

Public Prosecution Service for Northern Ireland

# Equality Action Plan 2019-20



**Independent, Fair and Effective**

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# PPS 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.

- **Independence**

The Service will be wholly independent of both police and Government; its decisions will be impartial, based on an independent and impartial assessment of the available evidence and the public interest.

- **Fairness**

All actions will be undertaken with complete impartiality, to the highest ethical and professional standards. All persons, including those accused of offences, will be treated fairly. All victims and witnesses will be treated with respect and sensitivity.

- **Effectiveness**

All prosecution decisions will be taken and every prosecution conducted in an effective and efficient manner. We will provide value for money, while delivering a timely and quality service.

# Introduction

## *Section 75 of the Northern Ireland Act*

Section 75 of the Northern Ireland Act 1998 requires public authorities to have due regard to the need to promote equality of opportunity and regard to the desirability of promoting good relations across a range of categories outlined in the Act. The Public Prosecution Service for Northern Ireland (PPS) is fully committed to the promotion of equality and good relations, as set out in the Act.<sup>1</sup>

The Service works with its criminal justice partners as part of the Criminal Justice System Northern Ireland (CJSNI) to tackle inequalities across the categories specified under Section 75 and to build good relations between persons of differing beliefs, political opinion or racial group. This is achieved through a range of operational mechanisms and policies, and through working in partnership with key stakeholders in the statutory and voluntary and community sectors.

## *The Public Prosecution Service*

The PPS is the principal prosecuting authority in Northern Ireland. In addition to taking decisions as to prosecution in cases investigated by the police in Northern Ireland, it also considers cases investigated by other statutory authorities, such as HM Revenue and Customs.

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. A range of additional services are available which have been designed to enhance the effectiveness of the Service, including the provision of prosecutorial and pre-charge advice and an enhanced service to victims and witnesses.

A range of options are also available for dealing with offenders other than through prosecution. These options include informed warnings, cautions and youth conferencing. Prosecutors may also

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<sup>1</sup> It should be noted that matters relating to the prosecution of offences are excluded from Section 75 by Section 38 of the Justice (Northern Ireland) Act 2002.

refer offenders to the National Driver Alertness Scheme or to a Community Based Restorative Justice Scheme.

### *PPS Equality Structures*

As part of the commitment to our Section 75 obligations, the Management Board has appointed the Senior Assistant Director for Resources and Change as Equality Champion for the Service, whose role is to oversee all aspects of the process. The Equality Champion is accountable to the Management Board and the Director.

The Equality Champion also chairs the Equality and Diversity Steering Group (EDSG), which is made up of representatives from across the Service's business areas, including volunteer staff members with an interest in equality issues. The group meets on a quarterly basis and monitors progress towards meeting the PPS's equality and diversity agenda, in particular ensuring that Section 75 obligations are fulfilled. EDSG reports regularly to the PPS Management Board and maintains responsibility for ensuring that Equality Action Plan objectives are implemented.

The Equality and Governance Officer, working within the PPS Policy and Information Unit, has day to day responsibility for co-ordinating Section 75 statutory obligations across the PPS. The Equality and Governance Officer also takes a lead role in the promotion and embedding of an equality culture within the PPS, raising awareness of Section 75 through induction or other appropriate training provision, ensuring that the Service's working arrangements and policies engender equality best practice. Both the Equality and Governance Officer and the Head of Policy and Information sit on the EDSG.

All senior managers across the PPS are responsible for ensuring that Section 75 obligations are fully complied with in developing, reviewing and implementing policy decisions within their remit.

The Equality Champion represents the PPS on the Diversity Champions Network (DCN), which brings together senior representatives from across the NI Civil Service and which aims to drive forward the equality and diversity agenda across the system.

The Equality and Governance Officer also sits on the Criminal Justice Equality Network, the purpose of which is to explore cross-sector equality issues.

### *About this Action Plan*

This Action Plan has been produced in accordance with the commitments set out in the PPS's Equality Scheme, and has been subject to public consultation. It is based on an assessment by the Service of those areas where outcomes could be improved in terms of our Section 75 responsibilities.

It should be noted that the PPS Equality Action Plan will normally be aligned with the Service's business planning cycle; that is, it will usually cover a three year period, mirroring the Service's Corporate Plan.

However this position has now changed, in that the Service has agreed to produce a one-year business plan for 2019-20. This is to reflect the current budgetary position for the year ahead.

In light of this decision, the Service has developed a one-year Equality Action Plan to the end of March 2020.

### *Next Steps*

The PPS will monitor progress on the delivery of its action measures and update the plan as necessary to ensure that it remains effective and relevant to its functions and duties.

While the Service will work to meet the specific deliverables set out in this plan, efforts to promote equality across the Section 75 categories will continue in all aspects of the Service's business.

The PPS will also report formally to the Equality Commission as part of its Annual Progress Report.

**PPS Action Plan  
2019-20**

## PPS Priority 2:

### *Building confidence in the independence, fairness and effectiveness of the Service*

Outcome	Action Measures	Performance Indicator	Section 75 Group impacted upon	Responsibility for taking actions forward
<b>1. Raised public awareness of the role of the PPS and the standard of services expected among S75 groups and the wider public</b>	1.1 Through outreach events and meetings, senior staff will take every opportunity to address the perceptions of people in affected S75 groups about Hate Crime and the prosecution of offenders, and to explain the PPS role in the overall criminal justice process. <sup>2</sup>	Increased awareness of the PPS (NI Life and Times Survey).	All Section 75 groups.	<b>SAD Serious Crime and Regions / SAD Resources and Change</b> (All Assistant Directors / Head of Policy and Information)
	1.2 Launch of new PPS website, to include improved access to information and policies and better signposting to services.	Monitoring of website usage.	All Section 75 groups.	<b>SAD Resources and Change</b> (Head of ICT / Head of Communications)
	1.3 Release of information and key updates via social media.	Monitoring of social media interaction.	All Section 75 groups.	<b>SAD Resources and Change</b> (Head of Communications)

<sup>2</sup> Events in which the PPS will participate during 2019/20 will include the Belfast Pride and Mela festivals and the #NoPlaceForHate Campaign.

Outcome	Action Measures	Performance Indicator	Section 75 Group impacted upon	Responsibility for taking actions forward
<b>1. Raised public awareness of the role of the PPS and the standard of services expected among S75 groups and the wider public (Continued)</b>	1.4 Publication of Annual Rape / Sexual Offences statistics.	Publication of Annual Statistical Bulletin.	All Section 75 groups but in particular: Gender.	<b>SAD Resources and Change</b> (Head of Policy and Information)
	1.5 Publication of Annual Hate Crime / 'Aggravated by Hostility' statistics.	Publication of Annual Statistical Bulletin.	Race Disability Religion Sexual Orientation.	<b>SAD Resources and Change</b> (Head of Policy and Information)
	1.6 Respond to the findings of the Life and Times Survey, in particular public awareness of the PPS and its role among S75 groups, and take action accordingly.	Publication of Annual Statistical Bulletin.	All Section 75 groups.	<b>SAD Resources and Change</b> (Head of Policy and Information)

Outcome	Action Measures	Performance Indicator	Section 75 Group impacted upon	Responsibility for taking actions forward
<b>2. Increased satisfaction and confidence among S75 groups and members of the wider public</b>	2.1 Consider findings of the annual Life and Times Survey with regards the public perception of the PPS in S75 groups, and in particular our fairness, effectiveness and impartiality, and take action accordingly.	Report on findings of the PPS Life and Times Survey produced for review by the Management Board.	All Section 75 groups.	<b>SAD Resources and Change</b> (Head of Policy and Information)
	2.2 Monitor and assess complaints from service users, including S75 data.	Data captured through complaint follow-up questionnaires will be assessed on a regular basis to ensure that complaints are addressed and handling arrangements are effective.	All Section 75 groups.	<b>SAD Resources and Change</b> (Head of Policy and Information)

Outcome	Action Measures	Performance Indicator	Section 75 Group impacted upon	Responsibility for taking actions forward
<b>2. Increased satisfaction and confidence among S75 groups and members of the wider public (Continued)</b>	2.3 Respond to the findings of Criminal Justice Inspection's Reports including: <ul style="list-style-type: none"> <li>• Equality and Diversity;</li> <li>• Child Sexual Exploitation;</li> <li>• Human Trafficking and Modern Slavery;</li> <li>• Sexual Violence and Abuse; and</li> <li>• Domestic Violence and Abuse.</li> </ul>	Findings from the inspections to be reviewed by senior management, and issues addressed as appropriate via action plans.	All Section 75 groups but in particular: Age (young people), Gender.	<b>SAD Resources and Change / SAD Serious Crime and Regions</b> (Head of Policy and Information)
	2.4 Respond to recommendations arising from the Independent Review of Hate Crime Legislation in Northern Ireland.	Recommendations to be reviewed by senior management, and issues addressed as appropriate via action plans, including updating of PPS Hate Crime Policy as required.	All Section 75 groups.	<b>SAD Serious Crime and Regions</b> (Head of Policy and Information)

Outcome	Action Measures	Performance Indicator	Section 75 Group impacted upon	Responsibility for taking actions forward
<b>2. Increased satisfaction and confidence among S75 groups and members of the wider public (Continued)</b>	2.5 Respond to recommendations arising from the Independent Review of the Arrangements to Deliver Justice in Serious Sexual Offence Cases in Northern Ireland.	Recommendations to be reviewed by senior management, and issues addressed as appropriate via action plans, including updating of PPS Policy for Prosecuting Cases of Rape.	All Section 75 groups but in particular: Gender, Age (young people).	<b>SAD Serious Crime and Regions</b> (Assistant Director, Serious Crime Unit)

Outcome	Action Measures	Performance Indicator	Section 75 Group impacted upon	Responsibility for taking actions forward
<b>3. Improve the range of legal policy guidance available in respect of S75 groups, in consultation with our stakeholders</b>	3.1 Publication for consultation of PPS Guidelines for the Prosecution of Young Offenders.	Review and publication of consultation responses.  Publication of final policy.	Age (young people), Dependants.	<b>SAD Resources and Change</b> (Head of Policy and Information)
	3.2 Publication for consultation of PPS Guidelines for the Use of Diversions.	Review and publication of consultation responses.  Publication of final policy.	All Section 75 groups.	<b>SAD Resources and Change</b> (Head of Policy and Information)
	3.3 Publication of PPS Domestic Violence Guidance.	Publication of guidance document.	All Section 75 groups but in particular: Gender, Age, Dependants.	<b>SAD Resources and Change</b> (Head of Policy and Information)
	3.4 Consider recommendations made in the Commissioner for Older People's Report 'Crime and Justice: The Experience of Older People in Northern Ireland' (May 2019).	Updating of PPS Victim and Witness Policy.	Age.	<b>SAD Resources and Change</b> (Head of Policy and Information)

**PPS Priority 3:**  
***Meeting the needs of victims and witnesses***

Outcome	Action Measures	Performance Indicator	Section 75 Group impacted upon	Responsibility for taking actions forward
<b>4. Improved services, communication and support provided to victims and witnesses, across all Section 75 groups in Northern Ireland</b>	4.1 Provide ongoing support for the Registered Intermediaries Scheme in the Crown and Magistrates' Courts.	The scheme will be monitored internally and issues escalated as appropriate - to inform DOJ's evaluation / key decisions in relation to the future direction of the scheme.	All Section 75 groups.	<b>SAD Serious Crime and Regions / SAD Resources and Change</b> (Regional Assistant Directors / Head of Policy and Information)
	4.2 Carry out needs assessments for all victims and witnesses and ensure that applications for special measures are made as required.	Percentage compliance as measured via internal monitoring.	All Section 75 groups but in particular: Age, Disability, Dependants.	<b>SAD Serious Crime and Regions / SAD Resources and Change</b> (Head of VWCU)
	4.3 Respond to the findings from Criminal Justice Inspection's Review of the Care and Treatment of Victims and Witnesses in Northern Ireland.	Findings from the inspection to be reviewed by senior management, and issues addressed as appropriate via an action plan.	All Section 75 groups.	<b>SAD Serious Crime and Regions / SAD Resources and Change</b> (Head of Policy and Information / Head of VWCU)

Outcome	Action Measures	Performance Indicator	Section 75 Group impacted upon	Responsibility for taking actions forward
<b>4. Improved services, communication and support provided to victims and witnesses, across all Section 75 groups in Northern Ireland (Continued)</b>	4.4 Monitor usage of the PPS 'Track My Crime' facility (Victim and Witness Information Portal), including feedback from S75 groups.	Monitoring of site usage.	All Section 75 groups.	<b>SAD Resources and Change</b> (Head of ICT)

**PPS Strategic Priority 5**  
*Supporting and Empowering our People*

<b>Outcome</b>	<b>Action Measures</b>	<b>Performance Indicator</b>	<b>Section 75 Group impacted upon</b>	<b>Responsibility for taking actions forward</b>
<b>5. Increased staff awareness in respect of equality, disability and diversity issues and the importance of promoting equality of opportunity</b>	5.1 Provide mandatory e-learning training for all staff in Section 75 matters.	Percentage of available staff trained in Section 75 matters.	All Section 75 groups.	<b>SAD Resources and Change</b> (Head of Resource Management)
	5.2 Provide 'Unconscious Bias' training for all new staff.	Percentage of new staff members trained in Section 75 matters.	All Section 75 groups.	<b>SAD Resources and Change</b> (Head of Resource Management)
	5.3 Provide 'Unconscious Bias' refresher training as appropriate.	Number of staff receiving training.	All Section 75 groups.	<b>SAD Resources and Change</b> (Head of Resource Management)

# **Annex 1 Action Rationale**

This section details the underlying evidence identified to support each action described in the main section of this report.

Linked Outcome	Supporting Evidence	Inequality or issue to be addressed
<p><b>1. Raised public awareness of the role of the PPS and the standard of services expected among S75 groups and the wider public</b></p>	<p><u>The NI Life and Times Survey 2018-19</u></p> <p>In particular analysis of findings to Question 1:</p> <p><i>“Have you heard of the Public Prosecution Service for Northern Ireland “The PPS”?”</i></p>	<p>Increase awareness of the PPS, its role and services, among all S75 groups.</p> <p><i>Analysis of the findings for Question 1 of the Survey showed that a higher proportion of males (85.2%) than females (77.4%) reported that they had heard of the PPS. A higher proportion of Catholics (84.9%) than Protestants (81.8%) stated that they had heard of the PPS.</i></p>
<p><b>2. Increased satisfaction and confidence among S75 groups and members of the wider public</b></p>	<p><u>The NI Life and Times Survey 2018-19</u></p> <p>In particular analysis of findings to Question 3:</p> <p><i>“How confident are you that the PPS provides a fair and impartial prosecution service?”</i></p>	<p>Increase public confidence in the PPS.</p> <p><i>There was a slightly higher proportion of males (69.4%) than females (68.0%) who reported confidence in a fair and impartial service. A higher proportion of Protestants (73.2%) than Catholics (62.0%) stated that they were confident in a fair and impartial service.</i></p>

Linked Outcome	Supporting Evidence	Inequality or issue to be addressed
<p><b>2. Increased satisfaction and confidence among S75 groups and members of the wider public</b></p>	<p><u>PPS Complaints Database</u></p> <p>The Independent Assessor of Complaints for the PPS currently monitors all complaints received from stakeholders and the public. Satisfaction levels among complainants are monitored on an ongoing basis, which includes relevant S75 data.</p>	<p>Improve understanding of key service delivery issues from a S75 perspective.</p> <p><i>The numbers of complaints dealt with by the PPS on an annual basis remains small (59 in 2018/19). However individual complainants have raised specific issues, for example in respect of the quality of correspondence (e.g. is it clear and easy to understand).</i></p>
<p><b>4. Improved services, communication and support provided to victims and witnesses, across all Section 75 groups in Northern Ireland</b></p>	<p><u>NI Victim and Witness Survey (NIVAWS) 2016/17</u></p> <p>The 2016/17 Survey included a range of questions in relation to the standards of information provision and services provided by the VWCU and the PPS as a whole. For example, questions address satisfaction levels with the information provided regarding particular needs and uptake in terms of referrals to the NSPCC's Young Witness Service.</p>	<p>The need to improve awareness of the Victim and Witness Care Unit.</p> <p><i>All respondents in 2016/17 were asked 'Have you heard of the Victim and Witness Care Unit'? Twenty three percent reported that they had heard of the VWCU while 77 per cent had not.</i></p>

Linked Outcome	Supporting Evidence	Inequality or issue to be addressed
<p><b>4. Improved services, communication and support provided to victims and witnesses, across all Section 75 groups in Northern Ireland (Continued)</b></p>	<p><u>NI Victim and Witness Survey (NIVAWS) 2016/17 (Continued)</u></p>	<p>The need to improve the provision of accessible information, communication and support to victims and witnesses in all Section 75 groups.</p> <p><i>Respondents who reported having contact with the VWCU were asked: 'Thinking about all of your contacts and dealings with the Victim and Witness Care Unit to date, how satisfied were you....?' A majority of respondents to this question (86%) reported that they were satisfied.</i></p>

Linked Outcome	Supporting Evidence	Inequality or issue to be addressed
<p><b>5. Increased staff awareness in respect of equality and diversity issues and the importance of promoting equality of opportunity</b></p>	<p><u>NICS People Survey 2018</u></p> <p>The 2018 NICS People Survey included questions regarding staff members' experiences of discrimination on the basis of a range of S75 categories.</p>	<p>Provide opportunities to increase staff awareness / knowledge of equality and diversity and equal opportunities issues.</p> <p><i>Overall 11% reported some form of discrimination over the previous 12 months (NICS 12%).</i></p>

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