

Criminal Justice Inspection
Northern Ireland
a better justice system for all



BUSINESS PLAN 2021-22

A BETTER JUSTICE SYSTEM FOR ALL



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FOREWORD

BY THE CHIEF INSPECTOR

Last year saw unimaginable changes and challenges to how the criminal justice system operates and how we carry out inspections and work as a team. This year, the focus is, thankfully, on recovery and restoration while learning from our experiences and harvesting the benefits to develop our services and contribute to a better justice system in the future.

Throughout the COVID-19 pandemic, many of the organisations we inspect had to maintain front line essential services to keep the criminal justice system operating and our community safe; for many men and women working from home was not an option. We must all be grateful for their dedication and work during uncertain times for them and their families to ensure business continuity and sustained services.

I am also thankful for the CJI team's agile response in maintaining inspection delivery and report publication. We were immediately able to work securely and remotely, making full use of video technology for evidence gathering, meetings and focus groups. On-site fieldwork in person was very limited and reserved for when it was absolutely essential and risk assessed.

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However, we are a small team and the benefits of working together with unplanned opportunities for informal discussion and shared learning are missed.

Rather than conduct COVID-19 pandemic response specific inspections, we have acted as a 'critical friend' to Department of Justice-led recovery planning and included pandemic related issues in recently published reports.

The 2021-22 Business Plan is the second in our three-year Corporate Plan and the Inspection Programme continues the themes of better services and delivery, better efficiency and effectiveness, better protection and safeguarding, better strategy and governance and better outcomes.

Last year's programme gave a long list of inspections. This has been reviewed and refined following consultation with the Minister of Justice, the Attorney General for

Northern Ireland, the Lord Chief Justice, leaders of organisations we inspect, voluntary and community sector senior leaders, Department of Justice officials and Members of the Legislative Assembly. While listening to and carefully considering their views, I have decided on the final programme.

There are a number of inspections that could not commence last year because of required on-site fieldwork and, public health restrictions permitting, we plan to conduct them this year.

Following a request from the Minister of Justice, we are currently conducting a review of the four Care and Supervision Units at all three prison sites in partnership with the Regulation and Quality Improvement Authority and the Education and Training Inspectorate. This review required carefully planned and risk assessed on-site fieldwork earlier this year.

Some inspections need expertise from external Inspectorates who require a two-year planning window to ensure they can support our work and given our allocated baseline budget, this will be difficult to achieve. While appreciating the pressures on public funds, I am concerned about the impact of sufficient funding on a risk-based Inspection Programme designed with independence at its core.

The new *Programme for Government* will provide a renewed focus on better outcomes. CJI will continue to provide impartial and independent inspection services, looking forward to how we can contribute to the achievement of those outcomes and a better justice system for all.



JACQUI DURKIN

Chief Inspector of Criminal
Justice in Northern Ireland

April 2021

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Northern Ireland**

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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), and is 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 Programme for Government (PfG), and the Minister of Justice. The PfG and Outcomes Framework is currently being consulted on, however, the *'Everyone feels safe – we all respect the law and each other'* outcome 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.

A list of the organisations we inspect and within in our statutory remit is included 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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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.

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

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**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 inspections and are actively exploring more opportunities for joint inspections in areas of mutual interest. We are also keen to identify shared priorities and potential joint inspections with the Northern Ireland Audit Office (NIAO).

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

COMMUNICATION

Good communication enables CJI to influence and affect 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 PfG.



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.

Our team of seven Inspectors (four Full Time and three Part Time) are supported by a Business and Communications Manager, Corporate Secretariat Officer and a Web and Compliance Manager (Part Time).

STAFF WELLBEING AND COVID-19 PANDEMIC RECOVERY

While we were fortunate to have immediate secure access to technology to enable working from home during the pandemic and in compliance with the public health regulations, working remotely for almost a year has been challenging. 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 COVID-19 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 the impact of continuing restrictions. Our aim, subject to public health guidance, is to restore a predominately office based and on-site working model.



BUDGET

CJI is financed by revenue grants from the DoJ. The annual baseline budget for 2021-22 is £1.127m (the same as 2020-21), which is allocated primarily to salaries and other staff costs. This represents a cut in real terms with immediate challenges in identifying savings and sustaining and delivering the Inspection Programme. We have taken steps to address the working pattern and availability balance of our Inspectors and an approved business case requires adequate funding to support the delivery of the Inspection Programme and Ministerial requests. Discretionary spending represents a small proportion of the overall budget and is required for external assistance on inspections such as prison, child protection and forensic services and other inspection delivery costs.

FIGURE 1: CJI BUDGET ALLOCATION 2021-22



- 2% Other Costs
- 7% Accounting & Audit Fees
- 2% IT Costs
- 5% Consultancy
- 4% Accommodation Costs
- 1% Staff Cost - Other
- 79% Staff Costs - Salaries

CORPORATE GOVERNANCE

Corporate governance and 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.

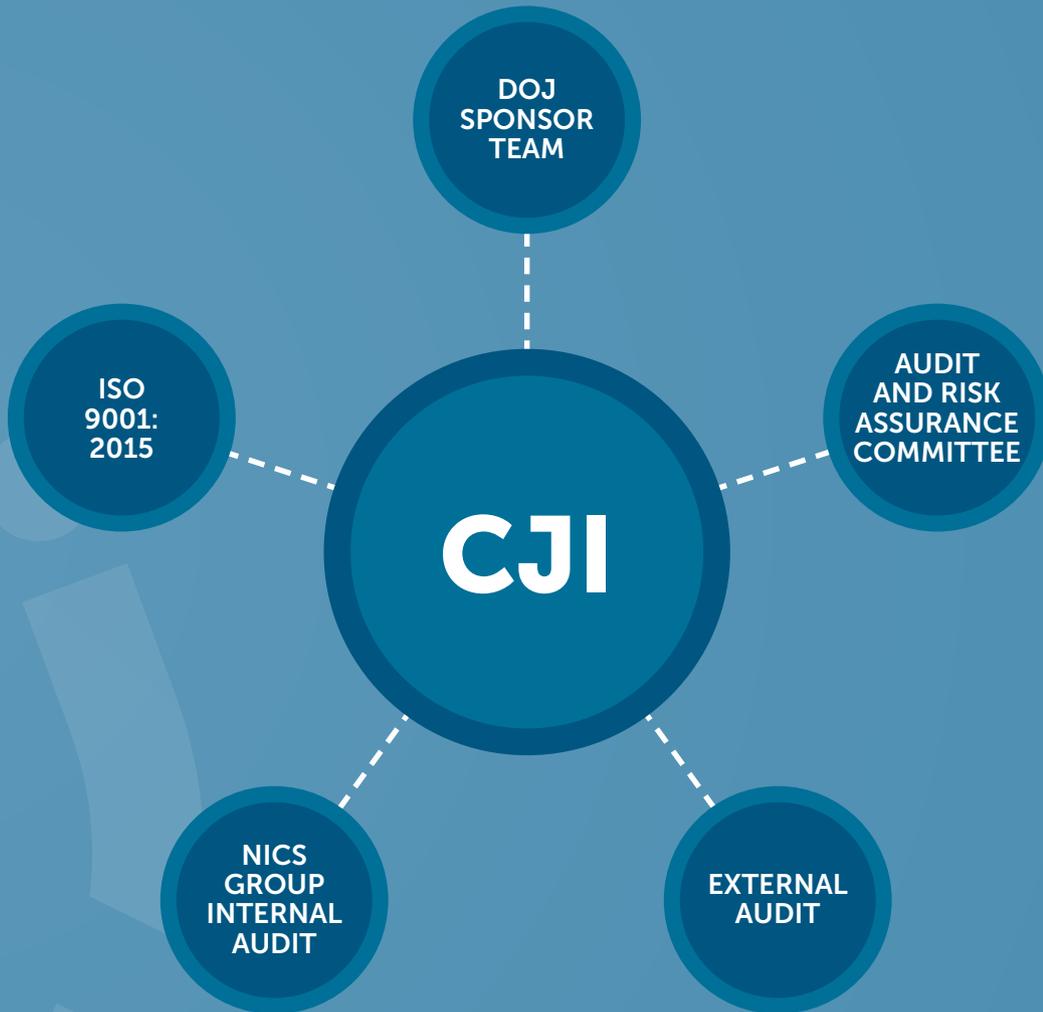
We will continue to maintain good working relationships with our DoJ sponsor team and seek to develop an effective Corporation Sole partnership agreement in 2021-22 that reflects proportionality and risk appetite.

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

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

Northern Ireland Civil Service (NICS) Group Internal Audit Service carries out internal audits of CJI's business processes on an annual basis.

The NIAO 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.



BUSINESS PLAN 2021-22 TARGETS

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

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

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

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

Effectively engage with the DoJ on the review of the protocol relating to the accreditation of community restorative justice projects and CJI's role;

INSPECTION PROGRAMME

Consider and respond to any Ministerial Requests for a review;

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

Progress discussions with the DoJ on CJI's statutory authority for inspecting hostel accommodation;

Consult on an 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 and respond to Ministerial Requests.

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;

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, Committee for Justice and the justice spokespersons of the main political parties represented in the Northern Ireland Assembly;

COMMMS

Maintain effective engagement with key stakeholders;

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

Publish an annual Business Plan incorporating an Inspection Programme which has been approved by the Minister of Justice;

Maintain an effective and proportionate Audit and Risk Assurance Committee including non-executive membership in line with best practice;

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;

CORPORATE GOVERNANCE

Maintain effective and proportionate sponsor arrangements and relationships with the DoJ sponsor team and develop an appropriate Corporation Sole partnership agreement;

Effectively manage known financial pressures in partnership with DoJ sponsor team by securing adequate funding to deliver the agreed Inspection Programme;

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;

Undertake team development to increase staff engagement;

Carry out a staff survey; and

PEOPLE

Continue induction programme for new Inspectors;

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 2021-22

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The 2021-22 Inspection Programme was subject to consultation with the Minister of Justice, the Attorney General and the Lord 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 these have been reviewed in light of our persisting working arrangements and restricted on-site fieldwork due to the ongoing pandemic and public health regulations.

Where on-site fieldwork was necessary during 2020-21, this was subject to risk assessment and undertaken on a limited basis in line with public health guidance and the health and safety requirements of the inspected organisations. However, some of the inspections in our 2020-21 programme required on-site fieldwork that was not possible without compromising the health and safety of our team, staff in inspected organisations and service users. These have been reprofiled to commence in 2021-22. While we are hopeful of recovery, not only for CJI but also for the organisations we inspect, we are mindful these inspections may be subject to change.

The Inspection Programme also provides an outline of the inspections provisionally planned for 2022-23 in the knowledge that these will be subject to consultation at the end of 2021 and this will allow for the inclusion of new and emerging inspection topics. Our partner Inspectorates require a two-year planning horizon to effectively manage deployment and secure support.

This annual programme for 2021-22 sets out:

- Ongoing Inspections and Follow-up Reviews from the 2020-21 Inspection Programme which are scheduled for publication in 2021-22;
- A Ministerial request;
- Inspections in the 2020-21 programme not yet commenced;
- 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.

BETTER EFFICIENCY AND EFFECTIVENESS



Effective penalty enforcement.

BETTER PROTECTION AND SAFEGUARDING



Northern Ireland Prison Service Care and Supervision Units – Ministerial request;



Unannounced prison inspection; and



Child Protection – scoping and planning a pilot joint thematic with RQIA and ETI partners and expertise from HMICFRS.

BETTER STRATEGY AND GOVERNANCE



Transforming Justice – a thematic strategic review of transformational and modernisation change governance across the criminal justice system.

BETTER OUTCOMES



Females in conflict with the law.

FOLLOW-UP REVIEWS



Domestic violence and abuse.

NEW INSPECTIONS 2021-22

BETTER SERVICES AND DELIVERY



Court Custody; 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



Unannounced prison inspection.

BETTER STRATEGY AND GOVERNANCE



Leadership development and wellbeing support.

BETTER OUTCOMES



Community safety and local policing arrangements.

FOLLOW-UP REVIEWS



Cyber Crime.

PROPOSED INSPECTION PROGRAMME 2022-23 (SUBJECT TO CONSULTATION)

BETTER SERVICES AND DELIVERY

-  Youth Justice Agency - early interventions; and
-  Pre-accreditation of Community Restorative Justice schemes (subject to revised protocol and DoJ requests).

BETTER EFFICIENCY AND EFFECTIVENESS

-  Effectiveness of organisations and agencies with criminal investigative and prosecuting powers other than the PSNI and the PPS; and
-  Effective court administration.

BETTER PROTECTION AND SAFEGUARDING

-  Protection of Vulnerable Older People – investigation and prosecution of offences;
-  Unannounced prison inspection; and
-  Offender Hostels.

BETTER STRATEGY AND GOVERNANCE

-  Impact of EU Exit on the criminal justice system.

BETTER OUTCOMES

-  Substance abuse and outcomes from problem solving initiatives;
-  Prison 2020 implementation and benefit realisation – incorporating a Resettlement Follow-up Review; and
-  Disproportionality in the criminal justice system.

FOLLOW-UP REVIEWS

To be considered annually.

-  The treatment of Victims and Witnesses;
-  Probation Practice; and
-  Section 75.

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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**Criminal Justice Inspection
Northern Ireland**

Block 1, Knockview Buildings

Belfast BT4 3SJ

www.cjini.org