

**JOINT INSPECTION
BUSINESS PLAN**

2023-25

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 2023–25	7
Continuing commitments: core joint inspections	7
Continuing commitments: joint thematic inspections	7
Annex A	11

Introduction

This plan sets out the programme of criminal justice inspections for 2023–25 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 the 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 aspects 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.

As independent inspectorates we provide the public with assurance but also benefit those agencies and partnerships subject to scrutiny. All our reports are published in full and where appropriate we return to review progress against the recommendations and concerns we raised. 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 areas. We have carefully considered all responses and assessed them against risks to the public and available resources.

Our joint programme for 2023–25 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.

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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, Estyn and Healthcare Inspectorate Wales. This business plan also encompasses joint work where such bodies will be working with more than one of the CJ inspectorates.
- 1.3 Both individually and jointly, the CJ inspectorates consistently deliver against the 10 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 or concerns raised.
- 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 criminal justice system (CJS) as a whole
 - identifying and reducing unnecessary cost in the system
 - addressing risks and public safety
 - looking at the system end-to-end and the role individual agencies play

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

- 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 services (YOS)
- **bringing offenders to justice:** police, CPS, courts
- **management of people under criminal justice supervision:** probation, prisons and YOS
- **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. This 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 reprioritise 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 reassess the programme and reprioritise as appropriate, to ensure best use of finite resources.

3.3 Each work stream, whether a full inspection, a scoping study (an inquiry to identify focus and scope for a future inspection) or a spotlight report 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 joint methodology which is under continuing review 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 the 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 2023–25 is set out in detail in **Section B**.

B. Joint inspection programme for 2023–25

The overall proposed programme includes:

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

Continuing commitments: core joint inspections

The following rolling programme, which involves two or more of the inspectorates, will continue in 2023–25.

Youth inspection programme

A proportion of HMI Probation inspections of YOS in England and Wales are undertaken jointly. Justice, health and social care inspectorates contribute, reflecting the YOS partnership arrangements at a local level. A risk-led approach is used to determine which YOS 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 (lead), HMICFRS and CQC in England; in Wales HMI Probation (lead), HMICFRS, Care Inspectorate Wales, Estyn & Healthcare Inspectorate Wales.

Continuing commitments: joint thematic inspections

The following joint thematic inspections started in 2021–23 and will be completed in 2023–25.

- **Meeting the needs of victims in the criminal justice system:** An inspection of the quality of communication and support for victims at each stage of the criminal justice system, including the impact of recent increases in court backlogs.
 - Lead inspectorate: HMICFRS
 - Other inspectorates involved: HMCPSI, HMI Probation
 - Expected publication: The fieldwork for this inspection began in 2022, with the report due to be published in July 2023.
- **Supervision of Terrorism Act (TACT) and TACT connected offenders:** This inspection builds on published reviews and includes a focus on the implementation of new Probation Service National Security Division structures and case management arrangements.
 - Lead inspectorate: HMI Probation
 - Other inspectorates involved: HMI Prisons, HMICFRS

- Expected publication: The fieldwork for this inspection began in 2023, with the report due to be published later in 2023.
- **Racial disproportionality within the criminal justice system:** This compendium will draw on recent separate inspection work by the four inspectorates. It will draw together findings and recommendations and look at disproportionality data from across the CJS.
 - Lead inspectorate: HMICFRS
 - Other inspectorates involved: HMCPSP, HMI Probation, HMI Prisons
 - Expected publication: This report is dependent on various single agency inspections to be completed, but it is expected to be published in 2023–24.
- **Case file quality:** This inspection was originally intended to check that criminal case files have quality and consistency to ensure the best outcome for witnesses and victims. There will now be a specific focus on prosecution team culture and how strong cases are built, including communication between agencies.
 - Lead inspectorate: HMCPSP
 - Other inspectorates involved: HMICFRS
 - Expected publication: This inspection will now take place in 2023–25 with a revised remit. See ‘Prosecution case building’, page 9.

Programme of new work for 2023–25

This section of the plan focuses on:

- a) Joint thematic inspections – ‘one-off’ inspections examining a cross-cutting CJ theme and producing one composite report
- b) Other joint work, not including inspections.

a) Joint thematic inspections

We will consider inclusion of victim focus in our work, either formally within the scope of the inspection or by driving improvement in the wider criminal justice system.

There are six inspections planned.

- **Children on remand:** This inspection will look at custodial remand in the youth justice system of England and Wales. This inspection is fully scoped and fieldwork will begin in early 2023–24.
 - Lead inspectorate: HMI Probation
 - Other inspectorates involved: HMI Prisons, Ofsted
 - Expected publication: end of 2023–24
- **Experiences of women on community orders and on release from prison:** Since this topic was last inspected, the government has developed a strategy for women in the criminal justice system which includes the planned development of four women’s residential centres, as an alternative to custody.

This inspection will enable a closer look at the progress against, and impact of, the strategy. It will also consider the experience of women in custody through to resettlement in the community.

- Lead inspectorate: HMI Probation
 - Other inspectorates involved: HMI Prisons
 - Expected publication: 2023–24
- **Prosecution case building:** This inspection has been carried forward from the 2021–23 Business Plan but now with a specific focus on the culture and communications between the police and Crown Prosecution Service and how these impact on building strong cases. This will include consideration of the impact of this partnership working on victims and will share inspection resources and evidence with the HMICFRS ‘investigations’ thematic.
 - Lead inspectorate: HMCPSI
 - Other inspectorates involved: HMICFRS
 - Expected publication: 2023–24
- **Use of science and technology in policing and the criminal justice system:** This inspection will look at the capability, capacity and resilience for policing crime and the use of administrative technologies that support improved effectiveness across criminal justice agencies. This will include looking at the experiences of victims.
 - Lead inspectorate: HMICFRS
 - Other inspectorates involved: HMCPSI, HMI Prisons
 - Expected publication: 2024
- **Experiences of victims of child sexual abuse of the criminal justice system:** The Independent Inquiry into Child Sexual Abuse has recommended a joint inspection of compliance with the Victims’ Code in relation to victims and survivors of child sexual abuse. This will include looking at the experiences of victims.
 - Lead inspectorate: HMICFRS
 - Other inspectorates involved: HMCPSI, HMI Probation
 - Expected publication: 2024–25
- **Disclosure:** The Director’s Guidance on Charging 6th Edition, Attorney General’s Guidelines on Disclosure 2020 and the revised CPIA Code of Practice came into force 31 December 2020. This inspection will consider the operation of disclosure in volume magistrates’ court and Crown Court casework following these changes and assess whether there has been improvement since the last joint report on disclosure in 2017. This will include looking at the experiences of victims.
 - Lead inspectorate: HMCPSI
 - Other inspectorates involved: HMICFRS
 - Expected publication: 2024–25

b) Other joint work

Other work planned during 2023–25 includes:

- **Spotlight reports:** These will be published reports based on topics of relevance across the youth and adult criminal justice system. They will draw on existing inspection evidence derived from either joint or single agency work to provide an overview of a cross-criminal justice system theme.
 - The first spotlight report is planned for 2023–24, looking at the effects of recruitment and retention of staff across the criminal justice system.
- **Joint inspection framework:** We will develop how we collaborate on joint inspections as well as how we share more information to work together intelligently.

Annex A

The 10 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.

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