



**Public
Prosecution
Service**

Independent
Fair
Effective

Annual Business Plan 2022-23

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Foreword By the Director

I am pleased to present our Annual Business Plan for the 2022-23 financial year.

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

Reflecting on the past year, I believe the PPS has risen to the many challenges presented to us by the ongoing pandemic. I would like to thank all staff across the Service for the resilience and dedication they have shown in maintaining the delivery of an effective prosecution service on behalf of the people of Northern Ireland.

We are working closely with partners within the criminal justice system to ensure that backlogs and delays caused by the pandemic are addressed as quickly as possible. I know this remains a challenging time for victims and witnesses and I am grateful for the understanding we have seen in the last year as recovery work continues.

Looking ahead, I can provide an assurance that 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. A new model has now been agreed for the Unit in which it is proposed to introduce assistance and support from Victim Support NI at an early stage. During the year ahead, we will seek to progress the implementation of the new model, in partnership with the Department of Justice, the PSNI and VSNI.

There is an increasingly sharp focus on victims of domestic and sexual violence and abuse. We understand the devastating impact of these crimes and we will provide support for new strategies being developed in these areas, including the Domestic and Sexual Abuse Strategy led by the Department of Health and the Department of Justice, as well as the Equally Safe Strategy, a new Executive Office-led Strategy to tackle Violence Against Women and Girls. In parallel with this, we will publish a number of new policy statements on domestic abuse and sexual abuse. We will also publish a new policy on stalking offences, following the recent introduction of the Protection from Stalking Act. A comprehensive training package will be provided to



Stephen Herron
Director of Public Prosecutions
for Northern Ireland

our Domestic Abuse Specialists to ensure that they are properly equipped to deal with these new offences.

During 2022-23, we will continue to prioritise key service improvement projects through our Service Improvement and Innovation Programme. This will include the rollout of the third phase of the Digital Evidence Project in which multimedia evidence will be shared digitally with defence. Other modernisation initiatives include our work with the Department of Justice and partners to introduce new direct committal arrangements. This year will see an important step on the path to reform with the abolition of oral evidence at the committal stage.

Internally, we will implement the NICS's New Ways of Working Project which will in time allow many PPS staff to work more flexibly, with a mix of office-based and home working. This is a major change which requires careful planning in order to ensure that both service delivery and employee needs can be met. The transition has been helped in no small part by learning during the pandemic period which has seen the introduction of new IT systems and a more modern staff intranet which allow us to collaborate and communicate more easily in a hybrid working environment.

These developments, coupled with easements in restrictions, have led to a greater sense of optimism at the start of the 2022-23 financial year. However, significant challenges remain, not least in terms of our funding. The contingency budget, outlined later in this document, presents huge difficulties for us, particularly in light of the ongoing impact of Covid-19. It was hoped that the Executive's one year budget for 2021-22 would lead to a multi-year settlement for NI Departments. For the PPS, this funding certainty is crucial if we are to properly manage spending, deliver our business priorities and plan for the longer term.



Stephen Herron
Director of Public Prosecutions
for Northern Ireland

May 2022

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 response, 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 were 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. Key initiatives under the SIIP umbrella include Committal Reform. An important step will be taken during 2022-23 with the abolition of oral evidence at the committal stage.

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

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.

During 2021-22, the remit of the SIB was extended to act as a main forum for the prioritisation and oversight of projects across the Service. This recognised the need to ensure that all new projects were considered by senior management in the context of finite project management, IT and other resources within the organisation.

Key Issues 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 very dynamic environment, and we must be willing to adapt as circumstances dictate. Therefore throughout 2022-23, the PPS Management Board will take regular opportunities to look ahead to identify emerging trends, so that our approach can be adjusted as necessary. In particular, there is a need to keep the financial situation under review as regards the organisation's capacity to meet our statutory obligations and business priorities.

Coronavirus (COVID-19)

The coronavirus (COVID-19) pandemic has presented the PPS and our partners across the CJSNI with very significant challenges. During the emergency we played a central role in making sure that essential work to deliver justice could continue, including maintaining our presence in the courts, while taking all necessary steps to protect our people, our partners and the public.

As a Service, we now have the added challenge of addressing case backlogs at court, and the associated delay which has inevitably built up over the pandemic period. Substantial progress has already been made in reducing backlogs, but much work remains to be done, particularly in the Crown Court subject to funding being available. We will remain fully engaged in cross-criminal justice recovery activity over the next financial year. We will also continue 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. Over the next year, we will continue to build our capacity in this area, for example by embedding our new Domestic Abuse Specialist Prosecutors, introduced in the Autumn of 2021. The Domestic Abuse and Civil Proceedings Act, implemented in February 2022, represented a major step forward in terms of our ability to deal with domestic abuse cases and we will ensure that these provisions operate effectively.

New legislative provisions introduced by the Department of Justice is designed to specifically deal with cases involving stalking. These new offences will be dealt with by our Specialist Prosecutors.

In respect of cases involving serious sexual offences, implementing the recommendations from the review carried out by Sir John Gillen remains a priority. This includes the rollout of new Remote Evidence Centres across Northern Ireland, in conjunction with the Department of Justice and other partners.

We will also provide support for any new strategies being developed in these areas. In the year ahead these will include a Domestic and Sexual Abuse Strategy led by the Department of Health and the Department of Justice; and an Equally Safe Strategy – a new Strategy to tackle Violence Against Women and Girls led by the Executive Office.

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 draft contingency budget allocation for 2022-23, which is in line with the 2021-22 baseline, are set out at page 21. Delivery of the full range of PPS services, while also maintaining progress on recovery, will prove challenging within this allocation. However we will seek to address these pressures as we move through the financial year.

Digital Justice

PPS casework 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 affects a broad range of offence types, including sexual and domestic violence and abuse and the more serious drug cases. The additional resource challenges presented by the increasing complexity of serious casework has been recognised in other jurisdictions and will be a focus for PPS in the coming year.

The technology we use to support our operations is also evolving rapidly. The operating difficulties experienced during the pandemic have underlined the need for innovation, to review and adapt our working arrangements and for a more agile approach. The implementation of the CJSNI Digital Strategy is central to this. For example, new mechanisms will be progressed during 2022-23 to transfer digital

evidence (such as CCTV and police body-worn video footage) electronically to the defence, removing the need to transport and manage physical discs.

New Ways of Working

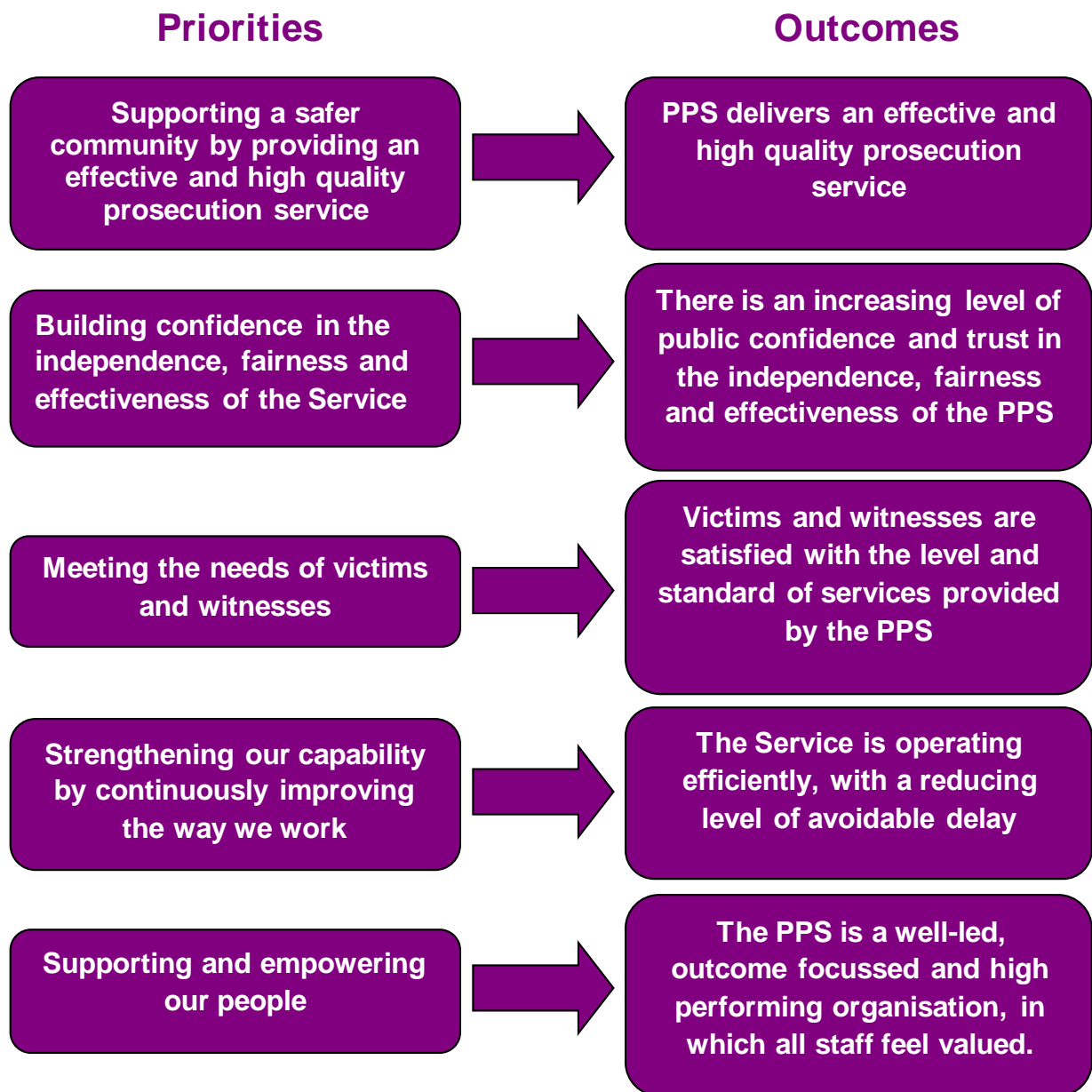
For many NICS staff the traditional workplace is changing, with the introduction of greater flexibility and 'hybrid' working arrangements developed through the New Ways of Working Project.

During 2022-23, the PPS will implement the NICS Hybrid Working Policy which provides a framework to ensure consistent practice. Our aim will be to ensure that both service and employee needs continue to be met.

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 enhance this aspect of our planning framework over the next year as we develop and consult a new Corporate Plan for the Service.

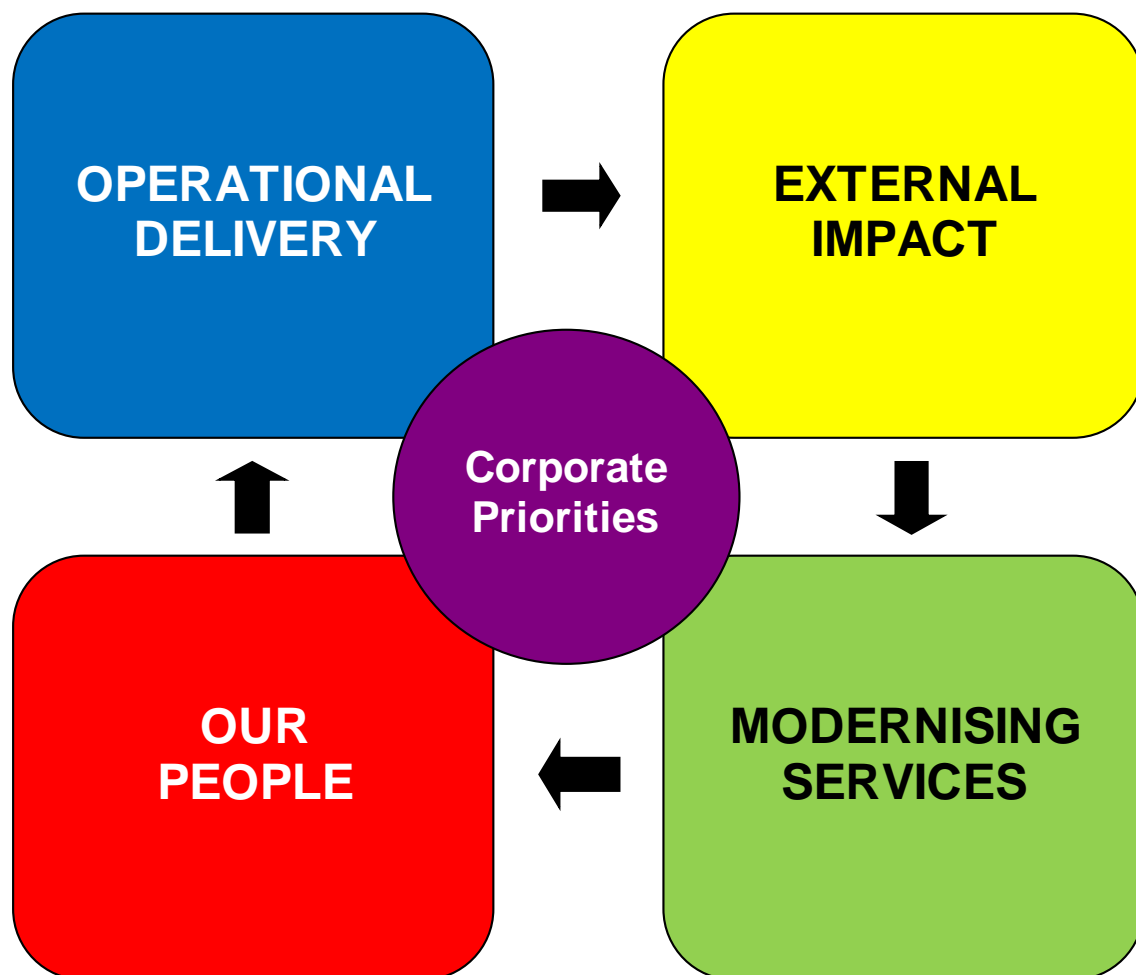


What We Plan to Achieve in 2022-23

Our Annual Business Plan for 2022-23 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).



2022-23 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"> • Development of action plans in response to Criminal Justice Inspection Northern Ireland recommendations and ongoing monitoring of agreed action plan objectives. • Development of legal policy and guidance, including the publication of: <ul style="list-style-type: none"> ○ Revised Code for Prosecutors. ○ Policy for Prosecuting Sexual Offences. ○ Policy for Prosecuting Cases involving Domestic Abuse (for Consultation). ○ Policy for Prosecuting Cases involving Stalking (for Consultation). • Agreement of a five-year Sexual Offences Strategy, including the development of a new suite of performance measures. • 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. • Agreement of arrangements with any new institutions established to investigate legacy cases. • We will work with CJSNI partners to implement: <ul style="list-style-type: none"> ○ The agreed recommendations of the Independent Review of Hate Crime Legislation in Northern Ireland. ○ The remaining recommendations arising from the Gillen Review. ○ The new offences under the Protection from Stalking Act (Northern Ireland) 2022.

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"> • Implementation of the PPS Communications Strategy and agreed objectives for 2022-23. • 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 2021-22 and the implementation of agreed actions. • Achievement of action plan objectives for 2022-23 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 (continued)</p>	<ul style="list-style-type: none"> • We will work with CJSNI partners to: <ul style="list-style-type: none"> ○ Deliver the new Victim and Witness Care Unit (VWCU) service model to ensure enhanced provision of care. ○ Deliver agreed 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. ○ Support the Victim and Witness Steering Group in identifying and responding to emerging issues and the delivery of improved outcomes for victims and witnesses. ○ Provide continued support for the Registered Intermediaries Scheme. ○ Progress the Remote Evidence Centre Pilot (Phase 2). • Ensure effective consultation and engagement with stakeholders 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"> • Delivery of key operational PPS projects and inter-agency initiatives under the Service Improvement and Innovation Programme, including the achievement of project objectives in respect of Direct Committal and the Abolition of Oral Evidence. • We will work with CJSNI partners to: <ul style="list-style-type: none"> ○ Ensure the ongoing development of the PSNI/PPS Working Together initiative, including scoping the potential extension of the key principles to additional file types. ○ Ensure the 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. ○ Develop a new early intervention process in youth cases, including the framework for an operational pilot (Southern Region). ○ Implement the Disclosure Improvement Plan.

Modernising Services

Priority	Initiatives and actions
<p>Priority 4: Strengthening our capability by continuously improving the way we work (continued)</p>	<ul style="list-style-type: none"> • CJSNI Digital Strategy: Completion of Phase Three of the Digital Evidence Management Project (sharing of digital material with the defence). • Implementation of PPS ICT Strategy objectives for 2022-23, including completion of the PPS migration to IT Assist. • Working with CJSNI partners on agreed Covid-19 'Recovering the Justice System' initiatives and the ongoing development and delivery of operational recovery plans on a cross-agency basis. • Development of a revised Prosecution Fee Scheme.

Our People

Priority	Initiatives and actions
<p>Priority 5: Supporting and empowering our people</p>	<ul style="list-style-type: none"> • Achievement of agreed PPS People Plan objectives for 2022-23 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. (6) Improvement and development of leadership skills. • Full implementation of 'New Ways of Working' and the NICS Hybrid Working Policy. • Development of a response to the Investors in People reaccreditation assessment. • Implementation of PPS Corporate Social Responsibility and well-being objectives for 2022-23. • Delivery of the Annual Corporate Training Plan. • Maintenance of effective employee relations within the PPS. • Implementation of the Health and Safety Work Programme for 2022-23.

Key Delivery Measures

The following are the key delivery measures for 2022-23 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 (i.e. assessed as achieved / partially achieved / not achieved).
- **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 3 working days (b) dealt with within 30 working days.
- **Requests for a review of a decision not to prosecute**
 - Percentage of requests (a) acknowledged within 3 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

Whilst the Department has not yet been provided with an allocation for 2022-23, the contingency budget provides for £35.2 million of Resource funding in line with opening allocations for 2021-22, and an additional £0.5 million of Capital funding based on requirements identified by PPS.

Details of the allocation are set out below.

Draft Budget Outcome	£m
Opening Resource baseline (same as 2021/22)	35.3
Less Adjusted allocation in respect of Covid	(0.1)
Total Resource Funding	35.2

Opening Capital baseline	0.4
Adjusted for additional £100K requirement in respect of Covid Security measures	0.1
Total Capital Funding	0.5

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

Spending Area	£m
Staffing	24.0
Legal and Court Costs (including Counsel Fees)	6.0
Accommodation, IT and Other Costs	5.2
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 2022-23 financial year include the following:

Priority 1: Supporting a safer community

- Impact of funding pressures in respect of addressing current caseloads and delivery against agreed Covid recovery targets.
- The Service's capacity to deliver legacy casework within the available resources.
- Management of serious and high-profile cases, including the disclosure regime.

Priority 2: Building confidence

- Our approach to stakeholder and public engagement.

Priority 3: Meeting the needs of victims and witnesses

- The impact of the pandemic on PPS performance and services, including the delivery of services to victims and witnesses.

Priority 4: Strengthening our capability

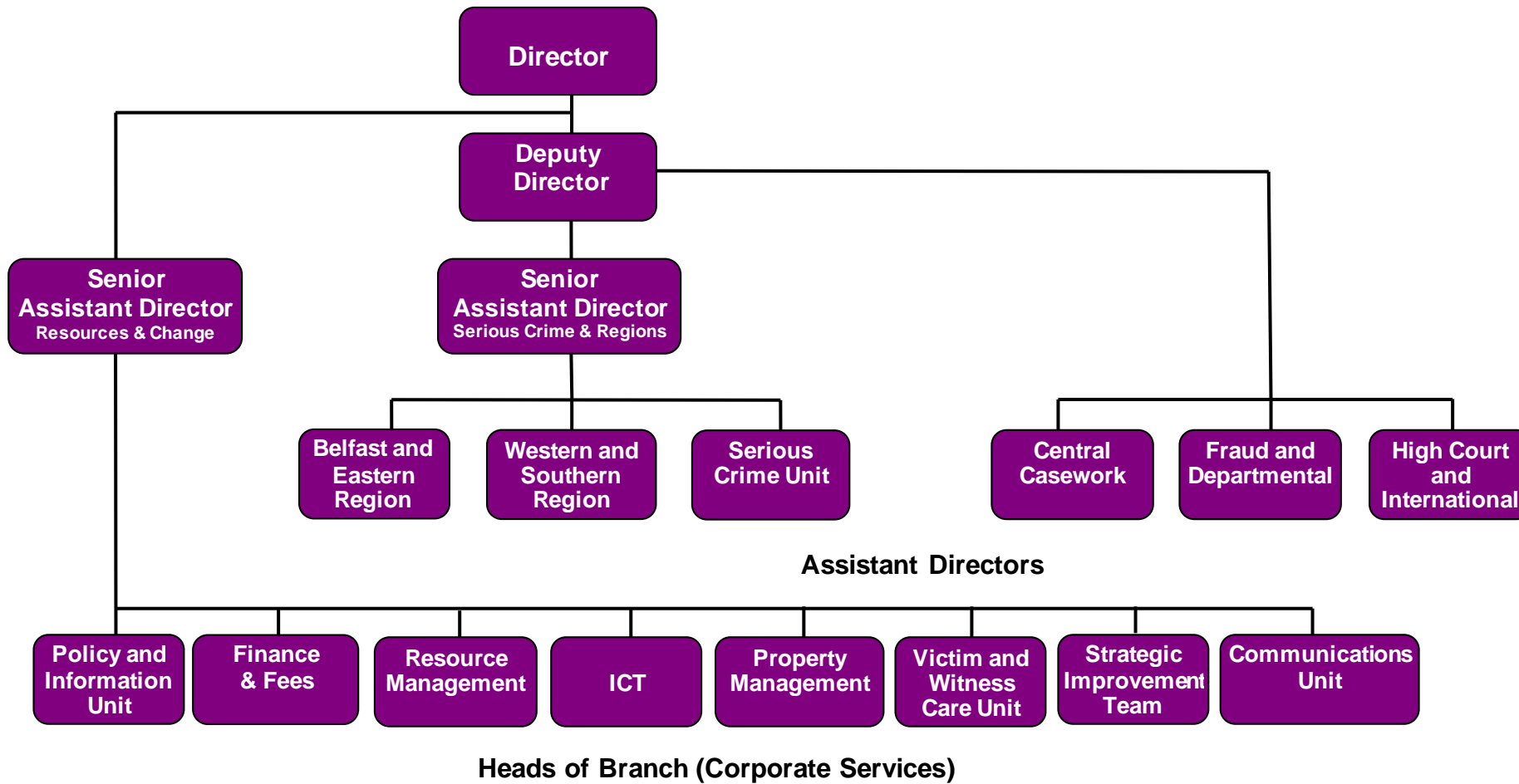
- The competing demands on PPS resources and the potential impact on the delivery of agreed CJSNI initiatives.
- Compliance of PPS systems and procedures with information management and security requirements.

Priority 5: Supporting and empowering our people

- The impact of the pandemic on the well-being of staff.
- Delivery of the PPS People Plan.

- New Ways of Working and the effective implementation of hybrid working arrangements.
- Workforce planning and the retention and recruitment of staff.

Annex A: PPS Organisation Chart (April 2022)





**Public
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Contact Us

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