

**JOINT INSPECTION  
BUSINESS PLAN**

**2018/19**



## Contents

|   |    |
|---|----|
| Introduction                              | 3  |
| A. The context to our programme           | 4  |
| 1 The landscape for joint inspection      | 4  |
| 2 Our focus                               | 4  |
| 3 Our approach                            | 5  |
| 4 Deciding the programme                  | 6  |
| B. Joint inspection programme for 2018/19 | 7  |
| 5 Continuing commitments                  | 7  |
| 6 New inspections planned for 2018/19     | 10 |
| 7 Collaborative work                      | 11 |
| 8 Scoping and feasibility studies         | 12 |
| 9 Other programmes of work                | 12 |
| Annex A                                   | 14 |

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## Introduction

This plan sets out the programme of criminal justice inspections for 2018/19 in which two or more of our inspectorates will be working together. Such collaboration allows us to examine issues of importance to the public that cut across agency boundaries, and which therefore might not be examined in our separate inspections of individual agencies.

Our joint programme includes a core of rolling inspections which cover every area in England and Wales over a period of several years. Most of our remaining work streams are time-limited, targeted and themed inspections, where we visit a small number of areas and highlight good and poor practice in a particular subject for the benefit of all areas.

We inspect on behalf of the public but also to benefit those agencies and partnerships subject to scrutiny. All our reports are published in full and where appropriate we return to review progress against our recommendations. We also recognise and take account of recent and projected changes in the criminal justice landscape itself, as well as the changing nature of crime and offending.

From our annual consultation process, we received positive and constructive comments on our proposed areas of focus for joint inspections as well as suggestions for new ones. We have carefully considered all responses and assessed them against risks to the public and available resources. Consequently, we have included four new fully joint inspections and four other pieces of work.

Our joint programme for 2018/19 represents an examination of key issues across a wide spectrum of criminal justice activity. We feel sure that those whose work we inspect will continue to respond positively to our reports, resulting in improved practice across the criminal justice system.

|                           |  |
|---------------------------|--|
| <b>Peter Clarke</b>       | <b>HM Chief Inspector of Prisons</b>                                     |
| <b>Kevin McGinty</b>      | <b>HM Chief Inspector of the Crown Prosecution Service</b>               |
| <b>Dame Glenys Stacey</b> | <b>HM Chief Inspector of Probation (Chair)</b>                           |
| <b>Sir Thomas Winsor</b>  | <b>HM Chief Inspector of Constabulary and Fire &amp; Rescue Services</b> |

## A. The context to our programme

### 1 The landscape for joint inspection

- 1.1 The long history of collaborative working between the criminal justice (CJ) inspectorates – of Constabulary, Crown Prosecution Service, Court Administration<sup>1</sup>, Prisons and Probation – was placed on a statutory footing by the Police and Justice Act 2006.
- 1.2 This Act established an obligation to publish a joint inspection programme, and to include collaboration with other inspectorates or public authorities – for example with the Care Quality Commission and Ofsted – and so this business plan encompasses joint work where such bodies will be working with one or more of the CJ inspectorates.
- 1.3 Both individually and jointly, the CJ inspectorates consistently deliver against the ten principles for public sector inspection (see **ANNEX A**). However, with the increasingly tight financial climate, inspectorates have prioritised further the issue of proportionality, and constantly review the potential for adverse administrative impact on inspected bodies of both the inspection process and any recommendations.
- 1.4 In addition, the increased focus by Government on enabling local accountability for public service provision has informed the inspectorates' approach to the balance between highlighting local and national responsibilities in findings and reports.

### 2 Our focus

- 2.1 We work together to address issues that involve more than one criminal justice agency and which have a direct impact on the public who use the justice system. Working together produces a more rounded examination of issues that cut across the system, and enables us to achieve more than if just one inspectorate acted alone.
- 2.2 We support democratic accountability, local transparency and the drive to reduce bureaucracy. Joint inspection particularly provides a unique focus on:
  - systemic issues within the CJS as a whole;
  - identifying and driving cost from the system;
  - addressing risks and public safety;

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<sup>1</sup> HM Inspectorate of Court Administration was subsequently administratively closed in 2010.

- looking at the system end-to-end and the role individual agencies play;
- universal issues, standards and constraints within the CJS; and
- public reassurance and confidence.

2.3 Our main areas of joint focus relate to four high level processes:

- **community safety:** involving police, probation and youth offending teams (YOTs);
- **bringing offenders to justice:** police, CPS, courts and YOTs;
- **offender management:** probation, prisons and YOTs; and
- **custodial conditions:** prisons, police, courts and immigration services.

2.4 In addition, in all of our inspections we have regard to three cross-cutting issues which are fundamental to success and effectiveness in the above activities, namely:

- **the quality of victim and witness experience;**
- **active promotion of equality and diversity;** and
- **achieving value for money and efficiency.**

2.5 We aim to achieve an appropriately balanced programme each year which allows us to examine the CJS across all the above areas of focus, accepting that the degree of engagement with each will vary according to relevant priorities.

### 3 Our approach

3.1 Although we publish our joint plan annually, we work within a rolling two-year programme which allows us to set or review priorities at the start of each year but to react flexibly to changing circumstances in-year and re-prioritise as necessary. Any potential work streams highlighted for year two of our programmes may subsequently be brought forward or otherwise amended to meet such changed circumstances.

3.2 This approach also means that each year, as the new programme is published, there remain several work streams in progress where either fieldwork is incomplete or has yet to start, although we have committed to the work being done. The resourcing for these inspections is considered alongside the commitment to new work streams.

- 3.3 In addition, wholly new work may be commissioned in-year, sometimes at short notice. Where this occurs, we re-assess the programme and re-prioritise as appropriate, to ensure best use of finite resources.
- 3.4 Each work stream, whether a full inspection or a scoping study (an inquiry to identify focus and scope for a future inspection) has a nominated 'lead inspectorate' and others either support or otherwise contribute. All CJ joint inspection work is ***“singly-led but jointly owned”*** – which means that while the lead inspectorate is responsible for the management, support, inspection methodology, report authoring and publication, the supporting inspectorates provide inspection team members and resources, make written contributions and agree and 'own' the final report and any recommendations.
- 3.5 This approach has allowed us to avoid having to create any additional support structures or bureaucracy, and reduces training requirements for inspection staff. However, we have developed a suite of standardised guidance on methodology and engage in shared training where relevant, to reduce costs and duplication.

## 4 Deciding the programme

- 4.1 Before finalising the joint programme, each year chief inspectors undertake an extensive process of consultation with key stakeholders, other inspectorates and government. This consultation helps to identify any overlaps or potential synergies with proposed work of other bodies, and to decide the prioritisation of the individual work streams which make it to the final programme. We were pleased to receive all contributions and have considered each in detail before finalising our programme.
- 4.2 Once the above considerations are completed, the programme is finalised by Chief Inspectors. The programme for 2018/19 is set out in detail in **Section B**.



## B. Joint inspection programme for 2018/19

### Work programme for 2018/19

There are some programmes of work from the 2017/18 CJI programme which are still underway. These are included below for information and completeness.

Inspections fall into the following two categories:

**a. Core programmes:** longer-term rolling programmes visiting all areas of England and Wales over several years with published reports following each inspection within the programme.

**b. Joint thematics:** 'one-off' inspections visiting a selection of locations (usually four to six) examining a cross-cutting CJ theme and producing one composite report.

The overall proposed programme has five component parts, namely:

**Continuing commitments** – ongoing work from previously published programmes for both core and thematic inspections;

**New inspections** – inspections arising from our business planning process;

**Collaborative working:** where partner inspectorates collaborate to support delivery of elements of an individual inspectorate's own programme (e.g. through information exchange or joint working);

**Scoping or feasibility studies:** these are conducted, where necessary, to establish the nature, priority and extent of an issue. These may lead to full inspections; and

**Other work programmes:** including developmental work and consolidation reports (drawing from published findings).

## 5 Continuing commitments

The first group under this heading consists of relatively long-term rolling programmes (**Core inspections**) – visiting all areas of England and Wales over several years and publishing reports on each individual inspection.

| Subject  | Lead inspectorate                | Others involved      |
|--|----------------------------------|----------------------|
| <p><b>Prison Offender Management Inspections (POMI)</b></p> <p>As part of the Prison Offender Management Programme, HMI Probation joins HMI Prisons to inspect a targeted selection of prisons housing those aged 18 and over. HMI Probation assesses the quality of offender management work, including how well public protection is managed, and contributes to the overall judgments in relation to the ‘healthy prison test’ on rehabilitation and release planning. During 2018-19, HMI Prisons and HMI Probation will be using a revised joint inspection methodology in adult prisons. During 2018/19 HMI Probation is planning to join HMI Prisons on YOI inspections, focusing on the resettlement needs of young people managed by Youth Offending Teams.</p>   | <p>HMI Prisons</p>               | <p>HMI Probation</p> |
| <p><b>Police and UK Borders Authority custody inspections</b></p> <p>This programme was established to meet the UK’s UN Convention Against Torture obligations to inspect all places of detention. The focus is on leadership; pre-custody; in the custody suite; the custody cell; and release and transfer. The programme started in 2008 and all police forces in England and Wales and (then) UKBA and customs facilities were inspected by 2014. Since 2014/15, a risk-based approach to inspection has been adopted to decide on the order in which forces are visited. A custody change programme was completed during 2015/16 and new expectations and supporting methodology were introduced in 2016/17. This brought a greater emphasis on partnerships, vulnerability and accountability. In 2018/19, activity will include a thematic inspection of TACT (Terrorism Act) suites.</p> | <p>HMICFRS &amp; HMI Prisons</p> | <p>CQC</p>           |

|  |                      |   |
|--|----------------------|---|
| <p><b>Joint targeted area inspections of child protection</b></p> <p>Following the Munro report, Ofsted led a redesign of joint child protection inspections in England – supported by CJ and other inspectorates. JTAs inspect the multi-agency arrangements for the protection of children with a focus on the initial referral and assessment process, together with a ‘deep-dive’ theme which changes periodically. Inspections commenced in February 2016 and there are approximately ten per year. Deep dive themes for 2018/19 include gang-related child protection issues, and abuse within the family.</p> | <p>Ofsted</p>        | <p>CQC, HMICFRS and HMI Probation</p>                 |
| <p><b>Youth inspection programme</b></p> <p>In June 2018, we began to inspect youth offending services using our new methodologies. We will inspect all Youth Offending Teams on a risk and non-predictable basis. A proportion of inspections will be undertaken jointly. We rate the quality of work delivered by each Youth Offending Team using a four-point scale, with the following categories: Outstanding, Good, Requires Improvement, Inadequate.</p>  | <p>HMI Probation</p> | <p>HMICFRS and CQC; in Wales CIW, Estyn &amp; HiW</p> |

The second category under this heading consists of *thematic inspections* which started in 2017/18 and continue into 2018/19.

| <b>Subject</b>   | <b>Lead inspectorate</b> | <b>Others involved</b> |
|--|--------------------------|------------------------|
| <p><b>Hate crime</b></p> <p>The Home Secretary commissioned HMICFRS to carry out an inspection of how police forces understand and respond to hate crimes of all types. Fieldwork started in February 2018, and the report was published in July 2018. In parallel, HMCPSI and HMICFRS inspected the handling of disability hate crime casework. This is led by HMCPSI and will report in autumn 2018.</p> | <p>HMICFRS</p>           | <p>HMCPSI</p>          |

## 6 New inspections planned for 2018/19

There are 4 new thematic work programmes for 2018/19.

| Subject  | Lead inspectorate | Others involved |
|--|-------------------|-----------------|
| <p><b>Domestic abuse: Evidence-led prosecutions</b></p> <p>The inspectorates have conducted extensive work on the CJS response to domestic abuse offences, victims and offenders. As a further strand of this work, HMCPsi and HMiCRFS will conduct a joint inspection of the effectiveness of cases which are prosecuted on evidence other than that provided directly by the victim.</p>   | HMCPsi            | HMiCRFS         |
| <p><b>Crimes against older people</b></p> <p>The population of England and Wales is ageing. While research shows that those in this age group are less at risk of crime overall than other groups, some crime types – such as those linked to physical, mental, or financial abuse – disproportionately affect older people. This inspection will assess, for the first time, the police and CPS responses to a range of offences affecting older people.</p>      | HMiCRFS           | HMCPsi          |
| <p><b>Released under investigation</b></p> <p>The Police and Crime Act 2017 (PCA) brought changes to the way police use bail. These include introducing the presumption that the police will, unless bail can be justified, release detainees without any obligation to return to police custody whilst the investigations continue.</p> <p>This inspection will examine the use of released under investigation.</p>  | HMiCRFS           | HMCPsi          |
| <p><b>Integrated Offender Management</b></p> <p>Integrated Offender Management (IOM) aims to bring cross-agency partners together to manage high priority offenders – usually the most persistent or prolific. There is no prescribed model although Key Principles were published by the Home Office and MOJ in 2015. In 2014 HMI Probation led a joint inspection with HMiC in which six local schemes were visited and found a mixed picture with differing</p> | HMI Probation     | HMiCRFS         |

|   |  |  |
|---|--|--|
| <p>degrees of commitment from agencies.<br/>Transforming Rehabilitation (TR) has changed the landscape for the management of offenders and an updated thematic inspection would give us a greater understanding of how IOM is operating under TR.</p> |  |  |
|---|--|--|

## 7 Collaborative work

| <b>Subject</b>  | <b>Lead inspectorate</b> | <b>Others involved</b>  |
|---|--------------------------|-------------------------|
| <p><b>Social care in prisons</b></p> <p>Since April 2015 in England (and April 2016 in Wales) local authorities have had responsibility for assessing and meeting the social care needs of adult prisoners whilst they are in custody. The Care Act (England) and Social Services and Wellbeing (Wales) Act clarify that adults who are detained or residing in a custodial or other HMPPS offender accommodation setting, are treated as if they were ordinarily resident in the area where the custodial setting is located, regardless of where they have lived prior to imprisonment. Before the Care Act came into law local authorities (LAs) were not responsible for providing care and support for prisoners. This meant that very few prisoners with care and support needs were having these needs properly assessed or met in an effective way. The objective of this thematic review is to identify the state of preparedness to deliver social care in prisons and to identify if revised strategic and operational approaches to social care have improved outcomes for prisoners.</p> | HMI Prisons              | CQC and CIW             |
| <p><b>Sex offenders</b></p> <p>This is a very wide topic, concern for which has come to the fore not least due to recent high-profile cases. This inspection will focus on the work undertaken by the National Probation Service and the Prison Service with men who have been convicted of sexual offences. The inspection fieldwork begins in the second quarter of 2018.</p>   | HMI Probation            | HMICFRS and HMI Prisons |

## 8 Scoping and feasibility studies

These studies can take various forms but their purpose is to understand fully the nature of a problem, and to agree what further action, including inspection activity, is required.

| Subject  | Lead inspectorate       | Others involved                              |
|--|-------------------------|--|
| <p><b>Ethnic disproportionality in the CJS</b></p> <p>This is a very wide topic which has come to the fore in part due to the publication of the Lammy Review. The joint inspectorates will consider this in greater depth to ensure that any inspection activity is well-targeted. As a first step, they will conduct a review of data held by each of the inspectorates relating to this issue, to determine areas for consideration for future thematic activity (either single-agency or joint).</p>   | <p>HMICFRS</p>          | <p>HMCPSI, HMI Probation and HMI Prisons</p> |
| <p><b>Compliance with the Victim’s Code of Practice (VCOP)</b></p> <p>A significant number of responses to the programme consultation supported a recommendation by the Independent Inquiry into Child Sexual Abuse (IICSA) that there should be a joint inspection of compliance with the entitlements of the Victims’ Code of Practice specifically in respect of victims of CSA. The scope of this recommendation is potentially very wide, and there is currently other activity including a review of the Parole Board, the outcome of which is likely to be relevant. The Joint Inspectorates therefore intend to keep this highly significant issue under review to ensure that the scope and timing of any consequent inspection activity is well-founded.</p> | <p>To be determined</p> | <p>To be determined</p>                      |

## 9 Other programmes of work

This includes all non-inspection work such as desk-top, paper-based studies and very focused fieldwork such as to identify good practice alone. It also includes work to include the working practices of the Joint Inspectorate.

| Subject  | Lead body  |
|--|--|
| <p><b>Prosecution team case file quality</b></p> <p>The quality of case files continues to be an issue of concern. In order to promote improvements, during 2018/19, HMIFRS and HMCPSI will scope a piece of work focusing on areas where there had been some evidence of better performance or good practice, which can be promulgated to a wider audience.</p>   | <p>HMICFRS with HMCPSI</p>                                 |
| <p><b>Improved business processes, communications and impact</b></p> <p>The CJS inspectorates continue to explore and implement ways of improving the way they work. This includes an improved business planning framework, a shared methodology for joint inspections, and sharing training and information on good practice through web-based fora.</p> <p>They are working to improve the follow-up to inspections to ensure that inspection activity has the greatest possible impact.</p> <p>They are also making several improvements to their website to provide more effective ways of identifying Criminal Justice System-wide issues of concern, highlighting good practice and areas for improvement. This will include cross-cutting themes such as the quality of services to victims of crime.</p> | <p>CJJI Development Group / Joint Secretariat</p>          |
| <p><b>Welfare and dignity in custody</b></p> <p>Following evidence provided by the Independent Custody Visitors Association, about concerns for welfare and dignity of individuals in police custody, HMI Prisons and HMICFRS will conduct a desk-top exercise to bring together evidence from current inspection activity including the joint custody inspection programme. This will enable the Inspectorates to assess where there are gaps in information and whether further work is warranted.</p>   | <p>HMI Prisons with HMICFRS</p>                            |
| <p><b>Mental health</b></p> <p>All inspectorates, mindful of the importance, breadth and complexity of this issue, intend to take a wider view of mental health pathways across the criminal justice system. This will be used to target future inspection activity as appropriate.</p>  | <p>HMICFRS, HMI Probation, HMI Prisons, HMCPSI and CQC</p> |

## Annex A

### The ten principles of inspection

The principles of inspection in this policy statement place the following expectations on inspection providers and on the departments sponsoring them:

1. The ***purpose of improvement***. There should be an explicit concern on the part of inspectors to contribute to the improvement of the service being inspected. This should guide the focus, method, reporting and follow-up of inspection. In framing recommendations, an inspector should recognise good performance and address any failure appropriately. Inspection should aim to generate data and intelligence that enable departments more quickly to calibrate the progress of reform in their sectors and make appropriate adjustments.
2. A ***focus on outcomes***, which means considering service provision to users of the services rather than concentrating on internal management arrangements.
3. A ***user perspective***. Inspection should have a clear focus on the experience of those for whom the service is provided, as well as on internal management arrangements. Inspection should encourage innovation and diversity and not be solely compliance-based.
4. ***Proportionate to risk***. Over time, inspectors should modify the extent of future inspection according to the quality of performance by the service provider. For example, good performers should undergo less inspection, so that resources are concentrated on areas of greatest risk.
5. Inspectors should encourage rigorous ***self-assessment*** by managers. Inspectors should challenge the results of managers' self-assessments, take them into account in the inspection process, and provide a comparative benchmark.
6. Inspectors should use ***impartial evidence***. Evidence, whether quantitative or qualitative, should be validated and credible.
7. Inspectors should ***disclose the criteria*** they use to form judgments.
8. Inspectors should be ***open about their processes***, willing to take any complaints seriously, and able to demonstrate a robust quality assurance process.
9. Inspectors should have regard to ***value for money***, their own included.
10. Inspectors should ***continually learn from experience***, to become increasingly effective. This can be done by assessing their own impact on the service provider's ability to improve, and by sharing best practice with other inspectors.





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