

# JOINT INSPECTION BUSINESS PLAN

# 2017-18



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BUSINESS PLAN

2017-18



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## INTRODUCTION

This plan sets out the programme of criminal justice inspections for 2017/18 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.

Our joint programme includes a core of rolling inspections which cover every area in England and Wales over a period of several years. The remaining work streams are time-limited, targeted and themed inspections, visiting a small number of areas and highlighting good and poor practice in a particular subject for the benefit of all areas.

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 annual consultation process, which was delayed this year in part because of restrictions relating to the general election, we received positive and constructive comments on our proposed areas of focus for joint inspections. In particular, respondents have welcomed our continuing emphasis on the improvement of victims' services and our focus on how vulnerable groups and young people are treated.

We have made a number of amendments to our current workstreams in the light of the consultation process as well as scoping potential new ones.

Our joint programme for 2017/18 represents an examination of key issues across a wide spectrum of criminal justice activity. We feel sure that those whose work we inspect will continue to respond positively to our reports, resulting in improved practice across the criminal justice system.



Dame Glenys Stacey  
HM Chief Inspector of Probation



Sir Thomas Winsor  
HM Chief Inspector of Constabulary and  
HM Chief Inspector of Fire & Rescue Services



Peter Clarke  
HM Chief Inspector of Prisons



Kevin McGinty  
HM Chief Inspector of the Crown Prosecution  
Service





## 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, Court Administration<sup>1</sup>, 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 and Ofsted – and so this business plan 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 administrative impact on inspected bodies of both the inspection process and any recommendations.
- 1.4 In addition, the increased focus by Government on enabling local accountability for public service provision has informed the inspectorates' approach to the balance between highlighting local and national responsibilities in findings and reports.

### 2 Our focus

- 2.1 We work together to address issues that involve more than one criminal justice agency and 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;
  - 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; and
  - 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;
  - offender management: probation, prisons and YOTs; and
  - custodial conditions: prisons, police, courts and immigration services.

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<sup>1</sup> HM Inspectorate of Court Administration was subsequently administratively closed in 2010

- 2.4 In addition, in all of our inspections we have regard to three cross-cutting issues which are fundamental to success and effectiveness in the above activities, namely:
- the quality of victim and witness experience;
  - active promotion of equality and diversity; and
  - 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 of the above areas of focus, accepting that the degree of engagement with each will vary according to relevant priorities.

### **3 Our approach**

- 3.1 Although we publish our joint plan annually, we work within a rolling two-year programme which allows us to set or review priorities at the start of each year but react flexibly to changing circumstances in-year and re-prioritise as necessary. Any potential work streams highlighted for year two of our programmes may subsequently be brought forward or otherwise amended to meet such changed circumstances.
- 3.2 This approach also means that each year, as the new programme is published, there remain a number of work streams in progress where either fieldwork is incomplete or has yet to start, although we have committed to the work being done. The resourcing for these inspections is considered alongside the commitment to new work streams.
- 3.3 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.
- 3.4 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 CJ joint inspection 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.
- 3.5 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, each year 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 which 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, we compile a draft programme and present to CJ Ministers for any final comments before publication. The programme for 2017/18 is set out in detail in **Section B**.

## JOINT INSPECTION PROGRAMME FOR 2017/18

There are a number of programmes of work from the 2016/17 CJI programme where fieldwork may still be underway in 2017/18. These are included below for information and completeness.

In terms of inspections these fall into the following two categories:

- a. Core programmes:** longer-term rolling programmes visiting all areas of England and Wales over several years with published reports on each inspection event.
- b. Joint thematics:** 'one-off' inspections visiting a selection of locations (usually four to six) examining a cross-cutting CJ theme and producing one composite report.

The overall proposed programme has five component parts, namely:

**Continuing commitments:** ongoing work from previously published programmes for both core and thematic inspections;

**New inspections:** inspections arising from our business planning process;

**Collaborative working:** where partner inspectorates collaborate to support delivery of elements of an individual inspectorate's core thematic work programme (e.g. through information exchange or joint working);

**Scoping studies:** where inspectorates are examining the need for and extent of areas of work with a view to determining what sort of inspection activity is appropriate;

**Other work programmes:** including developmental work to improve the effectiveness of the way that we work and consolidation reports (drawing from published findings).

## B OUR PROGRAMME FOR 2017/18

### 5 Continuing commitments

- 5.1 The first group under this heading consists of relatively long-term rolling programmes (**core inspections**). These visit all areas of England and Wales over several years and publish reports on each individual inspection.

Subject	Lead inspectorate	Others involved
<p><b>Prison Offender Management Inspections (POMI)</b></p> <p>As part of the Prison Offender Management Programme, HMI Probation joins HMI Prisons to inspect a targeted selection of prisons housing 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 resettlement. During 2017-18, HMI Prisons and HMI Probation will be finalising a revised joint methodology which could be used by suitably-trained HMI Prisons staff at inspections where HMI Probation are not present. The two inspectorates are also considering how best to inspect 'Through the Gate' resettlement services in the future, building upon the two thematic inspections which have been completed.</p>	HMI Prisons	HMI Probation
<p><b>Police and UK Borders Authority custody inspections</b></p> <p>This programme was established to meet UN Convention obligations to inspect all places of detention. The focus is on leadership; pre custody; in the custody suite; in the custody cell and release and transfer. The programme started in 2008 and all police forces in England and Wales and (then) UKBA and customs facilities were inspected by 2014 (including some re-inspections). Since 2014-15 a risk-based approach to inspection has been adopted. A custody change programme was completed during 2015/16 and new Expectations and supporting methodology were introduced in 2016-17. This brought a greater emphasis on partnerships, vulnerability and accountability.</p>	HMICFRS & HMI Prisons	CQC

<b>Joint targeted area inspections of child protection</b>	Ofsted	CQC, HMICFRS and HMI Probation
<p>Following the Munro report, Ofsted led a redesign of child protection inspections – supported by CJ and other inspectorates. JTAIs are an inspection of the multi-agency arrangements for the protection of children with a particular focus on the initial referral and assessment process, together with a ‘deep-dive’ theme which will change periodically. Inspections commenced in February 2016 and it is expected that there will be between eight and ten per year.</p>		
<b>Youth inspection programme.</b>	HMI Probation	HMICFRS, CQC and Ofsted; in Wales CSSIW, Estyn & HiW
<p>Work is underway to develop a new programme for youth inspections. This will include a successor to the full Joint inspections of youth offending teams which concluded in March 2017.</p>		

## 6 New inspections planned for 2017/18

- 6.1 There are currently three new thematic work programmes that were already scheduled to start in 2016/17.

Subject	Lead inspectorate	Others involved
<b>Hate crime</b>	HMICFRS	HMCPSI
<p>The Home Secretary commissioned HMICFRS to carry out an inspection of how police forces understand and respond to hate crime of all types (including online offences). This work has commenced with a scoping study, which in turn will inform more detailed inspection work in the 2017/18 inspection programme, including joint elements with HMCPSI. One strand of work will consider the progress of the CPS and police to improve their responses to disability hate crime, following critical inspection reports in 2013 and 2015. There will also be a strong victim engagement element in the inspection, to gain an understanding of the priorities and needs of victims, and to listen to their experiences and perceptions of the support they received.</p>		

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**Review of National Crime Agency procedures for warrant applications**

HMICFRS

HMCPST

In late 2015, the National Crime Agency conducted an internal review of its processes for applying for search warrants, following judicial criticism in two cases. The review was assisted by representatives from the Crown Prosecution Service, and the findings scrutinised by an independent assurance group. That group recommended that progress in implementing the recommendations should be reviewed by the relevant inspectorates, namely HMICFRS and HMCPST.

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**Modern slavery and human trafficking**

HMICFRS

HMCPST

The effect of slavery and trafficking on the victims of crime is substantial. It is also closely aligned with other aspects of serious and organised crime.

In July 2016, the then Home Secretary commissioned HMIC to inspect “the policing response to the Modern Slavery Act (2015)”. In October 2017, HMICFRS published the results of the first phase of its inspection work in this area, which focuses on the police only. These will help inform the scope and timing of further activity in this area in 2017/18 and beyond, some of which will comprise joint work with HM Crown Prosecution Service Inspectorate.

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**7 Collaborative work**

Subject	Lead inspectorate	Others involved
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**Youth out of court disposals**

HMI Probation

HMICFRS

The landscape for youth out of court disposals has changed substantially since we undertook our previous joint inspection of prevention in 2010. For many YOTs the total numbers of young people receiving out of court and prevention interventions are greater than the number of young people receiving court ordered interventions. The inspection will focus on those young people who have committed an arrestable offence and the Police have agreed with the local YOT that an intervention will be carried out rather than referring to court for sentence. There is a clear gap in evidence to fill and work on this inspection will help inform our successor youth inspection programme.

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**New psychoactive substances (NPS)**

HMI Probation

CQC

The market for new psychoactive substances (NPS) has grown significantly over recent years, with reports from HMI Prisons, the Prisons and Probation Ombudsman and the Independent Monitoring Boards all highlighting particular concerns about use in prisons. NPS can be more dangerous than the illegal drugs they are trying to mimic, largely because the user cannot be sure of the contents and potency, and little is known about long-term effects. There is also a lack of clarity regarding the extent to which traditional drug rehabilitation interventions work for NPS users. This inspection will focus upon the impact of NPS use on probation work in the community and the treatment options available.

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**Social care in prisons**

HMIP

CQC, CSSIW

Since April 2015 in England (and April 2016 in Wales) local authorities have had responsibility for assessing and meeting the social care needs of adult prisoners whilst they are in custody. The Care Act (England) and Social Services and Wellbeing (Wales) Act clarify that adults who are detained or residing in a custodial or other HMPPS offender accommodation settings are treated as if they were ordinarily resident in the area where the custodial setting is located, regardless of where they have lived prior to imprisonment. Before the Care Act came into law local authorities (LAs) were not responsible for providing care and support for prisoners. This meant that very few prisoners with care and support needs were having these needs properly assessed or met in an effective way. The objective of this thematic review is to identify the state of preparedness to deliver social care in prisons and to identify if revised strategic and operational approaches to social care have improved outcomes for prisoners.

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## 8 Scoping

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**The number and impact of criminal cases started by postal requisitions**

HMICFRS

HMCPST

HMICFRS and HMCPST intend to scope a joint inspection on the impact of sending requisitions to defendants as a means of

securing their attendance at court as opposed to other mechanisms.

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**Domestic Abuse: Evidence-led prosecutions**

HMCPST

HMICFRS

As a further strand to extensive work undertaken by inspectorates jointly and separately. HMCPST and HMICFRS intend to scope a joint inspection on the effectiveness of conduct of cases which are prosecuted on evidence other than that provided directly by the victim.

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**Older People**

HMICFRS

HMCPST

Crime, abuse and exploitation (including financial) committed against older people. HMICFRS and HMCPST will conduct a study of issues affecting older people with the criminal justice system.

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## 9 Other programmes of work

Subject	Lead body
<p><b>Quality of victims' services</b></p> <p>The CJS inspectorates already examine aspects of victims' services within their individual and joint inspections. In addition, in 2016, we consolidated these findings to produce our first joint annual appraisal of the quality of victim and witness experiences – highlighting good practice and areas for improvement. This year the CJS inspectorates will carry out analysis of our combined findings, and consider the most effective way of communicating those findings.</p>	<p>Joint Secretariat</p>
<p><b>Shared platform for good practice</b></p> <p>Inspectorates continue to explore the most effective way of sharing good practice. A number of web-based platforms are under consideration. In the meantime, the CJJI Development Group continues to act as a forum to highlight good practice and/or changes suggested from experiences to working procedures.</p>	<p>CJJI Development Group</p>

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**Shared training**CJJI Development  
Group

As a result of work during 2016/17 on the scope for shared training across the inspectorates, new inspectors are offered training routinely with those from other inspectorates in addition to that planned at the outset of specific joint inspections. Additionally, the inspectorates are working together to increase the use of cloud-based software to manage inspections. This enables more efficient collaborative working.

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**New ways of working**CJJI Development  
Group

Following a review into our working practices, we intend to introduce a number of other changes to the way we work. These include a more rigorous business planning and management process to target resources and follow up on inspection findings; achieving greater consistency in joint inspection practice through a review of common guidance; and, development new approaches to inspection including a "modular" arrangement whereby separate inspections under similar themes are linked in order to ensure consistency and maximise impact.

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## ANNEX A

### The ten principles of public sector inspection

The principles of inspection in this formal statement from 2003 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 delivery to the end users of the services rather than concentrating on internal management arrangements.
3. A **user perspective**. Inspection should be delivered with 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 outcomes 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**, in order 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 inspectors.

## TO CONTACT US OR TO FIND OUT MORE

**Joint website:** [www.justiceinspectrates.gov.uk](http://www.justiceinspectrates.gov.uk)

**Joint Secretariat:** c/o HM Inspectorate of Constabulary and Fire & Rescue Services  
5<sup>th</sup> floor, Globe House,  
89, Eccleston Square,  
London SW1V 1PN

**Inspectorates:** [www.justiceinspectrates.gov.uk/hmicfrs](http://www.justiceinspectrates.gov.uk/hmicfrs)  
[www.justiceinspectrates.gov.uk/hmcpsi](http://www.justiceinspectrates.gov.uk/hmcpsi)  
[www.justiceinspectrates.gov.uk/hmiprobation](http://www.justiceinspectrates.gov.uk/hmiprobation)  
[www.justiceinspectrates.gov.uk/hmiprison](http://www.justiceinspectrates.gov.uk/hmiprison)

**Or write to:** HM Inspectorate of Constabulary and Fire & Rescue Services  
5<sup>th</sup> floor, Globe House,  
89, Eccleston Square,  
London SW1V 1PN

HM Crown Prosecution Service Inspectorate  
4<sup>th</sup> Floor, 1 Kemble Street,  
London WC2B 4TS  
HM Inspectorate of Probation  
Civil Justice Centre,  
Manchester, M3 3FX

HM Inspectorate of Prisons  
Victory House, 6<sup>th</sup> Floor, 30-34 Kingsway,  
London WC2B 6EX





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

HM Crown Prosecution Service Inspectorate  
4th Floor, One Kemble Street,  
London WC2B 4TS.

HM Inspectorate of Probation  
9th Floor, The Tower,  
102 Petty France,  
London SW1H 9AJ.

HM Inspectorate of Prisons  
Victory House, 6th Floor,  
30-34 Kingsway,  
London WC2B 6EX.

Website:  
[www.justiceinspectorates.gov.uk](http://www.justiceinspectorates.gov.uk)

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