



HM Crown Prosecution
Service Inspectorate

Business Plan

2014-15

Contents

| | |
|--|----|
| Foreword..... | 2 |
| 1 Introduction | 4 |
| 2 Planned inspections..... | 6 |
| CPS Area/unit activity | 9 |
| Follow-up and re-inspection activity | 9 |
| Bespoke inspection activity | 9 |
| Thematic inspections..... | 10 |
| Joint inspection | 11 |
| 3 HMCPST internal work programme 2014-15 | 14 |
| Inspection development work..... | 14 |
| Supporting processes and other work | 14 |
| Annex A: HMCPST’s policy on inspection..... | 16 |
| Annex B: Organisation chart..... | 17 |

Foreword

This plan describes the key areas of work that the Inspectorate expects to undertake during the 2014-15 financial year and gives some background on why these topics were selected.

HMCPPI, as an independent inspectorate, provides unique advantages. We are able to give an objective and independent assurance of the work delivered by the Crown Prosecution Service (CPS), the Serious Fraud Office (SFO) 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. Our independence also enables us to offer an objective view that can determine where there are weaknesses.

Since HMCPPI began 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. Improvement is driven by undertaking a robust follow-up process.

We have employed a similar approach in our recent inspections of the SFO. These were by invitation but on 13 March 2014 the Anti-Social Behaviour, Crime and Policing Bill: Miscarriages of Justice received Royal Assent. This Act contains the clause giving HMCPPI powers to inspect the SFO on a statutory basis.

The Attorney General's Office (AGO) has confirmed that they aim to process the commencement order so that the provision for SFO inspections comes into force in May 2014.

We will soon be publishing the report of our follow-up inspection of the SFO which took place at the end of 2013 and beginning of 2014, looking at progress against the recommendations we made in 2012. There is more on this later in the Business Plan.

We have also agreed with other criminal justice inspectorates to undertake joint inspections on those topics that merit joint scrutiny. These topics are highlighted in a separate business plan issued by the Criminal Justice Chief Inspectors' Group and are shown on page 11.

One thing that has not changed is that we remain committed to producing high quality inspections and reports.

This year the priorities we will deliver are:

- To carry out effective scrutiny of the work of the CPS and SFO in order to give assurance to the Attorney General
- To assist the CPS and SFO in improving the quality of service they offer the public
- To highlight areas of CPS and SFO work where poor performance represents a risk to the public
- To undertake joint inspections with Her Majesty's Inspectorate of Constabulary (HMIC), Her Majesty's Inspectorate of Prisons and Her Majesty's Inspectorate of Probation on a range of topics

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

A handwritten signature in black ink, reading "Michael Fuller". The signature is written in a cursive, flowing style with a long, sweeping tail on the letter 'l'.

Michael Fuller QPM BA MBA LLM (Hon) LLD
Her Majesty's Chief Inspector

1 Introduction

This promises to be a particularly interesting year.

Her Majesty's Crown Prosecution Service Inspectorate (HMCPST) for the first time since it was created in 2000, will have statutory powers to inspect beyond the CPS. Furthermore, we will, in collaboration with other inspectorates, be undertaking more joint work than in any previous year. We will, of course, continue to provide assurance to Ministers, Government and the public on the standard of the service delivered using various means including inspections of specific CPS Areas, thematic topics, follow-up inspections and the Annual Casework Examination Programme, which we introduced in 2012-13. More detail is available below on these different types of inspections.

We inspected the SFO in 2012, at the invitation of its then Director. This was the first time the organisation had been inspected and, following this, Ministers decided it would be appropriate for us to have statutory powers of inspection. In the interim we undertook a follow-up inspection, again by invitation, to assess progress made by the SFO in implementing the 2012 recommendations. We are in the process of finalising the follow-up report which will hopefully be published soon. The SFO will need time to consider this report and continue with the various strands of current work. We will undertake preparatory work for our first statutory inspection, including capacity building and information gathering, which will ensure that when inspection is undertaken, it will be well managed and adequately resourced. We have discussed this with the SFO and the Attorney General.

The majority of our joint work will, understandably, be with HMIC. As can be seen from the list below, it will be a mixture of following up on previous inspections as well as taking on some challenging new thematic subjects. These issues, such as vulnerable witnesses and human trafficking, continue to be matters which concern the public. We have therefore prioritised these topics and are going to deal with them as soon as time allows for it during 2014-15.

Our planning takes account of the feedback received when we sought views during the consultation phase, which took place at the end of 2013 and the beginning of 2014. It was apparent that Ministers and the CPS itself have found the Annual Casework Examination Programme (ACEP) of use. As such we have allocated a significant amount of resource to carrying out ACEP in 2014-15. However, we will need to continuously keep this resource intensive work under review.

We are currently in the process of analysing last year's ACEP-related "focussed" inspections and hope that will enable us to assess how best to focus our work in the future.

Risk-based assessment and identification of CPS Areas and thematic topics have this year, as previously, been the basis for our planning. This is reflected in our programme, which includes CPS Areas that are identified as under performing in the different aspects of CPS work.

2 Planned inspections

As stated above, the inspection programme for 2014-15 is tailored to our current resource levels and has been developed both to reflect the needs of stakeholders and ensure that we can give assurance to Ministers and the public.

With reduced budgets and the expectation on public sector organisations to continue to deliver more for less, the 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 CPS work, we will begin planning the next SFO inspection. This will probably be on a statutory basis with the remit informed by the outcome of the 2013-14 inspection.

1 Area/unit based inspection

i CPS South East

South East has been identified in previous risk-based assessments as a likely subject for inspection, but we have delayed visiting in order to enable CPS Headquarters to work with the Area. We think the time is now right to assess their progress and current performance.

2 Follow-up and re-inspection activity

i Follow-up inspection of CPS East of England

A standard follow-up to check progress against the recommendations made in our inspection report, published in November 2012.

ii Follow-up inspection of CPS North East

A standard follow-up to check progress against the recommendations made in our inspection report, published in April 2013.

iii CPS advocacy

An examination of progress since publication of the follow-up report in March 2012. The focus will be on the five recommendations made and will not involve a significant amount of advocacy assessment.

3 Bespoke inspection activity

Annual Casework Examination Programme

We have conducted two rounds of ACEP, a detailed office-based examination of case files from a cross-section of CPS Areas. These covered a range of casework aspects including pre-charge decision-making, post-charge review and decision-making, case progression, disclosure of unused material, and victim and witness liaison. We carried out an evaluation of the recent ACEP and the focused inspections conducted in 2013-14 as a result of the findings. This has assisted us in determining to what extent we carry out another round of ACEP in 2014-15 and we now plan to examine up to 900 files this year.

4 Thematic inspections

i Communications with victims

A review of the effectiveness of all the ways the CPS communicates with victims, including the Victims' Right to Review and other complaints, Victim Focus Scheme, and Direct Communication with Victims. We anticipate reporting on the clarity and consistency of application, areas of overlap and quality of responses. This would include, as far as possible, assessing progress since our report on complaints handling in the CPS was published in January 2013.

ii RASSO units

A Rape and Serious Sexual Offences (RASSO) unit has been established in every CPS Area and this review will examine how they operate and handle cases. The aim is to identify good practice that can be disseminated across the CPS, thereby improving victim satisfaction and confidence, which it is hoped will in turn have an effect on conviction rates.

5 Joint thematic inspections

The Criminal Justice Joint Inspection (CJJI) Joint Business Plan 2012-15 has been published, following consultation. The list of inspections that HMCPST may be involved in includes:

i Local criminal justice partnerships

Part of the “Driving improvement in the CJS” programme, it will consider how well local criminal justice agencies are working together to provide an efficient and effective criminal justice system (CJS), including the identification and management of shared risk, governance arrangements and support for victims and witnesses.

ii Digitisation

Another part of “Driving improvement in the CJS”, this will include to what extent digitisation has improved CJS processes and enhanced information sharing.

iii Vulnerable witnesses

The third strand of “Driving improvement in the CJS” will cover a number of aspects, including whether risk to victims and witnesses is well managed by the police and CPS within the digital environment and the quality of case handling.

iv Charging

This inspection will evaluate the effectiveness of police and CPS arrangements for the delivery of timely, quality charging decisions. Aspects include police compliance with the Director of Public Prosecution’s guidance, levels of police supervision, the quality of CPS charging decisions, and the quality and implementation of pre and post-charge action plans.

v Human trafficking and modern slavery

Will include inspection of the quality of investigation and prosecution of offences involving human trafficking and modern slavery, issues relating to the treatment of victims and liaison with other jurisdictions.

CPS Area/unit activity

| Inspection | Focus | Background |
|-----------------------|-------------|--|
| CPS South East | Summer 2014 | Identified in previous risk-based assessments, we have delayed visiting to enable CPS Headquarters to work with the Area. The time is now right to assess South East's progress and present performance. |

Follow-up and re-inspection activity

| Inspection | Focus | Previous report published | Background |
|----------------------------|--------------------|---------------------------|---|
| CPS East of England | Summer/autumn 2014 | November 2012 | A standard follow-up to check progress against the recommendations made in 2012. |
| CPS North East | Spring 2015 | April 2013 | A standard follow-up to check progress against the recommendations made in 2013. |
| CPS advocacy | Summer 2014 | March 2012 | An examination of progress since the 2012 report, which was itself a follow-up. The focus will be on the five recommendations made in 2012. |

Bespoke inspection activity

| Inspection | Focus | Background |
|--|---|--|
| Annual Casework Examination Programme | The consistency and effectiveness of the CPS's operation, including checks on casework quality in units selected from all Areas and Casework Divisions. | The consultation phase of the Business Plan showed that Ministers and the CPS value our ongoing assurance of casework at national level. |

Thematic inspections

| Inspection | Focus | Background |
|------------------------------------|--|---|
| Communications with victims | <p>A review of how the CPS delivers its commitments to victims, including compliance with the Victim Focus Scheme, the new Victims' Code of Practice and the Victims' Right to Review scheme. As far as possible it will also assess progress since the CPS complaints handling follow-up published in January 2013.</p> | <p>A strand of the CJI "Driving improvement in the CJS" programme. Some aspects have previously been looked at as part of the inspection and follow-up of the CPS's handling of complaints.</p> |
| RASSO units | <p>This inspection will cover:</p> <ul style="list-style-type: none"> • Quality and timeliness of decision-making • Case management • Presentation of cases at court • Liaison arrangements with specialist police investigation teams and the judiciary • CPS treatment of victims and witnesses • Unit management and resources, including value for money | <p>RASSO units have now been established in every CPS Area but have not previously been subject to specific inspection, only as part of overall performance in Areas which had units at the time.</p> |

Joint inspection

| Inspection | Focus | Background |
|--|--|---|
| Local criminal justice partnerships | <p>To consider how well local criminal justice bodies are working together to provide an efficient and effective CJS. Aspects include:</p> <ul style="list-style-type: none"> • How is work led, managed and supported • If partners are working towards the same outcomes • How effective local relationships are, particularly with the PCC • Efficiency savings programmes • How shared risks are identified and managed • If feedback loops are effective • How effective support for victims and witnesses and reformation of offenders is • Work to deliver better outcomes for communities • How joint inspection recommendations are acted on | A strand of the CJI “Driving improvement in the CJS” programme. |
| Digitisation | <p>Digitisation topics include whether it has:</p> <ul style="list-style-type: none"> • Streamlined CJS processes • Removed inconsistent practices which prevent work being easily transferred or moved to available resources • Reduced the volume of paper produced and its physical movement between offices • Improved the quality and efficiency of shared information | Strand of the CJI “Driving improvement in the CJS” programme. |

| Inspection | Focus | Background |
|-----------------------------|--|--|
| Vulnerable witnesses | <p>Aspects being looked at include:</p> <ul style="list-style-type: none"> ● Police service response to recommendations from <i>Stop the Drift 2</i> and <i>Getting cases ready for court</i> ● Changes to training, supervision or governance ● How forces identify vulnerability and incorporate it into victim and witness risk assessment ● Risk management in the investigation process and prosecution case files ● Quality of vulnerable victims' case files compared to others ● Impact on victims and witnesses when risk not adequately identified ● CPS contribution to identification and management of victim and witness risks ● Better service for victims reduces cost and waste. How is this managed and calculated | Third strand of the CJI "Driving improvement in the CJS" programme. |
| Charging | <p>Evaluate the effectiveness of police and CPS arrangements for the delivery of timely, quality charging decisions. Issues include:</p> <ul style="list-style-type: none"> ● Police compliance with the Director's Guidance ● Levels of police supervision ● Quality of CPS charging decisions ● Quality and implementation of pre and post-charge action plans | A report on the joint inspection of charging was published in November 2008, however charging arrangements have changed significantly since this date, with the authority to charge returned to the police in many case categories. This inspection will therefore look at the current charging landscape including any issues identified in the 2008 report which are still of relevance. |

| Inspection | Focus | Background |
|---|---|--|
| Human trafficking and modern slavery | An inspection of the quality of investigation and prosecution of offences involving human trafficking and modern slavery issues relating to the treatment of victims and liaison with other jurisdictions. | |
| Disability hate crime | The follow-up will examine progress since the publication of the joint report on disability hate crime in 2013. In particular it will follow-up the recommendations made in the report and if the agencies involved have provided sufficient impetus to promote change. | The original report was published in March 2013 and made seven recommendations for the police, CPS and Probation Trusts. |

3 HMCPST internal work programme 2014-15

Inspection development work

The priority objectives for HMCPST in 2014-15 are:

- Maintenance and development of HMCPST's risk model
- Revision and updating of ACEP methodology
- Integration of 2013-14 ACEP findings into the risk model and inspection strategy
- Updating the inspection methodology handbook to take account of changes
- Updating the templates and guidance on follow-up inspection

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 £3,360,000, for 2011-12 £3,525,000 and for 2012-13 £3,400,000 (a reduction of 3.5 per cent on the preceding year). The Government's 2012 Autumn Statement made further changes to the budgets originally set as part of the Comprehensive Spending Review (CSR), which resulted in the budget for 2013-14 being set at £3,146,000.

In line with the CSR and further cuts announced in the most recent Autumn Statement the figure for 2014-15 will be £2,950,000.

It will be deployed as follows:

| | |
|-------------------------|-------------------|
| Staff costs | £2,445,500 |
| Recruitment/training | £21,000 |
| Accommodation | £221,000 |
| Travel and subsistence | £103,000 |
| Printing/reprographics | £2,500 |
| Other costs | £157,000 |
| Full year budget | £2,950,000 |

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 HMCPST manages its risks is in line with the approach commonly adopted in the public sector.

HMCPST updates its strategic risk register quarterly and also undertakes quarterly business reviews.

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

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.

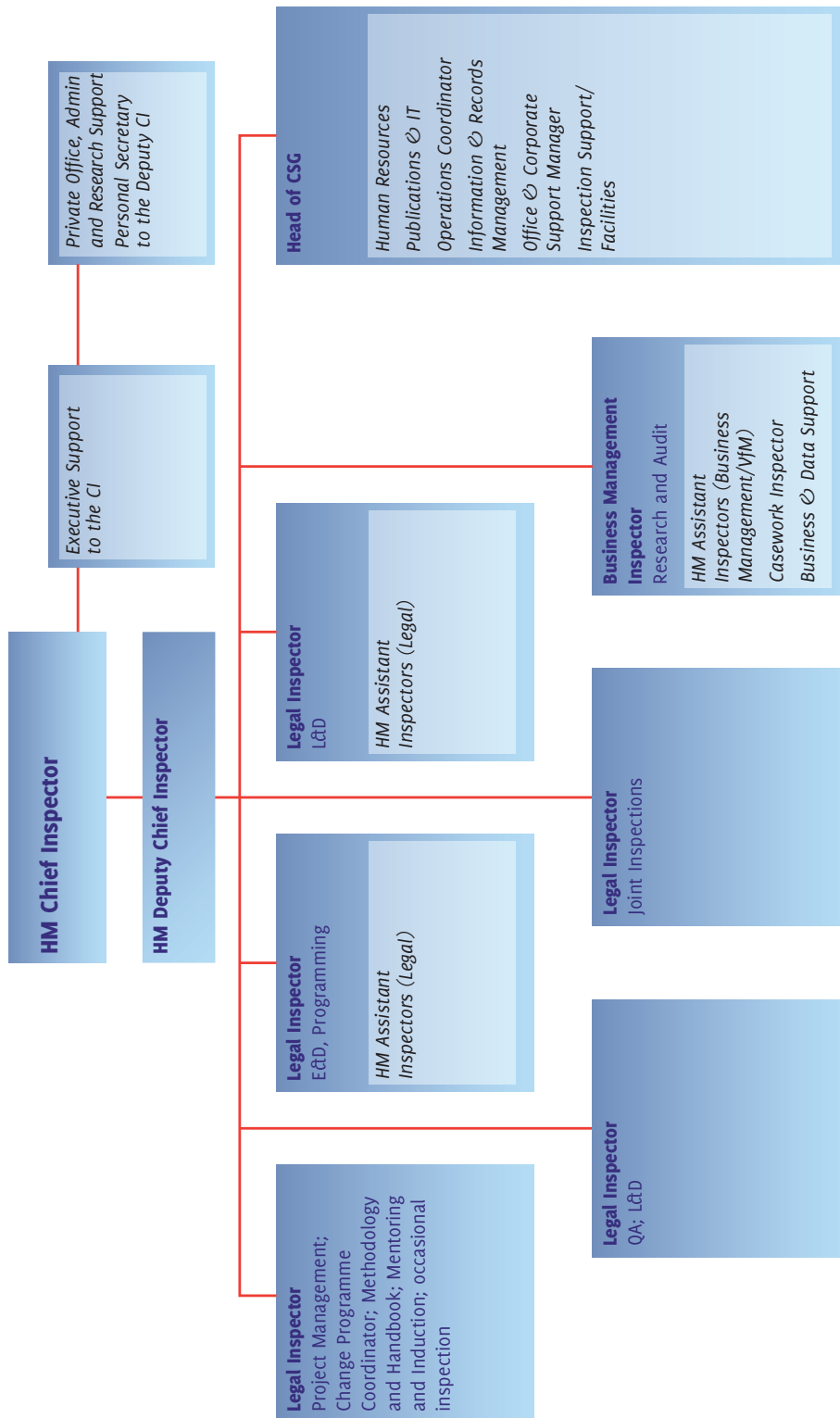
The ten principles state that public service inspection should:

- 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
- 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* which announced its intention to abolish HMICA (Her Majesty's Inspectorate of Court Administration) 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





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