



**HMCPSI**

HM Crown Prosecution  
Service Inspectorate

# **Business plan**

## **2022–23**

**May 2022**

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## Foreword

The statutory remit of Her Majesty’s Crown Prosecution Service Inspectorate (HMCPST) is to report to the Attorney General on the operation of the Crown Prosecution Service (CPS) and the Serious Fraud Office (SFO). The satisfactory functioning of the CPS and the SFO is fundamental to the criminal justice system. Our primary aims are to improve function and efficiency and thus enhance public confidence in the CPS and the SFO.

This programme of inspection reflects what I have determined, in my first 12 months as Chief Inspector, to be key areas for supporting improvement.

Our plan sets out a series of topics that will form our programme of inspection for the next 12 to 18 months. The programme covers the period from 1 April 2022 to 31 March 2023, but some of the topics included will continue after the end of this period into the following year.

A key strand of our annual programme continues to be the CPS Area inspections which focus on casework quality. The final five baseline reports will be published in the autumn of 2022. Given the need to assess whether the CPS is making progress against the findings and recommendations in the baseline reports, we will commence the follow-up phase of CPS Area inspections in this business year. As set out in last year’s business plan, this is a significant commitment for HMCPST. There are 14 CPS Areas and we examine a large file sample in each Area. Nevertheless, it is our intention to undertake a full

programme of further thematic inspections in addition to Area inspections.

### **Our inspection programme recognises and reflects the importance of victims in the criminal justice system**

Our Area inspection programme focuses on the treatment and experience of victims in the criminal justice system, but we will also be carrying out an inspection of how the CPS handles domestic abuse cases with an emphasis on how victims are supported, and how victim issues are addressed in order to build stronger cases.

A joint inspection with the other Criminal Justice Inspectorates – Her Majesty’s Inspectorate of Constabulary, Fire and Rescue Services (HMICFRS), Her Majesty’s Inspectorate of Probation (HMI Probation) and Her Majesty’s Inspectorate of Prisons (HMI Prisons) – will address the needs of the victim in the criminal justice system. HMICFRS will be the lead inspectorate for this inspection.

Lastly, I am currently carrying out an internal review of how we support the CPS and SFO in the implementation of the recommendations we make in our reports. Over the balance of my four-year term, it will be my purpose, in collaboration with the CPS and SFO, to ensure that our reports truly make a difference and drive recognisable improvements and efficiencies in our prosecuting authorities.

A handwritten signature in black ink, appearing to read 'A. T. Cayley', with a long horizontal flourish extending to the right and a shorter flourish below it.

Andrew T Cayley CMG QC

Her Majesty's Chief Inspector

## Who we are

Her Majesty's Crown Prosecution Service Inspectorate (HMCPST) is an independent inspectorate. The statutory remit of HMCPST 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

HMCPST 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.

### **HMCPST inspects prosecution services, providing evidence to make the prosecution process better and more accountable**

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 to address issues that involve more than one criminal justice agency and deliver high quality, evidence-based joint assessments.
3. To promote HMCPST 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 most qualified people so HMCPST 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

<b>1. Our programme .....</b>	<b>8</b>
Inspection topics carried forward .....	10
New inspection topics for 2022–23 .....	11
Short notice inspections .....	12
Joint inspections .....	12
<b>2. Supporting processes .....</b>	<b>13</b>
Resources.....	14
Managing risk .....	15
The Equality Act 2010 .....	15
<b>Annexes</b>	
<b>The ten principles of public sector inspection.....</b>	<b>16</b>
<b>Organisation chart .....</b>	<b>18</b>
<b>List of consultees .....</b>	<b>20</b>

# 1. Our programme

This plan sets out the inspections that Her Majesty’s Crown Prosecution Service Inspectorate (HMCPST) plans to carry out from April 2022 to March 2023.

In line with our statutory duty to develop the plan for 2022–23, during the fourth quarter of 2021–22 we consulted with our stakeholders on a list of potential inspection topics. As part of the consultation, we engaged with those we inspect, and those with whom we have a statutory duty to consult, and a wider range of interested parties and stakeholders and we published our consultation on the HMCPST website. We considered all the responses received in finalising this programme for 2022–23. A list of those we consulted with and those who responded is attached at annex C.

## **The 2022–23 programme sets out the second year of the Crown Prosecution Service Area inspection programme.**

As well as our inspection programme, we also have a commitment to work with other criminal justice inspectorates on topics which benefit from a cross-agency approach and review. Summary details of joint inspections in which HMCPST will be involved during 2022–23 can be found in this plan. A full programme of joint inspections can be found in the *Criminal Justice Joint Inspection (CJJI) business plan 2021/23*.<sup>1</sup>

The 2022–23 programme sets out the second year of the Crown Prosecution Service (CPS) Area inspection that was commenced in 2021–22, completing the baseline inspection phase and commencing the follow-up inspection phase. As this Area inspection programme is resource intensive, we will limit our thematic inspections during this period. We have planned our inspection programme in line with the priorities of the organisations we inspect, but we remain open to carry out work on topics prompted by any external factors that may emerge during the business year.

We have also developed a list of options for other inspections which may be added to our programme should time and resources allow. It is not intended that we cover all the topics listed during this financial year; we will prioritise as needed.

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<sup>1</sup> *Criminal Justice Joint Inspection business plan 2021/23*; Criminal Justice Joint Inspection; June 2021  
[www.justiceinspectorates.gov.uk/cjji/](http://www.justiceinspectorates.gov.uk/cjji/)

## Inspection topics carried forward

A number of inspection topics have been carried forward from the 2021–22 business plan.

### Serious Fraud Office inspections

#### Serious Fraud Office case progression

This inspection includes a follow-up of the inspection published in October 2019, assessing progress against the seven recommendations set out in the 2019 report and whether changes have resulted in improvement. It will also have a wider focus looking at culture and compliance with process, standards and methodology.

### Crown Prosecution Service inspections

#### Area inspection programme

The Area inspection programme will continue into its second financial year. The focus remains on the quality of CPS legal decision-making. In 2022–23 we will conclude the series of 14 Area inspections establishing baselines of casework quality performance and commence the second, follow-up round of inspections. These will start in each Area no sooner than 24 months after the individual baseline was established.

Casework quality assessments are scored against a matrix providing scores for key themes in each of the three casework types assessed – magistrates' courts casework, Crown Court casework and rape and serious sexual offences casework – as follows:

- pre-charge reviews and decision-making
- post-charge reviews and decision-making
- preparation for the Plea and Trial Preparation Hearing (cases listed before the Crown Court only)
- disclosure of unused material
- victims and witnesses

Overall, we score Areas within the three casework types for their added value and grip. We define added value as the difference made by prosecutors throughout the life of a case, through good and proactive prosecution decision-making in accordance with the legal framework. We define grip as the effectiveness and efficiency of case progression or management of cases.

The follow-up inspections will assess direction of travel within both the individual casework themes and also for the overall added value and grip across the casework types. The programme of Area inspections will result in a major commitment of legal inspector resource available in this and the next financial years.

## **New inspection topics for 2022–23**

### **Crown Prosecution Service inspections**

#### **Cases involving domestic abuse**

The inspection will focus on the quality of CPS decision-making in domestic abuse casework with an emphasis on how victims were supported, and victim issues addressed to build stronger cases. The scope of the inspection will include a range of offences including cases of stalking and harassment, violence, and coercive and controlling behaviour.

#### **Additional possible inspection topics**

HMCPST maintains a list of other subjects for inspection, which may be added to our programme if resources allow, or if the urgency to inspect them increases. For 2022–23, these subjects include the following, some of which have been carried over from the ‘long list’ from 2021–22.

#### **Induction, development and progression of prosecutors**

This inspection will focus on the support provided to prosecutors onboarded or moved between teams during the pandemic, where induction was, of necessity, carried out remotely. We will assess the support provided in Areas following the formal induction to ensure new prosecutors are equipped with the skills, tools and experience to add value to the prosecution process through good quality, proactive prosecution decision-making, in accordance with the legal framework. We will assess whether the Area is effective in mentoring and developing prosecutors to develop capacity and resilience across all casework of all types and complexity.

#### **Gang crime, ‘county lines’ and knife crime**

Gang crime will focus on how the CPS is working with the police on these cases and the quality of the casework. The scope of the inspection will build on some of the findings from our Serious Youth Crime inspection, published March 2020, and include a focus on offences involving knife crimes and county-line cases. The scope of the inspection will also include an assessment of the quality of casework decision-making in a number of CPS Areas. To reduce the burden on the CPS we will, where possible, consider if cases examined in the Area

inspection programme could be used to form the basis of an assessment of casework quality.

### **Young witness protocol**

The inspection will assess the operation of and compliance with the young witness protocol.

## **Short notice inspections**

HMCPST may be asked to undertake short notice inspections. By their very nature, it is difficult to plan for these ad hoc requests.

In line with our resourcing strategy, there is a level of flexibility in 2022–23, and we will continue to try to ensure we can assist with requests, as far as available resources allow.

## **Joint inspections**

The *Criminal Justice Joint Inspection business plan 2021/23* contains full details of the proposed joint inspection programme for this year.

In 2022–23, HMCPST will commit resources to a joint inspection of how well the criminal justice system meets the needs of victims. This inspection will be led by Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) and will involve all four criminal justice inspectorates, including Her Majesty's Inspectorate of Probation and Her Majesty's Inspectorate of Prisons.

We have also committed to a joint inspection, to be delivered with HMICFRS, on case file quality. Criminal cases need to have quality and consistency to ensure the best outcomes for victims and witnesses. This inspection will assess the quality of files from the perspective of the police and CPS. This inspection is likely to commence no earlier than the autumn of 2022.

## **2. Supporting processes**

## Resources

The costs of HMCPST are met from the estimate of the Government Legal Department.

Financial year	Budget (£)	Reduction/increase from previous year	Reduction 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%
2019–20	3,148,000	24.3%	1.1%
2020–21	3,148,000	0%	1.1%
2021–22	3,148,000	0%	1.1%
2022–23	3,039,000	3.5%	4.5%

As part of the Spending Review in 2021, HMCPST offered an efficiency saving as a result of learning during Covid-19. During the pandemic, HMCPST continued to deliver its programme of inspection remotely. As a result of this, HMCPST now has a clearer focus on where there is added benefit of face-to-face inspection and where this can continue to be delivered remotely. As a result of reduced travel costs and travel time, HMCPST was able to achieve a saving of 3.5% without any reduction in delivery. The budget will be deployed as follows:

Category of spend	Budget (£m)
Staff costs	2.51
Fixed costs	0.24
Variable costs	0.28
Full-year budget	3.04

The majority of the budget is spent on staffing (83%).

Eight percent of the budget is spent on fixed costs. These are costs that HMCPST is committed to and, if changes were to be made, we would need to buy or negotiate ourselves out of contracts/agreements. These costs include accommodation costs, National Audit Office fees and website/publication costs.

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

## **Managing risk**

It is important to have a robust risk management process in place as it provides a framework for anticipating potential problems and allows them to be dealt with 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**

The Equality Objectives for HMCPST ensure that we meet our General Equality Duty under the Equality Act 2010. We are carrying out a review of our objectives during 2022, monitoring our progress against the objectives set for 2019–2022 that are currently published on our website. That review will result in the objectives for the period 2022–2025 being settled and published on our website.

# **Annex A**

## **The ten principles of public sector 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 principles place clear requirements on inspection providers and the departments sponsoring them. HM Crown Prosecution Service Inspectorate (HMCPSI) is fully committed to upholding these values and expectations and we take them into account in our strategy and planning programme.

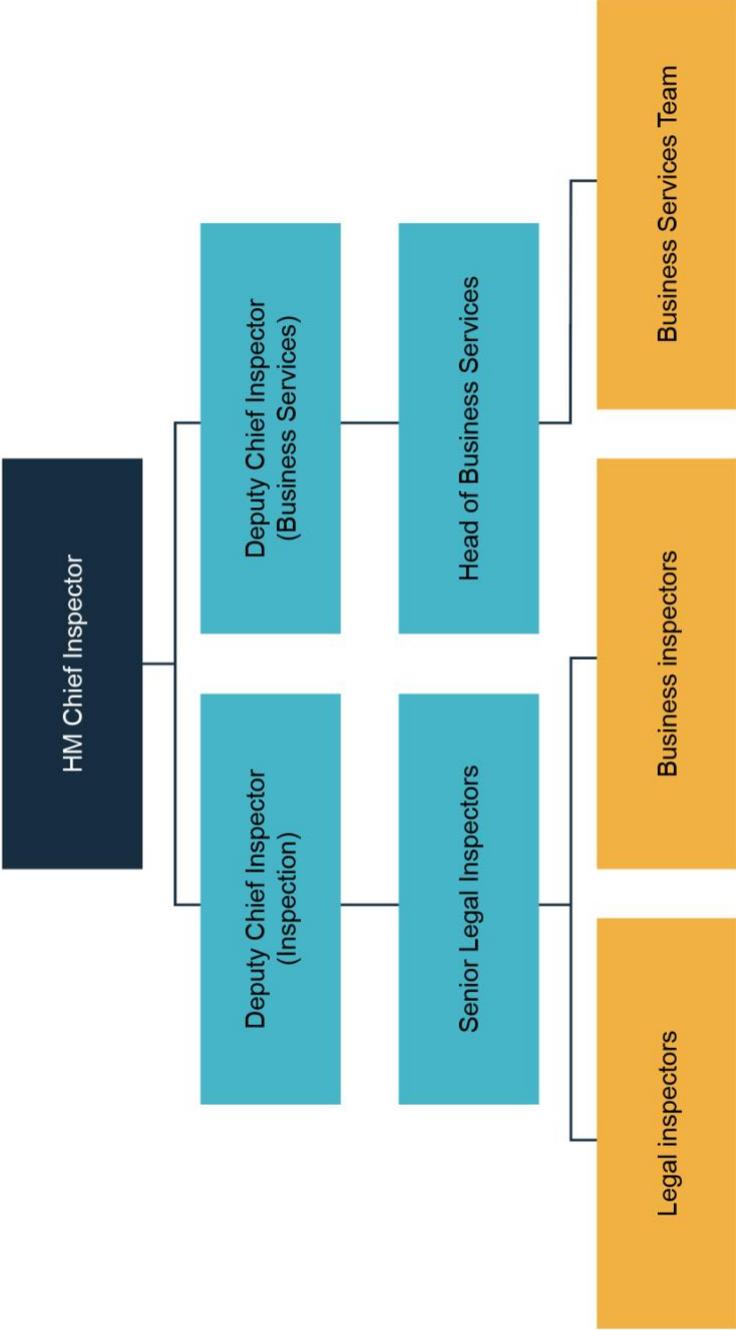
The ten principles state that public service inspection should:

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

# **Annex B**

## **Organisation chart**



# **Annex C**

## **List of consultees**

Consultee	Response received
Attorney General	Yes
Association of Police and Crime Commissioners	
Bar Council	
Care Quality Commission	
Chief Magistrate	
CPS Audit and Risk Committee	
Criminal Justice Inspectorate Northern Ireland	Yes
Director of Public Prosecutions	Yes
HM Inspectorate of Constabulary and Fire & Rescue Services	
HM Inspectorate of Prisons	
HM Inspectorate of Probation	
Home Office	Yes
Inspectorate of Prosecution Scotland	Yes
Justice Committee	
Magistrates Association	Yes
Ministry of Justice	
Office for Standards in Education, Children's Services and Skills (Ofsted)	
Senior Presiding Judge	
Serious Fraud Office	Yes
Shadow Attorney General and Solicitor General	
Victims' Commissioner	Yes
Victims' Commissioner for London	Yes
Victim Support	

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