

# **Blueprint Proposal**

## **A People's Investigative Agency (PIA) and People's Prosecution Service (PPS)**

### **Restoring Independence, Accountability and the Rule of Law**

#### **Executive Summary**

The United Kingdom's justice system is undermined by a structural flaw: criminal investigation and prosecution are monopolised by the executive branch. Police and the Crown Prosecution Service (CPS) are constitutionally embedded within the executive, leaving them vulnerable to political pressure, institutional bias and conflicts of interest.

When allegations concern state actors, government policies, or regulators themselves, the executive becomes both defendant and gatekeeper. This erodes judicial independence, diminishes public trust, and leads to systemic non-investigation of serious allegations.

To address this, we propose the creation of:

1. The People's Investigative Agency (PIA) - an independent statutory body with full investigative

powers, tasked specifically with cases involving executive, governmental and institutional misconduct.

2. The People's Prosecution Service (PPS) - an independent prosecutorial authority, operating in parallel to the CPS, with exclusive jurisdiction over PIA cases.

Together, these reforms would restore genuine accountability and uphold the principle that no one may be judge of their own cause.

## **Background and Problem Statement**

The police are subject to Home Office control and political oversight.

The CPS, established by the Prosecution of Offences Act 1985, is likewise situated within the executive, despite claims of operational independence.

The judiciary relies entirely on evidence supplied by investigators and prosecutors. Where the executive suppresses evidence or declines to investigate, courts remain blind.

Matters such as the now well known examples referred to at Point 1 of the “***Supplemental Observations and Considerations***” below provide an insight into how the executive arm of government protects itself.

The public can clearly see that the rule of law applies to them, but not to those in power. This is fuelling constitutional collapse.

### **Proposal: The People’s Investigative Agency (PIA)**

A statutory investigative body, independent of the executive, created by Act of Parliament.

### **Mandate**

Investigate allegations of criminal conduct by:

- Government departments and ministers
- Law enforcement agencies and officers
- Regulators and oversight bodies
- State contractors and public officials
- Prioritise cases involving potential constitutional breaches, systemic corruption, or abuse of office.

## **Powers**

- Search, seizure and arrest powers equivalent to those under the Police and Criminal Evidence Act 1984 (PACE).
- Compulsory witness attendance powers.
- Full digital forensics and disclosure functions under the CPIA 1996.

## **Independence Safeguards**

- Appointments made through an independent commission chaired by senior judges.
- Funding ring-fenced by statute, not subject to Home Office discretion.
- Annual reports tabled before Parliament and scrutinised by a cross-party select committee or alternatively a public committee established under judicial oversight.
- Legal obligation to publish decisions and reasoning, with redactions only for security or privacy.

## **Proposal: The People's Prosecution Service (PPS)**

A statutory prosecutorial authority operating in parallel to the CPS.

## **Mandate**

- Exclusive jurisdiction to prosecute cases arising from PIA investigations.
- Equal standing with the CPS in all courts of England and Wales. Scotland and NI to be considered too, in the wider scope.
- Authority under the Prosecution of Offences Act 1985 extended to include PPS.

## **Principles of Operation**

- Transparency: reasons for non-prosecution must be published and open to challenge.
- Victim access: victims and whistleblowers to be notified of outcomes and permitted to request judicial review of decisions.
- Judicial recognition: courts required by statute to treat PPS prosecutions identically to CPS prosecutions.

## **Oversight and Accountability**

- Parliamentary oversight via a permanent cross-party committee on Investigatory and Prosecutorial Independence, or a public committee arising from judicial input and oversight.
- Judicial review of PIA/PPS decisions to prevent abuse or capture.
- Whistleblower protections for staff within PIA/PPS to ensure internal accountability.
- Public reporting obligations, with statistics on investigations, prosecutions and outcomes.

## **Constitutional and Human Rights Basis**

- Article 6 ECHR (right of access to justice) demands remedies where executive-controlled agencies refuse to act.
- Rule of law principle: all institutions are subject to the law; no exemptions for government or regulators.
- Ancient constitutional maxim: “*No man may be judge in his own cause.*” The current monopoly of the executive over investigation and prosecution directly violates this.

## **Comparative Precedent**

- Scotland: Procurator Fiscal service shows how prosecution can be structurally separate.
- US: Independent prosecutors and congressional investigative bodies operate alongside federal agencies.
- International: Special anti-corruption commissions (e.g., Hong Kong ICAC) demonstrate the viability of parallel investigatory frameworks.

## **Implementation Steps**

1. Drafting and passage of a People's Justice Bill, enshrining PIA and PPS in statute.
2. Establishing an Independent Appointments Commission to staff both agencies.
3. Allocating ring-fenced funding via statute.
4. Phased rollout, starting with oversight of cases where police/CPS are themselves conflicted.

## **Conclusion: Restoring Balance**

Without structural reform, Britain faces constitutional collapse: a justice system where the state prosecutes only when it suits the state and suppresses all else.

A People's Investigative Agency and a People's Prosecution Service would provide the missing independence, allowing allegations against the executive, regulators and public authorities to be tested fairly before the courts.

This is not radical. It is a return to first principles: equality before the law, accountability of office and a justice system that serves the people, not just the powerful.

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## **Supplemental Observations and Considerations**

### **1. Real-world examples which highlight current system flaws and illustrate a strong case for a new approach**

- (a) Post Office Scandal
- (b) Hillsborough
- (c) Covid-19 related controversies
- (d) Grooming Gang issues
- (e) Two-tier policing approach



- (f) CPS dependence on police
- (g) Judicial dependence on police/CPS

## **2. Safeguards Against Capture**

To prevent the PIA and PPS themselves from succumbing to the very dangers they are designed to address:

- **Fixed Non-Renewable Terms:** Directors of PIA and PPS to serve single, non-renewable 5 - year terms.
- **Parliamentary and/or Public Committee Oversight:** Annual reports tabled directly to Parliament, not via the executive.
- **Criminal Sanctions for Interference:** Any attempt by government officials, regulators, or police to improperly influence or obstruct the PIA/PPS to be a statutory criminal offence.
- **Automatic Reviews:** Mandatory independent review triggered if PIA/PPS decline to pursue more than a defined threshold (e.g. 20%) of citizen referrals in a year.

## **3. Public Participation**

To embed the “people’s” mandate:

- Citizen Petition Power: Individuals or civil society organisations may refer evidence directly to the PIA.
- Duty to Log and Respond: Every submission must be formally logged, acknowledged, and given a written response with reasoning.
- Transparency Portal: An online system allows the public to track case progression (redacted as necessary for privacy/security).

#### **4. Constitutional and Human Rights Framework**

The PIA and PPS reforms are consistent with historic and modern constitutional guarantees:

- Bill of Rights 1689 (or similar which may supersede): affirms government is answerable to law, not above it. Current practices mock this by exempting institutions from scrutiny.
- Article 6 ECHR: requires access to justice. Current executive monopolies obstruct this right when state-linked misconduct is reported.
- Rule of Law Principle: true equality before the law requires that the state and its agents are investigated and prosecuted under the same standards as ordinary citizens.

## **5. Implementation Roadmap**

A phased rollout ensures practical, controlled development:

- Phase 1 (Pilot): PIA reviews all cases where CPS declined to prosecute police or regulator misconduct (past 10 years).
- Phase 2 (Expansion): PPS begins taking direct prosecutions in cases where the CPS has a conflict of interest.
- Phase 3 (Statutory Embedding): PIA/PPS recognised formally as statutory parallel authorities, with powers equivalent to but independent of police/CPS.
- Phase 4 (Full Integration): Judicial recognition codified - courts required to treat PIA/PPS evidence and prosecutions on equal footing to CPS/police.

## **Closing Note**

The present moment reveals a constitutional fragility: the executive shields itself by monopolising both investigation and prosecution, leaving the judiciary dependent on executive integrity. The proposal for a PIA and a PPS provide a lawful, statutory and democratic correction to this very real and constitutionally intolerable imbalance.