in line with the Gillen Review and to support Committal Reform changes; (d) Adoption of the National Disclosure Standards; (e) Implementation of the CJSNI Digital Strategy – phases two (sharing of digital material with the courts) and three (sharing of digital material with the defence); and (f) Development of a revised Prosecution Fee Scheme. • Implementation of PPS ICT Strategy objectives for 2021-22. • Covid-19 pandemic: Working with CJSNI partners on agreed 'Recovering the Justice System' initiatives and the ongoing development and delivery of operational recovery plans on a cross-agency basis. |

Our People

| Priority | Initiatives and actions |
|--|---|
| <p>Priority 5: Supporting and empowering our people</p> | <ul style="list-style-type: none"> • Implementation of PPS People Plan actions for 2021-22 across the six People Priorities: <ol style="list-style-type: none"> (1) Improvement of internal communication; (2) Strategic workforce planning and timely, responsive vacancy management and supply; (3) More flexible and innovative ways of working; (4) Review of the performance management system; (5) Improved focus on both the physical and mental wellbeing of staff; and (6) Improvement and development of leadership skills. • Achievement of Investors in People reaccreditation. • Implementation of PPS Corporate Social Responsibility and well-being objectives for 2021-22. • Delivery of the Annual Corporate Training Plan. • Maintenance of effective employee relations within the PPS. • Implementation of the Health and Safety Work Programme for 2021-22. |

Key Delivery Measures

The following are the key delivery measures for 2021-22 against which the performance of the PPS will be assessed. Performance against these measures will be accounted for in our Annual Report for the coming financial year.

Priority 1: Supporting a safer community by providing an effective and high quality prosecution service

- **Casework Quality Assurance (Dip sampling)**
 - Percentage of prosecution decisions taken in accordance with the Code for Prosecutors.
- **Unsuccessful outcomes**
 - Number of No Bills granted in the Crown Court.
 - Number of Acquittals by Direction in the Crown Court.

Priority 2: Building confidence in the independence, fairness and effectiveness of the Service

- **Criminal Justice Inspection**
 - Monitoring of agreed recommendations.
- **Public confidence (NI Life and Times Survey)**
 - Percentage public confidence in the provision of a fair and impartial prosecution service.
 - Percentage who feel the PPS is effective at prosecuting people accused of committing a crime.
- **Complaints**
 - Number of complaints by type of issue raised.
 - Percentage of complaints (a) acknowledged within 5 working days (b) dealt with within 20 working days.
- **Requests for a review of a decision not to prosecute**
 - Percentage of requests (a) acknowledged within 5 working days (b) dealt with within 8 weeks.

Key Delivery Measures

Priority 3: Meeting the needs of victims and witnesses

- **Northern Ireland Victim and Witness Survey**
 - Percentage victim and witness satisfaction with the services delivered by the VWCU.
- **Delivery against Victim and Witness Charter Commitments (VWCU)**
 - Percentage of notifications to the victim within 7 days of decision.
 - Percentage of notifications of file submission within 7 days of receipt.
 - Percentage of notifications of arraignment within 7 days of scheduling.
- **Special Measures**
 - Number of special measures applications applied for / percentage granted.

Priority 4: Strengthening our capability by continuously improving the way we work

- **Review of charges**
 - Percentage of 28 day charge cases where charge sheets are reviewed within at least 3 working days of first appearance.
- **Timeliness of decisions issued (Regions / Serious Crime Unit)**
 - Percentage of decisions issued within agreed timescales by type of decision.
- **Decision information requests (DIRs) to Police**
 - Percentage of indictable / summary decisions where a DIR was required.

Priority 5: Supporting and empowering our people

- **Staff satisfaction**
 - Percentage of staff who agree that the PPS is a good organisation to work for.
 - PPS Employee Engagement Index (%).
- **Performance management**
 - Percentage of staff with an agreed Personal Performance Agreement by 30 April.
 - Percentage of end of year Performance Management Reports completed by 30 April.
- **Training**
 - Number of agreed training events delivered.

PPS Resources

The Department has been allocated **£35.2m** of Resource funding and an additional **£0.6m** of Capital funding in the proposed 2021-22 budget. This allocation is in line with baseline allocations in 2020-21, with bids being partially met for both 'legacy casework' and the impact of the UK's exit from the European Union.

Details of the allocation are set out below.

| Draft Budget Outcome | £m |
|---|-------------|
| Opening Resource baseline (same as 2020/21) | 34.3 |
| EU Exit Costs | 0.4 |
| Legacy Costs | 0.5 |
| Total Resource Funding | 35.2 |

| | |
|--|------------|
| Opening Capital baseline (same as 2020/21) | 0.6 |
| Total Capital Funding | 0.6 |

This proposed baseline budget is currently split across the Service's spending priorities as follows:

| Spending Area | £m |
|--|-------------|
| Staffing | 25.0 |
| Legal and Court Costs (including Counsel Fees) | 6.5 |
| Accommodation, IT and Other Costs | 3.7 |
| Total | 35.2 |

Managing Risk

The PPS faces a range of risks and uncertainties in delivering its priorities and objectives over the next year.

The identification and review of corporate risks is the responsibility of the Management Board. All corporate risks are owned by members of the Board and will be actively managed over the course of the financial year. The corporate risk areas identified at the beginning of the 2021-22 financial year include the following:

Priority 1: Supporting a safer community

- Coronavirus (Covid-19): Impact on PPS delivery and performance.
- Uncertainty regarding arrangements for legacy casework.

Priority 2: Building confidence

- Management of serious and high profile cases, including sexual and domestic violence and abuse.
- Approach to stakeholder and public engagement.

Priority 3: Meeting the needs of victims and witnesses

- Coronavirus (Covid-19): Impact on victim and witness services.

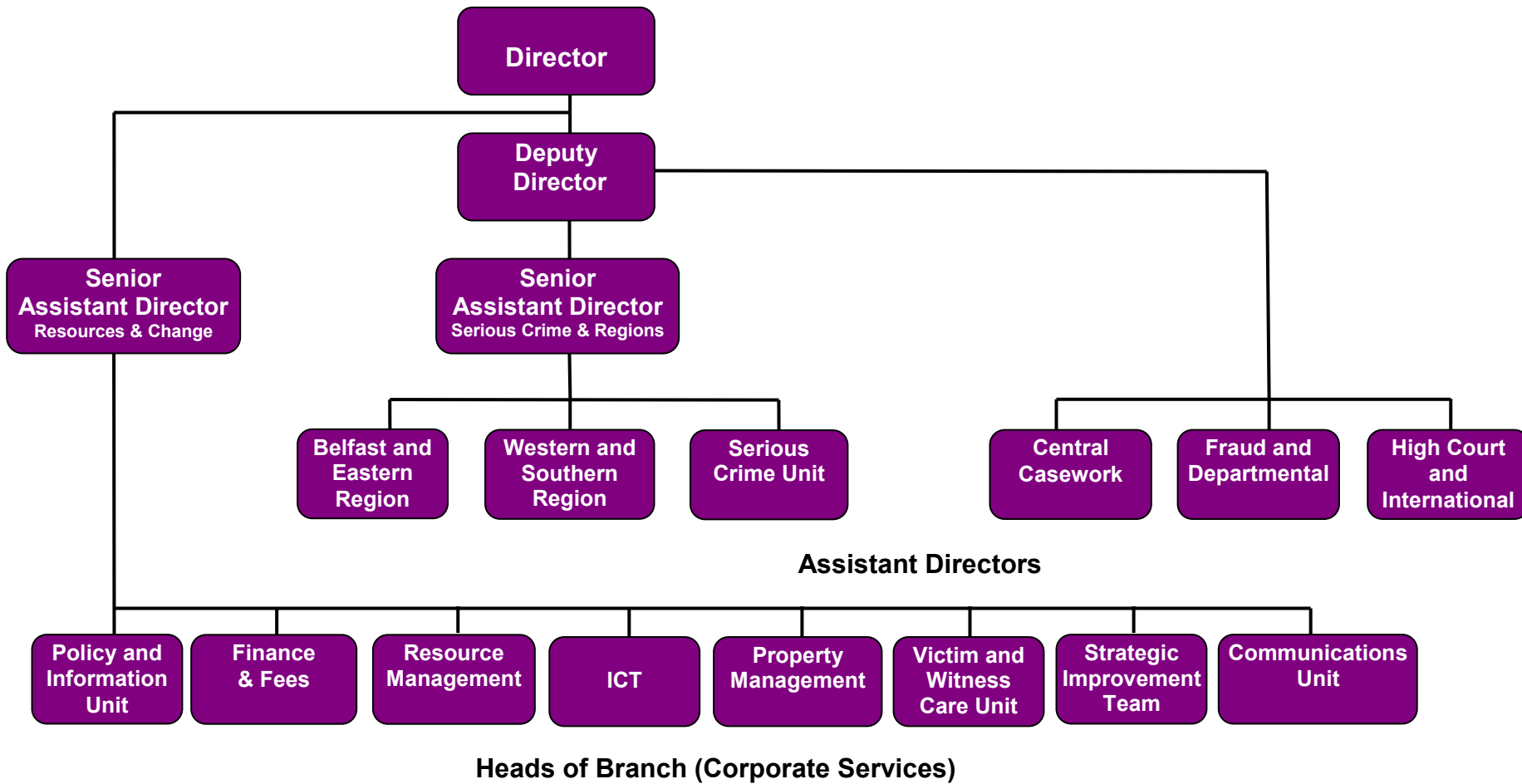
Priority 4: Strengthening our capability

- Impact of funding pressures on levels and standards of service.
- The delivery and management of service improvement initiatives.
- Information management and security / GDPR compliance.

Priority 5: Supporting and empowering our people

- Coronavirus (Covid-19): Impact on the well-being of staff.
- Delivery of the PPS People Plan.

Annex A: PPS Organisation Chart (May 2021)





**Public
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Contact Us

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