

Criminal Justice Inspection
Northern Ireland
a better justice system for all



BUSINESS PLAN 2022-23

A BETTER JUSTICE SYSTEM FOR ALL



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FOREWORD

BY THE CHIEF INSPECTOR

This year is the last in our current three year Corporate Plan period. While there have been many challenges and changes in our community, in the criminal justice system and in our organisation in the last two years, we have adapted our inspections and reviews, as well as our resources, to maintaining our commitment to deliver independent and impartial inspection services focussed on a better criminal justice system for all.

We are looking forward to safely restoring further on-site fieldwork and evidence gathering while maintaining and further progressing the benefits of using technology and remote working when that remains appropriate.

This year also presents an opportunity to restructure following the resignation and retirement of three of our team in the last year.

While that's a big impact on a small organisation, we are looking forward to developing and implementing an organisational structure that better meets our future inspection and business needs.

I am grateful for the CJI team's continued commitment to delivering the Inspection Programme.

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Inspectors have had to flex their plans and work according to the various stages of the COVID-19 pandemic (the pandemic), taking account of the prevailing situation in inspected organisations including the availability of personnel and, at times, their own circumstances. Inspectors continued to risk manage on-site fieldwork when that was necessary for effective evidence gathering. Our partnerships with other Inspectorates, both in Northern Ireland and in other jurisdictions, have grown and strengthened and we look forward to continuing our work together this year.

I developed this year's Inspection Programme following consultation with the Minister of Justice, the Attorney General for Northern Ireland, the Lady Chief Justice, leaders of organisations we inspect, voluntary and community sector senior leaders, the Department of Justice Permanent Secretary and senior officials and Members of the Legislative Assembly.

Having listened carefully to their views, I decided on the final programme.

This year there are a number of inspections in progress at the start of the business year. This reflects the impact of the pandemic on inspected organisations and their staff, time and resources required to complete the Care and Supervision Unit requested Review as well as the resources available in our own and partner Inspectorates. Therefore, the previous long list of proposed inspections has been reviewed and the number of new inspections has been designed to realistically reflect ongoing work and available resources, including the timescale required to recruit a new Inspector while adequately fulfilling our obligations as a National Preventive Mechanism member organisation.

While also realistic about the pressures on public funds, I remain concerned about the impact of budget cuts and the proportionality of them given CJI's lack of control over rising costs and minimal discretionary spend to find savings. Maintaining independent and impartial quality inspection services remain an imperative to system improvement and public confidence in our criminal justice system.

A new Northern Ireland Assembly mandate and new *Programme for Government* will provide a renewed focus on better outcomes. CJI is also looking forward to restructuring and refreshing our organisation and will continue to provide impartial and independent inspection services that contribute to the achievement of outcomes and a better justice system for all.



JACQUI DURKIN

Chief Inspector of Criminal
Justice in Northern Ireland

April 2022

STATEMENT OF PURPOSE

Criminal Justice Inspection Northern Ireland (CJI) is responsible for inspecting all aspects of the criminal justice system apart from the judiciary. It was established in 2003 as a Corporation Sole, an executive Non-Departmental Public Body (NDPB), sponsored by the Department of Justice (DoJ).

CJI's vision is for *'a better justice system for all'* where the delivery of our services is aligned with the strategic priorities of the Northern Ireland Executive, as set out in the current Programme for Government (PfG), and the Minister of Justice.

The Outcome that *'Everyone feels safe – we all respect the law and each other'* directly relates to CJI's vision of inspecting to improve and other outcomes are relevant to our work. We focus on helping the criminal justice system to deliver stronger governance and strategic planning, be more effective and efficient, ensure the vulnerable are

protected and that key outcomes and results are achieved. When a new PfG is agreed in the next mandate we will review our strategic priorities for synergy and alignment.

A list of the organisations we inspect and within our statutory remit is attached at Annex A.

All of our internal processes are subject to continuous performance improvement, which is embedded in our ISO 9001:2015 accredited methodology and working practices.



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A BETTER JUSTICE SYSTEM FOR ALL - STRATEGIC OBJECTIVES AND KEY THEMES

We have set five strategic objectives in our 2020-2023 Corporate Plan to help achieve a better justice system.

They are to:

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1

Effectively deliver a risk-based, responsive and relevant Inspection Programme.



2

Improve communication.



3

Focus on achieving better outcomes.



4
Encourage
recommendation
implementation to
achieve improvements
and outcomes.

5
Be an effective National
Preventive Mechanism body in
support of the Optional Protocol
to the Convention Against
Torture and Other Cruel, Inhuman
and Degrading Treatment
or Punishment and promote
performance improvement and
better collaboration within the
criminal justice system and with
relevant external organisations.



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The objectives and targets in this Business Plan support our strategic priorities for the final year of our Corporate Plan period. We will report our performance against them in the Annual Report and Accounts.

The key themes of our inspection programme for this year continue the themes of:

BETTER SERVICES AND DELIVERY

BETTER EFFICIENCY AND EFFECTIVENESS

BETTER PROTECTION AND SAFEGUARDING

BETTER STRATEGY AND GOVERNANCE

BETTER OUTCOMES

HOW WE WORK

CJI will deliver our strategic and business objectives with a focus on:

INDEPENDENCE

CJI will continue to provide independent, impartial and evidence-based information and expert opinion to the public, political representatives and criminal justice stakeholders about the work and performance of inspected bodies and the entire criminal justice system.

PARTNERSHIP

We work in partnership with inspected bodies and other key stakeholders to prepare, conduct and publish a programme of inspections and reviews. CJI will ensure that inspections are risk-based and reflect the key challenges facing the criminal justice system. We will also consider inspections or reviews when requested to by the Minister of Justice, where they fall within our inspection remit and doing so would be in the public interest.

We value our effective partnerships with other inspection, oversight and regulatory bodies in Northern Ireland where they also have a statutory obligation to carry out



inspections involving organisations and bodies within CJI's remit or provide services in those organisations. For example, we partner with the Education and Training Inspectorate (ETI) and the Regulation and Quality Improvement Authority (RQIA) on prison and Juvenile Justice Centre inspections and are actively planning a pilot joint thematic inspection on child protection. We are also keen to identify shared priorities and opportunities for partnerships with the Northern Ireland Audit Office (NIAO) and avoid duplication when we can.

When required and affordable, CJI will continue to utilise the knowledge and professional expertise of other Inspectorates such as Her Majesty's Inspectorate of Prisons (HMIP), Her Majesty's Inspectorate of Constabulary, Fire & Rescue Services (HMICFRS); Her Majesty's Inspectorate of Probation (HMI Probation) and Her Majesty's Crown Prosecution Service Inspectorate (HMCPsi).

This enables benchmarking performance with services and organisations in England and Wales and the development of our Inspection Team. We are also committed to strengthening relationships with relevant Inspectorates in Scotland and the Republic of Ireland and partnering with independent professional specialists and experts where required.

We have delivered lectures to students in Queen's University, Belfast and Ulster University (Jordanstown) and are keen to explore and develop new opportunities to share research and develop collaborative working relationships, including student placements.

We expect to play an active role in the proposed creation of a Northern Ireland sub group of the United Kingdom National Preventive Mechanism.

We will explore opportunities for a more explicit human rights based approach to inspections in our annual programmes.

COMMUNICATION

Good communication enables CJI to influence and effect positive change. Raising awareness of findings and recommendations contributes to achieving a better justice system for all and public confidence. Making reports and reviews accessible and available to all through the CJI website is a key element of having a more open and accountable criminal justice system. Providing briefings to the Minister of Justice and her officials, the Committee for Justice, All Party Groups and political parties will also inform discussion and decision making about the issues facing and effectiveness of the criminal justice system.

We will engage widely and communicate our inspection findings clearly and consistently in an easily accessible way that includes using social media. We will remain responsive to feedback and mindful of the wider context in which inspected organisations are delivering their services without compromising our independence and practice.



PERFORMANCE

CJI aims to secure improvements to the effectiveness and efficiency of the criminal justice system through making strategic and operational recommendations that will be evidence-based, take account of benchmarking with other jurisdictions and sectors, promote, and secure innovation and best practice. When appropriate, we will encourage and support inspected organisations to deliver recommendations and implement the required changes - this can involve facilitating cross-agency/Departmental working in line with the priorities of the Minister of Justice and the priorities and outcomes contained in the new PfG.



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WHO WE ARE

OUR PEOPLE

The Chief Inspector, Jacqui Durkin, and Deputy Chief Inspector and Chief Executive, James Corrigan, have responsibility for the management of CJI.

Three of our staff resigned and retired during 2021-22 meaning

that CJI starts the new business year with two fewer Inspectors and the Business Support Team reduced by a third. Recruitment competitions are planned for 2022-23 together with a re-structuring of business support functions and new job descriptions.

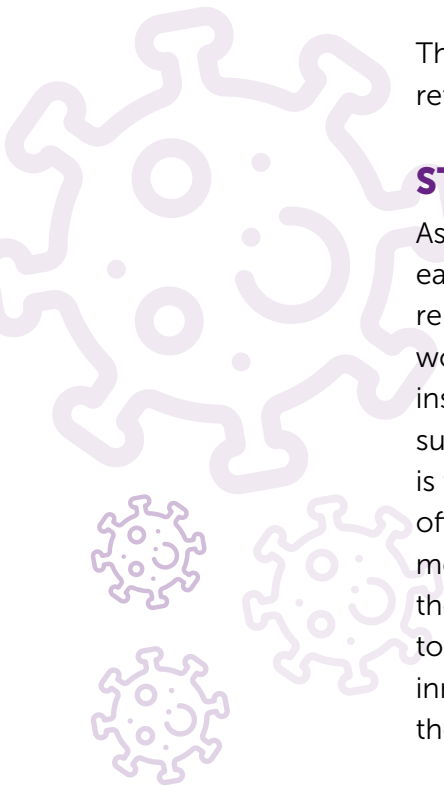
STAFF WELLBEING AND COVID-19 PANDEMIC RECOVERY

As the pandemic restrictions have eased, CJI has adjusted its mix of remote home working and office work as well as restoring on-site inspection fieldwork. Our aim, subject to public health guidance, is to restore a predominately office based and on-site working model. Staff have demonstrated their adaptability and commitment to business continuity, while innovating, adapting and increasing their use of digital technology.

Staff wellbeing, together with investment in training and development, is important to us.

The impacts of the pandemic will continue to be evident for some time and CJI is committed to supporting the physical and mental health of our team and to sustaining and building on our strengths.

Our Sustainability and Recovery Plan, like every organisation, has had to flex and adapt to changing public health work place safety and travel guidance and regulation. We will continue to consider individuals and seek to recover taking account of public health guidance following the lifting of pandemic restrictions.

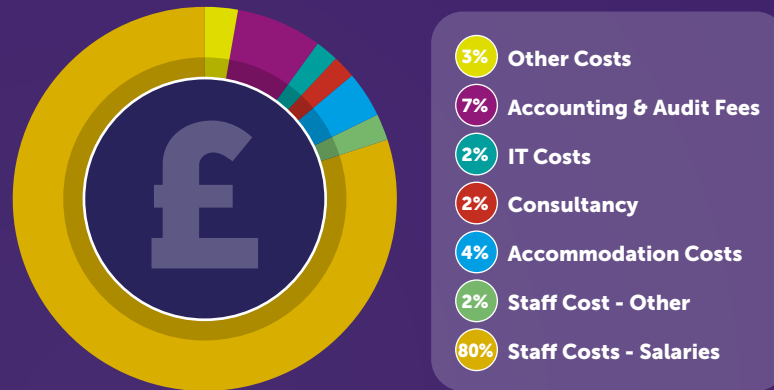


BUDGET

CJI is financed by revenue grants from the DoJ. In the absence of a Northern Ireland Executive a budget for 2022-23 could not be agreed. To allow the continuation of service delivery the Finance Minister indicated he intended to provide each of the Northern Ireland Departments with a contingency planning envelope for 2022-23 for both resource and capital Departmental Expenditure Limits. CJI's opening resource contingency planning envelope was set at £1.127m, mirroring its 2021-22 opening baseline allocation. If further resources are not made available in-year, this would represent a funding cut in real terms. CJI's 2022-23 capital contingency planning envelope was set at £52,000.

As most of the budget is allocated to staff costs with little scope to reduce spending elsewhere, CJI has had to take the difficult decision to not replace one of the vacant Inspector posts. This will have immediate implications for the 2022-23 Inspection Programme

FIGURE 1: CJI OPENING RESOURCE BUDGET ALLOCATION 2022-23



with a reduced number of inspections and reviews and less scope to respond to Ministerial requests.

Discretionary spending represents a small proportion of the overall budget and is required for external assistance on inspections such as prisons, child protection and forensic services and other essential inspection delivery costs. CJI was successful in obtaining additional funding from its sponsor department in 2021-22 and we have worked closely with our sponsor division to minimise the impacts on the inspection programme.

CORPORATE GOVERNANCE

Corporate governance and effective risk management form a core part of the work of CJI with established arrangements in place for audit and accountability together with external accreditation through ISO 9001:2015.

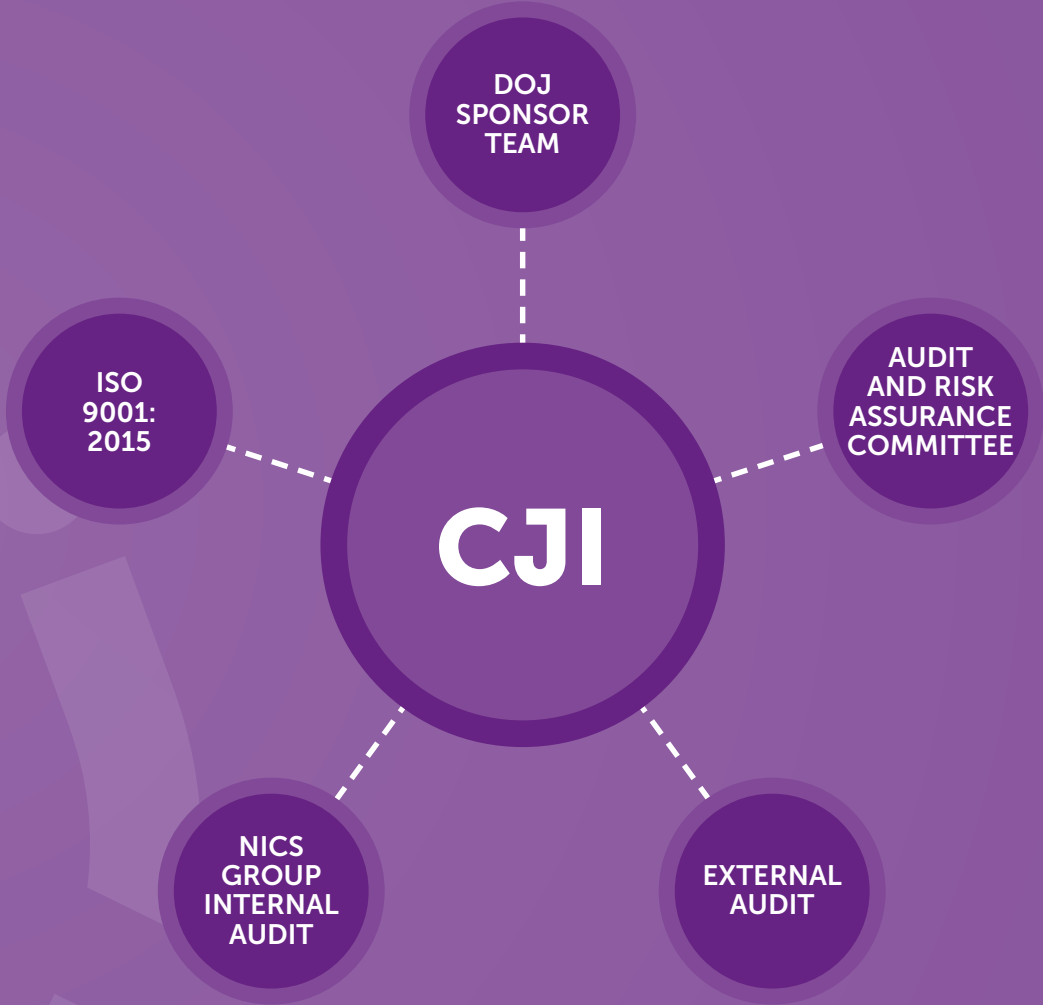
We will continue to maintain good working relationships with our DoJ sponsor division and seek to facilitate the introduction of an effective Corporation Sole partnership agreement that reflects proportionality and risk appetite as soon as it is possible to do so.

An Audit and Risk Assurance Committee is chaired by one of our two independent members.

The Accounting Officer's responsibility is delegated from the DoJ Permanent Secretary to the Chief Executive who is also CJI's Accounting Officer.

Northern Ireland Civil Service (NICS) Group Internal Audit Service carries out internal audits of CJI's business processes on an annual basis. The Northern Ireland Audit Office carries out an external audit of CJI with the Comptroller and Auditor General reporting his opinion on CJI's financial accounts to the Northern Ireland Assembly each year. Inescapable accounting and audit costs equate to 7% of our total budget.

The New Decade New Approach document commits the Northern Ireland Executive to carrying out a review of Arm's Length Bodies (ALBs) with a view to their rationalisation. Departments have been tasked with reviewing their respective ALBs and it is planned that the DoJ review of CJI will commence in Autumn 2022.



BUSINESS PLAN 2022-23 TARGETS

Commence 90% of Inspections and Follow-up Reviews and progress in line with agreed Terms of Reference;

Consider and respond to any Ministerial Requests for a review, including resource implications;

Monitor the acceptance of published inspection report recommendations and the implementation of progress of previous report recommendations;

Maintain effective working relationships with criminal justice organisations in our statutory remit, relevant community and voluntary organisations and other stakeholders;

Effectively fulfil our responsibilities as a member of the National Preventive Mechanism;

INSPECTION PROGRAMME

Maintain effective working relationships with partner Inspectorates and explore opportunities for agreed joint cross cutting inspections;

Effectively engage with the DoJ appointed Review Panel on the review of the 2007 protocol relating to the accreditation of community restorative justice projects and CJJ's role;

Consult on the 2023-24 annual Inspection Programme; and

Implement our Sustainability and Recovery Plan to safely restore required on-site inspection fieldwork.

BUSINESS PLAN TARGET 1 **INSPECTION PROGRAMME**

To undertake the approved annual Inspection Programme.

Publish all approved Inspection reports and Follow-up Review reports by laying or presenting before the Northern Ireland Assembly and publishing on the CJI website;

Maintain effective engagement with key stakeholders;

Maintain a quality accessible website and an effective social media presence;

COMMS

Obtain feedback on CJI's work from the heads of the main criminal justice agencies; the Minister of Justice for Northern Ireland; the Lady Chief Justice; the Attorney General for Northern Ireland; the Committee for Justice and the justice spokespersons of the main political parties represented in the Northern Ireland Assembly; and

Effectively brief the Minister of Justice, DoJ Permanent Secretary, Committee for Justice, All Party Groups and other political representatives on request.

BUSINESS PLAN TARGET 2 COMMUNICATIONS

To develop and implement an effective Communications Strategy.

- Prepare a new three-year Corporate Plan for 2023-26;
- Publish an annual Business Plan incorporating an Inspection Programme which has been approved by the Minister of Justice;
- Maintain effective and proportionate sponsor arrangements and relationships with the DoJ sponsor team and facilitate an appropriate Corporation Sole partnership agreement;
- Maintain an effective and proportionate Audit and Risk Assurance Committee including non-executive membership in line with best practice;
- Effectively manage known financial pressures in partnership with the DoJ sponsor team by securing adequate funding to deliver the agreed Inspection Programme;

CORPORATE GOVERNANCE

- Submit all financial management and governance returns to the DoJ in line with required timeframes;
- Obtain an unqualified audit certificate from the Comptroller and Auditor General for Northern Ireland and publish, by laying before the Northern Ireland Assembly, CJI's Annual Report and Accounts for the year in the required timescale;
- Process all payments in line with DoJ sponsor team requirements;
- Effectively respond to requests for information under the Freedom of Information Act 2000, input to DoJ Assembly Questions and Committee for Justice briefings; and
- Maintain a quality management system (ISO 9001:2015).

BUSINESS PLAN TARGET 3

CORPORATE GOVERNANCE

To effectively fulfil required corporation sole governance requirements.

Provide agreed development and training opportunities for all staff to enhance their skills and experience;

Re-structure Business Support roles to better meet business needs, develop new job descriptions and complete a recruitment competition;

PEOPLE

Recruit a new Full Time Inspector;

Undertake team development to increase staff engagement; and

Develop effective contingency arrangements to support the delivery of core business activity and Inspection Programme and mitigate risk.

BUSINESS PLAN TARGET 4

PEOPLE

To effectively develop and deploy the CJI team to achieve business objectives.

INSPECTION PROGRAMME 2022-23

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The 2022-23 Inspection Programme was subject to consultation with the Minister of Justice, the Attorney General and the Lady Chief Justice. The heads of criminal justice organisations in our statutory remit and other stakeholders, including community and voluntary sector organisations and political representatives, were also consulted.

A long list of inspection topics was published in our 2020-23 Corporate Plan and the remaining inspections have been reviewed in light of our reduced inspection capacity, carry over from the previous year and known risks which include restrictions on on-site fieldwork due to the ongoing pandemic and public health regulations.

On-site fieldwork, primarily in detention facilities, did take place in 2021-22 and it is planned to conduct more in person meetings across the full inspection programme in 2022-23.



A pilot thematic inspection on child protection has been further delayed due to extreme pressures across the public health sector – a request to CJI to move the inspection to later in 2022 has been accepted.

This draft annual programme for 2022-23 sets out:




- Ongoing inspections scheduled for publication in 2022-23;
- New inspections planned to commence in-year; and
- Follow-up Reviews planned to commence in-year.

ONGOING INSPECTIONS AND REVIEWS



BETTER SERVICES AND DELIVERY

-  Bail and remand; and
-  Woodlands Juvenile Justice Centre.



BETTER EFFICIENCY AND EFFECTIVENESS

-  Forensic Services – incorporating a Follow-up Review of the previous Forensic Science Northern Ireland inspection;
-  File quality, disclosure and case progression - incorporating trial recovery; and
-  Criminal Legal Aid processing.

BETTER PROTECTION AND SAFEGUARDING


-  Offender Hostels; and
-  Child Protection pilot joint thematic with RQIA and ETI partners and support from HMICFRS.

BETTER STRATEGY AND GOVERNANCE


-  Transforming Justice; and
-  Leadership development and wellbeing support.

NEW INSPECTIONS 2022-23

BETTER SERVICES AND DELIVERY

 Youth Justice Agency Youth Interventions – Youth Justice Agency role and service delivery in early intervention, diversionary and youth conferencing outcomes achieved. Engagement with other service providers and ongoing supports for young people to prevent reoffending.

BETTER EFFICIENCY AND EFFECTIVENESS


 Effective Court Administration – assessment of Northern Ireland Courts and Tribunals Service processes, systems, resources and services to support the administration of justice in the Magistrates' and Crown Courts.

BETTER PROTECTION AND SAFEGUARDING

 Unannounced Prison Inspection; and


 Vulnerable Older People - how the criminal justice system engages with and treats vulnerable older people including as victims and witnesses, levels of reported crime and how they are dealt with, investigation and prosecution outcomes, links to safeguarding, support during case progression and court disposal.

BETTER STRATEGY AND GOVERNANCE





 Pre-accreditation of Community Restorative Justice schemes (subject to Panel review of the Protocol being in place and DoJ requests for CJI involvement).

NEW INSPECTIONS 2022-23 CONTINUED

BETTER OUTCOMES

 Community Safety and Local Policing arrangements - effectiveness of strategy and governance for community safety and the PSNI's local policing arrangements including the links between strategic planning and operational service delivery, links to Policing and Community Safety Partnerships and Local Government Community Planning, outcomes for communities and responsiveness to crime.

FOLLOW-UP REVIEWS

-  Cyber Crime.
-  Probation Practice.
-  Victims and Witnesses.
-  Operation of Care and Supervision Units in the Northern Ireland Prison Service.

ANNEX A: ORGANISATIONS WITHIN THE INSPECTION REMIT OF CJI

CJI has a remit to inspect a wide variety of organisations and bodies under s.46 of the Justice (Northern Ireland) Act 2002, and s.45 of the Justice and Security (Northern Ireland) Act 2007, as amended by Schedule 13 to the Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010.

They include:

- the Police Service of Northern Ireland;
- the Public Prosecution Service for Northern Ireland;
- the Northern Ireland Prison Service;
- the Probation Board for Northern Ireland;
- the Youth Justice Agency;
- the Northern Ireland Courts and Tribunals Service;
- the Office of the Police Ombudsman for Northern Ireland;
- Forensic Science Northern Ireland;
- the State Pathologist's Department;
- the Legal Services Agency Northern Ireland; and
- the Parole Commissioners for Northern Ireland.

The remit of the Inspectorate, however, is wider than these core organisations. It includes other organisations and bodies with a regulatory or prosecutorial role that engage with the criminal justice system to a greater or lesser degree. They include:

- the Department of Agriculture, Environment and Rural Affairs;
- the Health and Social Care Board and Trusts;
- the Department for the Economy;
- the Health and Safety Executive for Northern Ireland;
- the Department for Communities (Benefit Fraud);
- the Department for Communities (Child Maintenance and Enforcement Division);
- Royal Mail Group;
- Belfast International Airport Ltd;
- Belfast Harbour Commissioners; and
- Larne Harbour Ltd.

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