



Business Plan 2020 to 2021

CRIMINAL CASES REVIEW COMMISSION

BUSINESS PLAN 2020/21

Our purpose

1. The Criminal Cases Review Commission is the independent statutory body established to investigate alleged miscarriages of justice in England, Wales and Northern Ireland. We are sponsored by the Ministry of Justice (MoJ).
2. Our business is reviewing and investigating cases. Since 1997, when we were founded, to 31 March 2020, we have referred 692 cases; and in the 12 months leading up to 31 March 2020 we received 1,334 applications, closed 1,453 cases, and referred 29 cases. The majority of those applications were in relation to the most serious crimes such as murder, rape, terrorism, drugs and robbery.

Context of this business plan

3. This business plan complements our Corporate Plan for 2020-23. In preparing this plan, we have drawn on the performance of the organisation over the previous year, the views of stakeholders expressed at various engagement events, and observations made in the Tailored Review published by the Ministry of Justice in February 2019. We have accepted some, but not all, of the recommendations of that review; those not accepted were not in the interests of justice or in keeping with our founding legislation.
4. We were also subject of an enquiry by a Westminster Commission on Miscarriages of Justice which we welcomed and which is due to report this year. In addition, we took on intervener status in a judicial review of the MoJ which claimed that we are not independent of the MoJ and that we are subject to inference. We robustly refuted those claims and were pleased to note that in July 2020 the High Court declared the Commission to be both operationally and constitutionally independent of the MoJ.
5. In preparing this business plan, we have also reflected on how much capacity we have to undertake new initiatives in the context of the need to manage the challenges presented by coronavirus and our transformation programme.

Covid-19

6. Covid-19 added to an already busy and challenging time for us at the Commission. We have worked hard to keep casework, our core function and purpose, moving forward. The pandemic led to an immediate mobilisation of staff from office based to remote, more agile ways of

working, including the overnight adoption of new technology and digital ways of communicating. This enabled us to continue to work as close to business as normal as possible.

7. Our priority has been to ensure the safety and well-being of our staff and Commissioners and in doing so to ensure we can continue high quality casework. However, as with many other organisations, Covid-19 has meant that we have had to postpone some activities; and we remain focused on keeping casework flowing.

Transformation Programme

8. The extra strain on our resources caused by Covid-19 was set against an already challenged backdrop of a major transformation programme including an office move and new casework and IT infrastructure.
9. During this business year, our lease at 5 St Philip's Place, Birmingham expires, as it does for all of the other tenants. As a result, we will be relocating to a smaller government hub during 2021/22. We will remain in central Birmingham. The move to a smaller footprint combined with new improved technology means that our Commissioners will no longer be office based but will work remotely. We have also had for some time a system of remote working for staff; that is likely to be formalised and become more commonplace.
10. Essential to improved ways of working, however, is our IT. We secured ring-fenced funding to support a transformation programme to completely overhaul our IT systems. Not only do we expect those who use our services to see benefits, it will also provide staff and Commissioners with more agile ways of working.
11. The transformation programme is good news for applicants, enabling us to carry out casework even more efficiently. However, we have needed to divert a substantial proportion of our transformation delivery team to focus on supporting the organisation digitally through the early months of Covid-19. That "all hands to the pump" attitude has ensured we have been able to accelerate aspects of the transformation programme but has also diverted resources away from other aspects of the programme.

Our people

12. To achieve our core purpose we need the people with the right skills and attitudes working within a strategic framework set by the Board. Our people are very important to us and it is through working in line with our four key values that we perform our core purpose.
 - **We are independent:** we carry out independent casework reviews and take independent decisions in those reviews. In doing so, we work with integrity, being objective and impartial in the full knowledge that our work and miscarriages of justice impact people's lives, both in respect of applicants and victims of crime.

- **We are accountable:** we take responsibility for our decisions and listen to feedback from applicants and other stakeholders to help us improve. As part of our accountability, we are committed to be transparent, and being as open as our legislation allows us to be about the decisions we make.
 - **We are proactive:** we look and plan ahead acting with vigour and pace, ensuring high quality casework. We look for new ways of working and are keen to learn how to do things better.
 - **We are respectful:** staff and Commissioners work together as a team in a respectful and collegiate manner both supporting and challenging each other. Equally we endeavour to treat those affected by our work with respect and dignity in what we know are often stressful circumstances. This includes in particular applicants, their families, and their representatives as well as victims of crime.
13. We have an excellent workforce comprising staff and Commissioners. We have nine Commissioners who carry out casework and in addition, Helen Pitcher OBE, our Chairman, who is also a Commissioner. Executive management is entrusted to the Chief Executive and two Directors. We have 95 members of staff, the majority of which are casework.
14. Linked to our people is the issue of resources. In this current business year we have been notified of a grant-in-aid budget of £7.362 million which includes the ring-fenced funding for our digital transformation programme. However, we struggle to match the packages which our competitors, such as large regulators, can offer. This means we have experienced over the last couple of years issues in staff retention. One of the things we will be doing in this business year is looking at our rewards package to see what scope there is to ensure we can attract and retain the best staff given the likelihood of increasing financial constraints in a post Covid-19 world. Agile working, as a result of our transformation programme, will enable us to offer home-based working which will enhance the package we can offer.
15. There is more information on our budget in appendix three.

Key activities and priorities

16. We work within a strategic framework developed by the Board and to which staff, Commissioners and other stakeholders contribute. The Corporate Plan for 2020-23 identifies four strategic objectives which are:
- Excellence in case review
 - Enhanced engagement with stakeholders and media
 - Be an employer of choice
 - Smarter agile ways of working
17. Achieving these strategic objectives is dependent upon us successfully completing a number of planned initiatives over the course of the business year; responsibility for each part of the plan is assigned to key members of staff. Some of the measures, including our Key Performance Indicators, are published with our annual report and accounts. Further information on how they are defined is provided in Appendix two.

18. Whilst staff and Commissioners have risen to the challenges presented to us during the coronavirus pandemic, it would be unrealistic to suggest that Covid-19 will not have an impact on some of the things we would like to do during the year. We also have a major transformation programme which is absorbing staff time, and now more so because of the pandemic. This means that we currently have less capacity than is ideal; as a result some of our initiatives are back-loaded across the year or cannot be carried out equally across the year because of Covid-19 (such as prison visits).
19. In respect of our core function, casework, our main focus is to ensure that we continue to produce high quality, timely casework whilst we recover and learn from the Covid-19 lockdown. Running alongside that, we are also investing resource, including casework staff expertise, into getting our new digital case management system right and then implementing it; and implementing the new enhanced professionalised approach to quality management.
20. The table below groups key activities under each strategic aim. It is a guide only to part of the work we are carrying out this year. It is important to note that this does not capture all activity and does not capture the key milestones of the Transformation Programme which are monitored through the Transformation Programme Board.

Strategic Aim 1 - Excellence in Case Review

KPI 1 The percentage of cases completed within 12 months of application

KPI 2 The average time for a review from allocation to (initial) decision

KPI 3 Cases under review 2 years or more

KPI 5 To conduct high-quality reviews, as proportionate to the case

	Initiative	Activity	Owner
	Implementation of the Quality Management System for casework.	To have implemented enhanced quality management system including internal training. Quarter 4	Director of Casework Operations
	Enhance the quality of communication with applicants and representatives.	To reduce the number of formal complaints about communication to fewer than 5% of cases closed that year. Quarter 2	Director of Casework Operations
	Improve accessibility and user experience of CCRC.	Make changes to content and structure and improve user journey and experience. Includes the introduction of an online application form. Quarter 3	Head of Communications
	Enhance the ability of prisoners to make timely applications	To address with stakeholders any barriers to applications caused by Covid-19 management within the prison estate Quarter 2	Director of Casework Operations

Strategic Aim 2 - Enhanced Engagement with Stakeholders and Media

KPI 4 To communicate effectively with applicants and representatives

KPI 6 Percentage of complaints upheld

	Initiative	Activity	Owner
	To improve access to our services from hard to reach groups and the prison population, with a view to maintaining and increasing meritorious applications from vulnerable groups.	Identify and, where possible, address, issues faced by hard to reach groups, through stakeholder forums and increased engagement with vulnerable groups and by continuing prison visits. Aim to visit at least one under-represented prison a month, or at least 3 prisons per quarter On-going across the year	Customer Service Manager
	Ensure that the Commission has recognised all of its stakeholders and stakeholder groups.	Carry out an analysis of our stakeholders and map their interests and involvement with the Commission. Quarter 3	Head of Communications
	To enhance trust in the work and values of the Commission held by hard to reach stakeholders.	Expand Commission social media presence to include launches on Instagram and Facebook. Post at least one new source of information on new locations at least once a month. Quarter 4	Head of Communications
	Enhance engagement and transparency by holding accessible annual board meetings in public.	First public board meeting to be held in Quarter 3.	Head of Communications
	Engage with producers to create podcast shedding light on work of CCRC through exploring real cases	To have identified a producer and reach an in principle agreement and firm plan in place. Quarter 4	Head of Communications

Strategic Aim 3 - Be an Employer of Choice

KPI 5 To conduct high-quality reviews, as proportionate to the case

KPI 7 Staff absence

KPI 9 Internal audit actions completed against plan

	Initiative	Activity	Owner
	To attract the best people with the right skills and potential, reflecting our diverse society.	Refreshed approach to recruitment through initiatives such as Success Profiles and introduction of online applications. Quarter 4	Head of HR
	Work with staff to support them across the year, and in particular during a highly pressurised Covid-19 environment.	To review staff welfare provisions including counselling for casework staff, mental health first aid provision and stress risk assessments. Quarter 3	Head of HR
		To support staff in moving towards more flexible working, reviewing and amending policies and home working provisions. Quarter 3	Head of HR
	To review the reward package of staff within tight financial settlements to ensure fairness and parity across the sector and to recognise staff for their contribution	All staff roles (job & person specifications) to be reviewed. Quarter 4. To benchmark the salaries of casework staff with those in the wider criminal justice system. Quarter 4	Head of HR Director Finance & Corporate Services
	To help staff fulfil their potential and work towards their career aspirations through individualised career and development pathways.	Managers to work with team members to develop individualised career and development pathways. Quarter 4	Senior Management Team
		Roll out a formal CCRC mentoring scheme to provide a developmental partnership for staff. Quarter 4	Head of HR

Strategic Aim 4 – Smarter Agile Ways of Working

KPI 1 The percentage of cases closed within 12 months of application

KPI 2 The average time for a review from allocation to (initial) decision

KPI 3 Cases under review 2 years or more

KPI 5 To conduct high-quality reviews, as proportionate to the case

KPI 8 Expenditure against budget

	Initiative	Activity	Owner
	Implementation of the new Case Management System.	To have successfully implemented the new Case Management System and transitioned casework information appropriately. Quarter 3	Director of Casework Operations
	Identify and evaluate the benefits of the introduction of Artificial Intelligence (AI) technologies within CCRC	Carry out a review of the AI (or similar) technologies used within the MoJ and report on its suitability for use by CCRC Quarter 3	Director of Finance and Corporate Services
	Switch to using Microsoft Office 365	Implement Microsoft Office 365 including group chat, on line meetings, calling and web conferencing in Microsoft teams Quarter 3	Director of Finance and Corporate Services
	Replace the Finance and the HR systems with cloud based systems with built in automated processes	Agree on the new system requirements, select a supplier and successfully implement replacement systems Quarter 4	Director of Finance and Corporate Services

Risks and uncertainties

21. Everyone at the Commission is passionate about our purpose of uncovering miscarriages of justice. As with all organisations, we are subject to internal and external factors and risks that may interfere with our purpose. We have a mature approach to risk and through the Audit & Risk Assurance Committee the Board receives assurance about mitigations in place to address risks.
22. Our corporate plan provides more detail but we consider the following five areas to be areas of risk for the Commission; recruitment and retention of staff; funding; the transformation programme; information security; and stakeholder confidence. Whilst there can never be complete assurance to protect against risk, the executive has put in place robust mitigations to address these risks, kept under close scrutiny and review by the Audit & Risk Assurance Committee. Furthermore, the strategic risk register is a fluid document reviewed regularly and updated as risks appear, develop or regress.

Conclusion

23. Everyone who works at the Commission is committed to our core function of casework. That includes our support and corporate staff who may not directly carry out casework but who facilitate it.
24. As we move through the year, this business plan recognises the challenge of moving to completion a significant transformation project during covid-19 whilst at the same time trying to return to a state of business as usual.
25. We are confident that we can rise to that challenge with the support of all who work here and with the support of our stakeholders. There is no doubt that this is a year of change for the Commission; there is also no doubt that we have the commitment of our people to carry out to the highest possible standards our core purpose of investigating miscarriages of justice.

Further information

26. Further information about the Commission can be obtained from our website. We are very happy to receive comments about this plan or any other aspect of our work.

Criminal Cases Review Commission

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Appendix - 1 Past Casework Performance 2019-20

Outcomes

We received 1,334 applications in 2019/20, and completed our consideration of 1,453 cases. This compares to 2018/19 when we received 1,371 applications and completed 1,449 cases.

Referrals

During 2019/20, we referred 29 cases for appeal. Twenty-seven were conviction referrals. This means that 1.95% of cases closed in 2019/20 were referred for appeal.

The courts heard appeals in relation to 18 cases resulting from CCRC referrals. Of these 11 were allowed and seven dismissed. This means that 61.1% of appeals in CCRC cases were successful during the year.

Casework

We have continued to focus on the quality of our casework, which includes the timeliness of our case reviews.

The Commission's casework performance is monitored using a set of Key Performance Indicators, or KPIs. Our performance for last year, 2019/20, is below.

Cases closed within 12 months of application (KPI1)

In 2019/20 we aimed to complete a minimum of 80% of cases within 12 months of receiving the application.

At the end of the reporting year (31st March 2020), we closed 83.72% of cases within 12 months of receiving the application. We are pleased to have met or exceeded our target for 11 months of the year.

We recognise that making proper decisions within a reasonable timeframe is important to our applicants. In progressing reviews, we afford a degree of priority to those applicants who are in custody.

Duration of a Review (KPI2)

We aimed to make a decision within 30 weeks of a case review beginning (i.e. from when a case is allocated to a Case Review Manager). This is was our KPI2.

Overall, at March 2020 we had achieved an average of 31.72 weeks. In custody cases we narrowly missed our target by closing those cases in an average of 31.09 weeks. For liberty cases, the average was a little longer at 34.17 weeks. As the CCRC has a number of cases at any one time, decisions are routinely made (and reassessed) as to whether all or some of the work on specific cases should be given priority, and a degree of priority is afforded to those who are custody.

We also aim to allocate all cases destined for review to a Case Review Manager within three months of the arrival of the application. At end of 2019/20 we had have achieved or bettered that target in all of the previous 21 months.

Long-running Cases (KPI3)

We count a case as long running if it has been under review for more than two years. A proportion of our cases are complex and require careful investigation, many requiring expert reports. Sometimes we need to await the outcome of connected live court proceedings or criminal investigations, over which we have little or no control. We pay close attention to long running cases, through a sub-committee of the Board, to ensure that they are not taking longer than is justifiable, looking for new ways to resolve any problems arising in our reviews whenever possible.

Our target was that fewer than three per cent of applications should take us more than two years to review. At the end of the reporting year (31st March 2020), 5.2% of applications fell within this category. Of those, 31 applications were linked to the Post Office Horizon Computer issue, and for that reason were being reviewed together. Without them, we would have achieved 3.15%. Twenty-eight of those Post Office cases were referred for appeal and closed in the early months of the 2020/21 reporting period; in the three remaining cases, Provisional Statements of Reasons were issued suggesting that they may also be close to completion.

Quality Assurance (KPI5)

We said last year that we were in the process of creating and recruiting for a new role within the organisation, that of Head of Quality. Subsequently our first Head of Quality started work in October 2019. He is involved in various aspects of quality at the Commission with the role fundamentally concerned with enhancing our approach to quality management. Because of the impact of Covid-19, enhancements to our quality systems will be implemented during the course of 2020/21.

Appendix 2 - Definition of Key Performance Indicators 2020-21

KPI 1 - The % of cases completed within 12 months of application

Purpose - The measure provides an indication of the timeliness with which we complete our cases, taken as a whole, from the point of an application being received.

Definition - A case is complete when a final decision has been sent (or, where a provisional decision was sent and no further submissions have been made in response within the time allowed).

Calculation - The number of cases (including all case types) completed within 12 months of the application being made as a proportion of all cases completed within the past 12 months (split into custody and liberty and total).

Owner - Director of Casework Operations

Frequency - Monthly

Data Source - Casework Statistics

Target - >85%

KPI 2 - The average time for a Review from Allocation to (initial) Decision

Purpose - The measure provides an indication of the timeliness with which we complete our review cases (those which progress through the screening stage to require full analysis).

Definition - The time from the date of allocation of the application to a Case Review Manager to the issue of an initial decision, averaged for all review applications in the reporting period for which an initial decision has been issued.

Calculation - Taking the review cases closed within the past 12 months record the average time taken to complete the review from allocation to a Case Review Manager to issuing a decision.

Owner - Director of Casework Operations

Frequency - Monthly

Data Source - Casework Statistics

Target - less than 36 weeks

KPI 3 - Cases under review for 2 years or more

Purpose - The measure provides an indication of the timeliness with which we complete our reviews.

Definition - A case is counted if 2 years or more has elapsed since the date of allocation for review to the present and a final decision has not been issued.

Calculation - Taking the cases under review, to identify those 2 years or more since allocation to a Case Review Manager (split into custody and liberty and total) as an absolute number and as a proportion of the total number of cases currently open.

Owner - Director of Casework Operations

Frequency - Monthly

Data Source - Casework Statistics

Target - <35 or <5% of total number of cases under review

KPI 4 - To communicate effectively with applicants and representatives

Purpose - The measure provides an indication of the quality of our communications with applicants during a case-review.

Definition - The number of cases in which communication to applicants or their representatives leads to a complaint being upheld in the last 12 months.

Owner - Director of Casework Operations

Frequency - Bi-monthly

Data source - Records of official complaints held by the Customer Services Manager

Target - <5 and <0.4% of total number of cases closed in the last 12 months

KPI 5 - To conduct high-quality reviews, as proportionate to the case

Purpose - The measure provides an indication of the quality of our reviews.

Definition - The number of cases for which additional review work is required as a result of the CCRC's QA, Complaints or Judicial Review processes.

Calculation - The number of cases reopened for additional review work in the last 12 months.

Owner - Director of Casework Operations

Frequency - Bi-monthly

Data Source - Casework Statistics. Records of official complaints held by the customer services manager and of judicial reviews held by the legal advisor.

Target - <5 and <0.4% of total number of cases closed in the last 12 months

KPI 6 - Percentage of Complaints upheld

Purpose - The measure provides an indication of the quality of our reviews.

Definition - The number of complaints upheld.

Calculation - Percentage of complaints upheld as a proportion of cases closed in the year.

Owner - Director of Casework Operations

Frequency – Bi-monthly

Data Source - Records of official complaints held by the Customer Services Manager and the Casework statistics.

Target - <10 and <0.8% of total number of cases closed in the last 12 months

KPI 7 - Staff Absence

Purpose - The measure provides an indication of the loss of productivity due to staff sickness.

Definition - Average working days lost.

Calculation – Days lost due to sickness divided by the total number of Full Time Equivalent staff.

Owner – Head of HR

Frequency – Monthly

Data Source – HR statistics.

Target – Less than an average of 7.5 days per year

KPI 8 Expenditure against budget

Purpose - The measure provides an indication of our effective use of our budget over the year.

Definition – Total expenditure RDEL and CDEL against budget.

Calculation – Actual overspend or underspend as a percentage of the year to date budget.

Owner – Director of Finance and Corporate Services

Frequency – Monthly

Data Source – Financial records.

Target - Underspend or overspend to be within 2.5% of budget.

KPI 9 Internal Audit actions completed on time

Purpose – Measure the response to audit recommendations.

Definition – Number of internal audit actions in each financial year..

Calculation – Number of actions completed on time against the total number of actions in each financial year.

Owner – Director of Finance and Corporate Services

Frequency – Quarterly

Data Source – ARAC records.

Target - 95% actions completed on time.

Appendix 3 Budget 2020/21

[£k]	Budget BAU 2020/21	Budget Change 2020/21	Budget Total 2020/21	Budget Total 2019/20
Pay costs	4,699	336	5,035	4,730
Programme	4,199	336	4,535	4,208
Admin	500	-	500	522
Non-Pay costs:	950	34	984	1007
IT & Telecommunications	324	34	358	261
Printing, postage & office	136	-	136	151
Staff Travel	41	-	41	53
External Case Related Expenditure	126	-	126	150
Other	323	-	323	392
Income / Other				
Income	(4)	0	(4)	-
Fiscal DEL	5,645	370	6,015	5,733
Non-Cash costs				
Depreciation/Dilapidations	337	-	337	250
Current Service Costs BBA	-	-	-	-
Total Resource DEL	5,982	370	6,352	5,983
Capital DEL	110	600	710	320
AME (pension related costs)	258	-	258	258
TOTAL	6,350	970	7,320	6,561

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Note: The Change Budget for 2020/21 is subject to release in tranches during the year. The figures shown are the maximum values available