

Public Prosecution Service for Northern Ireland

Disability Action Plan 2019-20



Independent, Fair and Effective

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If you would like an alternative format, please contact the person named below to discuss your request:

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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.

PUBLIC PROSECUTION SERVICE

DISABILITY ACTION PLAN

Introduction

Under Section 49A of the Disability Discrimination Act 1995 (DDA 1995) (as amended by Article 5 of the Disability Discrimination (Northern Ireland) Order 2006), the Public Prosecution Service for Northern Ireland (PPS) is required when carrying out its functions to have due regard to the need to:

- Promote positive attitudes towards disabled people; and
- Encourage participation by disabled people in public life ('the disability duties').¹

Under Section 49B of the DDA 1995, the PPS is also required to submit a Disability Action Plan to the Equality Commission for Northern Ireland showing how it proposes to fulfil these duties in relation to our functions.

Statement of Commitment from the Director of Public Prosecutions for Northern Ireland

This is the eighth Disability Action Plan to be produced by the PPS and covers the period 1 April 2019 to 31 March 2020.² It

Notes 1-2: see page 12.

explains what PPS will do to implement the disability duties over the next year.

As the Director of Public Prosecutions for Northern Ireland, I am committed to effectively fulfilling these disability duties through the implementation of this Disability Action Plan.

We will allocate appropriate resources including people, time and money, in order to implement this plan effectively and, where appropriate, will build measures and targets relating to the disability duties into corporate and annual plans.

We will continue to have the appropriate internal arrangements in place to ensure that the disability duties are complied with and that this Disability Action Plan is effectively implemented.

We will ensure that this plan is communicated to all staff and that the necessary training and guidance is provided to enable them to provide a first class service to all those with whom they come into contact through the course of their work.

Responsibility for the implementation, review and evaluation of this Disability Action Plan sits with the PPS Management Board. As part of the commitment to our obligations, the Management Board has appointed the Senior Assistant Director for Resources and Change, who is a member of the Management Board, as Equality Champion for the Service. Contact details are as follows:

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I also confirm the PPS's commitment to submitting an annual progress report to the Equality Commission. The Annual Progress Report on the Implementation of Section 75 will include coverage of the Disability Action Plan and a report on its implementation.

A copy of this plan is available on our website at www.ppsni.gov.uk within the Equality section, where all Annual Progress Reports on Section 75 implementation and Disability Action Plan implementation can also be found. Press releases will be issued as appropriate to help publicise the issue of these documents.

The Public Prosecution Service

Role of the PPS

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

In taking a decision as to the appropriate disposal in an individual case the prosecutor will take into account a range of public interest considerations including, for example, where the victim or defendant had, at the time of the offence or trial, significant mental or physical ill-health.

The PPS works with partner agencies, including the Police Service of Northern Ireland (PSNI), the Northern Ireland Courts and Tribunals Service (NICTS), Victim Support (VSNI) and the National Society for the Prevention of Cruelty to Children (NSPCC) to help witnesses, including those who are vulnerable, to give evidence at court.

The PPS is committed to ensuring the effective operation of legislation which provides for:

- Offences against the use of threatening, abusive or insulting words or behaviour concerning disability; and
- Increased penalties for offences aggravated by hostility towards a person's disability.

The PPS has also developed a Hate Crime policy which is aimed at ensuring consistency of approach in prosecuting hate crime, for example in making the court aware of its enhanced sentencing powers in relation to offences aggravated by hostility.

Policy Development

PPS also has a significant role in the development of policy within the criminal justice system and in the consultative process which is undertaken on proposed legislative reform.

Supporting Functions

A number of business areas support the main functions of the PPS, including Policy and Information, Communications, Finance, Resource Management and Information and Communications Technology.

It should be noted that responsibility for the development of policies relating to the recruitment and management of our workforce, as with all Northern Ireland Civil Servants, is the responsibility of the Department of Finance (DoF). Therefore actions relating to the two disability duties as regards these policy areas will appear in the DoF Disability Action Plan.

Public Life Positions

There are currently three independent non-executive members of the PPS Management Board, who also have roles as chair and members of the Service's Audit and Risk Committee. In addition, there is an Independent Assessor of Complaints whose role is to oversee the complaints handling processes of the PPS in relation to non-prosecutorial matters. Whilst these positions are not defined as 'public appointments' as such, people from all sections of the community were invited to apply through an open recruitment competition. These competitions were widely advertised in the press in order to reach as many people as possible.

Action Measures

Annex A (below) sets out the measures which we propose to take forward over the coming year, together with the associated performance indicators and targets.

The measures cover the following areas:

- Building Organisational Commitment
- Staff Training and Awareness Raising
- Partnership Working
- Communication
- Monitoring
- Compliance

Progress in meeting the action plan will be monitored by the PPS Equality and Diversity Steering Group (EDSG), which is chaired by the Equality Champion. Regular updates will be included in the reports made to the Management Board on equality, diversity and disability issues.

S. Herron

Stephen Herron LLB
Director of Public Prosecutions
for Northern Ireland

Notes

1. Matters relating to the prosecution of offences are excluded by virtue of Section 49A(2)(a) of the Disability Discrimination Act 1995 (DDA 1995) (as amended by Article 5 of the Disability Discrimination (Northern Ireland) Order 2006).
2. The PPS Disability 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, the Service has also developed a one-year Disability Action Plan to the end of March 2020.

3. The PPS acknowledges the work carried out by the NICS Diversity Champions Network (DCN), at which the Senior Assistant Director for Resources and Change represents the Service. PPS is committed to engaging with those aspects of any future work programme that fall to individual departments, in continuing to fulfil its own responsibilities with regard to the disability duties.

PPS Action Plan 2019-20

Building Organisational Commitment

Ref.	Action Measure	DDA Measure	Key Performance Indicator	Responsibility	Timescale
1.	To set out our commitments to disability equality in Corporate Business Plans, of which this action plan forms a part.	Promoting positive attitudes towards disabled people.	The Corporate Business Plan will take account of, and reinforce our commitment to, implementation of the disability duties and other requirements under DDA legislation.	SAD Resources and Change (Head of Policy and Information)	April 2019
2.	To support the NICS work experience scheme for people with disabilities.	Encourage participation by disabled people in public life.	The number of PPS participants within the NICS work experience scheme for people with disabilities, and International Job Shadow Day will be recorded. We will report to the NICS Diversity Champions Network as appropriate.	SAD Resources and Change (Head of Resource Management)	Ongoing

Building Organisational Commitment (continued)

Ref.	Action Measure	DDA Measure	Key Performance Indicator	Responsibility	Timescale
3.	To increase the participation of disabled employees in the Equality and Diversity Steering Group.	Encourage participation by disabled people in public life.	The role of the EDSG will be promoted to attract new members, in particular those with a disability.	SAD Resources and Change (EDSG members)	Ongoing
4.	To monitor the NICS review of alternative working arrangements.	Encourage participation by disabled people in public life.	The EDSG will maintain contact with DoF and NICS HR, and consider appropriate responses to the review in respect of any proposals for alternative working arrangements in support of employees with a disability.	SAD Resources and Change (Head of Resource Management)	Ongoing

Staff Training and Awareness Raising

Ref.	Action Measure	DDA Measure	Key Performance Indicator	Responsibility	Timescale
5.	To provide 'Disability Awareness for Frontline Staff' training (e-learning) for all new staff as appropriate.	Promoting positive attitudes towards disabled people.	Disability Awareness for Frontline Staff e-learning will be provided to all relevant staff.	SAD Resources and Change (Head of Resource Management)	Ongoing

Staff Training and Awareness Raising (continued)

Ref.	Action Measure	DDA Measure	Key Performance Indicator	Responsibility	Timescale
6.	To provide opportunities for disability equality speakers to address the Equality and Diversity Steering Group (EDSG), the Victim and Witness Care Unit and other key personnel as appropriate.	Promoting positive attitudes towards disabled people.	At least one disability awareness session will be provided to members of the EDSG, VWCU and other key personnel as appropriate.	SAD Resources and Change (Head of Policy and Information)	March 2020

Partnership Working

Ref.	Action Measure	DDA Measure	Key Performance Indicator	Responsibility	Timescale
7.	To monitor feedback received from disabled people or representative groups via agreed consultation arrangements.	Encourage participation by disabled people in public life	PPS will record the number of consultation responses received from disabled people or representative groups and assess the number of changes made as a result of their comments.	SAD Resources and Change (Head of Policy and Information)	Ongoing
8.	To engage fully with the NICS Diversity Champions Network.	Promoting positive attitudes towards disabled people.	The Service will participate in the meetings of the Diversity Champions Network We will meet all agreed PPS commitments in progressing the findings of the Disability Working Group's Report.	SAD Resources and Change (EDSG members)	Ongoing

Communication

Ref.	Action Measure	DDA Measure	Key Performance Indicator	Responsibility	Timescale
9.	To review access to information and services relevant to disabled people.	Encourage participation by disabled people in public life.	Feedback and complaints received from service users will be monitored in order to identify potential improvements in service delivery.	SAD Resources and Change (Head of Policy and Information)	March 2020
10.	To encourage staff and stakeholders to submit articles, promoting positive attitudes towards disability, for inclusion on the PPS Intranet.	Promoting positive attitudes towards disabled people.	At least one article promoting positive attitudes towards disability will be written and published on the PPS Intranet.	SAD Resources and Change (Head of Communications)	March 2020
11.	To publish and promote the Disability Action Plan.	Encourage participation by disabled people in public life.	The Disability Action Plan will be published electronically and circulated to all staff. All PPS consultees will be notified of its publication.	SAD Resources and Change (Equality and Governance Officer)	September 2019

Monitoring

Ref.	Action Measure	DDA Measure	Key Performance Indicator	Responsibility	Timescale
12.	To monitor and assess complaints from service users with a disability.	Encourage participation by disabled people in public life.	Data captured through the complaints follow-up questionnaires will be assessed on a regular basis to ensure that complaints are addressed and handling arrangements are effective.	SAD Resources and Change (Head of Policy and Information)	Ongoing
13.	To aid the development of Personal Emergency Evacuation Plans for relevant staff (PEEPs).	Promoting positive attitudes towards disabled people.	<p>A request to staff will be issued on an annual basis to invite them to provide confidential disability declarations to aid the development of PEEPs.</p> <p>Feedback received from staff will be reviewed in order to improve data held on the level and diversity of disability among staff.</p>	SAD Resources and Change (Head of Property Management)	March 2020

Monitoring (continued)

Ref.	Action Measure	DDA Measure	Key Performance Indicator	Responsibility	Timescale
14.	To consider relevant survey findings (e.g. NICS People Survey) and address issues as appropriate.	Encourage participation by disabled people in public life.	Survey findings will be reviewed and disability issues highlighted and addressed as appropriate.	SAD Resources and Change (Head of Policy and Information / Head of Resource Management)	Ongoing

Compliance

Ref.	Action Measure	DDA Measure	Key Performance Indicator	Responsibility	Timescale
15.	To manage PPS statutory equality responsibilities.	Promoting positive attitudes towards disabled people	<p>The Equality and Diversity Steering Group will review the Disability Action Plan measures on a quarterly basis, and identify new measures as appropriate.</p> <p>Regular progress reports will be provided to the Management Board.</p>	SAD Resources and Change (Equality and Governance Officer)	Ongoing
16.	To prepare the S75 Annual Progress Report.	Promoting positive attitudes towards disabled people	The annual Progress Report will be completed and published to the required timescale.	SAD Resources and Change (Equality and Governance Officer)	August 2019

Compliance (continued)

Ref.	Action Measure	DDA Measure	Key Performance Indicator	Responsibility	Timescale
17.	To monitor the use of positive advertising in any new recruitment competition where a need is identified.	Encourage participation by disabled people in public life.	We will monitor the number of PPS recruitment competitions featuring positive advertising to increase the participation of disabled people in public life.	SAD Resources and Change (NICS HR)	Ongoing

Contact Us

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