



# **Her Majesty's Inspectorate of Court Administration Business Plan**

## **2008 – 2009**

28<sup>th</sup> April 2008

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## **Foreword by Chief Inspector: Eddie Bloomfield**

I am pleased to present HMICA's Business plan for 2008/09. The plan sets out our objectives for inspection of HMCS, our continuing commitment to joint working with the other Criminal Justice inspectorates and our plans for taking forward implementation of our own Strategic Review undertaken in 2007. The plan reflects and takes account of the wider context, in particular the creation of the Ministry of Justice and the new partnership arrangements between the Lord Chancellor and the Lord Chief Justice for the management of HMCS. The appointment of a non-executive chair to the board of HMCS is also an important development, which will impact on the Inspectorate's relationship with the inspected body.

The government's decision in Oct 2006, not to proceed with the merger of the Criminal Justice Inspectorates continues to have an impact on our work and plans. During 2007/08 we delivered, along with our CJS inspectorate colleagues, an enhanced programme of Joint working. This will continue in 2008/09 although the emphasis will be on Thematic rather than Area inspections. For the first time we will, with HM Inspectorate of Probation, inspect the Military Court Service at the invitation of the Ministry of Defence.

Our joint work in 07/08 also included two urgent reviews commissioned by Ministers into the circumstances surrounding the case of Peart/Joseph and the arrangements for Resulting and withdrawal of warrants at Leeds Magistrates Court respectively. Responding to issues of high risk or concern to the public and/or Ministers is an important part of our remit and we stand ready to provide similar support in 2008/09 as required.

HMICA's statutory remit also includes civil and family justice and we have taken a strategic decision to focus much of our single agency inspection on these areas during 2008/09. Finally, the implementation of our strategic review is an important objective. We expect to deliver an enhanced methodology, supported by improved arrangements for knowledge management and a new organisational structure during 2008/09. We also intend to develop a strategic plan for the longer-term delivery of our inspection responsibilities.

I commend this plan to all who have an interest in the work of HMICA and our aim to achieve better services for court users.



Eddie Bloomfield  
HM Chief Inspector

## **Our Statutory Remit**

HMICA is an independent statutory inspectorate created by the Courts Act 2003 as amended by the Police and Justice Act 2006. Its duty is to:

- Inspect and report to the Lord Chancellor on the system that supports the carrying on of the business of the courts (the Crown Court, county courts and magistrates' courts) and the services provided for these courts
- Discharge any other particular functions which may be specified in connection with the courts listed

HMICA is not empowered to inspect persons making judicial decisions or exercising judicial discretion.

## **Our Vision is:**

to achieve a better justice system for the public.

## **Our Mission is:**

to work with others to improve the experience of all people who use or work, within the courts and so increase public confidence in the justice system

## **Our Aims are to:**

- Improve the services delivered to court users
- Be fair, objective and independent
- Be open about our processes and the criteria we use to form judgements
- Achieve value for money in all that we do

## **We Value:**

- Our independence of judgement
- Our staff and the staff of partner agencies including those agencies we inspect
- Equality and diversity
- Working in partnership with others
- Excellence

## **We will**

- Work closely with others to achieve our goals
- Encourage the courts to assess their own performance continually and ensure that we take those assessments into account when we inspect

- Use impartial and robust evidence that can be checked
- Reflect Government policy and good inspection practice
- Focus our resources according to need and priorities
- Contribute to the improvement of the service being inspected by promoting good practice and encouraging the elimination of poor practice
- Focus on the delivery of services reflecting the experience of our customers in our reports
- Report widely and publicly in clear, accessible language and a range of print and electronic formats
- Seek feedback and continually learning from our experience to become more efficient and effective.

## **Business Plan Objectives for 2008-2009**

The key functions of HMICA are to:

- Provide assurance to ministers and the public that appropriate levels of performance and service are being delivered.
- Alert HMCS and Ministers to risks and concerns
- Promote improved outcomes for service users

During 2008-09 HMICA will focus on the following objectives:

- **Inspection of Court Administration**
  - To contribute to maintaining and improving performance across the criminal and civil courts in England and Wales
  - To contribute to maintaining and improving the quality of service provided to, and outcomes for, court users
  - To contribute to policy development and provide reports and advice to ministers and senior officials
  - To assist in spreading good practice within the Crown Court, county and magistrates' courts
- **Criminal Justice Joint Inspection**
  - To contribute to maintaining and improving performance across the criminal justice system in England and Wales
  - To contribute to maintaining and improving the quality of service provided to, and outcomes for court users
  - To assist in spreading good practice within the criminal justice system
- **Corporate**
  - To implement the change programme arising from our Strategic Review undertaken in 2007-08
  - To utilise corporate resources effectively and efficiently so that all objectives are met
  - To contribute to the achievement of MoJ financial plans by effective management of the delegated budget
  - To support and develop all staff through timely performance reviews and delivering the necessary development and training
  -
- **Policy Development**
  - To contribute to the development of policy and inspection in relation to Coroners Courts, Military Court Service and the court of Protection
- **Ministerial Priorities**
  - To undertake any specific inspection work requested by Ministers on an urgent or high risk basis

### **Achievement of HMICA Objectives**

HMICA works in accordance with the Government's principles of inspection. (A full list is attached at Annex A). In brief the ten principles are to:

- Recognise the purpose of improvement
- Focus on outcomes
- Focus on the user perspective
- Be proportionate to risk
- Encourage self-assessment
- Use impartial evidence
- Disclose inspection criteria
- Be open about processes and robustly quality assure
- Have regard to value for money
- Continually learn from experience

HMICA will achieve its objectives by delivering a varied programme of inspection work including:

- a programme of area inspections of Civil and Family justice
- a programme of thematic criminal inspections conducted jointly with HM Inspectorate of Constabulary; HM Crown Prosecution Service Inspectorate; HM Inspectorate of Prisons and HM Inspectorate of Probation. This will enable us to meet the requirements of Ministers for joined up inspection across the criminal justice system.
- a programme of area inspections of civil and family justice.
- a Thematic inspection of criminal case management.
- an inspection of the Military Justice system.
- an area inspection which will pilot our new methodology.

### **Achievement of Joint Criminal Justice Objectives**

HMICA is committed to co-operation and joint working in order to promote the improvement of services delivered to customers.

A joint business plan will be published for 2008-09, which contains the detail of our planned inspection work. A number of scoping studies have been undertaken looking at criminal case management, information flows between agencies and mentally disordered offenders. These pieces of work will be developed further as part of the joint inspection business plan for 2008-09. Other Joint work will include inspection of witness care units, asset recovery, overnight use of custody, disproportionality in the handling of Muslims in the CJS and priority and prolific offenders

## **Advisory Board on Joint Inspection in the Justice system**

Ministerial responsibility for the operation of the justice system in England and Wales is shared between three Departments: the ministry of Justice, the Home Office and the Attorney General's Office. Independent assurance is provided by the five statutory inspectorates: HM Inspectorate of Constabulary, HM Inspectorate of the Crown Prosecution Service, HM Inspectorate of Court Administration, HM Inspectorate of Prisons and the HM Inspectorate of Probation,

In addition, an Advisory Board on joint inspection has been created. This is a new, non-statutory body the key function of which is to advise members and the five Chief Inspectors on whether the objectives of joint inspection activity are being achieved. However, it remains the role of Ministers, informed by the advice given by the Board to the meetings, to hold the Chief Inspectors to account for the delivery of the agreed reform agenda.

## **Measuring Success**

HMICA produces a detailed business action plan, which sets out key responsibilities and timescales for activities, which contribute to the achievement of the objectives. The Senior Management Team measure progress against the plan on a monthly basis and the annual report for 2008-09 will include a section on the achievement of our objectives.

In addition, HMICA will contribute to regular reports to Ministers on progress against the joint criminal justice inspection business plan through the Criminal Justice Chief Inspectors Group (CJCIG).

## **Relationships with stakeholders**

During 2008-09 HMICA will continue to develop relationships and work collaboratively with Ministers, the Judiciary, other inspectorates, the Office for Criminal Justice Reform (OCJR) and other senior officials, HMCS and their partner agencies and community groups.

In addition, HMICA will continue to develop its relationships with the Military Court Service, Court of Protection and the Criminal Justice Inspectorate in Northern Ireland, all of which have invited us to undertake some collaborative work in 2008-09.

Our inspectors have designated key responsibilities to contact MoJ/HMCS at a functional level to ensure HMICA is well informed of developments within the inspected body and overall Department. This includes:

- Civil Business
- Criminal Business
- Family Business
- Customer Services

- Diversity
- Enforcement
- Estates
- Finance
- Human Resources
- IT
- Performance Management
- Strategy, Planning and Corporate Governance
- Sustainability

### **HMICA Resources**

HMICA's indicative budget for 2008-09 is £2.005m. We are committed to working both to improve the efficiency of the organisation and to reduce costs and increase the benefits of the inspection programme. Our budget is managed in compliance with MoJ advice and guidance and regular reports and returns are provided to MoJ Finance.

### **HMICA Staff Development**

The Strategic Review 2007 looked at how best our organisation should be structured and therefore some changes to roles and responsibilities may occur. We will ensure that all our staff are equipped with the skills and knowledge to undertake their roles professionally, effectively and in a way which allows for an appropriate work life balance. Timely performance reviews and addressing the development needs of all our staff is vital to the success of our organisation.

HMICA has carried out its own Staff Opinion Survey in line with MoJ guidance and has produced an Action Plan to address the shortfalls, and to ensure good practice is maintained.

### **Sustainability**

In line with the Government's sustainable development strategy, HMICA has developed a sustainability policy. We have made a commitment to take account of our sustainability responsibilities in the decisions we make about how we conduct our business, the activities of our staff and the money we spend.

### **Security**

In light of recent security breaches within the Civil Service, HMICA is urgently reviewing its processes and practices in relation to personal data, it may hold or acquire. HMICA will introduce robust practices in line with MoJ guidance and make sure all staff are fully aware of these and know how and when to implement them. Senior managers will make certain that appropriate action is taken to protect personal information in its care.

## The principles of inspection and external review (from the OPSR Review)

The principles of inspection in this policy statement place the following expectations on inspection providers and on the departments sponsoring them:

1. The **purpose of improvement**. There should be an explicit concern on the part of inspectors to contribute to the improvement of the service being inspected. This should guide the focus, method, reporting and follow-up of inspection. In framing recommendations, an inspector should recognise good performance and address any failure appropriately. Inspection should aim to generate data and intelligence that enable departments more quickly to calibrate the progress of reform in their sectors and make appropriate adjustments.
2. A **focus on outcomes**, which means considering service delivery to the end users of the services rather than concentrating on internal management arrangements.
3. A **user perspective**. Inspection should be delivered with a clear focus on the experience of those for whom the service is provided, as well as on internal management arrangements. Inspection should encourage innovation and diversity and not be solely compliance-based.
4. **Proportionate to risk**. Over time, inspectors should modify the extent of future inspection according to the quality of performance by the service provider. For example, good performers should undergo less inspection, so that resources are concentrated on areas of greatest risk.
5. Inspectors should encourage rigorous **self-assessment** by managers. Inspectors should challenge the outcomes of managers' self-assessments, take them into account in the inspection process, and provide a comparative benchmark.
6. Inspectors should use **impartial evidence**. Evidence, whether quantitative or qualitative, should be validated and credible.
7. Inspectors should disclose the **criteria** they use to form judgements.
8. Inspectors should be **open** about their processes, willing to take any complaints seriously, and able to demonstrate a robust quality assurance process.
9. Inspectors should have regard to **value for money**, their own included:
  - Inspection looks to see that there are arrangements in place to deliver the service efficiently and effectively.
  - Inspection itself should be able to demonstrate it delivers benefits commensurate with its cost, including the cost to those inspected.
  - Inspectorates should ensure that they have the capacity to work together on cross-cutting issues, in the interests of greater cost effectiveness and reducing the burden on those inspected.
10. Inspectors should **continually learn** from experience, in order to become increasingly effective. This can be done by assessing their own impact on the service provider's ability to improve and by sharing best practice with other inspectors.