

**JOINT INSPECTION
BUSINESS PLAN**

2021–23

Contents

Introduction	2
A. The context to our programme	3
1 The landscape for joint inspection	3
2 Our focus	3
3 Our approach	4
4 Deciding the programme	5
B. Joint inspection programme for 2021–23	6
Annex A	11

Introduction

This plan sets out the programme of criminal justice inspections for 2021–23 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.

This programme covers time-limited, targeted and themed inspections, where we visit a small number of areas and highlight good practice and areas for improvement in a particular subject for the benefit of all parties. It does not include core inspections by individual inspectorates which cover every area in England and Wales over a period of several years.

During 2020–21, the impact of the Covid-19 pandemic resulted in some significant amendments to our planned inspection programme. Some inspections did not proceed as planned and others had to be undertaken ‘virtually’ given the Covid-19 restrictions. Where inspection topics have been carried across from the last business plan they are included below. As the Covid-19 pandemic continues to impact our day-to-day operations and those of the services we inspect, it is likely to continue to affect our ability to undertake the proposed programme of inspections in the 2021–22 business year.

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 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.

Our joint programme for 2021–23 represents an examination of areas of critical importance across a wide span of criminal justice activity. We hope that those whose work we inspect will continue to respond positively to our reports, resulting in improved practice across the criminal justice system.

Andrew Cayley	HM Chief Inspector of the Crown Prosecution Service
Justin Russell	HM Chief Inspector of Probation (Chair)
Charlie Taylor	HM Chief Inspector of Prisons
Sir Thomas Winsor	HM Chief Inspector of Constabulary and Fire & Rescue Services

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 (CPS), Court Administration¹, 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 (CQC), Ofsted and Health Inspectorate for Wales (HIW). So this business plan also 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 impact on inspected bodies of both the inspection process and any recommendations.
- 1.4 In addition, the increased focus by Government on local accountability for public service provision has informed the inspectorates' approach to the balance between the local and national responsibilities we highlight 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

¹ HM Inspectorate of Court Administration was subsequently administratively closed in 2010.

- addressing risks and public safety
- looking at the system end-to-end and the role individual agencies play
- universal issues, standards and constraints within the CJS
- 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
- **management of people under criminal justice supervision**: probation, prisons and YOTs
- **custodial conditions**: prisons, police, courts and immigration services.

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

- **the quality of victim and witness experience**
- **active promotion of equality and diversity**
- **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 We work within a rolling two-year programme. We set priorities at the start of the period but react flexibly to changing circumstances and re-prioritise as necessary. Any potential work streams highlighted for year two of our programme may subsequently be brought forward or otherwise amended to meet such changed circumstances.

3.2 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.

- 3.3 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 criminal justice joint inspection (CJJI) 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.
- 3.4 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, 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 that 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 2021–23 is set out in detail in **Section B**.

B. Joint inspection programme for 2021–23

The overall proposed programme includes:

- **Continuing commitments:** ongoing work from previously published programmes
- **New inspections:** inspections arising from our business planning process which may be in the early stages of scoping.

Continuing commitments: core joint inspections

The following rolling programmes will continue in 2021–23.

Police and UK Borders Authority custody inspections

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. A risk-based approach to inspection has been adopted to decide on the order in which forces are visited. New expectations and supporting methodology were introduced in 2016–17. This brought a greater emphasis on partnerships, vulnerability and accountability. Since 2019–20, activity has included a thematic inspection of Terrorism Act (TACT) suites.

Inspectorates involved: HMI Prisons, Her Majesty’s Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) and CQC

Prison inspections – rehabilitation and release planning

HMI Probation joins HMI Prisons’ core programme of inspections to review a targeted selection of establishments holding 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. The planned joint inspection of the Offender Management in Custody (OMiC) model will help confirm both inspectorates’ future approach to this work.

Inspectorates involved: HMI Prisons and HMI Probation

Youth inspection programme

A proportion of HMI Probation inspections of YOTs in England and Wales are undertaken jointly. Justice, health and social care inspectorates contribute, reflecting the YOT partnership arrangements at a local level. A risk-led approach is used to determine which YOTs will be jointly inspected. We rate the quality of work

delivered using a four-point scale, with the following categories: Outstanding, Good, Requires Improvement, Inadequate.

Inspectorates involved: HMI Probation, HMICFRS and CQC in England; in Wales HMICFRS, Care Inspectorate Wales, Estyn & HIW.

Continuing commitments: joint thematic inspections

The following joint thematic inspections started in 2020–21 and will be completed in 2021–22.

Rape (two-part report)

The problems surrounding rape investigation and prosecution in England and Wales have been intensively studied in scores of reviews over the past two decades. There is a high level of consensus in these reports, which share themes and core recommendations. Despite all the work that has been done, successful prosecutions for offences of rape are at an all-time low.

Because of the urgency to explore what is happening with rape cases, we divided the inspection into two phases. Phase one examines what happens up to the decision to take no further action and will be published in summer 2021. Phase two will look at cases that were charged to their conclusion in court or otherwise and will be published in the winter of 2021–22.

Lead inspectorate: HMICFRS with Her Majesty's Crown Prosecution Service Inspectorate (HMCPIS)

Neurodiversity in the CJS evidence review

In December 2020, the Ministry of Justice (MoJ) commissioned HMI Prisons and HMI Probation to conduct an independent evidence review on neurodiversity in the CJS. HMICFRS also supported the work. The review covers the criminal justice journey for adults, and the findings will be used initially to support a spending review bid by the MoJ. There are four strands to the work: a call for evidence, a series of round-table events, consultation with practitioners in police forces, probation services and prisons. Service users were also consulted. We plan to publish a report of our findings in summer 2021.

Lead inspectorate: HMI Prisons with HMI Probation and HMICFRS

Drugs misuse among people on probation

An inspection of the quality of community-based drug treatment and recovery work with people under probation supervision. This includes a focus on national and local leadership, partnership work, individual practice and service delivery for this cohort.

Lead inspectorate: HMI Probation with CQC and HIW. Report to be published August 2021

Programme of new work for 2021–23

This section of the plan focusses on joint thematic inspections – ‘one-off’ inspections examining a cross-cutting CJ theme and producing one composite report.

These can be divided into two groups:

- joint inspections involving three or more of the criminal justice inspectorates
- bilateral inspections which will engage two criminal justice inspectorates and possibly other agencies such as CQC and Ofsted.

These have been separated out to show clearly those that are bilateral and those that span the criminal justice system with either four or three inspectorates engaged.

In addition to the work shown in this business plan there are longer-term rolling programmes of inspection visiting all areas of England and Wales over several years. A report will be published following each inspection. These programmes are shown in individual inspectorates’ business plans.

Joint inspections involving three or more of the Criminal Justice inspectorates

There are six inspection activities planned:

- **Mental health** – This inspection involves all four justice inspectorates as well as CQC in England and HIW in Wales, who are jointly inspecting the quality and effectiveness of the services provided from arrest to imprisonment. This inspection is fully scoped and field work commenced in April 2021. Lead inspectorate: HMI Probation. Expected publication: Autumn 2021.
- **Racial disproportionality within the CJS** – This review will likely include all four inspectorates and will draw on recent separate inspectorate work by HMICFRS, HMI Probation and HMI Prisons. It will draw together findings and recommendations from these reports and look at disproportionality data from across the CJS. Lead inspectorate: HMICFRS. Expected publication: Spring 2022.

- A review of CJS recovery from the Covid-19 pandemic – A cross-system update on the joint criminal justice inspectorates report on the impact of Covid-19 on the CJS, published in January 2021. To be completed by December 2021.
- Joint inspection of multi-agency public protection arrangements for high risk offenders, including the effectiveness of joint working arrangements between probation, police and other agencies to manage risk of serious harm – HMI Probation, HMI Prisons and HMICFRS.
Lead inspectorate: HMI Probation. Expected publication: Spring 2022.
- Community supervision of extremism/radicalisation/TACT offenders – This inspection is yet to be scoped but will build on recent reviews and include a focus on the implementation of new national probation service structures and case management arrangements for managing this cohort. HMI Probation, HMI Prisons and HMICFRS.
Lead inspectorate: HMI Probation. Expected publication: 2022–23.
- Victims: meeting the needs of victims in the CJS – To inspect the quality of communication and support for victims at each stage of the CJS, including the impact of recent increases in court backlogs. HMICFRS, HMCPSP and HMI Probation.
Lead inspectorate: HMICFRS. Expected publication: 2022/23.

Joint inspections involving two Criminal Justice inspectorates

There are four inspections planned.

- Youth violence – This inspection activity will review the impact of local implementation of the Government’s Serious Violence Strategy. HMICFRS will work with HMI Probation, CQC and Ofsted. Scope to be agreed.
Lead inspectorate: HMICFRS. Expected publication: Spring 2022.
- Case file quality – Criminal case files need to have quality and consistency to ensure the best outcome for witnesses and victims. HMICFRS and HMCPSP will deliver this inspection.
Lead inspectorate: HMCPSP. Scope and fieldwork dates to be agreed.
- Offender Management in Custody (OMiC) – This inspection was due to take place in 2020 but was postponed owing to the pandemic. It will consider the extent to which the intended outcomes within the new OMiC model have been realised. Our work will focus on both prison offender management and community supervision after release and will follow a selection of cases through the system. HMI Probation will work with HMI Prisons.
Lead inspectorate: HMI Probation. Expected publication: Spring 2022.

- Service provision for girls in custody and on post-release supervision – There are only a small number of girls held in custody. They are held in fewer centres and are likely to be held long distances from home/have less contact with family and other professionals who may act to prevent future reoffending. HMI Prisons will work with HMI Probation, CQC and Ofsted to deliver this work. Lead inspectorate: HMI Prisons. Expected publication: Spring 2022.

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 inspectorates.

HM Crown Prosecution Service Inspectorate

London Office
7th Floor, Tower
102 Petty France
London SW1H 9GL
Tel. 020 7210 1143

York Office
Foss House, Kings Pool
1–2 Peasholme Green
York, North Yorkshire, YO1 7PX
Tel. 01904 54 5490

HM Inspectorate of Constabulary and Fire & Rescue Services
6th Floor Globe House
89 Eccleston Square
London SW1V 1PN

HM Inspectorate of Probation
Civil Justice Centre
Manchester
M3 3FX

HM Inspectorate of Prisons
3rd floor, 10 South Colonnade
Canary Wharf
London E14 4PU

© Crown copyright 2021

You may re-use this information (not including logos) free of charge in any format or medium, under the terms of the Open Government Licence.

To view this licence,
visit nationalarchives.gov.uk/doc/open-government-licence/

or write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email:
psi@nationalarchives.gsi.gov.uk

This document/publication is also available on our website at justiceinspectors.gov.uk/hmcpsi