

Criminal Justice Inspection
Northern Ireland
a better justice system for all



BUSINESS PLAN 2013-14



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Introduction by the Chief Inspector of Criminal Justice in Northern Ireland

I am pleased to present Criminal Justice Inspection Northern Ireland's (CJI's) Business Plan for 2013-14. The Business Plan sets out the new inspections we propose to commence this year as well as our targets for communication and operational activity.

In any one year our inspection activity is made up of two separate elements. There are those inspections commenced in the previous financial year which will be completed in the current year, and those inspections which will commence during 2013-14 but will not be completed until 2014-15.

The topics for inspection were initially subject to external consultation as part of our corporate planning process and a more recent 'stock take' of our proposed inspection agenda. This 'stock take' involved discussions with the Minister of Justice, David Ford MLA; the Attorney General for Northern Ireland, John Larkin QC; the Lord Chief Justice, the Right Honourable Sir Declan Morgan QC; the Chair and Deputy Chair of the Committee for Justice; Political Party Justice spokespersons; the heads of the main justice organisations; representatives from oversight and scrutiny bodies; representatives from voluntary and community sector organisations; and representatives from the academic field.

An important message arising from these consultations was that the core inspection agenda remained solid. There were however a number of useful suggestions made regarding adjustments to the inspection programme. These changes have been reflected in the forthcoming Business Plan.

The current austerity measures are impacting on all of the criminal justice agencies and CJI is not immune. There have been significant changes to the way our financial services are now delivered with the advent of AccountNI and the Financial Services Division within the Department of Justice (DoJ) now providing accountancy services and financial advice under a service level agreement. We are constantly seeking ways of reducing costs and delivering our reports more efficiently. I have been encouraged by the increased use of our website, and the production of e-Books has proved to be a real success which has helped us meet our budgets, adopt a more environmentally friendly approach to report production and opened up new audiences for the work of the Inspectorate. We will, as always, seek to publish our inspection work and ensure that copies are widely distributed to those who require them. We have set a number of targets for the communication work of the Inspectorate.

Finally, the Business Plan covers a number of organisational goals including meeting our statutory responsibilities and the retention of a quality assurance system. I believe the proposed inspection programme meets our business/corporate objectives of promoting efficiency and performance improvement in the justice sector, providing independent assurance on the ways in which the system undertakes its business, providing external scrutiny on the treatment of users of the justice organisations, and a strong basis for partnership working.

As always, I welcome comments from all stakeholders on the work of CJI and the contribution the Inspectorate makes to the development of the justice system in Northern Ireland.



Brendan McGuigan

Chief Inspector of Criminal Justice in Northern Ireland
August 2013

The Government's aim for the criminal justice system

The Department of Justice (DoJ) was set up on 12 April 2010, established by the Department of Justice Act (Northern Ireland) 2010 facilitating the transfer of justice powers to the Northern Ireland Assembly.

The DoJ has a range of devolved justice functions which are set out in the Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010. Its role is to support the Minister of Justice to help keep the people of Northern Ireland safe.

Setting out current priorities, the Department of Justice's Corporate Plan 2012-15 describes the Department's objectives as to support the Minister of Justice in building a fair, just and safer community. To underpin this, the Minister has a number of thematic priorities which encompass the role of the Department. They are:

Safer, Shared Communities - working to help build communities with lower levels of crime and anti-social behaviour, where everyone's rights are respected, including examining the steps that can be taken to address problems at interfaces;

Faster, Fairer Justice - looking at how we ensure that everyone in Northern Ireland has access to justice without undue delay, taking particular account of the needs of victims and witnesses; and

Reformed Prisons and Youth Justice System - delivering fundamental reform of the Prison Service, with a professional and well trained workforce; progressing the out-workings of the Youth Justice Review and the Review of Community Sentences.

The Department has lead responsibility for the following Northern Ireland Executive 2011-15 Programme for Government (PfG) commitments:

- to substantially complete the construction of the new Police, Prison and Fire Training College (PfG 53);
- to reduce the level of serious crime (PfG 54 and 55);
- to tackle crime against older and vulnerable people by more effective and appropriate sentences and other measures (PfG 54 and 55);
- to improve community safety by tackling anti-social behaviour (PfG 56 and 68);
- to improve access to justice (PfG 57);
- to actively seek local agreement to reduce the number of ‘peace walls’ (PfG 56 and 68); and
- to reform and modernise the Prison Service (PfG 69).

The criminal justice system in Northern Ireland is made up of eight main statutory agencies. Together, and along with a number of arms length bodies, these agencies are responsible for ensuring a fair and effective justice system in Northern Ireland and increasing public confidence in that system.

The main statutory agencies are the:

- Northern Ireland Courts and Tribunals Service (NICTS);
- Northern Ireland Prison Service (NIPS);
- Police Service of Northern Ireland (PSNI);
- Probation Board for Northern Ireland (PBNI);
- Public Prosecution Service for Northern Ireland (PPS);
- Youth Justice Agency (YJA);
- Forensic Science Northern Ireland (FSNI); and
- Department of Justice (DoJ).

The purpose of the criminal justice system in Northern Ireland is to support the administration of justice, to promote confidence in the system and to contribute to the reduction and the fear of crime. The criminal justice system in Northern Ireland aims are to:

- provide a fair and effective criminal justice system for the community;
- work together to help reduce crime and the fear of crime;
- make the criminal justice system as open, inclusive and accessible as possible, and promote confidence in the administration of justice; and
- improve service delivery by enhancing the levels of effectiveness, efficiency and co-operation within the system.

The role of CJI

CJI contributes to the DoJ's aims by improving public confidence in the system as a whole through its programme of independent inspections. It will do so by assisting the criminal justice agencies in Northern Ireland to become more efficient and effective, and by ensuring that they are being fair and equitable in all their policies and operations.

CJI's formal accountability is to the Minister of Justice for Northern Ireland and to the Northern Ireland Assembly.

The strategic objectives of CJI are to:

- promote efficiency and effectiveness through assessment and inspection to facilitate performance improvement;
- provide an independent assessment to Ministers and the wider community on the working of the criminal justice system;
- provide independent scrutiny of the conditions for and treatment of, users of the criminal justice system, in particular victims and witnesses, children and young people, prisoners and detainees; and
- work in partnership to deliver a high quality, independent and impartial inspection programme.

Business aims of CJJ

The business aims of CJJ for 2013-14 are stated below.

Throughout 2013-14 CJJ will work to:

- conduct a series of planned inspections;
- conduct a series of planned follow-up inspections/action plan reviews;
- increase/maintain engagement with stakeholders in the criminal justice system;
- increase/maintain awareness of CJJ within the justice system;
- fulfill its statutory requirements;
- maintain a sound system of financial control;
- retain its quality management system; and
- retain support for the Inspectorate through an effective communications programme.

Business Plan objectives and targets for 2013-14

This Business Plan covers the period 1 April 2013 - 31 March 2014. Performance against the objectives and targets outlined in this Business Plan will be accounted for in the 2013-14 Annual Report and Accounts.

Objectives for 2013-14

The strategic aims and objectives of CJI are described in the 2012-15 Corporate Plan.

The specific objectives and targets for 2013-14, which aim to be completed unless otherwise stated by the end of the financial year, are as follows.

Inspection programme

Objectives

To conduct a series of inspections within the legislative remit of CJI and to make the findings of these inspections publicly available.

To conduct a series of action plan/inspection follow-up reviews of inspections carried out by CJI and to make the findings of these action plan/inspection follow-up reviews publicly available.

To engage with all criminal justice organisations to formulate action plans in response to inspection recommendations.

To support the Programme for Government and the priorities of the Minister of Justice for the criminal justice system through the delivery of the CJI inspection programme.

Targets

- *Ninety per cent of strategic and operational recommendations to be accepted by the inspected organisation(s);*
- *to agree and sign new protocols with six core criminal justice organisations; and*
- *to commence those inspections listed in the Business Plan within the 2013-14 financial year.*

** It is CJI's intention to introduce a new target in its 2014-15 Business Plan which sets a standard for the successful implementation of CJI recommendations. It will apply to strategic and operational recommendations contained in inspection reports published from April 2013.*

Communication activity

Objectives

To support the Inspectorate in all its publications in accordance with its legislative requirements.

To maintain engagement with key stakeholders.

To maintain awareness of CJI's contribution to the criminal justice system.

To increase the use of electronic communication channels to raise awareness of CJI's work.

Targets

- *To publish, by laying before the Northern Ireland Assembly, all inspection reports as soon as is practicable after receiving written permission of approval to publish from the Minister of Justice for Northern Ireland, subject to the Assembly timetable;*
- *to present to the Northern Ireland Assembly all action plan/inspection follow-up reviews and publish this material on the CJI website - www.cjini.org;*
- *to publish, by laying before the Northern Ireland Assembly, CJI's Annual Report and Accounts for 2012-13 before 30 September 2013;*
- *to obtain feedback on CJI's work from the heads of the main criminal justice agencies, the Minister of Justice for Northern Ireland, the Attorney General for Northern Ireland, the Lord Chief Justice and the justice representatives of the main political parties represented in the Northern Ireland Assembly at least once during the 2013-14 financial year;*
- *to run a symposium within the 2013-14 year involving representatives of the voluntary and community sector and academia with an interest in criminal justice matters; and*
- *to publish within the 2013-14 financial year, three editions of CJI's newsletter 'The Spec' on the CJI website - www.cjini.org - and electronically circulate this material to key stakeholders.*

Corporate business

Objectives

To fulfil the statutory requirements placed upon CJI by the Northern Ireland Assembly and Government.

To maintain a sound system of financial control.

To retain a quality management system within the 2013-14 financial year.

Targets

- *To publish a Business Plan for the 2013-14 year which has been approved by the Minister of Justice for Northern Ireland;*
- *to maintain a quality management system within CJI;*
- *to process all payments within 10 days of receipt of a valid invoice or request for payment in line with Government recommendations in partnership with Financial Services Division, DoJ and AccountNI;*
- *to seek to respond within 20 working days to all requests for information made to CJI under the Freedom of Information Act 2000;*
- *to respond to all Assembly Questions made of CJI within 10 working days or the specific timeframe advised by the DoJ for Northern Ireland; and*
- *to seek a clean audit certificate from the Comptroller and Auditor General for Northern Ireland for the 2012-13 accounts.*

Inspection programme for 2013-14

INSPECTIONS	2013									2014		
	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar
<i>How the criminal justice system deals with serious and organised crime</i>				X	X	X	X	X				
<i>The effectiveness of the arrangements for adult safeguarding across the criminal justice system</i>					X	X	X	X	X			
<i>Disclosure in serious cases (excluding national security)</i>								X	X	X	X	X
<i>The use of discretionary disposals by the PSNI</i>						X	X	X				
<i>State Pathology</i>							X	X	X			
<i>The effectiveness of fixed penalties and other diversions from prosecution</i>									X	X	X	X
<i>The effectiveness of Police Community Safety Partnerships</i>											X	X
<i>Quality and timeliness of police prosecution files</i>												X
<i>Safety of prisoners held by NI Prison Service (with RQIA)</i>								X	X	X	X	
<i>The effectiveness of youth conferencing within the Youth Justice Agency</i>										X	X	
<i>Oversight of the Youth Justice Review 2013-14</i>	X	X	X	X	X	X	X	X	X	X	X	X
<i>Oversight of Prison Review Team 2013-14</i>	X	X	X	X	X	X	X	X	X	X	X	X

The chart shows the phasing of the proposed work programme for 2013-14, which is listed in the Corporate Plan. It is always subject to modification in the course of the year, as new requirements arise and projects have to be re-assessed and re-prioritised. The pressures on the justice system associated with the holding of the G8 summit and the World Police and Fire Games has led to a delay in the commencement of a number of inspections.

The programme reflects consultation with stakeholders including the Minister of Justice and the Committee for Justice, political parties, the leaders of the main criminal justice agencies, other oversight and regulatory bodies, voluntary and community sector organisations and academia.

Action plan/inspection follow-up reviews scheduled for 2013-14

In accordance with its inspection methodology, CJI will be conducting the following action plan/inspection follow-up reviews in 2013-14:

- Prisoner escort and court custody arrangements;
- Securing attendance at court;
- Parole Commissioners;
- Avoidable delay; and
- The care and treatment of victims and witnesses.

CJI inspection programme for 2013-14 aligned with Ministerial priorities and the Programme for Government for 2011-15

CJI Inspections (2013-14 Programme)	Ministerial Priority	Key Commitment from PFG
The effectiveness of the arrangements for adult safeguarding across the criminal justice system	Safer, Shared Communities	Tackle crime against older and vulnerable people by more effective and appropriate sentences and other measures
Effectiveness of Police Community Safety Partnership arrangements	Safer, Shared Communities	Improve community safety by tackling anti-social behaviour
Parole Commissioners (follow-up review)	Safer, Shared Communities	Reduce the level of serious crime
How the criminal justice system deals with serious and organised crime	Faster, Fairer Justice	Reduce the level of serious crime
Disclosure in serious cases (excluding national security)	Faster, Fairer Justice	Reduce the level of serious crime
Use of discretionary disposals by the PSNI	Faster, Fairer Justice	Improve community safety by tackling anti-social behaviour
State Pathology	Faster, Fairer Justice	Improve access to Justice
Effectiveness of fixed penalties and other diversions from prosecution	Faster, Fairer Justice	Improve community safety by tackling anti-social behaviour

CJI Inspections (2013-14 Programme)	Ministerial Priority	Key Commitment from PFG
Prisoner Escort and Court Custody arrangements (follow-up review)	Faster, Fairer Justice	Improve access to justice
Quality and timeliness of police prosecution files	Faster, Fairer Justice	Improve access to justice
Securing attendance at court (follow-up review)	Faster, Fairer Justice	Improve access to justice
Avoidable delay (annual progress report)	Faster, Fairer Justice	Improve access to justice
Care and treatment of victims and witnesses (follow-up review)	Faster, Fairer Justice	Tackle crime against older and vulnerable people by more effective and appropriate sentences and other measures
Prison Review Team Oversight	Reformed Prisons and Youth Justice System	Reform and modernise the Prison Service
Safety of prisoners held by the NI Prison Service (with RQIA)	Reformed Prisons and Youth Justice System	Reform and modernise the Prison Service
Youth Justice Review Oversight	Reformed Prisons and Youth Justice System	Reduce the level of serious crime
Effectiveness of youth conferencing within the Youth Justice Agency	Reformed Prisons and Youth Justice System	Reduce the level of serious crime

Resources - finance, staffing and engagement with other Inspectorates

CJI is financed by grant-in-aid from the DoJ for Northern Ireland. The budget for CJI for 2013-14 is £1.288m.

Budget

A summary of CJI's costs in relation to its budget for 2013-14 is as follows:

	£'s
Capital	£0
Salaries and other staff costs	£939,000
Accommodation only	£112,000
Other costs	£237,000
Total	£1,288,000

Staffing

In addition to the Chief Inspector, CJI comprises the following staff:

- Deputy Chief Inspector and Chief Executive (Accounting Officer);
- Seven Inspectors;
- Business and Communications Manager;
- IT and Security Manager;
- Personal Assistant;
- Business and Communications Support Officer; and
- Business and Administrative Support Officer.

Staffing levels within the Inspectorate are kept under constant review. All of the staff of CJI, including the Chief Inspector and Deputy Chief Inspector, were recruited externally through open competition. Staff are employed on terms and conditions broadly similar to those of the Northern Ireland Civil Service with some small modifications.

The men and women who work for the Inspectorate are CJI's most valuable asset. The Chief Inspector and Deputy Chief Inspector are committed to providing a harmonious working environment, where individual needs are an organisational priority and where personal self-development is encouraged. All staff members have a part to play in helping set the standards and future direction of the Inspectorate and to this end, general staff meetings are held on a monthly basis.

CJI is committed to developing each member of staff so that all reach their potential. The staff appraisal process is the principle means of identifying appropriate developmental opportunities through training courses, attendance at conferences and seminars, secondment opportunities or participation in joint inspection work.

CJI also makes use of staff seconded from other Inspectorates, consultants and stand-by Inspectors as and when required. Unless there was a sustained and substantial increase in the workload, it will aim to cover any increase in demand by calling on these external resources and by reprioritising and rescheduling work.

In order to undertake its business effectively CJI requires a close working relationship with a wide range of stakeholders.

Our inspection process is designed to encourage the full engagement of all inspected organisations and we have underpinned this with signed protocols, which set out a formal structure to our inspection process and the publication of our inspection work. Where appropriate, we will seek to update these working arrangements as required.

The Chief Inspector will continue to pursue new working relationships (including possible secondments) to ensure the inspection process is sensitive to the needs of organisations, while at the same time, providing an impartial and independent view of the work that is undertaken. All inspections are undertaken on a 'no-surprises' basis and we will continue to work with organisations in the development and dissemination of action plans pre and post-publication of inspection reports. Action plans will also be published on the CJI website - www.cjini.org.

In undertaking our inspection work we aim to involve as wide a range of professional skills as is necessary to complete the inspections. In past years, we have benefited greatly from assistance provided by Her Majesty's Inspectorates of Prisons, Constabulary, Crown Prosecution Service, and Probation. We expect these relationships to continue and will seek to work with other justice sector Inspectorates as appropriate. In a local context, we will also work closely with the Education and Training Inspectorate, the Regulation and Quality Improvement Authority and the

Northern Ireland Audit Office. Once again, protocols and service level agreements have been raised with the majority of the inspection and regulation bodies to provide a structure to our working relationships. We will continue to use specialist consultants as appropriate for specific pieces of work.

The Chief Inspector will continue to work with all oversight and scrutiny bodies in Northern Ireland who have an interest in the justice system. He will continue to meet with the bodies concerned to help ensure co-ordination and the avoidance of overlap and duplication. We will seek to engage with a wide range of bodies including the Equality Commission, the Northern Ireland Human Rights Commission, the Policing Board for Northern Ireland, the Prisoner Ombudsman, the Northern Ireland Ombudsman, the Office of the Police Ombudsman, the Commissioner for Children and Young People in Northern Ireland and the Commissioner for Older People. We will also seek to work with organisations within the voluntary and community sector in relation to specific inspection reports and across thematic areas.

The devolution of justice has changed the dynamic of local accountability. The Chief Inspector will continue to brief, as requested, the Minister of Justice, the Attorney General for Northern Ireland, the Northern Ireland Assembly's Committee for Justice and the Northern Ireland Policing Board on the findings of individual reports, and on the major themes emerging from the inspection work.

The Chief Inspector will also continue to seek feedback on the work of the Inspectorate from the key stakeholders.

Corporate governance and risk management within CJJ

Corporate governance has been firmly established within CJJ. It includes the system by which the Inspectorate directs and controls its functions and how it relates to its stakeholders. In essence, this influences the way in which CJJ manages its business, determines strategy, and develops plans and objectives that are designed to improve performance and public confidence in the criminal justice system.

Risk management is a key element of the CJJ corporate governance framework which helps to ensure objectives are more likely to be achieved in a controlled manner.

CJJ has in place a risk management policy and risk register which is reviewed four times a year.

CJJ's policy is to ensure that effective risk management processes improve the quality of decision making and the ability to deliver. The management team has adopted the Government's recommended approach to risk management which encompasses:

- the objectives of CJJ's risk management arrangements;
- compliance with risk management;
- risk management principles;
- the risk management procedures;
- roles and responsibilities; and
- risk appetite.

The management of risk is the responsibility of all staff in the organisation, and the whole team is involved in identifying potential risks to the organisation's ability to deliver its objectives.

The current risk analysis has examined a wide range of possible threats/risks to the Inspectorate. These include:

- working relationships with criminal justice agencies and other stakeholders;
- the need to effectively manage financial pressures;
- risks to staff;
- political and reputational risks; and
- risks to infrastructure (including IT).

These risks have been assessed in terms of the likelihood of occurrence and the possible impact on operations and plans. Control mechanisms have been developed to manage the risks and minimise possible disruption to the Inspectorate's operations.

The main risks in practice at the start of the financial year (shown in more detail in Table One) are seen as:

Personnel risk:	The danger of losing key staff, with the associated loss of expertise.
Reputational risk:	The danger that CJI might be seen as partisan in its approach.
Relations with the agencies:	The danger that agencies may fail to offer reasonable co-operation and that CJI may get into protracted debates about draft reports which delay their publication.

In each case, including other less likely but also potentially damaging risks, CJI has developed plans with the participation of all staff, to reduce or negate the impact.

**Table One:
Category and nature of risks with potential to impact on CJJ operations**

Category of Risk	Nature of Risk
<p>1. CJJ infrastructure</p>	<ul style="list-style-type: none"> • Breaches of accommodation and/or systems security. • CJJ IT system collapses or network is unavailable.
<p>2. Resources</p> <p>(a) Human</p> <p>(b) Financial</p>	<ul style="list-style-type: none"> • Danger of losing key staff, with the associated loss of skills and criminal justice system experience. • Staff absence (Inspection and Business Support). • Existing financial management procedures and housekeeping process do not provide adequate assurance. • Risk of fraud. • Need to manage in-year financial pressures.
<p>3. Negative impact on reputation of CJJ:</p> <ul style="list-style-type: none"> • breach of confidence; • political perception; • probity/integrity; and • professionalism. 	<ul style="list-style-type: none"> • Inspectorate’s reports and recommendations not viewed as adding value to improve performance within the criminal justice system. • Conduct of staff fails to meet the standard of those in public life. • Loss of independence (perceived or actual) in relation to work of the Inspectorate.

Category of Risk	Nature of Risk
4. Working relationships with criminal justice agencies and the voluntary and community sector	<ul style="list-style-type: none"> • Report clearance to Minister becomes protracted and causes delay. • Report publication becomes protracted and causes delay. • Timeliness/relevance of report findings and recommendations lose value due to delays in clearance and permission to publish process. • Failure to secure timely pay remit approval impacts on CJI staff morale; CJI relationship with sponsor department and other external bodies.
5. Inspection process	<ul style="list-style-type: none"> • Lack of professional approach and poor project management results in poor quality inspection or inappropriate inspection recommendations.

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