

JOINT INSPECTION BUSINESS PLAN 2009–11

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INTRODUCTION

Our joint inspection programme for 2009–11 has been designed and will be delivered under the statutory framework established by the Police and Justice Act 2006. This framework builds on a history of long-standing collaboration and joint working between our inspectorates, and we look forward to bringing to bear the lessons, experiences and good practice from earlier joint working to the benefit of this and future programmes.

We welcome the more structured landscape provided by the statutory framework and acknowledge the associated obligations and powers that will support us in addressing issues across the criminal justice system (CJS) as a whole. The framework also adds transparency to the necessary balance of responsibilities and priorities between our individual programmes and our joint working.

This enhanced joint programme has significant potential to: highlight barriers to progress within the CJS; encourage a greater degree of inter-agency collaboration; and, importantly, spur improvement in the quality of services delivered in practice. There is also scope to support a more generally holistic approach to the CJS, although progress in this area will rely on the contributions of other key players, in particular Local Criminal Justice Boards (LCJBs) and the Office for Criminal Justice reform – in establishing their assessment regime for LCJB performance.

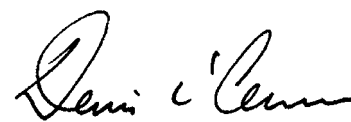
Our joint programme for 2009–11 represents an extensive examination of key issues across a wide spectrum of CJS activity. We feel sure that those whose work we inspect will continue to respond positively to our reports, resulting in improved practice across the CJS. This in turn should lead to increased public confidence and better outcomes for service users.



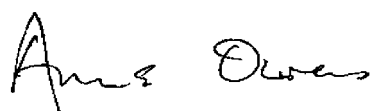
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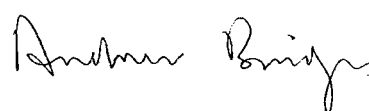
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PART A – CONTEXT OF THE PROGRAMME

1. LANDSCAPE FOR JOINT INSPECTION

- 1.1 The five criminal justice (CJ) inspectorates – of Constabulary, Crown Prosecution Service (CPS), Court Administration, Prisons and Probation – have a history of working together to inspect elements of the criminal justice system (CJS), to spur improvements in specific and/or general service delivery to the public. The CJ Chief Inspectors Group (CJCIG) meets regularly to oversee the delivery of programmes of collaborative working.
- 1.2 Part 4 of the Police and Justice Act 2006 placed the previously voluntary collaboration within a legislative framework, by establishing a statutory responsibility on each of the five inspectorates to:
- co-operate with each other, and other named inspectorates;
 - draw up a joint inspection programme and associated framework;
 - consult their Secretary of State, other inspectorates and named stakeholders in the formulation of the plan;
 - act as 'gate keeper' for all inspection of specified organisations; and
 - delegate authority to inspect such organisations to each other, or other public authorities, as appropriate.
- 1.3 Part 4 of the Police and Justice Act 2006 also sets out a description of joint action and inspection which includes inspections proposed to be carried out jointly with CJ Chief Inspectors or their inspectorates and any other public authority.
- 1.4 This definition therefore encompasses joint work that is already part of each inspectorate's core business, whether involving CJ inspectorates or other outside authorities – e.g. the Audit Commission or Ofsted – in addition to new joint work with CJ colleagues.

- 1.5 In October 2007, the Government set out its vision and expectations for the CJS in the Comprehensive Spending Review (CSR) 2008–11 and the accompanying public service agreements and measures.¹ These documents place particular focus on four key principles for the delivery of CJS services, namely:
- **'effective in bringing offences to justice'** – a system that is effective in bringing crime, and in particular the most serious offences, to justice so that it plays its part in reducing crime and re-offending;
 - **'the public confident and engaged'** – people in local communities informed about the performance of the system, consulted and engaged about their priorities so they can be confident that it is fair, effective and meets local needs;
 - **'the needs of victims at its heart'** – high standards of service for victims and witnesses with the needs of victims at its heart; and
 - **'simple, efficient processes'** – speedy, streamlined and efficient processes supported by modern technology that enable the police to focus their time on tackling crime.
- 1.6 In addressing the role of the inspectorates in responding to and supporting the achievement of these aims, CJCIG will have regard to the ten principles of public sector inspection (set out in full in **ANNEX 1** to this document). Of these, there will be particular emphasis placed on service improvement, outcome focus and the user perspective.

1 www.hm-treasury.gov.uk/pbr_csr07_index.htm

2. FOCUS FOR JOINT INSPECTION

- 2.1** The existing statutory remits of the five inspectorates remain but are enhanced by the additional duties referred to in paragraph 1.2. It follows that the individual purpose statements of the inspectorates (see [ANNEX 2](#)) remain fully valid for the individual areas of focus but require a further overlay to reflect the value that can be added by joint inspection activity.
- 2.2** In essence, the landscape consists of two tiers of inspection activity, namely: solely-owned – where an individual CJ inspectorate is carrying out work specifically required of it, albeit sometimes in partnership with other bodies; and jointly-owned – where more than one CJ inspectorate has a direct interest and remit, albeit one will usually be nominated to be the lead partner. The latter category is particularly relevant in addressing issues that cross agency boundaries and affect end users of the services as a whole.
- 2.3** The five CJ inspectorates increasingly operate in a joined-up way and will continue to develop the capability to inspect end-to-end business processes that span two or more of the CJ agencies. To reflect this, joint CJ inspection activity is configured around four high level business processes:

Business process	Main agencies/functions covered
Community safety	Police, Probation, CPS
Bringing offenders to justice	Police, CPS, Court Administration, Probation
Offender management	Probation, Prisons
Custodial conditions	Prisons, Police, Court Administration, UK Border Agency

2.4 The broad objectives for inspection in each process are:

Community safety – to continue to develop the capability to inspect policing and key police partners for crime and disorder reduction, in the context of wider proposed changes in the inspection of local partnerships (e.g. crime and disorder reduction partnerships).

Bringing offenders to justice – to develop an end-to-end capability to inspect the process of enforcing the criminal law through the institution of proceedings, their determination and the enforcement of Court Orders, including the experience of victims and witnesses throughout the process.

Offender management – to continue to develop the existing programme of offender management inspections that assess how well offenders (adults and young people) are managed from start to end of their sentences (custodial or community sentences), to punish, help, change or control each individual offender in accordance with the needs of the individual case. There is a special focus on the assessment and management of each offender's risk of harm to others.

Custodial conditions – to continue to develop existing joint arrangements in inspecting prisons, prisoner escort services, police and court cells and immigration detention.

2.5 There are, of course, overlaps between the four high level processes which require distinct judgements to be made and hence inspections will be planned and integrated in a coherent way. There are also some key cross-cutting factors which warrant specific attention within the programme, in particular the overall focus on outcomes for service users. In light of this, two further objectives will focus activity:

Victim and witness experience – to examine the overall experience of victims and witnesses throughout their interaction with the criminal justice system to identify levels of satisfaction and areas for service improvement.

Equality and diversity – to actively promote equality and diversity – both in respect of internal processes and in service provision to all users – and to identify and address improper discrimination within the criminal justice system.

- 2.6 The increased focus on outcomes and on the user experience will be key drivers towards that coherence. A focus on outcomes will also ensure that inspection activity adds value over and above that of the existing single inspectorate programmes, avoiding the danger of important issues slipping between areas addressed in single agency activity.

3. THE ROLE OF THE CRIMINAL JUSTICE CHIEF INSPECTORS GROUP

- 3.1 CJCIG consists of the five Chief Inspectors from the CJ inspectorates. In 2006, in direct discussions with the Home Secretary, the Lord Chancellor and the Attorney General, the Chief Inspectors committed to deliver a streamlined and modern inspection process, as set out in the Government's Ten Principles of Inspection (see [ANNEX 1](#)), strengthening and broadening joint working across inspectorates while retaining single-agency inspection where appropriate.
- 3.2 The Police and Justice Act 2006 further specified the expectations of joint working and introduced the requirement for a fully consulted, statutory joint business plan, with the first full year of delivery being 2008/09.
- 3.3 In the spirit of the commitment to Ministers, Chief Inspectors implemented a joint programme a year earlier than required, in 2007/08, having due regard to all elements of the intended new approach. This programme included a mix of early implementation of inspection in some aspects and scoping or preparatory work in others, working towards full implementation in 2008/09.
- 3.4 During 2007/08, in parallel with the delivery of the joint inspection programme, CJCIG also established a full consultation process to inform 2008/09 (and beyond) and implemented a number of developmental work streams – for example exploring opportunities for efficiencies through sharing back office services between inspectorates. This consultation was continued in 2008, with a number of stakeholder workshops being convened to focus on specific issues – e.g. victims and witnesses and diversity.

- 3.5 CJIG has also maintained close contact with CJ Ministers, holding regular joint meetings at which progress is reported and an opportunity extended for Ministerial challenge to the joint programme and activity. Since January 2008, this element of consultation and challenge has been further enhanced by the formation of a non-statutory Advisory Board, the members of which attend all joint Ministerial meetings with CJIG (see [ANNEX 3](#)).
- 3.6 The collaborative work of CJIG to date – as represented in the programmes since 2007/08 and the significant progress in establishing support mechanisms – demonstrates the ability of independent inspectorates to work together to achieve the primary aims which underpinned discussion of the merger of inspectorates without the need for such organisational restructuring – and all the disruption and distraction that would accompany it.

4. DECIDING THE PROGRAMME

- 4.1 CJIG has established a business planning cycle that ensures that key stakeholders have a genuine opportunity to influence the potential areas for joint activity before the final programme of inspection is decided on. In addition to the statutory consultation process, explained above, each inspectorate draws on its established contacts with individual agencies and sector stakeholders to inform a workshop of Chief Inspectors, held in October each year.
- 4.2 At the workshop, each potential work stream is assessed against the standard prioritisation criteria (see [ANNEX 4](#)) before the long-list of potential subject areas is selected. This long-list then forms the basis for the more formalised consultation process, and final selection of the areas for inspection occurs in February.

'INSPECTING FOR IMPROVEMENT'

PART B – OUR BUSINESS PLAN FOR 2009–11

5. PRIORITIES FOR 2009–11

5.1 During 2009–11, the joint work of the CJ inspectorates will fall into five categories:

- a. core pre-planned inspections (including ongoing programmes);
- b. new CJ inspections;
- c. new scoping studies;
- d. joint work with non-CJ inspectorates; and
- e. follow-up inspections (from previous work).

a) Core pre-planned inspections

5.2 As an integral element of the established collaborative approach of the CJ inspectorates, there are a number of core, underpinning programmes of inspection during 2009–11 that involve two or more CJ inspectorates. These pre-planned commitments will fall into two groupings, namely those led by CJ inspectorates and those led by other inspectorates.

5.3 The inspections led by CJ inspectorates will be:

- **Offender Management Inspection** – Phase 2 (OMI 2) – *led by HMI Probation and involving HMIC and HMI Prisons. Ofsted is also a key partner.*
This inspection will start in September 2009. It will examine the effectiveness of offender management arrangements in all 42 CJ areas and some custodial institutions over a three-year period and will build on the findings of the previous OMI inspection which terminated in April 2009. Particular emphasis will be given to the achievement and monitoring of outcomes and the management of practice through the detailed scrutiny of case files and meetings with operational staff. The inspection will also focus on the quality of assessment and sentence planning; implementation of interventions delivered to offenders; and the associated leadership and strategic management. As before, these examinations will include a substantial element on risk of harm issues.

- **Inspection of Youth Offending (IYO) work** – *led by HMI Probation and involving HMIC, HMI Prisons and, where available and appropriate, other non-CJ inspectorates.*

From April 2009, the inspection of youth offending work will consist of two elements running in parallel. A Core Case Inspection (CCI) will cover all 157 areas tackling youth offending in England and Wales on a regional basis, across a three-year period, focusing on risk of harm to others, safeguarding and likelihood of reoffending issues. The methodology focuses on the examination of case files of convicted children and young people. Over 50 areas will be visited each year during the course of the programme and a separate report compiled on each, detailing their performance. Results will feed into the new Comprehensive Area Assessment in England, led by the Audit Commission. The CCI programme will be complemented by a Thematic Inspection Programme which will focus on specifically identified areas of practice (see 'New CJ inspections' on page 12).

Note: Consideration is also being given to future inspection work under the IYO programme for 2010 and 2011. Topics currently being explored include the move towards children and young people serving their custodial sentences in the community, the transition of responsibility for young people from children's to adult services, and the position of children and young people as victims and witnesses.

- **Police custody conditions** – *jointly led by HMIC and HMI Prisons.*
In light of the scrutiny requirements of the UN Optional Protocol to the Convention against Torture, and following an initial programme of inspections in 2008/09, this will extend the routine application of the established methodology for custodial conditions inspection into the police custody context. From 2009, this programme will also include unannounced inspections.

5.4 The inspection led by a non-CJ inspectorate will be:

- ***Crime and disorder reduction partnerships*** – Led by the Audit Commission and involving HMI Probation, HMIC and HMCPSI.
Crime and disorder reduction partnerships (CDRPs) have a key role in addressing crime and disorder at the local level and significant work has been carried out in the past two years to identify the core standards (or 'hallmarks') against which their effectiveness should be judged. These hallmarks focus on: empowered and effective leadership; visible and constructive accountability; intelligence-led business processes; effective and responsive delivery structures; engaged communities; and appropriate skills and knowledge. As part of the development of Comprehensive Area Assessments of local authorities it is proposed to pilot a joint methodology to inform any inspections triggered in 2009–11.

5.5 Ongoing commitments to joint inspection also include some relating to single agency scrutiny involving just one CJ inspectorate, but working jointly with other bodies – such as the inspection of prisons and immigration detention facilities, as part of the custodial conditions business process, and involving the education and healthcare inspectorates. These are covered in paragraphs 5.7–5.9, under 'Joint work with non-CJ inspectorates'.

b) New CJ inspections

5.6 Following discussion groups within individual inspectorates and having received some external bids for activity, the following new work streams will be undertaken:

- ***Inspection of Youth Offending (IYO) work*** – led by HMI Probation and involving HMIC, HMI Prisons and, where available and appropriate, other non-CJ inspectorates.

This Thematic Inspection Programme will complement the core work on IYO and will focus on specifically identified areas of practice. Topics in 2009–11 will include:

- ***Youth group crime (gangs)*** – led by HMI Prisons and supported by HMIC and HMI Probation.

This inspection will explore the extent to which gangs and gang culture impact on children and young people in custody and in the community and how the various organisations involved identify membership and respond. Planning for this inspection is already under way and fieldwork is taking place between February and July 2009.

- **Prevention work** – *led by HMIC and involving HMI Probation and other non-CJ inspectorates.*

This inspection will examine how work can be successfully undertaken with children and young people to deter them from involvement with offending and assess the effectiveness of individual agencies' interventions. Consideration will also be given to the different influences that can affect children's and young people's behaviour, particularly those with specific needs, and make them more vulnerable to offending. Preparation for this inspection will start in July 2009, with fieldwork completed by the end of the year.

- **Alcohol and offending** – *led by the Care Quality Commission and involving the Healthcare Inspectorate Wales and HMI Probation.*

This inspection will consider the impact of alcohol on offending by children and young people and how far these concerns are being recognised and addressed by the agencies involved. Preparation for this inspection is taking place from April 2009 and fieldwork will be completed by the end of the year.

- **Courtwork and court reports** – *led by HMI Probation and involving HMICA, HMCPPI and HMIC and non-CJ inspectorates.*

The planning for this inspection will start in the summer of 2009 and fieldwork will be completed in early 2010. It will follow up concerns identified during the first inspection of Youth Offending Teams (YOTs) about the quality of pre-sentence reports submitted to the courts and their impact.

- **Asset recovery** – *led by HMCPPI, involving HMIC and HMICA.*

The Proceeds of Crime Act 2002 introduced new powers to confiscate criminals' gains from illegal activity and introduced new money laundering offences, but a joint thematic inspection in 2004 highlighted patchy take-up of the new powers and limited impact. Recovering criminal assets is a key plank in government policy² but current performance raises concern that the target will be missed. In 2008/09, scoping for a joint review revealed some relevant work already under way within agencies and single-agency inspections which would cover some of the ground of the proposed joint

2 Public Service Agreement (PSA) 24 includes a national target to recover £250 million worth of criminal assets in 2009/10.

review. This has led, therefore, to a two-stage approach – designed to complement and add value to this other work. Stage 1 will include casework analysis within HMRC, the CPS, the police and HM Courts Service: to provide a benchmark against which progress can be measured; test key hypotheses from scoping work; and provide a focus for stage 2 – which will be a full inspection.

- ***Security of data – information exchange and security*** – led by HMICA and involving HMCPPI, HMIC, HMI Prisons and HMI Probation.

The effective passage of information is at the heart of the creation of an effective CJS. Recent developments, such as the joint inspection report on the case of Peart³ and losses of confidential data, have raised questions over the timeliness and quality of information flows and how well data is protected. A joint inspection would revisit the findings of a previous joint inspection of casework information needs across the CJS. It would examine how well the effective management of criminal cases and offenders is promoted by systems to exchange case information while at the same time protecting individuals' rights.
- ***Custody time limits*** – led by HMCPPI and involving HMICA and HMI Prisons.

There has been increasing concern over the apparent failure to meet legal and procedural expectations, in part due to the complexity of the relevant processes, identified during the core programme of HMCPPI. The issues identified would benefit from a joint approach and a joint inspection led by HMCPPI and involving HMICA and HMI Prisons would ensure that the aspect of joint ownership and accountability within the process could be examined. The joint inspection would look at the legal and procedural matters that are part of the core processes to ensure that custody time limits are managed effectively. Fundamental issues such as accountability, operation of the scheme and communication would be examined as part of the inspection.
- ***Overnight use of court custody areas and follow-up inspection of court custody*** – led by HMI Prisons and involving HMICA.

Court custody areas have been used to house prisoners overnight as a result of a lack of prison capacity. A pilot inspection visit was conducted during the summer of 2007, and if court cells are brought back into use again in 2009–11 there will be a need to continue these inspections. In addition a

3 A review to ascertain the circumstances in which Anthony Leon Peart (also known as Anthony Leon Joseph) came to be at liberty on 29 July 2005 when he committed a murder.

substantial joint thematic inspection of prisoner escort and court custody was published in 2005 and a post-inspection review of progress made against the recommendations is planned.

c) New scoping studies

- **Bail management** – *lead HMIC and other involvement to be determined by scope.*
 Inspection of charging and custody facilities and reviews of specific cases (for example the Peart case) in 2008/09 have raised persistent concerns about the management of bail – both police and pre-court – and its implications for the efficiency, effectiveness and timeliness of case progression. It is proposed that these concerns will be collated and subject to further research to identify where further inspection might assist in addressing problems and improving efficiency.
- **Treatment of Muslims** – *lead to be determined by scope. Involving all CJ inspectorates.*
 HMI Prisons is currently conducting a thematic on the experience of Muslim prisoners. This project is a desktop exercise and is based on the findings of prisoner surveys and prison inspections carried out between September 2006 and April 2008. Emerging findings will be available in autumn 2009 and will be used to inform the scoping work on the treatment of Muslim offenders across the CJS.
- **Women in the criminal justice system** – *lead and involvement to be determined by scope.*
 In the light of a number of separate reports on the CJS which have raised individual issues concerning women in the system (including HMI Prisons' and Lord Bradley's reviews of mental health and CJ inspectorate joint work on victims and witnesses), to examine the treatment of women in the CJS (including as offenders) and identify any areas that would benefit from joint inspection.
- **Safeguards for children** – *involving all CJ Inspectorates.*
 In 2009/10, Ofsted will be rolling out a new programme of inspections and CJ inspectorates expect, as a minimum, to contribute data to Ofsted's work. Further involvement may emerge but is not yet confirmed.

d) Joint work with non-CJ inspectorates

5.7 For completeness, the CJ joint business plan also seeks to highlight those elements of the individual inspectorates' programmes that represent 'joint working', albeit primarily involving non-CJ inspectorates.

5.8 The following non-CJ joint inspections will be undertaken in 2009–11:

- prison inspections – by HMI Prisons and numerous other bodies;⁴
- police authority inspections – by HMIC and the Audit Commission;
- Comprehensive Area Assessments – by the Audit Commission, HMIC and HMI Probation;
- inspections with the UK Border Agency Inspectorate; and
- arrangements for safeguarding children – by Ofsted, the Care Quality Commission and CJ inspectorates.

5.9 There will continue to be bilateral work streams taking place with the military which, dependent on legislation due to be passed at the end of 2009, may become a more co-ordinated programme of joint working.

e) Follow-up inspections (from previous work)

5.10 Chief Inspectors will also consider the need for specific follow-up work, either to build on previous findings or to check progress against recommendations. This work will be prioritised and scheduled during the year to complement the other work streams, and having regard to resource availability. During 2009–11, this will include re-examination of the investigation and prosecution of rape and serious sexual offences.

4 See paragraph 9.18 of the Joint Inspection Business Plan 2007/08 for full list.

6. OBJECTIVES AND TIMESCALES FOR 2009–11

- 6.1 The key objectives of joint CJ inspection for 2009–11 will be the six set out previously in paragraphs 2.4 and 2.5, under the high level process areas of community safety, bringing offenders to justice, offender management and custodial conditions and incorporating victim and witness experience and equality and diversity.
- 6.2 In the following tables, the individual inspections and scoping studies are listed with brief details of the key targets, dates and inspectorates involved. Inspectorates are listed in one of three categories:
- **Lead:** providing the lead inspectors, methodology and support;
 - **Partner:** involved throughout, including inspection fieldwork;⁵ or
 - **Advise:** providing evidence, statistics and/or advice only.

Note: In the tables that follow, the latter two categories may change during the planning and implementation process.

5 Or substantive involvement in scoping studies – where no fieldwork takes place.

Objective 1 – Community safety

To continue to develop the capability to inspect policing and key police partners for crime and disorder reduction, in the context of wider proposed changes in the inspection of local partnerships (e.g. crime and disorder reduction partnerships).

Activity and subject	Target or timescale	Inspectorates
Inspection		
IYO – Prevention work	Preparatory work from July 2009 with fieldwork by the end of 2009/10	Lead: HMIC Partner: HMI Probation Advise: other CJ inspectorates
IYO – Alcohol and offending	Preparatory work from April 2009 with fieldwork by the end of 2009/10	Lead: Care Quality Commission Partner: HMI Probation Advise: other CJ inspectorates
Crime and disorder reduction partnerships	Liaison with Audit Commission from April to October 2009. Pilot inspection during spring 2010, to inform programme in 2010/11	Lead: Audit Commission Partner: HMIC, HMI Probation and HMCPSI

Objective 2 – Bringing offenders to justice

To develop an end-to-end capability to inspect the process of enforcing the criminal law through the institution of proceedings, their determination and the enforcement of Court Orders, including the experience of victims and witnesses throughout the process.

Activity and subject	Target or timescale	Inspectorates
Inspection		
IYO – Courtwork and reports	Planning in summer 2009 with fieldwork in spring 2010	Lead: HMI Probation Partner: HMICA, HMIC, HMCPSI and HMI Probation Advise: HMI Prisons
Information exchange and security	Collate information from other strands with preparation late in 2009/10 and fieldwork in 2010	Lead: HMICA Partner: all CJ inspectorates

Objective 3 – Offender management

To continue to develop the existing programme of offender management inspections that assess how well offenders (adults and young people) are managed from start to end of their sentences (custodial or community sentences), to punish, help, change or control each individual offender in accordance with the needs of the individual case. There is a special focus on the assessment and management of each offender's risk of harm to others.

Activity and subject	Target or timescale	Inspectorates
Inspection		
Offender management (OMI 2)	Inspection of work in 42 CJ areas plus institutions by 2012	Lead: HMI Probation Partner: HMI Prisons, HMIC and Ofsted
Asset recovery	Stage 1: June to August 2009; stage 2: fieldwork to commence by spring 2010	Lead: HMCPSI Partner: HMIC and HMICA
Youth offending (IYO)	Core case inspection of work in 157 YOT areas to be completed by 2012	Lead: HMI Probation Partner: HMIC, HMI Prisons and non-CJ inspectorates
Scoping study		
Bail management	Scoping work to be completed and report submitted by October 2009	Lead: HMIC Partner: HMCPSI and HMICA

Objective 4 – Custodial conditions

To continue to develop existing joint arrangements in inspecting prisons, prisoner escort services, police and court cells and immigration detention.

Activity and subject	Target or timescale	Inspectorates
Inspection		
Police custody conditions	Programme of inspection in 43 forces at 12–13 inspections per year	Lead: HMI Prisons and HMIC
Overnight use of court custody	If court cells are once again used to house prisoners, at least one inspection will be conducted by the end of March 2010	Lead: HMI Prisons Partner: HMICA Advise: HMIC
IYO – Youth gangs in prisons	Fieldwork between February and July 2009	Lead: HMI Prisons Advise: HMIC and HMI Probation
Scoping study		
Custody time limits	Scoping work to be completed and report submitted by October 2009	Lead: HMCPSP Partner: HMIC and HMICA Advise: HMI Prisons

Objective 5 – Victim and witness experience

To examine the overall experience of victims and witnesses throughout their interaction with the criminal justice system to identify levels of satisfaction and areas for service improvement.

Scoping study		
Women in the criminal justice system	Scoping to be carried out by October 2009 to consider inspection in 2010	Lead: HMI Probation Partner: all CJ inspectorates

Objective 6 – Equality and diversity

To actively promote equality and diversity – both in respect of internal processes and in service provision to all users – and to identify and address improper discrimination within the criminal justice system.

Scoping study		
Identify disproportionality in the handling of Muslims within the CJS	Emerging findings from HMI Prisons work by autumn 2009 to consider inspection in 2010	Lead: HMI Prisons Partner: all CJ inspectorates

7. PROGRAMME BALANCE IN 2009–11

7.1 Taken together, the programme provides coverage of the six joint objectives, as outlined earlier in paragraphs 2.4 and 2.5.

	Community safety	Bringing offenders to justice	Offender management	Custodial conditions	Victim and witness experience	Equality and diversity
Core pre-planned inspections						
OMI 2			✓			
IYO			✓			
Police custody		✓				
CDRPs	✓					
New inspections						
IYO – Youth gangs				✓		
IYO – Prevention work	✓					
IYO – Alcohol and offending	✓					
IYO – Court work and reports		✓				
Asset recovery			✓			
Information exchange			✓			
Custody time limits				✓		
Court custody – overnight				✓		

	Community safety	Bringing offenders to justice	Offender management	Custodial conditions	Victim and witness experience	Equality and diversity
New scoping studies						
Bail management		✓				
Treatment of Muslims						✓
Women in the CJS					✓	✓
Safeguards for children	✓					

7.2 Although there are few specific work strands in the categories of 'Victim and witness experience' and 'Equality and diversity', these themes will also be picked up as themes threaded through each of the other work streams.

8. RESOURCES FOR 2009–10

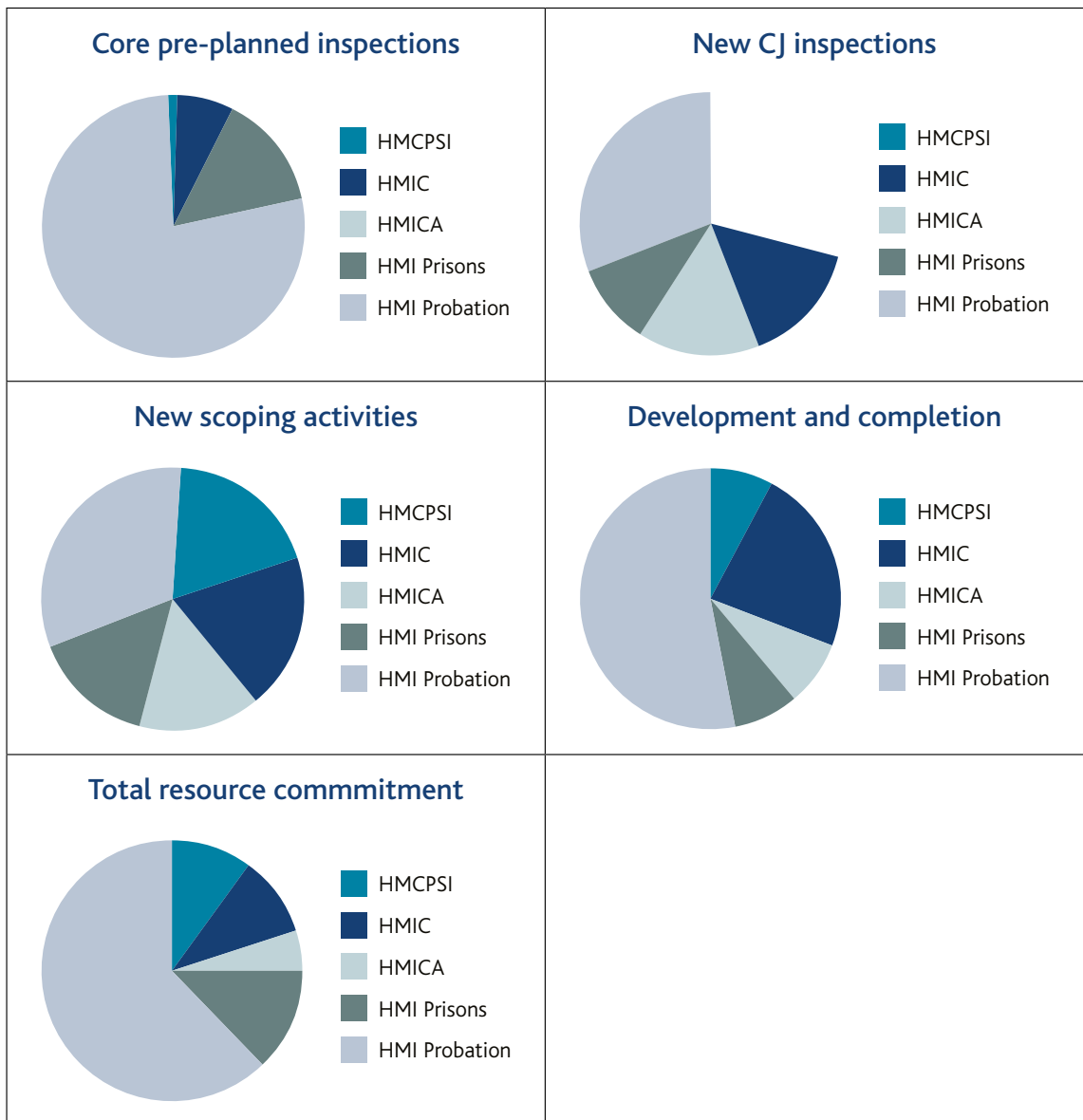
- 8.1** Each of the work streams within the proposed programme has a nominated lead inspectorate with others identified as either 'partners' – engaged substantially in the fieldwork and/or research phases – or 'advisers' – where contributions are more limited. Consequently, the predicted resourcing for each work stream reflects these differential roles.
- 8.2** Resources allocated from each inspectorate are set out in the charts and tables that follow, and are expressed in deployable 'inspector-hours'. While each inspectorate approaches this issue slightly differently in their individual budgeting processes, the allocations take account of both time spent actually engaged in inspection fieldwork and the preparatory, research and finalisation stages of the proposed activities.

	HMCPsi	HMIC	HMICA	HMI Prisons	HMI Probation	TOTAL Inspector Hours
Core pre-planned inspections						
OMI 2		200		400	14,000	14,600
IYO Core case insps					11,750	11,750
Police custody		1,750		4,400		6,150
CDRPs	272	565			350	1,187
Sub-totals	272	2,515	0	4,800	26,100	33,687
New inspections						
IYO – Youth gangs		350		1,100	560	2,010
IYO – Prevention work	50	650			570	1,270
IYO – Alcohol and offending	50	50			810	910
IYO – Court work	336		320		1,310	1,966

	HMCPsi	HMIC	HMICA	HMI Prisons	HMI Probation	TOTAL Inspector Hours
<i>New inspections (continued)</i>						
Asset recovery	2,960	320	320			3,600
Info. exchange	324	565	740	50	600	2,279
Custody time limits	480		400	50		930
Court custody – overnight and follow up			200	100		300
Sub-totals	4,200	1,935	1,980	1,300	3,850	13,265
<i>New scoping activities</i>						
Muslims in the CJS	50	50	50	150	100	400
Women in the CJS	50	50	50	50	250	450
Bail management	50	200	50			300
Safeguards for children	20	20	20	20	20	100
Sub-totals	170	320	170	220	370	1,250
Development and completing 2008/09 work	100	300	100	100	700	1,300
TOTALS	4,742	5,070	2,250	6,420	31,020	49,502

Notes: 1. The use of bold figures in the above table indicates lead inspectorates.
2. The above resource allocations are further represented in the following pie charts.

The charts below show the relative resource allocations of each inspectorate (in deployable inspector hours) by category of activity.



ANNEX 1

THE GOVERNMENT'S TEN 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 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.

ANNEX 2

PURPOSE STATEMENTS OF CJ INSPECTORATES

HMIC

Note: In 2009 HMIC is undergoing a significant change in its role and objectives to meet the expectations of the Policing Green paper published in July 2008 and the subsequent Government statement on reform within the policing landscape. The purpose statement is also in transition but the thrust of the new positioning is encapsulated in the new abbreviated mission statement: "Inspecting policing in the public interest."

HMCPPI

To enhance the quality of justice through independent inspection and assessment which improves the effectiveness of prosecution services, providing assurance to ministers, government and the public.

HMICA

To inspect and report to the Lord Chancellor on the system that supports the carrying on of the business of the courts (the Crown Court, county courts and magistrates' courts) and the services provided for those courts.

HMI Prisons

To provide independent scrutiny of the conditions for and treatment of prisoners and other detainees, promoting the concept of 'healthy prisons' in which staff work effectively to support prisoners and detainees to reduce re-offending or achieve other agreed outcomes.

HMI Probation

- To report to the Justice Secretary on the effectiveness of work with individual offenders, children and young people aimed at reducing offending and protecting the public, whoever undertakes the work under the auspices of the National Offender Management Service or Youth Justice Board.

- Report on the effectiveness of the arrangements for this work, working with other inspectorates as necessary.
- Contribute to improved performance by the organisations whose work we inspect.
- Contribute to sound policy and effective service delivery, especially in public protection, by providing advice and disseminating good practice, based on inspection findings, to Ministers, officials, managers and practitioners.
- Promote actively race equality and wider diversity issues in the organisations whose work we inspect.
- Contribute to the overall effectiveness of the criminal justice system, particularly through joint work with other inspectorates.

ANNEX 3

JOINT CRIMINAL JUSTICE INSPECTION ADVISORY BOARD

Function

The Joint Criminal Justice Inspection Advisory Board is a non-statutory body whose role is to provide an independent external challenge to the work of the five criminal justice Chief Inspectors.

The board advises meetings of the five Chief Inspectors with the Ministers of the three departments on whether the following key objectives of joint inspection activity are being achieved:

- a holistic justice sector inspection regime, underpinned by the Government's Ten Principles of Inspection, with satisfactory coverage of whole processes;
- a focus on the experience of end users;
- proportionality and management of potential administrative impact on inspected bodies;
- efficiency, especially by means of collaboration within and beyond the justice sector; and
- value for money.

Membership

Professor Stephen Shute – Professor of Criminal Law and Criminal Justice, University of Birmingham

Professor Rod Morgan – Former HM Chief Inspector of Probation and former Chair of the Youth Justice Board

Dr Silvia Casale – Chair of UN Subcommittee on Prevention of Torture and former Inspector of Prisons.

ANNEX 4

PRIORITISATION CRITERIA

In seeking to identify relevant criteria by which to judge potential joint inspection projects, two categories of criteria emerge, namely:

- **qualifying criteria:** to be included in the joint inspection programme proposed activity needs to meet basic requirements; and
- **prioritising criteria:** to rank the qualifying joint projects, to inform programme compilation and to validate decisions on inclusion or exclusion.

a) Qualifying criteria

To pass the first stage of consideration all joint inspection projects should:

- relate to cross-cutting work that involves two or more CJ inspectorates;
- have an identified lead CJ inspectorate;
- have a clearly defined scope and purpose; and
- meet the Government's Ten Principles of Inspection, in particular:
 - contribute to service improvement;
 - be outcome focused; and
 - have a user perspective.
(See [ANNEX 1](#) for full list.)

Those candidate projects which pass the first stage then enter the long-list for prioritisation.

b) Prioritising criteria

In considering inclusion in the draft joint inspection programme for 2009–11 candidate projects will be assessed against:

- pre-existing commitment to delivery; a number of projects are elements of extant programmes and will be progressed in response to pre-existing commitments;
- support to government priorities for the CJS;
- balance of impact versus resource: the degree of impact or value added in proportion to the effort required to implement the inspection activity;
- practicality, deliverability and risk: having regard to the availability of staff, specialist skills or expertise in the relevant timetable for implementation;
- incompatibility with other programmes: the potential to clash or adversely affect other activity in the same or similar subject area;
- additional value gained through joining up inspectorate working: the ability to shed greater light or achieve greater insight through joint working than by the sum of individual efforts; and
- proportionate coverage of relevant high level CJ processes: contributing in areas of scrutiny otherwise under-represented in the overall programme.

Additional considerations

- There are also a number of 'joint inspections' which are led by non-CJ inspectorates, and really only involve one of the CJ inspectorates but may impinge on others or need at least an advisory input.
- High profile may be afforded by events to particular topics which would not otherwise be expected to feature in a risk-assessed or prioritised list.

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