



ACTION PLAN ON RECOMMENDATIONS FROM CJI REPORT

An Inspection of the

**REVIEW OF THE EFFECTIVENESS OF PART 1 OF THE DOMESTIC ABUSE AND CIVIL PROCEEDINGS
ACT (NORTHERN IRELAND) 2021**

April 2024

Key Recommendations - Strategic and Operational

No.	Report Ref	Recommendation	Lead Agency	Accepted Y/N	Proposed Action	Milestone/ Target Date	Update
SR.2	Para 4.51	<p>The Police Service of Northern Ireland and the Public Prosecution Service for Northern Ireland should further develop and embed the Prosecution Team approach for cases involving domestic abuse, focusing on the issues highlighted in this review, within 6 months of the publication of this report.</p> <p>This should include re-visiting the concept of specialist domestic abuse prosecutors.</p>	PPS / PSNI	Y	<p>Domestic Violence and Abuse Working Group (PPS/PSNI)</p> <p>PPS and PSNI to agree new governance structures for the current Domestic Violence and Abuse Working Group. This will include a new Terms of Reference, Action Plan and Risk Register. The core aim of the Working Group will be to strengthen joint working arrangements and the prosecution team approach, and to ensure that agreed processes and procedures are operating effectively as set out in the 2024 Service Level Agreement.</p> <p>Particular attention will be focused on:</p> <ul style="list-style-type: none"> • Identification, evidencing and prosecution of the domestic abuse offence; • Consistent sharing of information about children in the household and the impact of domestic abuse on them, 	<p>30/6/24</p> <p>In line with agreed timetable</p>	

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					<p>allowing for the identification and use of child aggravators in all appropriate cases;</p> <ul style="list-style-type: none"> • PPS provision of appropriate feedback to police where the charges have been approved/not approved, charges added and where aggravators have been applied/disapplied; • The evidential standards for domestic abuse, including cases involving s8 and s9 aggravators, stalking and non-fatal strangulation; • Ensuring that statements required to support special measures applications are recorded by police at the earliest opportunity and shared with PPS at full file submission; • Ensuring that appropriate risk information is provided by police and that relevant information from DASH responses is recorded in accordance with the joint SLA; • Embedding the SLA within both organisations, supported by an agreed QA programme. 		

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					<ul style="list-style-type: none"> The consideration of non-criminal sexual behaviour (NCSB) in the context of investigating and prosecuting the domestic abuse offence. <p>PPS Actions</p> <p>PPS to:</p> <ul style="list-style-type: none"> Issue additional guidance outlining the use of the domestic abuse offence and child aggravators in relevant cases, the use of support charges with a s15 aggravator and statutory alternatives, and flagging aggravators to the court at sentencing stage; Issue guidance on <i>mandatory</i> decision notes in all case of domestic abuse, proportionate to the complexity of each case; Issue guidance on special measures and conduct a focused QA on special measures usage; Review victim communications; 	In line with agreed timetable	

No.	Report Ref	Recommendation	Lead Agency	Accepted Y/N	Proposed Action	Milestone/ Target Date	Update
					<ul style="list-style-type: none"> Review the process around Victim Personal Statements (VPS) received by PPS in domestic abuse cases; Issue guidance to prosecutors on the use of restraining orders; Issue guidance on recording hearing outcomes; Conduct a QA of no prosecution decisions taken in respect of cases involving NCSB and issue guidance as appropriate. <p><i>Note: PPS will keep the position in respect of Domestic Abuse Specialist Prosecutors under review. Future implementation of any new specialist arrangements will be dependent on the availability of the appropriate staffing and financial resources.</i></p>		
OR.5	Para 3.27	Actions should be taken by the Police Service of Northern Ireland and the Public Prosecution Service for Northern Ireland, within six months of the publication of this report, to ensure that the Section 15 domestic abuse aggravator is applied to every relevant charge, with Information Technology and quality assurance systems that reinforce this approach.	PPS / PSNI	Y	PPS to issue guidance to prosecutors on s15 aggravators (to be published as part of updated guidance on the domestic abuse offence).	30/9/24	

No.	Report Ref	Recommendation	Lead Agency	Accepted Y/N	Proposed Action	Milestone/ Target Date	Update
					PPS to develop a new validation on the Case Management System to prompt prosecutors to consider a s15 aggravator where it has been applied to another charge on the same summons/charge sheet.	In line with agreed timetable (TBC)	
OR.7	Para 4.43	Within three months of the publication of this report the Public Prosecution Service for Northern Ireland should clarify and direct the use of cautions in domestic abuse cases in rare circumstances only, with a requirement for a detailed record of reasoning and rationale if they are used. Quality assurance processes for domestic abuse cases should include an analysis of the quantity and quality of cautions directed by prosecutors, particularly where a section 1 domestic abuse offence has been directed in the first instance.	PPS	Y	<p>PPS to confirm position in respect of the use of diversions in domestic abuse cases. All domestic abuse related guidance will be updated accordingly with appropriate instructions on recording of reasons where a diversionary decision is taken.</p> <p>PPS will undertake QA work on the use of diversionary disposals in cases of domestic abuse.</p>	<p>30/6/24</p> <p>To be agreed</p>	