

Independent

Accountable

Thorough

Impartial

Investigative

Open

## Corporate Plan 2006-09

July 2006

# Introduction

This corporate plan covers the period 1 April 2006 to 31 March 2009.

The next few years are important for the Commission. Following a review of our casework processes, we have embarked on a programme of change which is far-reaching and fundamental and which will have a significant impact on the way in which we manage our caseload. Although the changes we plan to implement are mainly of an internal, procedural nature, we hope and anticipate that the results will be visible to our stakeholders, and in particular applicants and their representatives, in terms of reduced waiting-times and speedier completion of reviews.

As the Commission moves into a new phase as a mature organisation, we are confident that we shall be able to deliver an efficient and effective service in investigating alleged miscarriages of justice that will be relevant to all our stakeholders, and in so doing help to strengthen confidence in the criminal justice system. We also look forward to being able to contribute to the wider development of criminal law and practice as a result of the knowledge and experience we are acquiring.

Graham Zellick  
Chairman

# Vision, purpose, aims & values

**Our vision** is to enhance confidence in the criminal justice system, to give hope and bring justice to those wrongly convicted, and based on our experience to contribute to reform of and improvements in the law.

**Our purpose** is to review possible miscarriages of justice in the criminal courts of England, Wales and Northern Ireland and refer appropriate cases to the appeal courts.

**Our overall aims** are to:

- investigate cases as quickly as possible and with thoroughness and care
- work constructively with our stakeholders and to the highest standards of quality
- treat applicants, and anyone affected by our work, with courtesy, respect and consideration
- promote public understanding of the Commission's role

We will realise our overall aims by the achievement of key strategic aims.

## Our values

- independence
- integrity
- impartiality
- professionalism
- accountability
- transparency

# Background

## Legal framework

The Criminal Cases Review Commission is the independent statutory body that investigates alleged miscarriages of justice in England, Wales and Northern Ireland.

The organisation was established as a body corporate on 1<sup>st</sup> January 1997 by the Criminal Appeal Act 1995, and took over responsibility for reviewing possible miscarriages of justice from the Home Office and the Northern Ireland Office on 31<sup>st</sup> March 1997.

## The Commission's rôle

The Commission is an Executive Non-Departmental Public Body ("NDPB") funded by the Home Office, and contributes to the delivery of the overall aims and objectives for the Criminal Justice System, and in particular those targets to which the Home Office contributes. The ways in which the activities of the Commission contribute to the objectives of the Criminal Justice System are set out in the table below:

### Criminal Justice System

#### Objective 1

Reduce crime and the fear of crime..... and ensure the effective delivery of justice

#### PSA 2

Improve the delivery of justice by increasing the number of crimes for which an offender is brought to justice to 1.25 million by 2007-08

#### PSA 3

Reassure the public, reducing the fear of crime and anti-social behaviour, and building confidence in the Criminal Justice System without compromising fairness

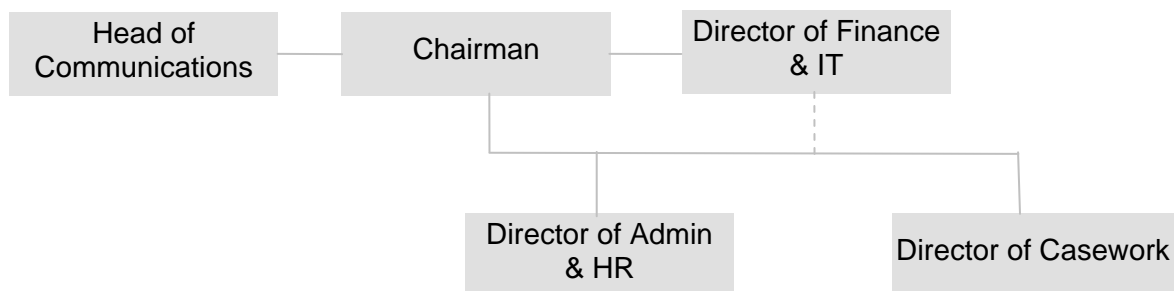
The Commission contributes to improving the delivery of justice by helping to ensure that unsafe convictions are identified and safe convictions are reaffirmed.

The function of the Commission in referring cases to the Court of Appeal in circumstances where there is a real possibility that the Court will quash a conviction or reduce a sentence helps build confidence in the criminal justice system and helps to ensure that all parties, including the accused, are dealt with fairly; and gives reassurance to the public that justice has not miscarried in the vast majority of cases.

# The organisation

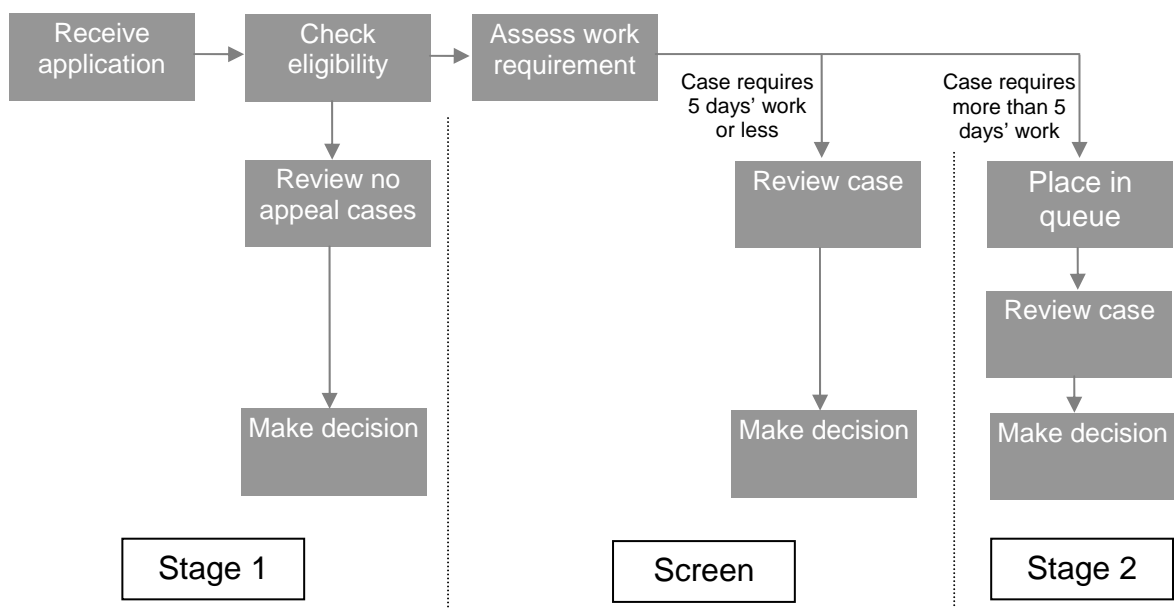
The Commission currently has 13 Commissioners who are appointed by The Queen on the recommendation of the Prime Minister. This number will reduce to 11 during the first year of the plan. The Commission employs about 100 staff and is located in offices in Birmingham.

An appropriate organisational structure has been established to ensure that casework is properly managed within a framework of the provision of adequate support services and proper internal control and risk management. Executive management is entrusted to three directors who work closely with the Chairman. The Director of Finance & IT is the Accounting Officer, and has been given additional executive powers to enable him to discharge that function:



The Commission is committed to high standards of corporate governance and follows established practice and appropriate guidance. It has five standing committees: finance, audit, HR, casework operations and remuneration, and three advisory groups: IS strategy, legal guidance and training.

Casework is executed by the Commissioners and a team of about 45 Case Review Managers supported by casework administration staff and four Legal and Investigations Advisors. The current casework process has been designed to ensure the highest standards and consistency in the conduct of reviews:



# Strategy

This section sets out our strategic aims, our method of delivery and timescales, the influencing factors that could potentially affect the achievement of our aims, and presents the rationale behind our strategic focus.

## Strategic aims

### ① Casework

***“To review and decide cases efficiently and effectively, and with the minimum of delay consistent with the circumstances of individual cases.”***

This aim will be delivered by:

- improving the efficiency of the casework process, by:
  - devising and implementing improvements to that process in the light of the recommendations of the casework process review conducted last year
  - ensuring, by the institution of case audits, that best practice and casework standards are followed
- improving the effectiveness of the decision-making process by the continuing development and implementation of best practice
- improving the management information available by exploiting and developing the existing case-tracking system
- developing appropriate casework goals and related performance indicators
- keeping legislative changes under review, and in particular making preparations for the possible expansion of the Commission’s remit to cover courts-martial towards the end of this plan period
- developing knowledge management systems to assist in casework and to help identify issues in criminal law, practice and procedure, and to pass these to the appropriate bodies

## ② Resources

***“To ensure that the core activities of the Commission are supported by the appropriate use of available resources, and that value for money is delivered.”***

This aim will be delivered by:

- continuing to ensure that high quality staff are recruited through appropriate and effective recruitment processes
- ensuring staff are retained by offering good and appropriate rewards, working environment, training and development
- introducing an appropriate staff appraisal system
- striving to become an employer of choice
- maximising the ratio of caseworking to support staff by eliminating waste and duplication
- providing appropriate IT tools to assist in the caseworking process
- ensuring continuity of the IT service by re-tendering the managed service contract in time for the current contract's expiry in March 2007
- ensuring IT systems are provided in the most cost-effective manner
- exploring ways of exploiting technology to improve casework processes
- providing good office accommodation, and in particular negotiating a new lease for Alpha Tower when the current lease expires in August 2006
- replacing the current telephone system, which is no longer supported by the manufacturer
- ensuring that financial resources are properly controlled and appropriately targeted to help achieve the other strategic aims in this plan
- reviewing the policies and procedures on procurement and payment to ensure value for money and accountability at all levels in the organisation
- developing financial performance indicators
- reviewing and monitoring our risk management framework

### 3 Corporate matters

***“To ensure that the Commission’s activities are properly planned and monitored, that it achieves an appropriate public profile, and that a positive contribution to the criminal justice system is made.”***

This aim will be delivered by:

- developing forecasting mechanisms that will have strong predictive value in terms of both future caseflows and resource requirements
- continuously monitoring performance against the business plan objectives
- effectively communicating the business plan objectives to staff, and relating them to their own targets
- agreeing a reporting package, including key performance indicators, with the Commission’s sponsor
- maintaining a good working relationship with the Commission’s sponsor at all levels
- developing constructive relationships with stakeholders
- continuing the prison awareness campaign to increase recognition of the Commission’s work among potential applicants
- developing relations with our partners within the criminal justice system and with our counterpart organisations in other jurisdictions
- developing systems and processes for identifying and reporting on matters of law, practice and procedure that could improve the operation of the criminal justice system
- granting access for research on the casework data held by the Commission by independent researchers

# Delivery

It is the intention to deliver all of the actions set out under the strategic aims above within the period of this plan. Where a more specific timescale is dictated by events (eg the ending of a current contract), this has been noted.

The detailed business plans for each year covering the period of this corporate plan will set out specific measurable objectives linked to each of the strategic aims. Performance against these objectives, and progress towards the strategic aims, will be reported in each year's annual report.

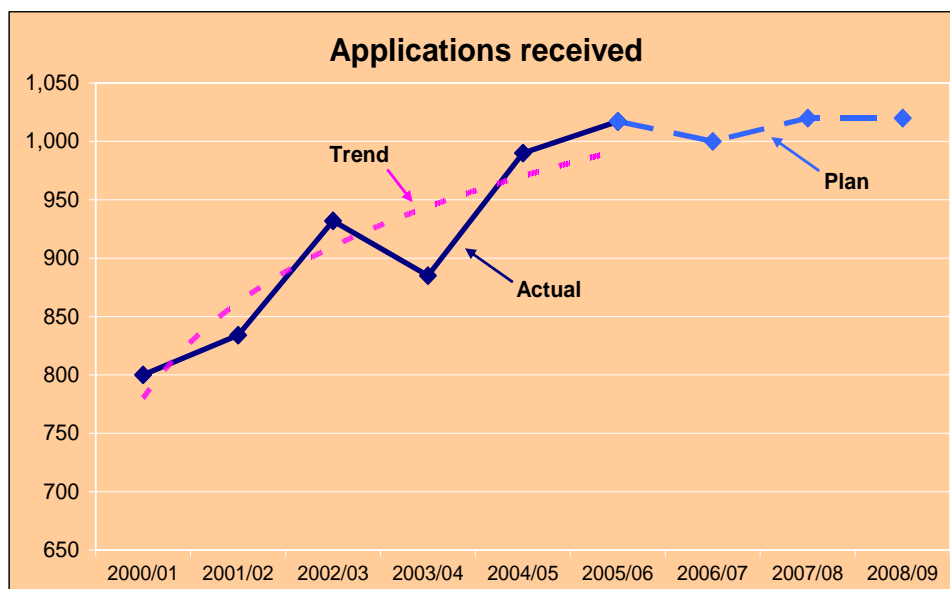
## Influencing factors

### Strategic aim ① - Casework

#### *Case intake*

The Commission is a demand-led organisation, and the number of applications received each year has an important bearing on our ability to process those cases within an acceptable time frame.

The trend in the number of applications received each year has shown a rise over the past five years, despite annual fluctuations. However, the numbers received in the current year could be taken as evidence that this increasing trend may be beginning to flatten out, and the projections for the period of the plan have therefore been made on this assumption.



Intake for 2004/05 and 2005/06 adjusted to include refused re-applications

Under section 15 of the Criminal Appeal Act 1995, the Court of Appeal can direct the Commission to carry out investigations in connection with an appeal. With effect from April 2005, this power was extended by the Criminal Justice Act 2003 to applications for leave to appeal. Four such orders were made at the leave stage during 2005/06, and it is anticipated that the Court of Appeal will make more frequent use of this power over the period of the plan.

Projections of case intake have therefore been made as follows:

	2006/07	2007/08	2008/09
New applications	995	1,010	1,010
Section 15 orders	5	10	10
Total	1,000	1,020	1,020

### *Casework flows*

During the first year of the plan, it is proposed to amend the way that cases are classified in order to improve efficiency and hence case throughput, and to enhance further and ensure the thoroughness and effectiveness of reviews. The initial checking of cases for eligibility (Stage 1) will continue. However, the Screen review and Stage 2/3 review will be replaced by a new classification of cases into 3 categories using criteria such as complexity, volume of material and legal issues raised. Separate queues will be maintained for each category, and the intention is initially to attempt to keep the waiting times for cases in category A to a minimum, reflecting the current policy on Screen cases, and for category B cases to join them over a period. This will be achieved by actively managing the profile of caseworkers' case portfolios.

Casework flows have been projected forward for the plan period based on the case intake projections, assumptions about the operation of the new casework classification system and assumptions about available resources (see below). These projections have been made using wide-ranging assumptions about how the new processes to be implemented later in the year will operate, and how the transition to these processes will be made. Consequently, the projections carry a degree of uncertainty, particularly in the latter years of the plan.

A summary of the projected casework flows is set out in the table below:

#### Stage 1/Categorisation

Case intake	+	1,000	1,020	1,020
Closed	-	480	465	465
Increase in no of cases in queue/under review	-	53	155	0
Passed to Screen/Segment review	=	467	400	555

#### Screen review

Cases waiting & under review b/f	+	267		
From stage 1	+	235		
Cases closed	-	183		
Cases passed to stage 2	-	43		
Recategorised to segments	=	276		

#### Stage 2/3

Cases waiting & under review b/f	+	321		
From screen	+	43		
Cases closed	-	64		
Recategorised to segments	=	300		

#### Category A review

Cases waiting & under review b/f	+	0	210	188
From triage/allocated from Screen & Stage 2/3	+	333	216	300
Cases closed	-	123	238	278
Cases waiting & under review c/f	=	210	188	210

#### Category B review

Cases waiting & under review b/f	+	0	209	163
From triage/allocated from Screen & Stage 2/3	+	335	120	167
Cases closed	-	126	166	155
Cases waiting & under review c/f	=	209	163	174

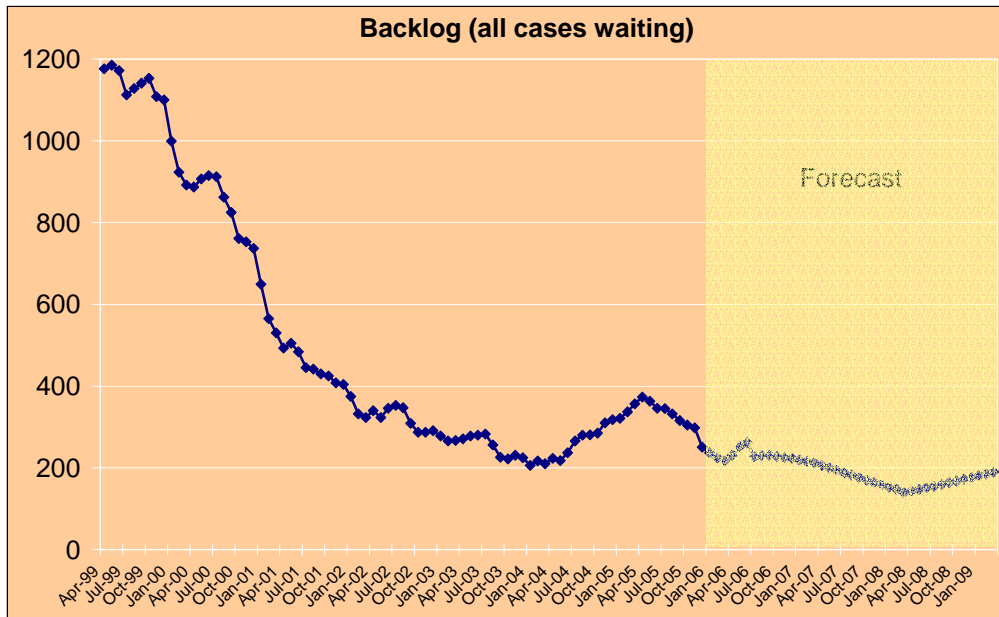
#### Category C review

Cases waiting & under review b/f	+	0	114	87
From triage/allocated from Screen & Stage 2/3	+	144	64	89
Cases closed	-	30	91	76
Cases waiting & under review c/f	=	114	87	99

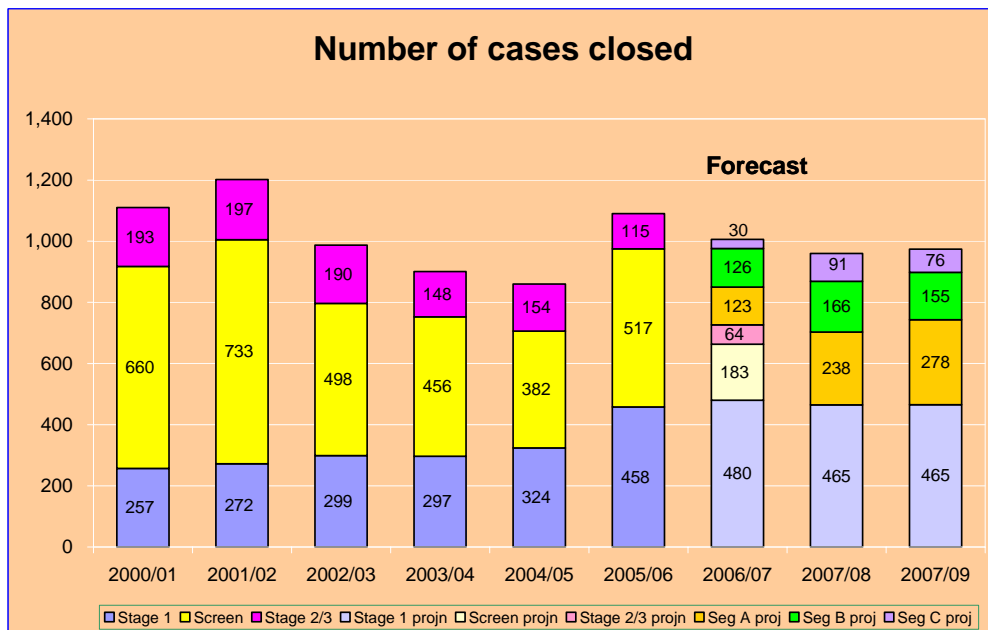
#### TOTAL

Intake		1,000	1,020	1,020
Cases closed		1,006	960	974

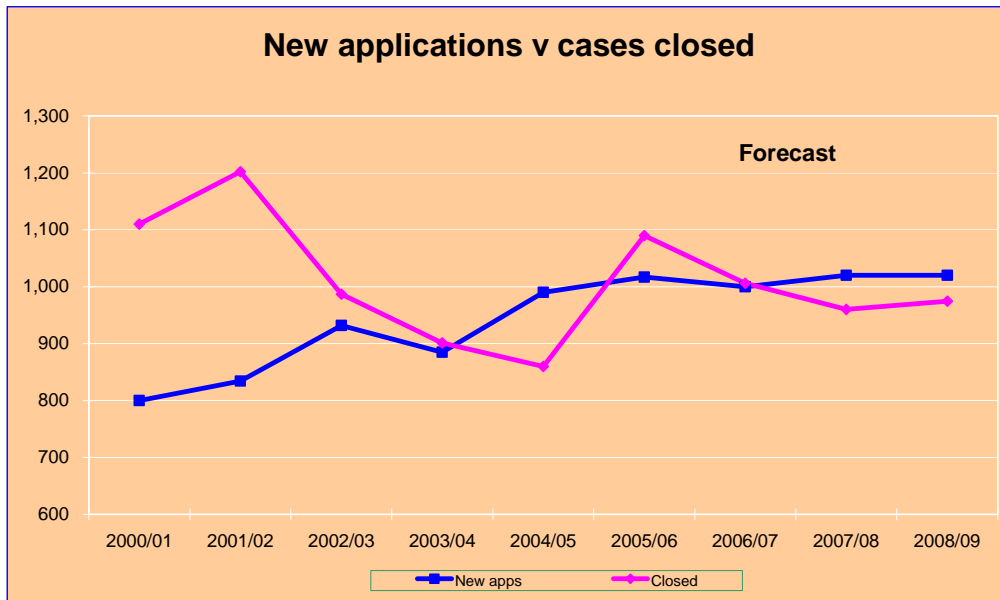
The overall backlog of cases waiting is expected to increase initially, but then to begin to decline as the improvements to the casework processes begin to take effect. However, current projections show that the backlog may begin to increase again in the last year of the plan:



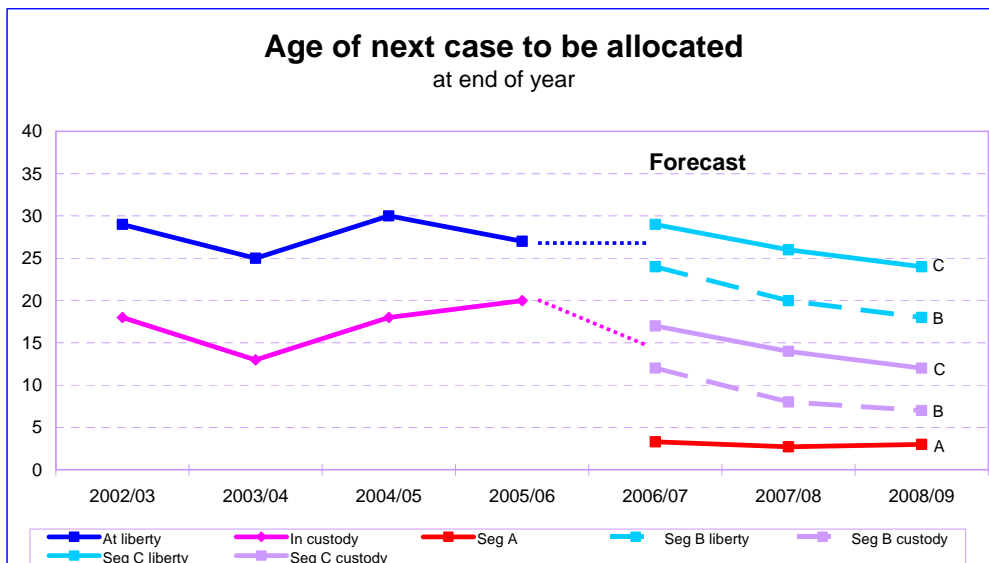
If the high level of case closures achieved in 2005/06 by concentrating resources on Screen cases is disregarded, the projected number of cases closed over the period of the plan are expected to recover to the level last seen in 2002/03. A slight decrease in 2007/08 will occur, but in the last year of the plan, 2008/09, it is projected that cases across all three categories will be worked in a steady state environment, and the number of cases closed will increase again:



The gap between the number of cases closed and the number of new applications received represents the change in the number of cases waiting and in progress. New applications exceeded cases closed in 2004/05 for the first time in recent years, but the situation was recovered in 2005/06. The plan shows that case closures will slightly exceed new applications in 2006/07, but in subsequent years case closures will drop temporarily whilst the more complex cases are addressed:



A key measure of the success of the new processes will be the waiting times to allocation. These have been projected using expected splits between categories of new applications, expected average completion times and the projected backlogs:



Significant improvements in waiting times, especially for the more complex cases (category C, previously Stage 2/3), are forecast during the period of the plan. All cases where the applicant is in custody are expected to be allocated within 12 months of receipt by the end of 2008/09.

## Strategic aim ② - Resources

The financial resources available from the Commission's sponsor department determine the particular mix of human resources the Commission may deploy, and the extent to which it may invest in systems. Some investment is necessary for updating and renewing equipment and software. The cost of this investment must be met by diverting resources which would otherwise be used for staffing and direct case-related costs.

The following tables show how the Commission plans to use the resources made available to it. This is based on the delegated budget for 2006/07, the indicative budgets for 2007/08 and the estimated budget for 2008/09.

Table A - expenditure

[£k]	2006/07	2007/08	2008/09
Pay costs	4,740	4,774	4,663
Non-pay costs	2,162	2,044	2,068
<b>Total cash costs</b>	<b>6,902</b>	<b>6,818</b>	<b>6,731</b>
Depreciation	400	411	422
Cost of capital	(65)	(67)	(69)
BBA pension provision	328	337	316
Delapidations provision	24	10	4
Loss on disposal of assets	5	5	5
<b>Total non-cash costs</b>	<b>692</b>	<b>696</b>	<b>678</b>
<b>Total resource budget</b>	<b>7,594</b>	<b>7,514</b>	<b>7,409</b>
Capital expenditure	70	50	55
<b>TOTAL</b>	<b>7,664</b>	<b>7,564</b>	<b>7,464</b>

The staffing complement that the Commission can afford to maintain is determined by the size of the overall delegated budget and the success the Commission has in minimising its non-pay costs. Non-pay costs are subject to general inflationary pressures as well as specific areas where expenditure may be uncertain or to a large extent uncontrollable. A great deal of work has recently gone into minimising waste and duplication to keep these costs as low as possible. The greatest area of uncertainty is currently the contract for providing the Commission with an IT managed service, which is out for tender for renewal at the end of the first year of this plan. The outcome of this process will obviously have an impact on the budgets above.

As the budgets are currently cast, and with the planned reduction in the number of Commissioners to the statutory minimum of 11 at the end of 2006, the staffing complement will remain roughly the same as at present for the first two years of the plan. However, it is likely that fewer staff can be afforded in 2008/09. During the period of the plan, the strategy will be to review all posts that become vacant, and where appropriate 'bank' savings from staff leaving, so that the reduction required in the last year can be achieved using natural wastage only. Maximum affordable numbers are shown in table B below:

Table B – staff numbers

	2006/07			2007/08		2008/09	
	Start	Avg	End	Avg	End	Avg	End
<b>Commissioners</b>							
Number (headcount)	13	12.6	11	11.0	11	11.0	11
Number (FTE)	10.5	10.3	9.7	9.4	9.4	9.4	9.4
<b>CRMs</b>							
Number (headcount)	46	46.0	46	46.0	46	43.2	43
Number (FTE)	42.2	42.2	42.2	42.2	42.2	39.5	39.2
<b>Caseworkers</b>							
Number (headcount)	4	4.0	4	4.0	4	4.0	4
Number (FTE)	4.0	4.0	4.0	4.0	4.0	4.0	4.0
<b>Casework admin staff</b>							
Number (headcount)	17	17.0	17	16.8	16	16.0	16
Number (FTE)	17.0	17.0	17.0	16.8	16.0	16.0	16.0
<b>Other casework staff</b>							
Number (headcount)	11	11.0	11	11.0	11	11.0	11
Number (FTE)	11.0	11.0	11.0	11.0	11.0	11.0	11.0
<b>Total casework staff</b>							
Number (headcount)	91	90.6	89	88.8	88	85.2	85
Number (FTE)	84.7	84.5	83.9	83.4	82.6	79.9	79.6
<b>Admin &amp; executive staff</b>							
Number (headcount)	18	17.6	17	17.0	17	16.0	16
Number (FTE)	16.8	16.4	15.8	15.8	15.8	14.8	14.8
<b>TOTAL</b>							
Number (headcount)	109	108.2	106	105.8	105	101.2	101
Number (FTE)	101.5	100.9	99.7	99.2	98.4	94.7	94.4

## Strategic focus

The main focus of the strategy for the plan period 2006-09 is to implement the recommendations of the review of our casework processes that was conducted in late 2005. A project board has been established to carry this important work forward, which includes improving and streamlining the casework process itself, while maintaining the quality and depth of the reviews where this is warranted. It will also ensure the introduction of more vigorous management of case flows, and the establishment of metrics to ensure that bottlenecks and other problems can be identified and corrected quickly.

The projections in this plan have been made based on forecasts of future case intake and estimates of how the future casework process and associated controls will work in terms of numbers of cases dealt with in each of the categories and the average rate of case closures. These assessments are necessarily tentative, and their accuracy will only be borne out by experience.

The strengthening of our planning, budgeting and financial control systems should ensure that we exploit all opportunities to maximise value for money and the throughput of cases without compromising quality. Opportunities will also be taken to continue to raise the Commission's public profile and to ensure that prospective applicants are aware of our work and the statutory framework within which we operate, and to exploit the knowledge built up over the past eight years to inform changes to criminal law and practice to help stop miscarriages of justice occurring in the future.