



**HMCPSI**

HM Crown Prosecution  
Service Inspectorate

# Business plan 2024–25

April 2024

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## Foreword

The statutory remit of His Majesty's Crown Prosecution Service Inspectorate (HMCPsi) is to report to the Attorney General on the operation of the Crown Prosecution Service (CPS) and the Serious Fraud Office (SFO). The satisfactory functioning of the CPS and the SFO is fundamental to the criminal justice system.

Every year we consult on our programme of inspection. Our resources are limited and therefore we have to make decisions on priorities for inspection. The primary aim must be that the inspections that HMCPsi carries out provides the public and those that hold the CPS and SFO to account objective evidence to improve the function and efficiency and thus enhance public confidence, in the CPS and the SFO. The long list of inspections included in this business plan and therefore our current inspection programme has been chosen to ensure that we can provide reports that highlight what is done well, what may need to be improved, and evidence to support superintendence and public scrutiny.

Our plan sets out a series of topics that will form the programme of inspection for the next 12 to 18 months. The programme covers the period from 1 April 2024 to 31 March 2025, but some of the topics included will continue after the end of this period into the following year.

Through our ambitious programme of planned inspections of the CPS, the SFO, joint inspection and the inspection of the Service Prosecution Authority HMCPsi will ensure that our reports make a real difference and drive recognisable improvements and efficiencies in our national prosecuting authorities.

Anthony Rogers

HM Chief Inspector

## Who we are

His Majesty's Crown Prosecution Service Inspectorate (HMCPsi) is an independent inspectorate. The statutory remit of HMCPsi is to inspect the operation of the Crown Prosecution Service (CPS) and the Serious Fraud Office (SFO), to submit an annual report on the operation of these organisations to the Attorney General, and to undertake any inspection requested by the Attorney General, as set out in Section 2 of the Crown Prosecution Service Inspectorate Act 2000 and amended by the Anti-social Behaviour, Crime and Policing Act 2014. We also inspect other prosecuting services by invitation.

We are committed to the ten principles of public inspection, which can be found in annex A.

## Our purpose

HMCPsi inspects prosecution services, providing evidence to make the prosecution process better and more accountable. We have a statutory duty to inspect the work of the CPS and SFO. By special arrangement, we also share our expertise with other prosecution services in the UK and overseas.

**HMCPsi inspects prosecution services, providing evidence to make the prosecution process better and more accountable.**

We are independent of the organisations we inspect, and our methods of gathering evidence and reporting are open and transparent. We do not judge or enforce; we inform prosecution services' strategies and activities by presenting evidence of good practice and issues to address. Independent

inspections like these help to maintain trust in the prosecution process.

## Our strategic objectives

1. To deliver independent high-quality, evidence-based assessments of the CPS and SFO to inform them and those who hold them to account.
2. To work collaboratively with other inspectorates and develop effective working relationships to address issues that involve more than one criminal justice agency and deliver independent high-quality, evidence-based joint assessments.
3. To publish reports which are understandable and convey the message effectively.
4. To use our independent assessments to inform and contribute to debates on criminal justice matters.
5. To recruit and develop the most qualified people so HMCPsI has a high-performing workforce with the right skills and values for the job.
6. To run an efficient and effective organisation that meets the best standards of a government department in order to provide value for money.

## Our priorities

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

- We will continue to work closely with our criminal justice partner inspectorates to develop more joint inspections.
- We will further develop our programme of inspecting the Serious Fraud Office.

## Business plan 2024-25

- We will work to ensure that the recommendations we make in our reports are implemented by those we inspect. Our recommendations will allow us to measure outcomes to assess if they have been delivered and resulted in improvement.
- We will further publicise our work, including on social media.
- We will engage with new senior stakeholders in the organisations we inspect and in the wider criminal justice system.
- We will proactively support to the Law Officers by providing independent inspection findings to enhance superintendence.

## Our values

HMCPSI's values run through all we do, whether internally or externally, on inspection or in our wider work. Our values are:

- **A professional approach**

We act fairly, honestly, responsibly and with respect.

- **An open-minded attitude**

We act with integrity and independence in all we do, producing high-quality, evidence-based reports that are fair and proportionate.

- **A collegiate culture**

We work together and with others to support improvement across the criminal justice system.

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# **1. Our programme**



## Business plan 2024–25

This plan sets out the inspections that HMCPSI plans to carry out from April 2024 to March 2025.

In line with our statutory duty to develop the plan for 2024-25, we consulted with our stakeholders on a list of potential inspection topics. As part of the consultation, we engaged with those we inspect, those with whom we have a statutory duty to consult, and a wider range of interested parties and stakeholders; and we published our consultation on the HMCPSI website. We considered all the responses received in finalising this programme for 2024-25. There is a list of those we consulted with and those who responded in annex C.

### **The 2024-25 programme includes a follow-up of the CPS Area inspection programme**

As well as our inspection programme, we also have a commitment to work with other criminal justice inspectorates on topics which benefit from a cross-agency approach and review. Summary details of joint inspections in which HMCPSI will be involved during 2024-25 can be found in this plan. A full programme of joint inspection can be found in the Criminal Justice Joint Inspection (CJJI) business plan.<sup>1</sup>

What follows is a short summary of the inspections that we aim to carry out in 2024-25. We have also developed a list of options for other inspections which may be added to our programme, should time and resources allow. It is not intended that we cover all the topics listed during this financial year; we will prioritise as necessary.

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<sup>1</sup> *Business plan 2023-25*; Criminal Justice Joint Inspection; [Criminal Justice Joint Inspection Business Plan 2023-25 \(justiceinspectorates.gov.uk\)](https://www.justiceinspectorates.gov.uk/cjji/business-plan-2023-25/)

## Inspection topics carried forward

There is one inspection that remains ongoing from the 2023-24 business plan.

### Serious Fraud Office inspections

#### Disclosure

This inspection examined the handling of disclosure to ascertain whether the SFO have the necessary skills and infrastructure to effectively discharge its disclosure obligations.

To gather evidence to support the inspection we examined key stages in two cases. This examination included amongst other things, disclosure decision making in terms of; setting a strategy; what material was obtained or not obtained; handling of case material; engagement with defence and court; and any disclosure learning taken from the case. The inspection also assessed the application of the law and guidance relating to disclosure by the SFO on their cases.

We also assessed the handling of Legal Professional Privilege (LPP) on the cases we examined. We assessed SFO procedures for dealing with LPP material and examined the guidance produced by the SFO to assist practitioners. We also considered the current structures for the handling of LPP.

The recommendations in the Altman and Calvert-Smith reviews relating specifically to matters of disclosure were also considered as part of the inspection.

This inspection report is due to be published on 30 April 2024.

## New inspection topics for 2024-25

### **Crown Prosecution Service inspections**

HMCPST maintains a list of subjects for inspection, which may be added to our programme if resources allow, or if the urgency to inspect them increases. For 2024-25 these subjects include the following, some of which have been carried over from 2023-24 business plan and inspection programme.

#### **Area Inspection Programme Follow-up – 14 CPS geographical Areas**

In 2021-22 we published a series of reports that focussed on the assessment of casework quality in each of the 14 CPS Areas.

In 2024-25 we will be carrying out a follow-up inspection examining casework in each of the 14 Areas to assess the direction of travel from the baseline results we published in 2021-22. This follow-up inspection will assess the quality of legal decision making and case progression in magistrates' court and Crown Court cases. Our findings will be published in a single report setting out the overall direction of travel, for each of the 14 Areas, and an overall assessment of the CPS position in relation to the baseline. The report will make recommendations for improvement, if necessary.

#### **Individual Quality Assessments**

This inspection will assess the robustness of the CPS's own casework quality assurance system.

The CPS system uses Individual Quality Assessments (IQAs) to identify aspects of a staff member's work that has been done well or that may require improvement. IQAs are conducted by legal managers and peer-reviewed by senior managers.

An inspection of the peer review element of IQA will enable us to assess local assurance measures and report on the veracity and effectiveness of the scheme.

#### **Legal Decision Making and Handling of Rape and Serious Sexual Offences Cases**

HMCPST examined the quality and standard of legal decision making in RASSO cases in the 14 geographical Areas of CPS in our Area Inspection Programme

(published between 2021 and 2022). A report specifically focused on rape cases was also published by HMCPSI in 2019.

In 2022 the CPS settled on and rolled out a national operating model for the handling of rape cases. This inspection will examine the quality of legal decision making in rape cases, and compliance of casework standards and expectations established and set out in the national operating model.

### **Special Economic Organised Crime and International Division**

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

### **The impact of ‘Protest Cases’**

The current rise in protest cases is having a disproportionate impact on the levels of casework in some Areas, with large number of cases of minor/low level offending increasing the number of cases in magistrates’ court units.

This inspection will examine the quality of legal decision making and casework handling of protest cases, providing assurance on compliance with legislation, CPS standards and expectations. It will also assess the impact of these cases on resource demand.

### **CPS Direct**

The operation of CPS Direct was last inspected in 2015, and more recently our inspection focus has been on casework quality and decision making in geographical CPS Areas. Those we consulted with thought that an inspection of the operation of CPS Direct would be timely given the changes that have been made as a result of revisions to the operation of the unit.

This inspection will examine the quality of legal decision making in cases dealt with by CPS Direct. We will also assess the operation of CPS Direct given the changes to the charging model, which includes the return to advising out of hours only (from January 2024) and the change made to the standards and expectations for the handling of material by CPS Direct staff.

## **Crown Prosecution Service follow-up inspections:**

### **Domestic Abuse**

In March 2023 we published a thematic inspection of the handling by the Crown Prosecution Service of domestic abuse cases in the magistrates' courts. The report made six recommendations. We plan to undertake a follow-up inspection to assess progress against recommendations which will specifically focus on assessing progress against the recommendations only.

### **The Handling of Cases Involving the National Referral Mechanism – Follow-Up**

In July 2023 we published *an inspection of the effectiveness of Crown Prosecution Service policy and guidance for the handling of cases involving the National Referral Mechanism*. The report made four recommendations. This follow-up inspection will specifically focus on progress against the four recommendations only.

## **Serious Fraud Office inspections**

### **Planned inspection cancelled - Progress Update – Calvert-Smith Review**

The Attorney General published the Sir David Calvert-Smith independent review into the handling of the Unaoil case in July 2022. On the same day the SFO published the Brian Altman KC's review of the *R v Woods & Marshall* case. The Attorney General subsequently requested that HMCPSI consider an inspection of progress in implementing the recommendations made in both reviews as part of its 2024-25 inspection programme.

Since the publication of the Calvert-Smith and Altman reviews HMCPSI has conducted and published two inspections which have considered SFO activity which directly relate to the recommendations made by Calvert-Smith and Altman.

The HMCPSI SFO case progression inspection published in May 2023 and the HMCPSI SFO disclosure inspection will be published in April 2024. Both of these inspections set out judgements on progress made by the SFO to implement the recommendations made by Calvert-Smith and Altman. It is against the background of the case progression and disclosure inspections, and our limited resources, we have concluded that a further inspection of progress to implement

the recommendations made by Calvert-Smith and Altman is not needed and will not be carried out.

### **Deferred prosecution agreements**

The SFO has been successful in reaching deferred prosecution agreements (DPAs) with a number of large corporate institutions. These DPAs have resulted in large fines and payment of substantial sums to HM Treasury. The relationship between the DPA and prosecutions against individuals is a complex one.

This inspection will examine the operation of the current DPA scheme, and how this impacts the case strategy and legal decision making in linked matters. In addition, it will consider how DPAs with corporate defendants have impacted on prosecutions of related individuals.

## **Short notice inspections**

HMCPST may be asked to undertake short notice inspections. By their very nature, it is difficult to plan for these ad hoc requests.

In line with our resourcing strategy, there is a level of flexibility in 2024-25, and we will continue to try to make sure we can assist with requests, as far as available resources allow.

## **Joint inspections**

The Criminal Justice Joint Inspection *Business plan 2023-25* contains full details of the proposed joint inspection programme for this year.

In 2024-25 HMCPST will conclude a joint inspection of the joint case building by the police and the Crown Prosecution Service. This inspection examines the culture and communication between the police and the Crown Prosecution Service and how it impacts on the building of strong cases, the quality of the product for the court and the defence and the service to victims, witnesses and the public.

We published interim findings on 25 January 2024. The final report is due for publication in June 2024.

## **Inspections by invitation**

In 2024-25 we will inspect the Service Prosecuting Authority (SPA). This inspection is by invitation, as we have no statutory remit to inspect the SPA. This inspection will examine the quality of legal decision making and casework in the SPA.

We will continue to respond to requests for work outside our statutory remit in line with available resource and giving due consideration to the benefit of extending our expertise in inspection.

## **2. Supporting processes**



## Resources

The costs of HMCPSI are met from the Estimate of the Government Legal Department.

Financial year	Budget (£)	Reduction/increase from previous year <sup>2</sup>
2020–21	3,148,000	0%
2021–22	3,148,000	0%
2022–23	3,039,000	-3.5%
2023–24	3,070,000	+1.0%
2024-25	3,134,000	+2.1%

The budget will be deployed as follows.

Category of spend	Budget (£m)
Staff costs	2.69
Fixed costs	0.26
Variable costs	0.18
Full year budget	3.13

The majority of the budget (86%) is spent on staffing.

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

The remainder of the budget is spent on variable costs. These are costs where HMCPSI has some choice on how it spends its budget. Variable costs includes items such as, travel and hotel costs, training, stationery and printing costs.

## Managing risk

It is important to have a robust risk management process in place, as it provides a framework for anticipating potential problems and allows them to be dealt with

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<sup>2</sup> Figures rounded to one decimal point

#### **Business plan 2023–24**

in a systematic way. HMCPsi manages its internal risks in line with the approach commonly adopted in the public sector, which includes regular reviews.

### **The Equality Act 2010**

The Equality Objectives for HMCPsi ensure that we meet our General Equality Duty under the Equality Act 2010. The objectives were reviewed in 2023 and will be reviewed again in 2024 to ensure that they remain relevant. The objectives can be found on our website here. [Our equality objectives \(justiceinspectors.gov.uk\)](https://www.justiceinspectors.gov.uk/our-equality-objectives)

## **Annex A**

# **The ten principles of public sector inspection**

## Business plan 2023–24

In 2003, the Government introduced ten principles of public sector inspection which were included in the Office of Public Service Reform's report, *Inspecting for improvement*. These principles place clear requirements on inspection providers and the departments sponsoring them. HM Crown Prosecution Service Inspectorate (HMCPPI) is fully committed to upholding these values and expectations and we take them into account in our strategy and planning programme.

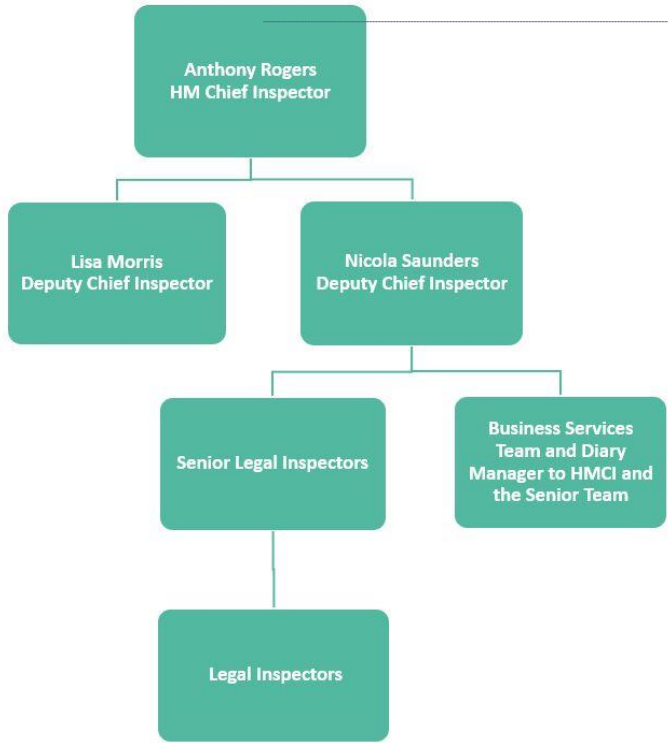
The ten principles state that public service inspection should:

- pursue the purpose of improvement
- focus on outcomes
- take a user perspective
- be proportionate to risk
- encourage self-assessment by managers
- use impartial evidence wherever possible
- disclose the criteria used for judgements
- be open about the processes involved
- have regard to value for money, including that of the inspecting body
- continually learn from experience.

We continually seek feedback on our reports and the interviews undertaken with staff of inspected bodies. We track the implementation of the recommendations we make and we are conscious of the need to keep to a minimum the burden of work on the inspected organisations. The form of our inspections and practices are kept under regular review.

# **Annex B**

## **Organisation chart**



**Commented [CV1]:** Replace with current Org chart

**Commented [LM2R1]:** Current org chart now inserted.

# **Annex C**

## **List of consultees**

Business plan 2023–24

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



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