



HMCPSI

HM Crown Prosecution
Service Inspectorate

Business plan 2023–24

April 2023

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Foreword

The statutory remit of His Majesty's Crown Prosecution Service Inspectorate (HMCPSI) 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. My primary aim as Chief Inspector is that the inspections HMCPSI carries out improve function and efficiency and thus enhance public confidence in the CPS and the SFO.

This programme of inspection set out in my 2023–24 business plan reflects what I have determined to be key areas for supporting improvement and providing assurance to enhance public confidence in those we inspect.

Our plan sets out a series of topics that will form the programme of inspection for the next 12 to 18 months. The programme covers the period from 1 April 2023 to 31 March 2024, but some of the topics included will continue after the end of this period into the following year.

In 2022, we published the last of our CPS Area inspections, which focused on an assessment of casework quality. It had been our intention to start a programme of follow-up inspections of all Areas in 2023, to assess whether there had been progress against the findings in the baseline reports. However, backlogs and pressures that had built up because of the pandemic, and which were exacerbated by the Bar strike, caused us to rethink when we will commence the follow-up phase of CPS Area inspections. We have decided to undertake the follow-up activity in 2024–25 and, as a result, the inspection plan for 2023–24 is focussed on a series of thematic inspections.

An ever-constant theme in our inspection reports highlights the importance and impact of the relationship between the CPS and the police. I have therefore agreed this year that HMCPSI will lead a joint inspection with His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS), to examine the impact of the culture and communication between the CPS and police on building strong prosecution cases. I will be leading the inspection personally and will be dedicating a significant amount of HMCPSI resources to it.

Last year I set out four priorities for my tenure as Chief Inspector. These include:

- more inspection of the SFO
- more cross-cutting joint inspection
- raising the profile of HMCPSI to increase public awareness of our work
- continuing to provide assurance of the work of the CPS by how we support the CPS and SFO in the implementation of the recommendations we make in our reports.

I have also determined that, for the coming year, I will add two more priorities that we will deliver.

In April, at the beginning of 2023–24, I take up the chair of the joint Criminal Justice Chief Inspectors' Group. I will use this as a means to further develop a focus on increasing the amount of joint inspection, including inspection activity of His Majesty's Courts and Tribunals Service (using the joint powers that have been conferred on all existing criminal justice inspectorates).

2023–24 also will bring two new Directors of those we inspect. The Director of the SFO's term ends in August 2023 and the Director of Public Prosecution's term ends in November 2023. It is essential that, as the inspectorate of both the SFO and CPS, we maintain, build and develop our relationships with the key stakeholders we inspect. A priority for 2023–24 will be to establish effective and meaningful relationships with the new Directors.

It remains 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 national prosecuting authorities.

A handwritten signature in dark ink, appearing to read 'A. Cayley', with a horizontal line underneath.

Andrew T Cayley CMG KC

His Majesty's Chief Inspector

Who we are

His 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.

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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 address issues that involve more than one criminal justice agency and deliver high quality, evidence-based joint assessments.
3. To promote HMCPsi 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 HMCPsi 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 priorities

We have four priorities for the next two years, which will help us structure the way we deliver the above strategic objectives for inspection.

- We will work more closely with our criminal justice partner inspectorates to develop more joint inspections, largely with HMICFRS, which will help the CPS and the police work more collaboratively and more effectively.
- We will further develop our programme of inspecting the Serious Fraud Office.
- We will work to ensure that the recommendations we make in our reports are implemented by those we inspect. In future, we will make fewer recommendations, which can be implemented and the outcomes measured.
- We will further publicise our work, including on social media.

Our values

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

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1. Our programme

This plan sets out the inspections that HMCPsi plans to carry out from April 2023 to March 2024.

In line with our statutory duty to develop the plan for 2023–24, we consulted with our stakeholders on a list of potential inspection topics between October 2022 and March 2023. As part of the consultation, we engaged with those we inspect, 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 HMCPsi website. We considered all the responses received in finalising this programme for 2023–24. There is a list of those we consulted with and those who responded in annex C.

The 2023–24 programme includes a joint inspection looking at prosecution case-building

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 HMCPsi will be involved during 2023–24 can be found in this plan. A full programme of joint inspection can be found in the Criminal Justice

Joint Inspection (CJJI) business plan.¹

What follows is a short summary of the inspections that we aim to carry out in 2023–24. 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 necessary.

¹ *Business plan 2021–23*; Criminal Justice Joint Inspection; June 2021.
www.justiceinspectorates.gov.uk/cjji/inspections/criminal-justice-joint-inspection-business-plan-2021-23/

Inspection topics carried forward

A number of inspection topics have been carried forward from the 2022–23 business plan.

Serious Fraud Office inspections

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 implemented have resulted in improvement. It will also have a wider focus, looking at culture and compliance within office processes, and at standards and methodology.

This inspection commenced during 2022–23 and will be published in late April or early May 2023.

Crown Prosecution Service inspections

Handling of complaints

This inspection will assess the quality and timeliness of complaint responses. Inspectors will assess stage 1 and stage 2 complaints in all 14 CPS Areas and casework divisions. Additionally, the inspection will assess whether the new contact app developed by the CPS is having the desired effect of improving the handling of complaints.

This inspection will be published in July 2023.

County lines

This inspection focuses on the CPS policy, revised in 2022, for dealing with cases involving the National Referral Mechanism (NRM). It examines the effectiveness and accessibility of the policy and whether the lawyers in Area roles have a clear understanding of the policy.

This inspection will be published in late May or early June 2023.

2021–22 Area Inspection Programme composite report

In 2021 and 2022, we carried out inspections of all 14 CPS Areas – our Area Inspection Programme – to determine a baseline assessment of the quality of casework being provided by each geographical Area. The reports were published from December 2021 to November 2022.

We will produce a composite report of national findings. We plan to publish the composite report in April 2023.

This year we will also be working on how we intend to undertake phase two of the Area Inspection Programme. We plan to commence the next phase of Area inspection in early 2024 – concluding the programme by mid-2025.

New inspection topics for 2023–24

Crown Prosecution Service inspections

HMCPSP maintains a list of subjects for inspection, which may be added to our programme if resources allow, or if the urgency to inspect them increases. For 2023–24 these subjects include the following, some of which have been carried over from the ‘long list’ from 2022–23.

Special Economic Organised Crime and International Division

This inspection will assess how the newly formed CPS Serious and Economic Organised Crime and International Division (SEOCID) is working and whether it is delivering the expected benefits. It will focus on assurance and governance to make sure the division is supporting effective legal decision-making on the range of high profile and complex casework it deals with.

Induction, development, and progression of prosecutors

This inspection will focus on the support provided to prosecutors who were recruited where induction was, by necessity, conducted remotely.

The inspection will assess the support provided locally in Areas and the formal, centrally mandated induction programmes to make sure new prosecutors are equipped with the skills, tools, and experience to add value to the prosecution process through good quality prosecution decision-making.

The inspection will also assess whether Areas are effectively mentoring and developing prosecutors to develop capacity and resilience across all casework.

Individual Quality Assessments

This inspection will assess the CPS's casework quality assurance system, which uses Individual Quality Assessments (IQAs) to identify aspects of a staff member's work that may require improvement.

IQAs are conducted by legal managers and peer-reviewed by senior managers. An inspection of the peer review element of IQA will enable us to assess local assurance measures.

The timing of the inspection allows for an assessment of progress since the revision of the IQA system that was implemented nationally across the CPS in October 2021.

Serious Fraud Office inspections

Disclosure

This inspection will examine the handling of disclosure at a detailed level in SFO cases, building on the findings of the ongoing case progression follow-up inspection and the implementation of the recommendations of the Altman and Calvert-Smith reviews.

The inspection will focus on cases that are post-charge and pre-trial. Inspectors will look at the disclosure strategy adopted in the case, how decisions were made in accordance with the relevant law, and the approach to engagement with the defence throughout the disclosure process. The inspection will assess operational procedures and processes, identify any good practice and, where appropriate, make recommendations for improvement.

Short notice inspections

HMCPsI 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 2023–24, and we will continue to try to make sure 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.²

In 2023–24, HMCPSI will conclude a joint inspection of how well the criminal justice system meets the needs of victims. This inspection has been led by His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) and has involved all four criminal justice inspectorates, including His Majesty's Inspectorate of Probation and His Majesty's Inspectorate of Prisons.

The 2023–24 joint inspection programme sets out a significant piece of joint inspection work with HMICFRS, looking at prosecution case-building. Efficient and effective case-building is a critical component in ensuring cases progress through the criminal justice process in a timely way, delivering stronger cases and a better service to victims, witnesses and the public – but also to the court and defence. This inspection is likely to commence no earlier than the summer of 2023.

Inspections by invitation

In late 2023–24 we will inspect the Service Prosecuting Authority (SPA). This inspection is by invitation, as we have no statutory remit to inspect the SPA. The scope of the inspection will be developed with the SPA in late autumn 2023, with the inspection planned to commence in February 2024.

There has also been correspondence from the Chief Inspector of Criminal Justice Inspection Northern Ireland, requesting some assistance to carry out an inspection of Part 1 of the Domestic Abuse and Civil Proceedings Act (NI) 2021. We are considering this request and may be able to take part in the inspection, depending on available resources. Plans are currently for this activity to take place in autumn 2023.

² *Business plan 2021–23*; Criminal Justice Joint Inspection; June 2021.
www.justiceinspectorates.gov.uk/cji/inspections/criminal-justice-joint-inspection-business-plan-2021-23/

2. Supporting processes

Resources

The costs of HMCPSI 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%
2023–24	3,070,000	-1.01%	3.5%

The budget will be deployed as follows.

Category of spend	Budget (£m)
Staff costs	2.68
Fixed costs	0.23
Variable costs	0.16
Full year budget	3.07

The majority of the budget (87%) is spent on staffing.

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

The remainder of the budget is spent on variable costs. These are costs where HMCPSI 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. HMCPsi 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 HMCPsi ensure that we meet our General Equality Duty under the Equality Act 2010. We are carrying out a review of our objectives during 2023, monitoring our progress against the objectives set for 2019–22, which are published on our website.³ That review will result in the objectives for the period 2022–25 being settled and published on our website.

³ *Our equality objectives*; HMCPsi.

www.justiceinspectorates.gov.uk/hmcpsi/about-hmcpsi/equality-objectives/

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.

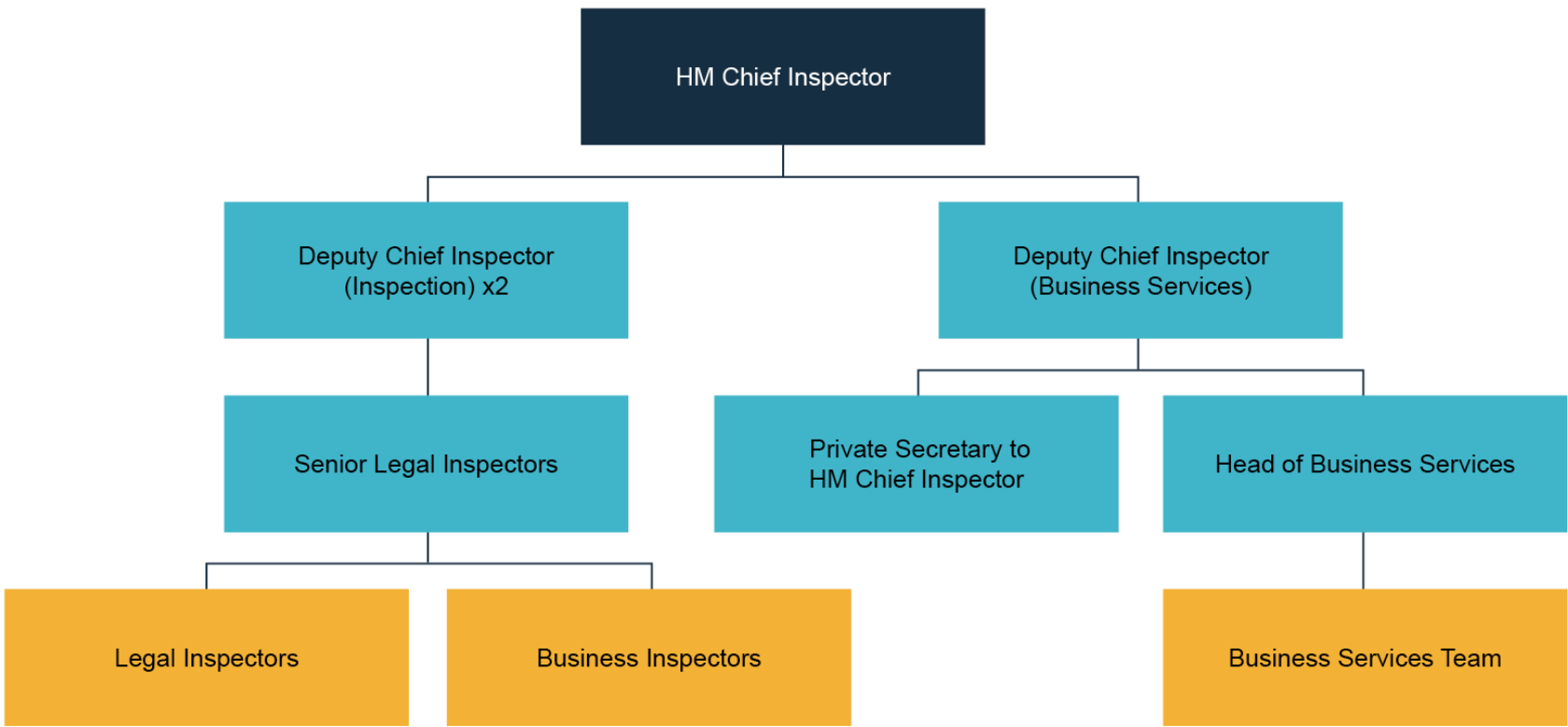
The ten principles state that public service inspection should:

- 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 are 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	
Barnett Survivors Ltd	Yes
Care Quality Commission	
Chief Magistrate	
CPS Audit and Risk Committee	
Criminal Justice Inspection Northern Ireland	
Director of Public Prosecutions	Yes
Domestic Abuse Commissioner	
HM Inspectorate of Constabulary and Fire & Rescue Services	
HM Inspectorate of Prisons	
HM Inspectorate of Probation	Yes
Home Office	
Inspectorate of Prosecution Scotland	Yes
Internal Audit	
Justice Committee	
Magistrates Association	
Ministry of Justice	
Office for Standards in Education, Children's Services and Skills (Ofsted)	Yes
Senior Presiding Judge	
Serious Fraud Office	Yes
Shadow Attorney General and Solicitor General	Yes
Victims' Commissioner	Yes
Victims' Commissioner for London	Yes
Victim Support	

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