



HMCPSI

HM Crown Prosecution
Service Inspectorate

Business plan 2020–21

April 2020

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Foreword

The statutory remit of Her Majesty's Crown Prosecution Service Inspectorate is to report to the Attorney General on the operation of the Crown Prosecution Service (CPS) and the Serious Fraud Office (SFO). This business plan sets out the programme of inspection that I intend to carry out to allow me to meet my statutory remit.

Between 2016 and 2019, the Area Assurance Programme of inspections allowed me to set out comparable performance of all CPS Areas. I was keen to ensure that those who hold the CPS to account had a clear understanding of performance across a range of aspects, from governance to the quality of casework, as well as the service provided to victims and witnesses. I produced a final composite report in October 2019.

Having concluded the majority of our Area Assurance inspections, I decided that we would focus resources and attention on a thematic programme of inspection. Last year, I published thematic reports on CPS business, the handling of defence correspondence, serious youth cases and use of agents by the CPS.

In July, I was asked by the Attorney General to undertake an inspection of the handling of rape by the CPS, to help provide evidence to support a cross-Government review of the handling of rape by the criminal justice system. This request, which asked for a report in five months, meant that plans had to be changed and all inspector resources reallocated. I published the report in December. The impact that had on my plans is set out later, with a number of inspections having to be delayed.

My statutory remit also requires me to inspect the SFO. As outlined in the 2019–20 business plan, I completed two inspections of the SFO: one on leadership, at the request of the SFO, and the other on case progression. I also set out in the 2019–20 business plan that I intended, for the first time, to carry out a joint SFO and CPS inspection on the handling of proceeds of crime cases. As a result of taking on the rape inspection, I was unable to start this work. I have carried this forward; the scope of the inspection is currently being developed and work will commence towards the end of the first quarter of 2020.

I am firmly of the opinion that joint inspection often adds more value than concentrating on a particular part carried out by a single agency. Looking at the complete criminal justice process allows for examination of those issues which cross boundaries and allow for wider examination. I set out in last year's plan that I intended to consider how we may be able to co-opt inspectors between the inspectorates to help develop more effective and agile inspections, with the aim

of increasing the number of joint inspections we are able to undertake. I am pleased to report that, as well as securing more resources in the comprehensive spending review, I have also set up a dedicated joint inspection team with Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS). In the first instance, I have embedded two inspectors into a joint team and have set out a programme of inspection that will look at some of the long standing issues that we identify in single agency inspections. The team's first priority is to examine case file quality, to identify issues that both the police and CPS need to tackle to make lasting improvements.

As I was able to show last year, with the short notice request to undertake a substantial inspection on rape, it is essential to have some resilience built into the business plan to respond to any short notice requests or major change. Writing this at a time of great uncertainty, because of the current coronavirus crisis, brings to the fore the need for HMCPSI to be able to react and flex its resources to ensure that it can help and not create any further degree of burden. There are a number of inspection topics included in the 2020–21 programme which we consider could be conducted remotely and would not add any significant burden to the CPS or SFO if the current crisis lasts for a significant period. I am sure we will be able to undertake some limited inspection activity. However, I also have to consider that inspection can be a burden and, depending on the timescale of crisis, I will ensure that HMCPSI reacts to support those that we inspect whilst at the same time providing a level of assurance which does not stop essential, front line core business being delivered by those we inspect.

A handwritten signature in black ink, appearing to read 'Kevin McGinty', with a stylized flourish at the end.

Kevin McGinty CBE

Her Majesty's Chief Inspector

Who we are

Her Majesty's Crown Prosecution Service Inspectorate (HMCPsi) is an independent inspectorate. The statutory remit of HMCPsi is to inspect the operation of the Crown Prosecution Service (CPS) and the Serious Fraud Office (SFO), to submit an annual report on the operation of these organisations to the Attorney General, and to undertake any inspection requested by the Attorney General, as set out in section 2 of the Crown Prosecution Service Inspectorate Act 2000 and amended by the Anti-social Behaviour, Crime and Policing Act 2014. We also inspect other prosecuting services by invitation.

We are committed to the ten principles of public inspection, which can be found in annex A.

Our purpose

HMCPsi inspects prosecution services, providing evidence to make the prosecution process better and more accountable. We have a statutory duty to inspect the work of the CPS and SFO. By special arrangement, we also share our expertise with other prosecution services in the UK and overseas.

We are independent of the organisations we inspect, and our methods of gathering evidence and reporting are open and transparent. We do not judge or enforce; we inform prosecution services' strategies and activities by presenting evidence of good practice and issues to address. Independent inspections like these help to maintain trust in the prosecution process.

Our strategic objectives

1. To deliver high quality, evidence based assessments of the CPS and SFO to inform them and those who hold them to account.
2. To work collaboratively with other inspectorates and develop effective working relationships in order to achieve objective 1.
3. To promote HMCPPI to targeted stakeholder and media audiences to widen and maintain interest in the work of the Inspectorate.
4. To deliver reports to our target audience which are understandable and convey the message effectively.
5. To recruit and develop the best people so HMCPPI has a high performing workforce with the right skills and values for the job.
6. To run an efficient and effective organisation that meets the best standards of a government department in order to provide value for money.

Our values

- A professional approach
- An open-minded attitude
- A collegiate culture

Contents

1. Our programme	8
Planned inspections carried forward from 2019–20	11
Planned inspections new for 2020–21	13
Short notice inspections	16
Joint inspections.....	16
Internal work programme and inspection strategy	17
2. Supporting processes	18
Resources	19
Managing risk.....	20
The Equality Act 2010	20
Annexes	
The ten principles of public sector inspection	21
Organisation chart	23

1. Our programme

This plan sets out the inspections that HMCPST plans to carry out from April 2020 to March 2021 and also those inspections we have carried forward from the 2019–20 business plan.

To develop the plan for 2020–21, we sought feedback from our stakeholders. Consultation on a list of potential inspection topics took place during the fourth quarter of 2019–20 and we engaged with those we inspect who sit on our stakeholder advisory board. Although we are independent, we give weight to the views of our stakeholders and, as far as possible, incorporate those issues which we consider most in need of addressing when planning our inspection programme.

Our purpose is to provide evidence by which others can hold the organisations we inspect to account. In order to provide comprehensive assurance on the performance of the Crown Prosecution Service (CPS) as a whole, we completed a three year Area Assurance Programme in 2019. This has produced reports for all CPS Areas, which we assessed against criteria aligned as far as practicable to the CPS national priorities. A composite report was completed and published in October 2019.

Our commitment to working with other criminal justice inspectorates on topics which benefit from a cross-agency approach continues. Joint inspection work has been enhanced by the introduction of a more integrated approach. In November 2019, HMCPST and Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) established a small joint inspection team who work together full-time on aspects of CPS and police work that benefit from a joint approach. The team's objective is to deliver joint inspections and gather good practice from both organisations with a view to bringing greater consistency to the process of joint inspection. The team will also develop products to assist with training and continuous professional development across the wider inspection teams.

Details of joint inspections HMCPST is involved in can be found in this plan. A full programme of joint inspections can be found in the Criminal Justice Joint Inspectorates (CJJI) business plan.

The 2020–21 programme features thematically based inspections and introduces a new form of CPS Area inspection. We have planned our inspection programme in line with the priorities of the organisations we inspect, and remain open to carrying out work on topics prompted by any external factors that may emerge during the business year.

The impact of the coronavirus will significantly affect the work that we do, as any on-site work will be restricted until such time as it is appropriate to recommence

visits to the inspected organisations. We will initially focus our work on aspects that lend themselves to an inspection methodology that avoids on-site visits. Because of this situation, it will be difficult to set out the programme in line with strictly defined timescales, as any necessary on-site inspection work may need to be deferred. Follow-up work on the rape report published in 2019–20 is also likely to have an impact on the programme this year.

We have also developed a list of options for other inspections which may be added to our programme should time and resources allow, or should the impact of the coronavirus make it expedient to carry out different types of inspection. It is not intended that we cover all the topics listed during this financial year; we will prioritise as needed.

Planned inspections carried forward from 2019–20

Thematic inspections

A number of inspections have been carried forward from the 2019–20 business plan. The rape inspection that the Attorney General requested at short notice resulted in some of the 2019–20 planned inspection activity having to be postponed.

Charging

Charging has not been inspected as a bespoke topic since a report was published jointly with HMICFRS in 2015, and many changes have been implemented since that time. The move to digital charging and the return of day-time charging to the CPS Areas are two such key changes. The inspection will consider whether the changes have enhanced the service provided and improved the quality of decision-making. This inspection commenced in February 2020 and is planned to complete in early summer (subject to the impact of the coronavirus crisis).

Information management in the CPS

This inspection arises from the concern about the number of data security breaches reported in the CPS, and about the CPS having been fined by the Information Commissioner's Office on a number of occasions. The inspection will assess whether the CPS has suitable controls in place to ensure that case information is managed appropriately and securely. This inspection commenced in January 2020 and is planned to complete by June 2020 (subject to the impact of the coronavirus crisis).

Performance monitoring and improvement in CPS Areas

This inspection will assess the effectiveness of systems and processes applied in CPS Areas to monitor, challenge and drive performance improvement. The aim of the inspection is to identify processes that CPS Areas are employing successfully to use performance information, both to identify aspects of work for improvement and to monitor and measure progress.

We commenced a pilot of the inspection in January 2020 in CPS East Midlands to test the process and scope of the inspection. The pilot has been stopped as a result of the coronavirus outbreak. Plans are to complete the pilot and then consider how this inspection may be undertaken across a number of other CPS Areas.

Complex Casework Units

To complement the two reports we published in 2018–19 – on the governance of the International Justice and Organised Crime Division and the Special Crime and Counter Terrorism Division – we intend to inspect the Complex Casework Units based in each CPS Area. The inspection will look at how effective and efficient these units are at identifying and managing their casework, which comprises the most serious cases dealt with at an Area level. The inspection will include an examination of casework decision-making.

SFO and CPS operation of Proceeds of Crime Divisions

This inspection will assess the effectiveness of the casework necessary to deliver effective proceeds of crime casework. The inspection will assess the operation of both the CPS Proceeds of Crime Division and the Serious Fraud Office (SFO) Proceeds of Crime Division against a universal framework. The aims of the inspection include discovering how best practice and operational practice can be shared to improve systems and processes.

Planned inspections new for 2020–21

SFO inspections

To satisfy our statutory remit, HMCPSI will carry out a number of inspections concerning aspects of SFO work. These inspection topics will all be scoped and at least two of the inspections will commence in 2020–21 (subject to the limitations of coronavirus crisis).

Complaints handling

This inspection will examine the complaints handling process, the effectiveness of the system, and how the SFO applies any learning taken from dealing with complaints.

Witness care

Following the SFO's efforts to improve the care provided to victims and witnesses, this inspection will look for good practice and assess whether revised processes and systems are effective at delivering a good standard of witness care.

Information security

This inspection will assess whether the SFO has suitable controls in place to ensure that case information is managed securely and appropriately.

CPS Area inspections

In response to feedback from stakeholders, we will develop a revised methodology to support a programme of CPS Area inspections. The inspections will focus on assessing the impact of the substantial increase in lawyer resources (following the 2019 comprehensive spending review) on the quality of casework and associated outcomes.

As part of the inspections, we will also consider the effectiveness of induction training given to new lawyers and the support and training offered to new managers. We anticipate that this inspection process will be piloted in the second quarter of 2020 and then be rolled out on an incremental basis.

CPS thematic inspections

We maintain a list of inspection topics which may be added to our programme if resources allow, or if the urgency to inspect them increases. For 2020–21, these subjects include the following.

Gang crime, county lines and knife crime

This inspection will focus on how the CPS is working with the police and the quality of the casework in gang crime cases, with a focus on country line cases and offences involving knives. If these inspections take place this year, a decision will be made about whether the complexity of the subjects will require two separate inspections.

Casework quality in Crown Court cases

This inspection will examine processes to support plea and trial preparation and drive improvements in casework decision-making in volume crime cases in the Crown Court. It will consider what value the CPS adds to Crown Court cases and whether they are effectively progressed with the right decisions made.

The handling of police correspondence

This inspection will assess the CPS's systems for dealing with correspondence and information received from the police. It will report on the effectiveness of systems, the promptness of the action taken, and the effectiveness of any performance monitoring and assurance processes related to this aspect of work.

Sharing good practice

This inspection will focus on how the CPS shares good practice and consider the national and local impact of sharing good practice. This inspection could be carried out by means of Area self-assessment, which would avoid on-site work, so it may be pulled forward and conducted during the coronavirus close down.

Management of change

This inspection will assess the effectiveness of the CPS at delivering major change. It will focus on the delivery and management of digitisation in the CPS, and on digital systems shared with Her Majesty's Courts and Tribunals Service (HMCTS): the digital case system in particular. During scoping, we will assess whether this inspection will include aspects of HMCTS activity and be conducted as a joint inspection.

Strategic partnerships

This inspection will examine how the CPS works with partner criminal justice system (CJS) agencies, building successful relationships and setting standards. It will examine how strategic partnerships may result in improvements in the operation of the CJS. The focus is likely to be the role of the CPS in the Local Criminal Justice Board and whether this leads to improvement in outcomes.

Service to victims and witnesses

This inspection will assess the standard of service provided to victims and witnesses at court and throughout the court process, including compliance with the Speaking to Witnesses at Court initiative.

Young witness protocol

This inspection will assess the operation of and compliance with the young witness protocol. We will consider whether this inspection could be done using a desk based exercise during the coronavirus close down.

Community engagement

This inspection will seek to identify community engagement good practice that has resulted in improved outcomes, with a focus on the use of local scrutiny panels and the effectiveness of inclusion and community engagement managers.

Use of individual learning accounts

This inspection will examine this unique approach to encouraging CPS staff to take ownership for their learning and development. It will assess the effectiveness of this approach and identify any benefits.

Victim communication letters

This inspection will provide a follow up to the Victim Liaison Unit inspection report published in 2018. It would report on any changes in the quality of letters to victims.

Disclosure

If the effects of the coronavirus continue for a protracted length of time, we may undertake a follow-up to the disclosure report published at the beginning of 2020. This inspection would be a casework based examination only.

Short notice inspections

As happened last year with the handling of rape cases inspection, HMCPSI may be asked to undertake short notice inspections. By their very nature, it is difficult to plan for these ad hoc requests, so there is flexibility in the 2020–21 programme, and we will continue to try to ensure we can assist with requests as far as available resources allow.

Joint inspections

The *CJI joint business plan 2020–21* contains full details of the proposed joint inspection programme for this year.

The dedicated joint HMCPSI and HMICFRS inspection team are preparing potential inspections of prosecution file quality, witness care units, rape, and mentally disordered offenders. This team is responsible for delivering an inspection of prosecution file quality, as well as gathering best practice across both the CPS and the police, with a view to bringing greater consistency throughout the lifespan of joint inspection.

Internal work programme and inspection strategy

HMCPST will complete a significant amount of work in 2020–21 to update and revise its methodology.

A new digital solution for evidence gathering and analysis will also be developed, tested and delivered. This will replace outdated, often manual systems, thereby improving the efficiency of the organisation. This is in addition to the work supporting the planned inspections and the work involved in planning future inspection programmes.

In 2019–20, we secured additional resources in the comprehensive spending review to increase the amount and extent of work that we could undertake jointly with other criminal justice inspectorates. We established a joint team with HMICFRS, embedding two inspectors in HMICFRS to work specifically on joint inspections. In the past, we used a modular model to undertake limited joint inspection in line with our resource demands. The creation of the new joint inspection team presents the opportunity to take forward a more effective and committed approach to joint working. In this way, we will satisfy our statutory remit and fulfil the government's desire for effective joint working between criminal justice inspectorates to improve the performance of the inspected bodies in a more co-ordinated and consistent manner.

This is part of our strategy to dedicate resources to where they will have the greatest impact on improvement. We are considering extending the commitment to the team and working with HMICFRS and the other criminal justice inspectorates to assess how we jointly drive improvement across the sector.

Having completed the Area Assurance Programme of inspections and published a composite report in 2019, we have considered whether undertaking Area inspections should form part of our inspection strategy. Feedback from the Attorney General and others indicate that a degree of Area assessment is essential for there to be effective accountability. As set out above, during 2020–21 we will develop a methodology that allows us to focus on assessing the impact of the substantial increase in CPS lawyer resources (following the comprehensive spending review) on the quality of casework and associated outcomes. This methodology will be accompanied by the creation of an Area inspection team.

2. Supporting processes

Resources

HMCPST's costs are met from the Estimate of the Government Legal Department.

Financial year	Budget (£)	Decrease/increase from previous year	Decrease from 2013–14
2013–14	3,182,000	-	-
2014–15	2,958,000	-7.0%	7.0%
2015–16	2,950,000	-0.3%	7.3%
2016–17	2,772,000	-6.0%	12.9%
2017–18	2,683,000	-3.2%	15.7%
2018–19	2,532,000	-5.6%	20.4%
2020–21	3,148,000	24.3%	

Following the comprehensive spending review in 2019, HMCPST was awarded additional funding to deliver more joint inspection work and ensure that inspectors maintained operational experience. The budget will be deployed as follows.

Category of spend	Budget (£)
Staff costs	2,663,229
Fixed costs	276,721
Variable costs	208,000
Full year budget	3,148,000

The majority of the budget (85%) is spent on staffing.

Nine percent of the budget is spent on fixed costs. These are costs that HMCPST is committed to, and that would require us to buy or negotiate ourselves out of contracts or agreements if they were to be changed. These costs include

accommodation costs, National Audit Office fees, website and publication costs, and so on.

The remainder of the budget is spent on variable costs. These are costs where HMCPST has some choice, and include travel and hotel costs, training, stationery and printing costs.

Managing risk

It is important to have a robust risk management process in place, because this provides a framework for anticipating potential problems and dealing with them in a systematic way. HMCPST manages its internal risks in line with the approach commonly adopted in the public sector, which includes regular reviews.

The Equality Act 2010

HMCPST's equality objectives ensure that we meet our General Equality Duty under the Equality Act 2010. We reviewed and updated these objectives during 2019–20 and are monitoring progress against them.

Annex A

The ten principles of public sector inspection

In 2003, the government introduced ten principles of public sector inspection. These were included in the Office of Public Service Reform's report, *Inspecting for improvement*. They place clear requirements on inspection providers and the departments sponsoring them. We are fully committed to upholding these values and expectations, and we take them into account in our strategy and planning programme.

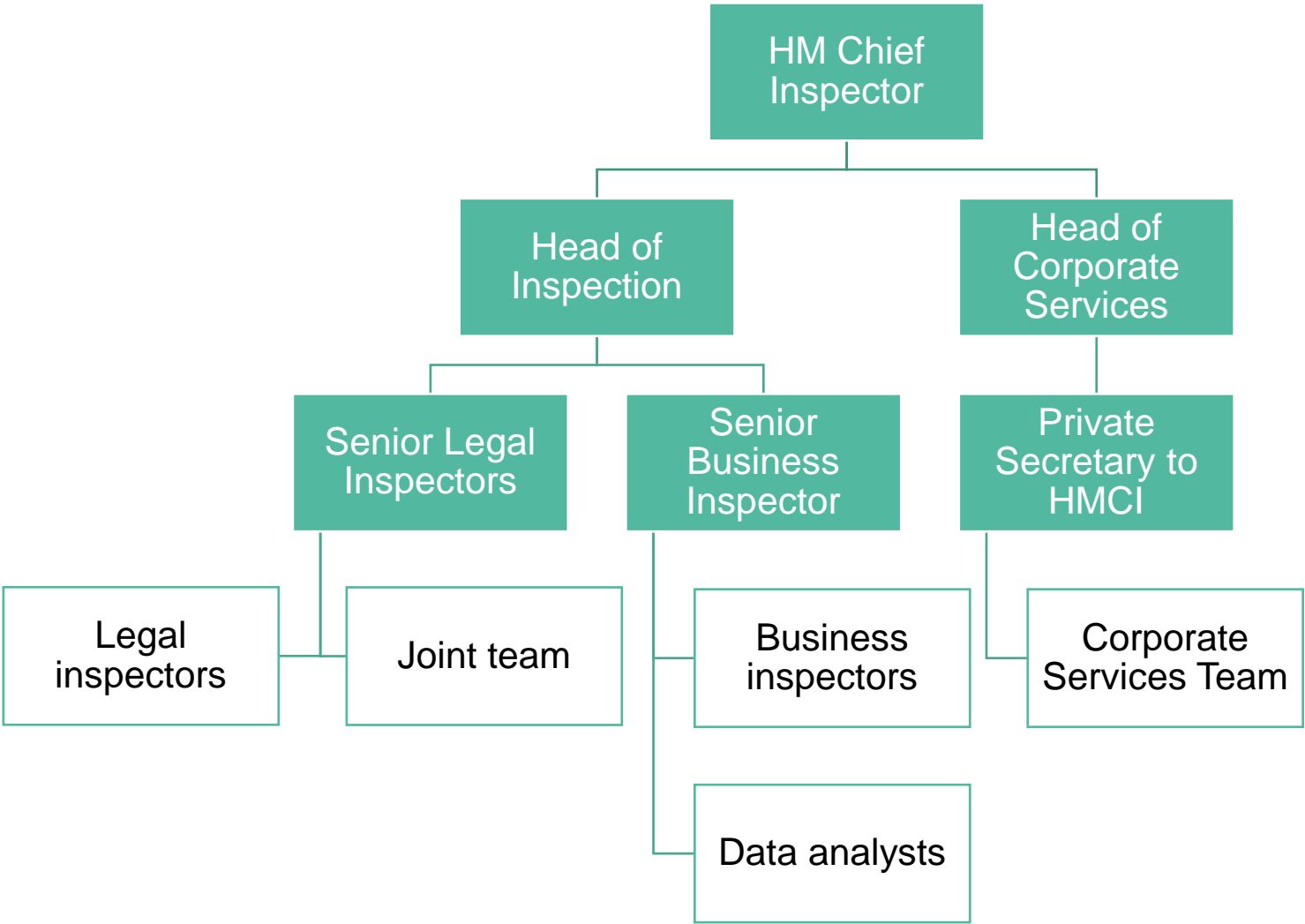
The ten principles state that public service inspection should:

- 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 we conduct with staff of inspected bodies. We track the implementation of the recommendations we make and are conscious of the need to keep the burden of work on the inspected organisations to a minimum. The form of our inspections and practices are kept under regular review.

Annex B

Organisation chart



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