



HM Crown Prosecution  
Service Inspectorate

# Business Plan

## 2013-14



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## Foreword

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This plan describes the key areas of work that the Inspectorate expects to undertake during the 2013-14 financial year and gives some background on why they are our priorities.

The continuing environment of financial constraint demands serious attention on improving the work of the CPS and providing assurance to the Attorney General and the Justice Committee, as well as assessing value for money and identifying clearly where financial savings can be made. Last year we undertook a significant project to examine CPS casework as a whole. This programme (Annual Casework Examination Programme – ACEP) resulted in just over 2800 case files being examined. It has enabled us to set a baseline of national performance and also give the Attorney General and the public an assessment of performance across a range of key casework aspects. We have been notified that CPS Areas are using our reports to create action plans to improve performance. We intend to use some of our findings to undertake focussed and bespoke inspections this year.

Last year also saw us inspect the Serious Fraud Office (SFO) for the first time. We focussed on their casework and published a report that was read and commented on extensively. This inspection was by invitation as we do not currently have statutory powers to inspect the SFO, as we do with the CPS. This may change later this year.

This year our priorities that we will deliver are:

- to incorporate the SFO inspection into our planning, ensuring we have the necessary expertise to examine relevant aspects of the organisation;
- to provide an effective inspection regime despite a reduced budget;
- to assist the CPS and SFO to improve the quality of service it offers the public;
- to highlight CPS and SFO work where poor performance represents a risk to the public or to the reputation of the CPS or SFO;
- to seek opportunities to increase joint inspections in order to identify opportunities for greater efficiency and improved outcomes;
- to be flexible so that work can be undertaken at short notice if necessary;
- to keep pace with the CPS Refocusing Exercise and ensure we are able to respond and make necessary changes to our inspection regime.
- to carry out effective scrutiny of the work of the CPS and SFO in order to give assurance to the Attorney General.

Delivering the above will be challenging, but we will be judged by our success in achieving these objectives.

**Michael Fuller QPM, BA, MBA, LL.M, Hon LL.D**

# 1 Introduction

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Her Majesty's Crown Prosecution Service Inspectorate (HMCPST) inspects the work carried out by the CPS and some other prosecuting agencies. The purpose of our work is to enhance the quality of justice and make an assessment of prosecution services that enables or leads to improvement in their efficiency, effectiveness and fairness. We produce reports that provide assurance to Ministers, Government and the public on the standard of the service delivered.

The focus of inspection must take its lead from the vision that is shared by all public services. There is an expectation of the delivery of high quality services, excellent outcomes, a personal approach that is responsive to the individual, fair and equitable practices and good value for money. We fully support this vision and our inspection methodology helps those who deliver public services to achieve these aspirations.

Our planning takes account of the changing systems we inspect and the environment in which we operate. During the coming year, as well as concentrating our efforts on both good performers and 'high risk' CPS Areas where there is evidence of aspects of the business that need to improve, we may also be undertaking a file examination programme taking cases from across the CPS in similar terms to Annual Casework Evaluation Programme (ACEP), but very likely to be on a smaller scale. The results from last year's ACEP findings will be used to undertake bespoke and focussed inspections this year. It is only through a regime of regular independent inspection that Ministers and the public can be confident about the general quality of work being undertaken. This plan outlines aspects of business where we believe that our resources will be best targeted to drive improvement, provide better value for money and give assurance.

## **Changes to inspection approach**

This year sees innovations in how inspections are carried out.

We will build on the work already undertaken in 2012-13. We are currently in the process of analysing last year's ACEP results to enable us to assess how best to focus our inspection work. It may well be that we will inspect specific issues within any given CPS Area based on the findings of last year, or consider undertaking focussed thematic inspections. This is likely to concentrate on issues that require improvement, but will also look to highlighting good practice. This would supplement information already gathered through our existing risk model.

### **Shorter and more focussed**

Inspections will take account of risk and priorities in order to significantly reduce the amount of fieldwork, and will be more focussed in their scope. Inspecting the new CPS Area structure in the same manner as previously, would take longer and exhaust inspection resources with potentially diminishing returns for the extra effort required.

### **Governance**

This will be given higher prominence in forthcoming CPS inspections. The change to national structures within the Service during 2012-13 and the CPS Refocusing exercise currently being implemented across the CPS as a whole has and will continue to significantly alter some of the governance arrangements. We will work closely with the CPS Headquarters' Assurance and Compliance unit to ensure this year's programme focuses on appropriate governance issues at local and national levels and assess whether the revised structures are providing the right levels of direction and assurance.

### **Value of inspection**

HMCPST as an independent inspectorate provides unique advantages. We are able to give an objective and independent assurance of the work delivered by the CPS and other prosecuting authorities. We are able to offer clear and unambiguous advice to those providing the service and making policy decisions and hold those inspected to account. Improvement is driven by undertaking a robust follow-up process.

Since 2000 we have worked with the CPS to help identify good practice, made recommendations to secure improvement and helped with the development of performance standards across the CPS.

Our independence also enables us to offer an objective view that can determine and declare where there are weaknesses and identify good practice.

Transfer of powers from Her Majesty's Inspectorate of Court Administration: In the spring of 2012 the Government transferred the powers of inspection from Her Majesty's Inspectorate of Court Administration (HMICA) – now abolished – to all CJS inspectorates. These powers relate to joint inspections. We will continue to work to amend our joint inspection methodology and improve our strategic relationship with Her Majesty's Courts and Tribunals Service.

## 2 Planned inspections

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The inspection programme for 2013-14 is tailored to our current resource levels and has been developed to reflect the needs of stakeholders and ensure that we can give assurance to both Ministers and the public.

With reduced budgets and the expectation on public sector organisations to deliver more for less, the 2013-14 programme will concentrate on inspection activity that can identify good practice, and point to efficiency savings and better value for money.

We will continue to undertake formal follow-up inspections; we will also monitor closely the progress made by the CPS in implementing all report recommendations and improving the quality of its service so that we can undertake additional formal follow-up inspections where necessary.

In addition to the CPS, we will this year also undertake a follow-up inspection on the SFO, whether on a statutory basis (if the legislation is passed in time) or by invitation. However, the remit of this inspection will be much wider as it will not be limited to consideration of case work.

### 1) Area/unit based inspection

#### i) CPS Central Casework Divisions (CCD)

We plan to inspect one CCD during 2013-14 (Welfare Rural and Health Division). Others are likely to be inspected in the following year (2014-15).

The inspection of the Welfare Rural and Health Division will assess casework quality, including outcome performance, and the process/structures that underlie it. We will do this by examining casework; how well this strand of work and the staff have integrated within the CPS structure and assessing the efficiency of the operation of the Division.

#### ii) CPS Area Complex Casework Units (CCUs)

We will undertake a pilot inspection of a CPS Area CCU. The inspection will examine the quality of casework, including process and decision-making, stakeholder relationships, local governance arrangements and overall efficiency. The inspection will also assess the effectiveness of links with the relevant CPS HQ divisions, including the adoption of standard operating practices. This will assist us in better understanding how to undertake a larger scale CCU inspection (likely to be in 2014-15)

**iii) Inspection of CPS London.**

London Borough Performance Assessments undertaken in 2009-10 identified weaknesses in performance. A series of close monitoring visits commenced in 2010. In 2011 further monitoring visits took place as well as a formal follow-up inspection to assess the progress made by CPS London to improve its service. The 2011 report identified significant progress, but the Area was about to embark on fundamental structural change. We will be visiting CPS London in May initially to establish the significant changes made to its structure, governance and working methods. The full inspection will be undertaken later in the year.

**2) Follow-up and re-inspection activity**

**i) Follow-up inspection of CPS Yorkshire and Humberside.**

This is a standard follow-up inspection to check progress against the recommendations made in our Area inspection report published in September 2011.

**ii) Follow-up inspection of the CPS Advocacy strategy.**

HMCPST published a follow-up report on CPS advocacy in March 2012. In the follow-up report there were a number of recommendations made that identified some high-level strategic issues that the CPS needed to act upon to improve the operation of the advocacy strategy.

**iii) Youth thematic follow-up inspection**

This original inspection undertaken in November 2011 examined decision-making and case-handling of youth work across the CPS. The inspection focussed on whether the grave crime procedure was being adhered to with cases being heard at the correct venue.

**3) Bespoke inspection activity**

**ACEP**

During 2012-13 just under 3000 files were read. Targeted activity will be undertaken in the 2013-14 programme, scheduled to fit around other inspection activity.

The findings from the casework examination combined with our risk model will be used in the 2013-14 programme to identify short, targeted inspection activity that will be focussed either on specific CPS units, or specific themes of casework where there are weaknesses and need for improvement.



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## 4) Thematic inspections

### **CPS project implementation and planning – change management**

The CPS has delivered a significant number of major change initiatives over the past 10 years. The importance of change management increases as the CPS continues to move forward to deliver programmes and projects to help it meet the challenges of the 2010 Comprehensive Spending Review settlement. It will examine whether best practice is shared effectively across the Service and also look at a number of change management projects that have been designed and delivered at the local level.

## 5) Joint thematic inspections

The CJI Joint Business Plan 2012-15 has been published, following consultation. The list of inspections that HMCPST may be involved in includes:

### **i) Road traffic offences involving fatalities**

There is continuing public concern about road traffic offences involving fatalities, despite the introduction of new offences in 2008. The review will analyse and assess the quality of police/CPS investigation and prosecution of such cases, the progress made by the CPS following HMCPST's 2008 review, and establish good practice and make recommendations for positive change. This inspection is most likely to be carried out after Christmas 2013.

### **ii) Child rape**

This inspection is set against the background of recorded child rape doubling in five years, as identified in the joint inspection into rape 'Forging the Links' of February 2012 and concerns in relation to failures in decision-making at the pre-charge stage. The inspection will focus on how police and the CPS handle allegations of child rape. It is likely to be carried out in August 2013.

### **iii) Short-notice inspections**

As happened in 2012-13, we may be asked to undertake short-notice inspections. By their nature it is difficult to plan for them and often require other planned inspections to be rescheduled to accommodate these requests. We will continue where appropriate to try and ensure we deliver on these.

### **iv) CPS progress towards digitalisation**

The CPS is at the forefront of delivering one of the most significant changes the CJS has seen over the past 25 years. The delivery of digitalisation across the CJS is being led and driven by the CPS. The potential benefits of this change cannot be underestimated. We are currently in the process of discussing this with other CJS Inspectorates, as we believe this is best dealt with as a joint inspection.

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## Area/unit activity

Inspection	Focus	Background
<b>CPS CCD</b>	We will examine one division in the year.	Following discussions with the CPS the Welfare Rural and Health division has been selected.
<b>CPS Area CCUs</b>	A pilot inspection will take place after Christmas 2013.	The pilot will be used to assess how best to approach inspection (possibly in 2014-15) of the CCUs across the country, which vary considerably in size.
<b>CPS London</b>	Summer/autumn 2013	We plan to undertake an inspection of CPS London in late summer 2013 to assess progress since the follow-up inspection. The inspection will also examine the impact of structural and management changes.

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## Bespoke inspection activity

Inspection	Focus	Background
<b>Bespoke CPS unit inspection</b>	The consistency and effectiveness of checks on the quality of casework (including CQSM) in units selected from all CPS Areas and central casework divisions.	A full evaluation of ACEP and its benefits is currently taking place, and a number of targeted inspections, will be undertaken in 2013-14.

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## Follow-up and re-inspection activity

Unit	Planned inspection/audit report	Last inspection/audit report	Inspection/audit details
<b>CPS Yorkshire and Humberside</b>	<b>Summer/autumn 2013</b>	September 2011	This is a standard follow-up inspection to check progress against the recommendations made in our Area inspection report published in September 2011.
<b>CPS Advocacy</b>	<b>Autumn 2013</b>	March 2012	This inspection will examine progress since the publication of the follow-up. The focus will be on following up the five recommendations and will not involve a significant amount of advocacy assessment.
<b>Youth thematic</b>	<b>Summer 2013</b>	November 2011	The original inspection examined decision-making and case-handling of youth work across the CPS. The inspection focussed on whether the grave crime procedure was being adhered to with cases being heard at the correct venue. This will be re-evaluated.

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## Thematic inspections

Inspection	Focus	Background and further inspection areas
<b>CPS project implementation and planning – change management</b>	The inspection will look at structures and approach to change management within the CPS, with particular emphasis on the identification and achievement of anticipated benefits. (T3 is not within this remit)	It will examine whether best practice is shared effectively across the Service and also look at a number of change management projects that have been designed and delivered at the local level.

## Joint inspection

Inspection	Focus	Background and further inspection areas
<b>Progress towards digitalisation<sup>1</sup></b>	It will examine the approach taken and progress made by the CPS in achieving the aim of a digital criminal justice system.	The CPS has taken the initiative in this regard. Its interaction with other CJS partners will be the focus.
<b>Driving out waste</b>	It will consider the criminal justice process from arrest to conviction to identify those areas that may yield efficiency savings.	In the current climate of reducing resources, the review will focus on areas where the agencies interact and pinch points are identified as causing inefficiency to one or more agencies
<b>Road traffic offences involving fatalities</b>	It will analyse and assess the quality of police/CPS investigation and prosecution of such cases, and seek to identify good practice.	HMCPST undertook a review in 2008 since when new offences have been introduced. The review will assess the progress made and make recommendations for positive change.

<sup>1</sup> HMCPST's involvement is subject to agreement with other inspectorates and the scope including aspect of CPS work

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Inspection	Focus	Background and further inspection areas
<b>Child rape</b>	It will focus on allegations of child rape and the handling of these cases by the police and CPS.	This is based on the increase in allegations of child rape and current public concern concerning failures in police investigation and CPS decision-making.
<b>Girls in the CJS<sup>2</sup></b>	It will establish the extent to which criminal justice agencies are successful in reducing the likelihood of girls offending and in reducing the risk of harm they present to others.	This will focus in particular on instances where girls are under the influence of alcohol.
<b>Substance misuse in the CJS</b>	It will review the identification, care and management of those using illegal substances and diverted medications within the CJS.	

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<sup>2</sup> HMCPST's involvement is subject to the scope including aspect of CPS work

### **3 HMCPST internal work programme 2013-14**

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#### **Inspection development work**

The priority objectives for the HMCPST development team in 2012-13 are:

- Maintenance and development of HMCPST's risk model.
- Assess the effectiveness of ACEP and design methodology for a version of ACEP if considered appropriate to continue such work.
- Integration of information from the Annual Casework Examination Programme into the risk model and inspection strategy.
- Revision of the existing Area inspections model to the CPS as it changes in accordance with its Refocusing exercise.
- Evaluation of value for money measures in the light of changes to methodology and inspection work.
- Research into the role and potential impact of Police and Crime Commissioners on the CPS and thus on our methodology. This will require working with the CPS, who are also considering this issue. The CJI Business Plan sets out a scoping study by HMIC that will look at what CJI can offer to PCCs to inform their oversight of local CJS performance. This is to consider what aspects of inspection PCCs could look at.
- Evaluation of the impact of the CPS's Knowledge and Information Management system on our inspection approach.
- Updating the inspection handbook to take account of changes.
- Updating the templates and guidance on follow-up inspection.

#### **HMCPST supporting processes and other work**

##### **Our budget and how it will be applied**

The costs of HMCPST are met from the Estimate of the Treasury Solicitor's Department.

HMCPST's provision for 2010-11 was £3.360m, for 2011-12 it was £3.525m (an increase of 4.9%) and for 2012-13 the figure was £3.400m (a reduction of 3.5% on the preceding year). The 2012 Autumn Statement made further changes to the budgets originally set as part of the Comprehensive Spending Review.

The budget for 2013-14 is now set at £3,146,000.

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It will be deployed as follows:

Staff costs	£2,516,000
Recruitment/training	£31,000
Accommodation	£221,000
Travel and subsistence	£160,000
Printing/reprographics	£5,000
Other costs	£213,000
<b>Full year budget</b>	<b>£3,146,000</b>

### **Managing risk**

A robust risk management process is important to have in place as it provides a framework for anticipating potential problems and allows them to be dealt with in a systematic way. The way in which HMCPST manages its risks is in line with the approach commonly adopted in the public sector.

HMCPST updates its strategic and operational risk registers quarterly and also undertakes quarterly business reviews. Alongside the register a 'heat map' records how risks are progressing.

### **The Equality Act 2010**

During 2011-12 we formulated our new Equality Objectives. These ensure that we meet our General Equality Duty under the Equality Act 2010. Progress on the objectives is reviewed regularly by the Inspectorate Management Board and Equality and Diversity Co-ordinating Group.

## **Annex A: HMCPST's policy on inspection**

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In 2003 the Government introduced ten principles of public sector inspection, which were included in the Office of Public Service Reform's report "Inspecting for improvement". These place clear requirements on inspection providers and the departments sponsoring them. HMCPST is fully committed to upholding these values and expectations and takes them into account in our strategy and planning programme.

The ten principles state that public service inspection should:

- pursue the purpose of improvement;
- focus on outcomes;
- take a user perspective;
- be proportionate to risk;
- encourage self-assessment by managers;
- use impartial evidence wherever possible;
- disclose the criteria used for judgements;
- be open about the processes involved;
- have regard to value for money including that of the inspecting body; and
- continually learn from experience.

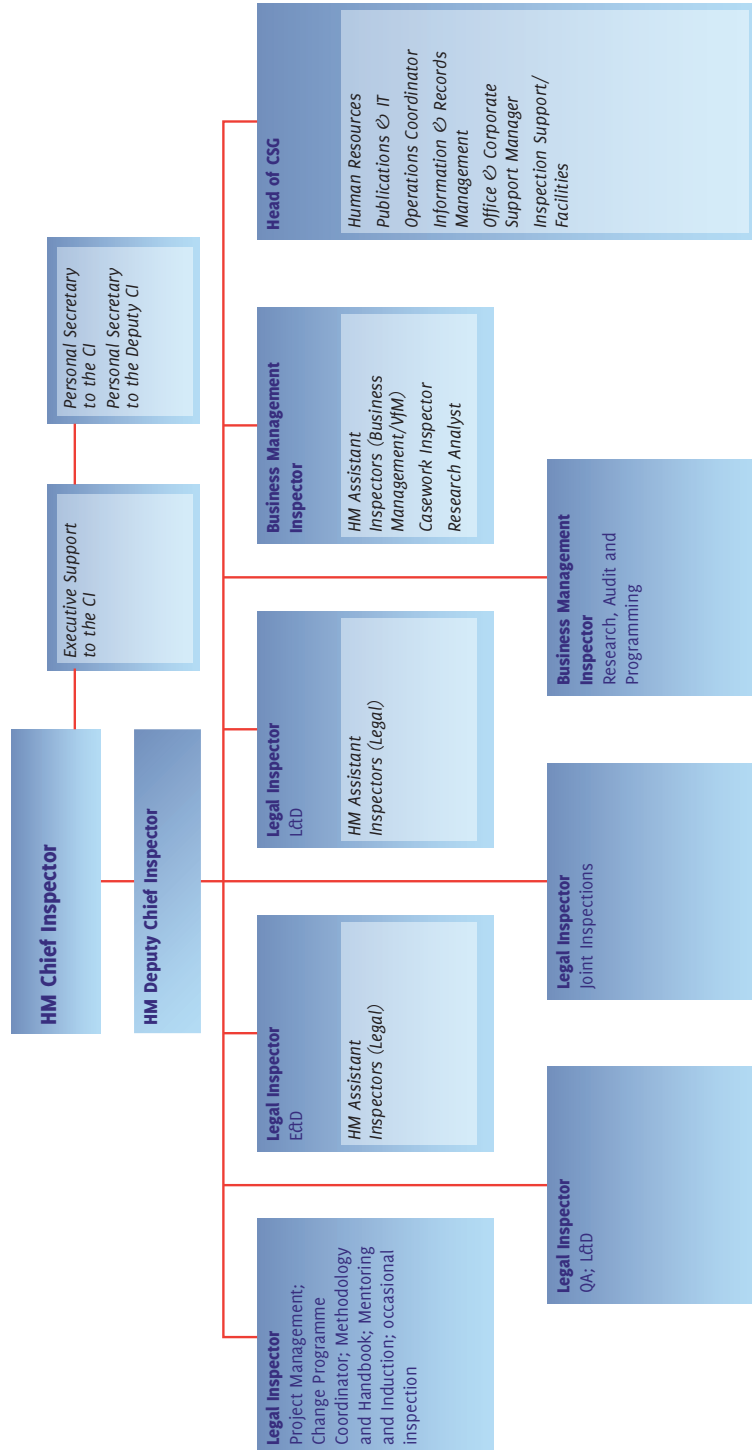
We continually seek feedback on our reports and the interviews undertaken with staff of inspected bodies. We monitor our own impact on those we inspect and are conscious of the need to keep the burden of work on them to a minimum. The form of our inspections and practices are kept under regular review.

On 7 December 2009 the Government published its white paper "Putting the front line first: smarter government" that announced its intention to abolish HMICA and committed to a full review of the number and work of all inspectorates in the public sector. We shall work with the other three remaining criminal justice inspectorates to ensure the best possible arrangements for inspection across the CJS.



## Annex B: Organisation chart

### HMCPST Organisation Structure







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