

Criminal Justice Inspection  
Northern Ireland

*a better justice system for all*



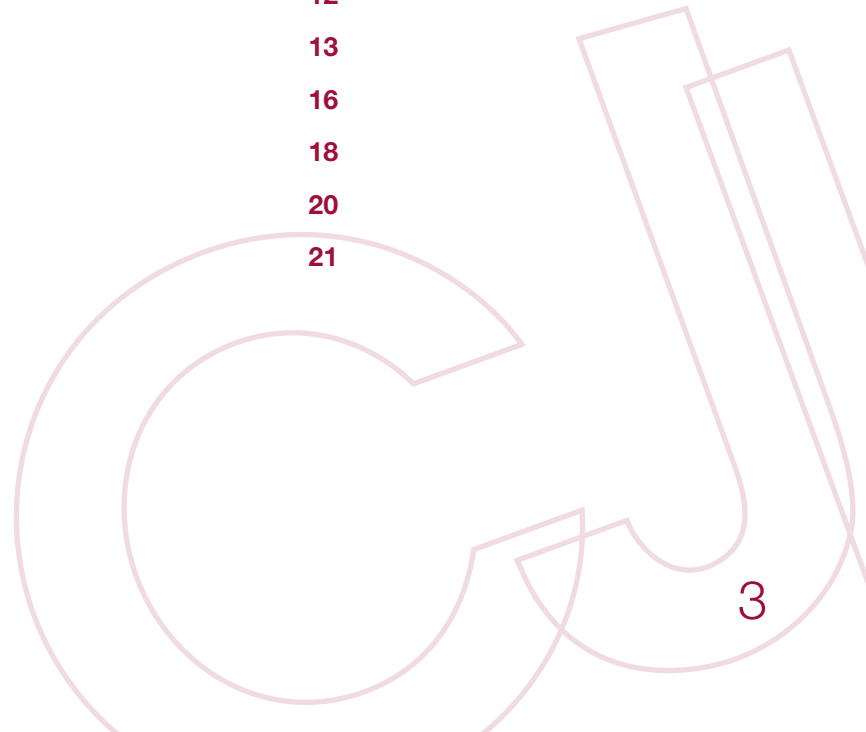
# **Business Plan** for 2017-18



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# Business Plan for 2017-18

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# Foreword by the Chief Inspector of Criminal Justice

**I am pleased to present the Criminal Justice Inspection Northern Ireland (CJI) Business Plan for 2017-18 based on the inspection programme outlined in CJI's Corporate Plan 2016-19.**

The Business Plan has been the subject of widespread consultation. This has involved the heads of the different justice organisations, politicians, the judiciary, the voluntary and community sector and oversight bodies working in the criminal justice system, as well as the then Minister of Justice (in November 2016), Department of Justice officials and the Attorney General for Northern Ireland. These consultation meetings gave me clear feedback on the work of the Inspectorate and provided a valuable contribution to the development of the CJI inspection programme. As we are an independent body, the final decision concerning the inspection programme has been my own.

The consultation process has been beneficial in highlighting some of the key challenges facing the justice system over the next three years. Reducing budgets, fewer staff and a focus on outcomes are encouraging all criminal justice agencies including my own, to find effective and creative solutions so that our services continue to meet the needs of the public. We have reached the stage where continuing to do the same with less is not an option. I have taken a risk-based approach to the development of the inspection agenda and will continue to focus on the opportunities for collaboration across agencies and other Government Departments.

CJI plans to build on the good work that has been achieved to date. I will continue to work in partnership with organisations to deliver a high quality independent and impartial inspection agenda, working towards our ultimate outcome of building a better justice system for all. That means working collaboratively with organisations, as we have done in the delivery of the inspection programme, to facilitate performance improvement.

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With a smaller number of more strategic recommendations being made, I will be paying more attention to the development and implementation of action plans arising from Inspections, and will work with existing governance and accountability arrangements to achieve more effective implementation.

We will also continue to work with our partner inspection organisations and oversight bodies to ensure a broad skills base is deployed in the delivery of inspections, as well as ensuring consideration of good practice elsewhere in helping to shape recommendations.

As before, CJI is committed to working with justice organisations to provide an honest and independent reflection of the strengths and weaknesses of the justice system. Where possible, we will continue to highlight areas of good practice to provide a basis upon which a shared improvement agenda can be implemented.

I believe that the inspection programme remains relevant, challenging, ambitious and comprehensive. I also consider that the work of the Inspectorate to date, and the relationships we have developed across the justice system and beyond, provides a firm basis for ensuring its successful implementation.

In light of the outcome based approach to delivering long term societal change advocated in the Northern Ireland Executive's draft Programme for Government 2016-21, I have reviewed and updated the CJI's strategic objectives for the current corporate planning period.

This change reflects CJI's long standing commitment and support to collaboration and partnership working across the criminal justice system and beyond, to secure outcomes that make a meaningful difference to the lives of local people and to the efficient and effective working of the criminal justice system.



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**Brendan McGuigan**

Chief Inspector of Criminal Justice in Northern Ireland.

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# The Government's aim for the Criminal Justice System

## **Draft Programme for Government**

The draft Northern Ireland Executive Programme for Government 2016-21(PfG) is the key strategic document which outlines the Northern Ireland Executive and Government's objectives and outcomes for the Northern Ireland Assembly term.

The draft PfG aims to help deliver improved wellbeing for all citizens through a holistic 'whole of Government' approach. When issued for consultation on 27 May 2016 it set out a long-term vision which focuses on outcome based accountability (OBA). At the time of publishing the PfG Framework, the document outlined 12 strategic outcomes the Northern Ireland Executive wished to achieve and the 49 indicators and data that would be used to monitor progress and take corrective action if required.

The draft PfG provides the strategic context for other key Executive strategy documents. It will inform the development of the Executive's budget over the course of the Northern Ireland Assembly mandate and provide a mechanism for ensuring available funds are best directed to where they can contribute most.

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## DoJ priorities

The Department of Justice (DoJ) was established on 12 April 2010. The DoJ has a range of devolved policing and justice functions which are set out in the Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010.

During 2017-18 its role is to support the Minister of Justice when appointed to help build a fair, just and safer community. It is responsible for the resourcing, legislative and policy framework of the justice system.

In May 2016, the Minister of Justice identified five key priorities which cut across a range of issues the DoJ is involved in. They were:

- tackling domestic violence;
- older people;
- children and young people;
- people in the justice system with mental health issues; and
- women influencing the justice system.

The DoJ has responsibility for leading on draft PfG Outcome Seven: ***We have a safe community where we respect the law and each other*** with three justice indicators. They are:

- reduce crime and the harm and vulnerability caused by crime;
- increased effectiveness of the justice system; and
- reduce reoffending

Two other indicators that The Executive Office leads on (Respect and Reconciliation) also contribute to the delivery of Outcome Seven.

Delivery plans have been developed for each indicator setting out with the DoJ intend to do to support the delivery of this outcome.

The DoJ will also seek to maximise its effectiveness.

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# The remit and work of CJI

**CJI has a wide ranging remit to inspect 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.**

CJI is required to carry out inspections in relation to the following criminal justice organisations:

- The Police Service of Northern Ireland;
- The Public Prosecution Service for Northern Ireland;
- Northern Ireland Courts and Tribunals Service;
- The Northern Ireland Prison Service;
- The Probation Board for Northern Ireland;
- Youth Justice Agency; and
- The Office of the Police Ombudsman for Northern Ireland.

CJI also inspects:

- Forensic Science Northern Ireland;
- The Legal Services Agency for Northern Ireland;
- The Parole Commissioners for Northern Ireland;
- Community-based restorative justice schemes; and
- probation and bail hostels (Approved Premises)

unless it is satisfied they are subject to a satisfactory inspection regime.

It also has responsibility for inspecting a number of other organisations with a regulatory or prosecutorial role which interface to a greater or lesser extent with the criminal justice system.

A full list of these organisations/bodies can be found on the CJI website - **[www.cjini.org](http://www.cjini.org)**.



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As the only independent unified Inspectorate in the United Kingdom or Republic of Ireland, CJI is uniquely placed to carry out inspection work which spans across the criminal justice system. These cross cutting thematic inspections enable CJI to take a ‘whole system’ approach with the aim of securing improvement across the justice system.

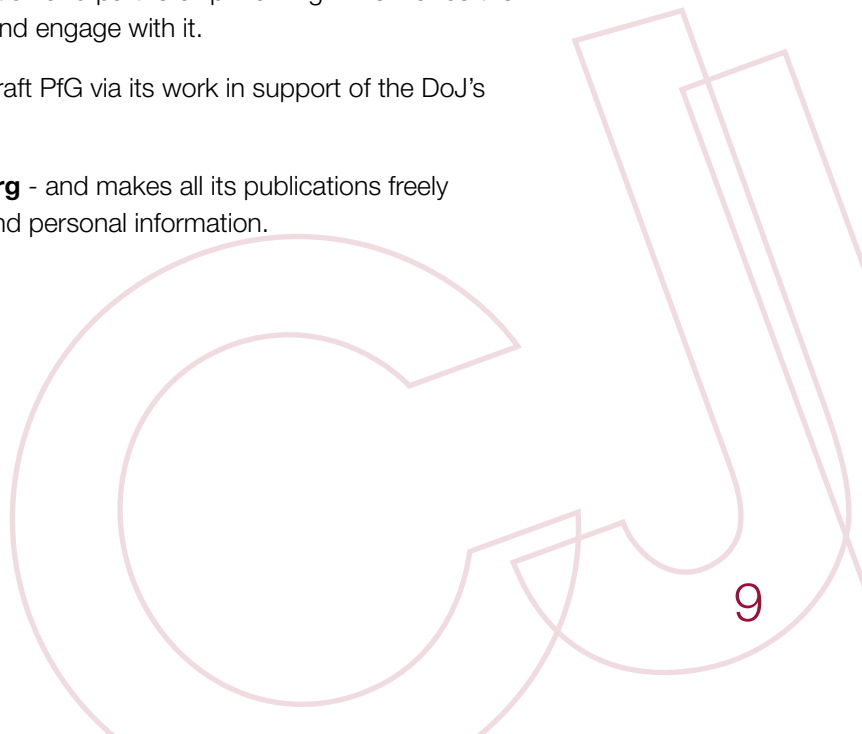
CJI also has the ability to carry out inspection work within individual organisations which focus on specific areas of interest. While it is not permitted to inspect individual cases, the Inspectorate can undertake particular inspections within its remit at the request of the Minister of Justice. It can also undertake work if requested to do so, by an individual organisation/agency.

## Our work

The overarching aim of CJI’s work is improvement. CJI endeavours through independent, impartial inspection work to identify areas where greater collaboration and partnership working will enhance the criminal justice system for the benefit of those who use and engage with it.

CJI will make its contribution to Outcome Seven of the draft PfG via its work in support of the DoJ’s indicator ‘increased effectiveness of the justice system.’

CJI publishes all its reports on its website - **[www.cjini.org](http://www.cjini.org)** - and makes all its publications freely available, subject to the normal exceptions for security and personal information.



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# Strategic objectives for the corporate planning period

CJI's revised strategic objectives for the corporate planning period are:

- to provide an independent assessment to the Minister of Justice, Committee for Justice, Department of Justice and the wider community on the working of the criminal justice system;
- to challenge and support criminal justice organisations to improve performance;
- to work in partnership to deliver a high quality, independent and impartial inspection programme;
- to support through the work of the Inspectorate the outcome based approach promoted in the draft Programme for Government 2016-21 to deliver long term positive change for Northern Ireland society;
- 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
- to fulfil its responsibilities as part of the UK's National Preventive Mechanism in support of the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT).

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We will achieve these objectives by:

- delivering a programme of risk-based planned full inspections and inspection reviews which have been developed following consultation with stakeholders;
- incorporating within the Inspection methodology an assessment of the outcome based approach evidenced within inspection reports in support of the draft Programme for Government 2016-21;
- delivering additional inspections and reviews as requested by the Minister of Justice;
- maintaining strong, respectful relationships with the leadership of each of the organisations CJI inspects while retaining our impartiality;
- producing insightful, informed, inspection reports that provide high quality information on the justice system in Northern Ireland;
- communicating our inspection findings clearly to inspected organisations, to the Minister, Committee for Justice and the public and making our reports widely available;
- working in partnership with organisations, stakeholders and representatives of the voluntary and community sector to support development and help deliver change within the criminal justice system;
- remaining mindful of existing budgetary pressures and the need to secure value for money within the criminal justice system; and
- investing in CJI staff to ensure they have the skills, knowledge and support of fulfill their role within the Inspectorate.

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# Business aims of CJI for 2017-18

The business aims of CJI during this business planning period are to:

- fulfill its statutory requirements;
- conduct a series of planned inspections and follow-up reviews;
- maintain engagement with stakeholders in the criminal justice system;
- maintain awareness of CJI's contribution within the criminal justice system;
- maintain a sound system of financial control;
- retain its quality management system; and
- retain support for the Inspectorate through effective communications activity.

CJI will achieve these objectives by:

- ensuring the inspection of the main agencies of the criminal justice system in Northern Ireland;
- carrying out cross cutting thematic inspections which involve more than one agency/organisation;
- determining the annual programme of inspection following consultation with the Minister of Justice/DoJ, the Attorney General and where appropriate, the Secretary of State for Northern Ireland and Advocate General;
- presenting the findings of inspection reports to the Minister of Justice/DoJ;
- publishing an annual report of CJI's activities; and
- employing a small number of appropriately qualified and experienced Inspectors and seeking assistance from other Inspectorates as necessary.

# CJI Objectives for 2017-18

**This business plan covers the 2017-18 financial year and performance against the objectives CJI has set will be reported in the 2017-18 Annual Report.**

Our contribution to the DoJ's indicator of the increased effectiveness of the justice system is in support of the achievement of draft PfG Outcome Seven.

## INSPECTION PROGRAMME

*Conducting a series of inspections within the legislative remit of CJI and make the findings of these inspections publically available.*

*Utilising a risk based approach to conduct a series of follow-up reviews (FURs) and make the findings of these reviews publically available.*

*Publishing inspection reports and recommendations that help criminal justice organisations to improve their individual effectiveness and efficiency and the effectiveness of the criminal justice system overall.*

- All strategic and 90% operational recommendations to be accepted by the inspected organisations.
- To commence all those inspections listed in the Business Plan within 2017-18 financial year.
- To actively engage\* with criminal justice organisations following the completion of inspection work in support of the achievement of strategic recommendations

\* The level and duration of engagement will be determined on the basis of a risk based approach.

## COMMUNICATIONS ACTIVITY

*Maintaining engagement with key stakeholders to improve the effectiveness and efficiency of the criminal justice system.*

*Maintaining awareness of CJI's contribution to the criminal justice system.*

- 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/DoJ, subject to the Assembly timetable and presenting to the Northern Ireland Assembly all inspection follow-up reviews. This material will be made publically available via the CJI website - **[www.cjini.org](http://www.cjini.org)** - during the financial year.
- To ensure recommendations contained within CJI inspection reports are clearly understood.
- Obtain feedback on CJI's work from the heads of the main criminal justice agencies; the Minister of Justice for Northern Ireland/DoJ; the Attorney General for Northern Ireland; the Lord Chief Justice; the justice representatives of the main political parties represented in the Northern Ireland Assembly and other key stakeholders at least once during the 2017-18 financial year.
- To undertake consultation events to support the formation/development of the 2018-19 Inspection Programme.

## CORPORATE BUSINESS

*To fulfill the 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 2017-18 financial year.*

- To publish a business plan for the 2017-18 year which has been approved by the Minister of Justice/DoJ.
- 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 the specified timeframe advised by the DoJ for Northern Ireland.
- To seek a clean (unqualified) audit certificate from the Comptroller and Auditor General for Northern Ireland for the 2016-17 accounts and publish by laying before the Northern Ireland Assembly, the Annual Report and Accounts for the 2016-17 financial year before the start of the 2017 summer recess period.

# Inspection Programme 2017-18

	2017										2018		
	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	
<b>Ongoing Inspections and Follow-Up Reviews which commenced in previous years</b>													
<b>Inspections</b>													
DARD - Central Investigation Service	X	X	X	X	X								
The availability and use of management and performance information across the criminal justice system	X	X	X	X	X	X							
Reducing Offending Partnerships	X	X	X	X	X	X	X	X	X	X	X		
Equality and diversity monitoring by the criminal justice agencies	X	X	X	X	X	X	X	X	X	X	X	X	
The impact of the abuse of alcohol and drugs on the criminal justice system	X	X	X	X	X	X	X	X	X				
How criminal justice agencies deal with hate crime	X	X	X	X	X	X	X						
Review of the PPS response to The Starmer Review	X	X	X	X	X	X	X						
Resettlement	X	X	X	X	X	X	X	X	X				
Cyber Crime	X	X	X										
Business Crime	X	X	X	X	X	X	X						
Unannounced Prison Inspection	X	X	X	X	X	X	X	X	X	X	X	X	
<b>FOLLOW-UP REVIEWS/ACTION PLAN REVIEWS</b>													
<i>PPS Corporate Governance</i>	X	X	X	X	X	X							



	2017										2018		
	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	
<b>New Inspections and Follow-Up Reviews commencing during 2017-18</b>													
<b>INSPECTIONS</b>													
Inspection of Public Protection Arrangements NI (PPANI)	X	X	X	X	X	X	X	X	X				
Inspection of Sexual Abuse and Violence	X	X	X	X	X	X	X	X	X				
Inspection of Domestic Abuse and Violence	X	X	X	X	X	X	X	X	X				
Maghaberry Prison Low Impact Review	X	X	X	X	X								
The role of the Voluntary and Community Sector in the criminal justice system.				X	X	X	X	X	X	X	X	X	
Child Sexual Exploitation									X	X	X	X	
Juvenile Justice Centre								X	X	X	X	X	
Leadership and development training across the criminal justice system											X	X	
Treatment of Victims and Witnesses												X	
Approved Premises (Offender Hostels)											X	X	
Unannounced Prison Inspection	X	X	X	X	X	X	X	X	X	X	X	X	
<b>FOLLOW-UP REVIEWS/ACTION PLAN REVIEWS</b>													
<b>Ongoing engagement to monitor recommendation progress</b>													
PSNI File Quality and Disclosure			X						X		X		

*This chart shows work commenced in previous financial years which was ongoing at the start of the 2017-18 and new Inspection work due to commence within the financial year. The inspection programme 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 programme reflects consultation undertaken by CJI with stakeholders such as the Minister of Justice and the Justice Committee (prior to the dissolution of the previous Northern Ireland Assembly in January 2017) along with political parties, the leaders of the main criminal justice organisations, other oversight and regulatory bodies, voluntary and community sector organisations and academia.*

# Resources and delivery

## Finance

CJI is financed by revenue grants from the DoJ. In 2017-18 CJI's indicative budget was set at £1.053m which represents a reduction of 18% in funding over the last five years.

CJI has been able to remain within budget during this period and deliver the required savings to date through a combination of prudent financial planning and reduction in expenditure across all areas of business. The Inspectorate had sought to do this by being flexible in terms of the allocation of its financial resources and through amending when required, the quantity and timing of planned inspection work.

Throughout this period CJI has sought to retain sufficient budget to facilitate the continued use of consultancy support for Inspection work. Ongoing reductions in CJI's operating budget however places CJI's ability to continue to utilise external expertise and assistance from other Inspectorates to support its inspection work at risk. Further reductions applied in-year or in future financial years, may mean CJI will be required to secure additional funding to continue to utilise external expertise and assistance in support of the Inspection Programme.

This has the potential to impact on the perceived independence of the Inspectorate through limiting the range and scope of proposed and future inspection themes and topics.

CJI's indicative budget allocation for 2017-18 (in the absence of a Budget Act determined by the Northern Ireland Executive) is £1.053m which will be allocated as indicated below. Future funding allocations are currently unknown.

### 2017 - 18

	£ '000
<i>Capital</i>	Nil
<i>Salaries and other staff costs</i>	810
<i>Accommodation and related costs</i>	50
<i>Other costs</i>	193
<b>Total</b>	<b>1.053</b>

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## Staffing

During the last five years, staffing levels within CJI have reduced from 14 Full Time Equivalent (FTE) to 9.6 FTE at the start of 2017-18.

CJI has sought to mitigate the impact of staffing changes occurring within the Inspection Team due to staff resignation and changes in staff working patterns through the appointment of part time Inspectors and through the use of secondments.

Staffing levels within CJI's Business Support Team at the start of 2017-18 sat at 3 FTE; a reduction of 35% compared to the start of the previous financial year (2016-17:4.6 FTE). This reduction occurred as a result of staff selecting to leave the organisation under a Voluntary Exit Scheme.

The overall impact of these changes has meant CJI has been required to review its activities and reprioritise its allocation of resources to ensure the standard and quality of its inspection work and key governance activities are maintained.

CJI recognises that its staff are its greatest asset and management are committed to ensuring staff remaining with the organisation have the necessary skills, training and support to fulfil their responsibilities and reach their potential.

## Secondments and student internships

The organisation can also make use of staff seconded from other Inspectorates or bodies when required, where their involvement will add value to the inspection process. CJI has also previously utilised post-graduate level student interns on a limited basis, to provide temporary research support for specific inspections.

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## Engagement with other Inspectorates

**CJI will be working with HM Inspectorate of Prisons (HMIP) on our low impact inspection of Maghaberry Prison and an unannounced prison inspection during 2017-18. These inspections will also involve the Education and Training Inspectorate (ETI) and the Regulation and Quality Improvement Authority (RQIA).**

CJI will also be engaging with these inspectorates in relation to work as part of the UK's National Preventive Mechanism in support of the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) during the year.

CJI will be working with and HM Crown Prosecution Service Inspectorate (HMCPSI) and HM Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) in respect of its inspections of domestic violence and abuse and sexual violence and abuse.

CJI will refund the costs of visiting Inspectors where possible and has made suitable budget provision for this purpose in 2017-18.

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# Corporate governance and risk management within CJI

Corporate governance has been firmly established within CJI. 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 CJI manages its business, determines strategy and develops plans and objectives that are designed to improve performance and public confidence in the criminal justice system.

Inherent and residual risk management is a key element of the CJI corporate governance framework which helps ensure objectives are likely to be achieved in a controlled manner. CJI has in place a risk management policy and risk register which is reviewed four times a year. CJI'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 CJI's risk management arrangements;
- compliance and 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 organisations ability to deliver its objectives. The current risk analysis has examined a wide range of possible threats/risks to the Inspectorate.

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These include:

- the impact of recurring annual budget cuts together with in-year reductions which undermines the range/depth of inspections; and
- the loss of CJI staff capacity including skills/knowledge.


These inherent and residual 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 inherent and residual risks and minimise possible disruption to the Inspectorate's operations.

The main inherent and residual risks in practice at the start of the financial year (shown in more detail in the CJI Risk Register (please see [www.cjini.org](http://www.cjini.org)) are seen as:

- **Legal/Regulatory Risk:** Risk of contravening document and record management legislation and guidance; Risk of fraud.
- **Operational Risk:** Danger of loss CJI staff capacity including skills/knowledge.
- **Reputational Risk:** Perceived loss of independence in relation to work of the Inspectorate; CJI produces flawed inspection report/FUR.
- **Financial/Value for Money Risk:** Recurring annual budget cuts together with in-year reductions undermines the range and depth of inspections.

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.





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