

**PPS Management Board**

**10.00am Thursday 12 December 2024**

**Belfast Chambers**

**Members:** Stephen Herron  
Michael Agnew  
Marianne O’Kane  
David Best  
Glenn Houston  
Peter Luney  
JoAnne Quinn

**In Attendance:** Claire Harrison (Comms)  
Tom Murphy (Private Office)  
Elaine Kelly (Counsel Fees)  
Sharan Dustagheer (ARC)

**Secretariat:** Policy and Information Unit

**1. Welcome.**

Mr Herron welcomed members to the December 2024 Management Board.

**2. Presentation on Counsel Fees**

Ms Kelly provided a background to the paper and outlined the recommendations made by NIAO in respect of the Counsel Fees Accruals. The paper detailed the respective responses and proposed options to address these. Members discussed the advantages and disadvantages for each option and the importance of implementing a process that will meet the Audit Office’s requirements going forward.

Ms Kelly outlined the manual process in option two for counsel to record and notify the Fees Team of hours worked to date and this would be the basis for any reported accrual. Any unused hours at the reporting stage would be reclassified as provisions and added to the existing provision model. Option three would require collaboration with IT to develop a fully integrated IT solution or an online Portal for counsel to record hourly rate work. It was noted that this option would take time and cost and would have to be considered alongside other competing IT priorities.

A written communication will be issued to counsel setting out clearly the instructions for recording work and will outline the importance of compliance and

the rationale for the new approach. Ms Quinn advised that the issue in respect of CCRC has been clarified with NIAO and this will not be raised further.

Members agreed to proceed with option two with a view to considering option three when the IT capacity and functionality is available. It was acknowledged that this will not be possible within this financial year but may be considered in the next financial year. This approach has the support of the senior team. Mr Houston requested an update to be provided to the Audit and Risk Committee in March.

**3. Apologies**

None.

**4. Declaration of Board Members' Interests**

None.

**5. Management Board Minutes.**

The previous minutes were agreed.

**6. Actions from the Management Board Meeting November 2024**

***AP 02/24-25 Ms Quinn to provide an update at the December 2024 Board meeting on the new process for monitoring and sharing counsel fees accruals. Cleared***

**7. Reports from Management Board Committees.**

**Senior Management Group 4 December 2024.**

Mr Agnew provided members with an update on the matters discussed at the Senior Management Group Meeting of 4 December 2024, including updates on Finance and the ongoing projects.

**People and Resources Committee – 14 November 2024**

Mr Luney provided an update on the key issues discussed at the meeting of 14 November 2024.

The lack of available supply of Public Prosecutors is posing a risk and NICSHR has flagged issues with running permanent and temporary competitions concurrently. A meeting is scheduled next week to take this matter forward. The AO competition is ongoing. Feedback has been received from staff regarding the new approach, which involved interviews taking place in an automated format.

Questions would be posed electronically and candidates had a set time to provide a response. Some PPS candidates had difficulty with the online format. This feedback will be relayed to NICSHR. Members were reminded of the need to review temporary promotions. This is an NICS wide issue with a lack of competitions and supply to fill vacancies, which is contributing to lengthy temporary promotions.

Mr Luney highlighted that the PPS had performed well in the Health and Wellbeing focus group results, and it was agreed that these would be circulated to members.

***AP 06-24/25 Mr Luney to circulate the Health and Safety presentation.***

Members were advised that a revised version of the NICSHR Performance dashboard has been received which details the key performance metrics, this will be circulated to members for consideration.

***AP 07-24/25 Mr Luney to provide members with the NICSHR Dashboard.***

Mr Houston queried whether there had been any developments with a legal training scheme. Mr Luney advised that adherence to NICS recruitment requirements had restricted progress, however other avenues were being explored to ensure that the process is fit for purpose. Mr Agnew advised of a Law Society Consultation that was considering a range of options.

**Performance and Delivery Committee 2 December 2024**

Ms O’Kane provided members with an overview of the key areas considered at the meeting of 2 December 2024.

Ms O’Kane advised that PDC members had emphasised the need for urgent consideration of the Capacity Review and the Three Region Model. It was agreed that a number of factors need to be scoped and this will take time to complete.

Mr Houston highlighted the progress made with the 365+ cases and Ms O’Kane advised that the Assistant Directors were managing this caseload alongside other competing priorities.

**Policy and Quality Committee 2 December 2024**

Mr Agnew updated members on matters discussed at the meeting of 2 December 2024.

Members were advised that the Victims and Witness Policy is still in progress with some issues to be agreed before completion. The mental health/ fitness to plead training is mandatory and is being rolled out to all prosecutors. An overview

of the Victim Commissioner's recommendations relating to the report on Victim Personal Statements was provided. It was agreed to capture the issues that arise from the recommendations and to consider the templates and guidance that are currently being used. Engagement with stakeholders is ongoing to jointly agree and implement any changes, with the Commissioner copied into correspondence.

## **8. Strategic Improvement Board**

### **Strategic Improvement Dashboard 2024**

Mr Agnew provided members with a progress update in the key projects.

The interim evaluation report in respect of the No Files Decision Project has been completed and a stakeholder meeting has been arranged to discuss the findings. File submissions continue to be monitored and the quality assurance of completed NFDs is ongoing.

The Content Manager Project is progressing and is on schedule to deliver to the agreed project plan.

The Electronic Summons project will be delivered in 2 phases, with an initial projected completion date of February 2025. The Board was advised that the revised completion date will now be early summer 2025. It was agreed that several actions need to be completed to confirm the impact of the delay, and these will be reported to the Project Board. Members discussed the evaluation of the benefits, potential resource savings and communications going forward. Members agreed that it was preferable for the additional IT work to be undertaken to ensure the benefits are maximised and accepted the longer delivery timeframe.

Members were updated on the progress regarding the Three Region Model and the Capacity Review. Further engagement is scheduled with the Business Managers for input and to get a full overview of the operational impact.

Members noted the next potential priority projects, in particular Committal Reform and the scoping of the relevant resourcing and cost implications.

## **9. Performance Summary.**

Members reviewed and noted the Monthly Performance Summary, as of October 2024.

Ms O'Kane provided an overview of the latest performance figures. Overall caseloads have decreased, with CW 5-8 decreasing by 15% however there has

been a 10% increase in CW 1-4. In comparison to the same period last year the overall work queue has decreased by 6%. There is a total of 362 files with Case Preparation which is an improved position overall. It was noted that there is a high volume of cases currently before the courts.

The number of decisions taken during the financial year to November 2024 was 8% lower than the corresponding baseline to November 2023. The reduction is mainly in summary files, with training of new staff a contributory factor. Ms O’Kane provided members with an update on the volume and profile of cases completed during recent overtime. Data will also be made available on the progress made by the two PPs who have been deployed from W&S Region to assist.

SPP decisions per casework day exceeded the 2024/25 minimum standard, with Belfast & Eastern, Western and Southern all exceeding the standard. PP decisions per casework day failed to meet the 2024/25 minimum standard. Western and Southern regions were above the standard, whilst all other departments were below.

Ms O’Kane advised that the Assistant Directors are prioritising domestic violence files. There is a positive trend showing and at the end of November 2024, the number of unallocated domestic violence files had decreased from the previous month.

## **10. Finance Update**

### **Executive Summary**

Members reviewed and noted the key financial issues as at October 2024.

Ms Quinn advised that year to date there has been a cumulative overspend on staffing costs and counsel fees. There has been some underspend in GAE, with a slight easement in depreciation arising from the profile of the capital expenditure which has been returned for the Monitoring Round.

It is anticipated that there will be an outturn averse to budget with a projected pressure of £959k. This figure includes allocation for the August 2024 pay award and progression and a small allocation for overtime. The projected overspend has eased as a result of an allocation in the October Monitoring Round. Members noted that there may be some scope for further savings as counsel fees are reviewed.

Members discussed the potential opening position for 2025/26 allocation and noted that it is anticipated the budget position should be known in the next few weeks.

Ms Quinn advised that the accounts have been laid with a qualification arising from the counsel fees accounting treatment. Members requested that the Comptroller and Auditor General's Report on Financial Audit Findings 2024 is circulated for information. Members were also advised that the Audit Office have recommended this year's accounts are completed post summer recess.

***AP 08-24/25 Ms Quinn to share the Comptroller and Auditor General's Report with members.***

Mr Luney advised that a business case for the procurement of services to support the Criminal Justice Board Early Engagement Project is currently being drafted and will be circulated for approval. CPD has given approval for this to be actioned as a direct award contract. Members were advised that DOJ have contributed towards the costs.

***AP 09-24/25 Mr Luney to circulate the Business Case for support for the Early Engagement Project.***

## **11. People**

### **NICSHR Summary Report 2024**

Members noted the November report, including the latest staffing position and recruitment, employee relations and performance management.

## **12. Governance Issues.**

### **Corporate Risk Register 2024/25**

Members reviewed and discussed the 2024/25 Risk Register and noted the planned actions, mitigations, status and rating of all risks.

Mr Luney advised that Risk 3, Funding Pressures will be reviewed when the outcome of the January Monitoring Round is known. Risk 12, Legacy arrangements, will be reviewed again in advance of the next Board meeting.

Mr Houston queried whether Risk 10, Staff Welfare and Resilience should be amended to amber to reflect the feedback in the survey. Ms O'Kane advised that there have been a catalogue of interventions and specific strategies to mitigate the risk, however it was agreed that the current rating should be maintained. It was also agreed to compile and collate all the various activities that have been put in place.

***AP 10-24/25 Mr Luney to collate all the activities completed to progress staff welfare and resilience.***

## **ARC Update**

Members reviewed and noted the draft minutes for the ARC meeting of 27 November 2024.

Mr Houston provided an update on the Internal Audit Plan 2024/25. A satisfactory assurance was received from the review of PPS Casework Progression Dip Sampling, with one priority two recommendation. Mr Luney advised that this will be progressed further at the Performance Committee.

Members noted that the Terms of Reference have been issued for the Financial Management audit and have been drafted for the Induction and Training audit.

Mr Houston advised that the Statements of Assurance are very detailed and include resourcing issues that are not required. It was agreed that going forward these matters are reported by exception. The review of the Corporate Fraud Risk Register has noted that all the risks were lower rating, however some of the controls in place do not reduce the residual assessment and the register would benefit from a review of the layout to reflect other risk registers.

## **13. Communication Planner.**

The Director updated members on several communications and engagements that are scheduled for the New Year. Board Members discussed and reviewed the Communications Planner and update.

## **14. AOB**

The Director, on behalf of the Board thanked Mr Best for his support, guidance and advice to the Management Board over the last six years and wished him well for the future.

## **15. Next Meeting.**

The next Management Board will take place on 24 January 2025 at 10.00 am in Belfast Chambers.

**Summary of Action Points arising from Management Board.**

**Meeting of 12 December 2024**

<b><i>AP 06/24-25</i></b>	<b><i>Mr Luney to circulate the Health and Safety presentation.</i></b>
<b><i>AP 07/24-25</i></b>	<b><i>Mr Luney to provide members with the NICSHR Dashboard.</i></b>
<b><i>AP 08/24-25</i></b>	<b><i>Ms Quinn to share the Comptroller and Auditor General's Report with members.</i></b>
<b><i>AP 09/24-25</i></b>	<b><i>AP Mr Luney to circulate the Business Case for support for the Early Engagement Project.</i></b>
<b><i>AP 10/24-25</i></b>	<b><i>Mr Luney to collate all the activities completed to progress staff welfare and resilience.</i></b>

**Action Points carried over from previous meetings.**

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