

Criminal Justice Board

9 March 2016 10.00 – 11.30 Rm 9.29a Ministry of Justice, 102 Petty France

Attendees:

- Lord Chancellor and Secretary of State for Justice (The Rt Hon Michael Gove MP) – **JS**
- Home Secretary (The Rt Hon Theresa May MP) – **HS**
- Attorney General (The Rt Hon Jeremy Wright QC MP) – **AG**
- Minister for Policing, Fire, Crime, Criminal Justice and Victims (The Rt Hon Mike Penning MP) – **MP**
- Parliamentary Secretary for the Cabinet Office (Lord George Bridges) – **GB**
- President of the Queen's Bench Division (Sir Brian Leveson) – **PQBD**
- Senior Presiding Judge (Lord Justice Fulford) – **LJF**
- Director of Public Prosecutions (Alison Saunders) – **AS**
- CEO Crown Prosecution Service (Peter Lewis) – **PL**
- Commissioner of the Metropolitan Police (Sir Bernard Hogan-Howe) – **BHH**
- Police and Crime Commissioner Representative (Staffordshire Police and Crime Commissioner, Matthew Ellis) – **ME**
- Director General Crime & Policing Group, Home Office (Mary Calam)
- CEO HM Courts & Tribunals Service (Natalie Ceeney) – **NC**
- Director General, Prison & Offender Policy, Strategy and Change, Ministry of Justice (Indra Morris) – **IM**
- Strategic Advisor to the Board, Strategy Director, Strategy and Change, Ministry of Justice (Pamela Dow) – **PD**
- Non-executive Board member, Ministry of Justice (Sir Theodore Agnew) – **TA**
- Head of the Youth Justice Review (Charlie Taylor) – **CT**

For agenda items 1-3

- Comptroller and Auditor General of the NAO (Sir Amyas Morse) – **AM**
- NAO Director Justice VFM at the NAO (Oliver Lodge) – **OLo**

Apologies:

- Chancellor of the Duchy of Lancaster (The Rt Hon Oliver Letwin MP)
- CEO National Offender Management Service (Michael Spurr)
- Non-Executive Board Member, Ministry of Justice (Sir Martin Narey)
- Chair National Police Chiefs' Council (Chief Constable Sara Thornton)

Agenda items 1 & 2: Introduction and Matters Arising

1. The JS thanked members for attending and explained that the Cabinet had recently discussed the CJB and the Prime Minister was encouraged by the work of the Board and supported the development of performance metrics with the assistance of the Implementation Unit.
2. The JS welcome Sir Amyas Morse (AM), Oliver Lodge (OLo) and Eleanor Murray from the National Audit Office (NAO) and Charlie Taylor (CT) who is leading the Youth Justice Review.

3. The JS noted that this would be the last Criminal Justice Board (CJB) for PL before retirement, and thanked him for his dedication and excellent work over the many years, particularly in driving improvements in the criminal justice system.

Agenda item 3: National Audit Office: Efficiency in the Criminal Justice System report

4. The JS thanked the NAO teams for their Report and invited a summary of their overall findings, and a Board discussion of its content.
5. It was noted that the Report would be discussed at a Public Accounts Committee (PAC) hearing on 17 March, which may limit the answers the NAO could give in response to the Board's questions.
6. OLo explained the report covered CJS efficiency overall, not one agency or department. It was noted that the Report predated the completion and impact of a period of significant reform. OLo summarised the recommendations as follows:
 - a. A shared view of '*what good looks like*' would encourage agencies to focus on quality and align end goals;
 - b. Regional variations in performance were significant and should be better understood;
 - c. Transparency of data and feedback across the whole system would drive improvement.
7. Board Members were invited to give views. They broadly agreed with the findings but highlighted the challenges of reform within the CJS which should be exposed and addressed (e.g. data sharing). There was a discussion about how to get things 'right first time', nationally set performance standards, the role and incentives of the defence community and in particular whether the NAO considered performance was linked to the increase in complex cases
8. OLo explained that the NAO had not considered the detail of specific cases, but accepted the CJS had seen a shift in case mix with a growing proportion of serious and complex offending. OLo explained the NAO's conclusion that a shared understanding of performance expectations was a good way to address the differences like regional variation, but that this did not necessarily mean the setting of central targets. Publishing sophisticated comparable performance data has proved successful in reducing disparity and raising standards overall in other public service reforms.
9. Members noted the shared effort to address inefficiencies, e.g. in the Crown Court for with the roll out of Better Case Management (BCM), that the issues exposed are well recognised across the CJS and that the NAO had provided the data behind many of the issues identified in the review by the PQBD
10. OLo praised the ongoing reforms and hoped the report would help agencies understand inefficiencies and consider how these could be addressed within current reforms.

11. The JS concluded the discussion and thanked the NAO for coming.
12. Board Members reflected on the good practice underway and the role the Board should play in encouraging and promoting this. The AG reiterated the need to tackle variations in performance revealed by the regional data. The questions of what 'good' looks like and 'getting things right first time' were also discussed, with Board Members noting possible work by the Cabinet Office Implementation Unit and the Behavioural Insight Team to help agencies address these questions.

Agenda item 4: Youth Justice Review: Interim Report

13. The JS welcomed CT who provided a summary of interim findings. CT explained that the review focused on the community and custody elements of the youth justice system but also now included courts and sentencing.
14. CT emphasised that the current youth custodial estate is not equipped to deal with challenging smaller more concentrated cohort of young people with complex needs. Quality education is lacking, violence against staff is high, and the concentration of young people in large custodial establishments means they are detained far from home, undermining essential relationship ties.
15. CT explained his proposal for smaller secure schools with an emphasis on education, to serve the regions in which they are located. The next stage of the Review will be considering further devolution and freedom to tailor services to the needs of the young people in the area.
16. Members echoed the Review's findings that young people can sometimes be detained too far from their home area and distance from court houses, an issue that some members felt needed to be addressed urgently. It was noted that there needed to be a solution with local authorities to provide more secure accommodation and suggested other departments would need to contribute to the discussion (DCLG, DfE).
17. All members welcomed the report, and it was highlighted that, although the issues of literacy and education are important, consideration should be given to the other factors driving criminality, building on the positive work of the Troubled Families Programme. The Board also discussed the specific challenge of children in care in relation to the CJS.
18. The JS thanked CT for his work and suggested that the Department for Education should be invited to a future CJB to discuss care and education.

Action 1. CJB Secretariat to invite relevant Education Minister Edward Timpson to a future CJB to discuss care and education in the CJS. Also to consider local authority and DCLG attendance.

Owner: CJB Secretariat.
Target date: TBC

Agenda item 5: Good Practice in Managing Domestic Abuse Cases

19. The JS welcomed the positive work the CPS had led in identifying best practice for managing domestic abuse cases.
20. AS acknowledged this positive cross-CJS work and explained the good practice identified would now be tested further through more deep dive visits and implementation in a limited number of poor performing areas. The Board endorsed this approach.

Agenda item 6: Update on Criminal Justice Devolution and Police and Crime Commissioners

21. The HS explained that proposals for a wider criminal justice role for PCCs were still being developed, but one area under consideration is the need for better transparency of how the local CJS is performing. PCCs should have a stronger role to create more opportunities to share best practice in the system. ME supported this, noting his own experience of sharing data to foster local initiatives and innovation.

Agenda item 7: Next steps

22. The JS thanked the Board and in light of the NAO discussions commissioned the Senior Officials Group to further consider the question of what 'good' looks like within the CJS, with help from the IU and BIT, and to report to a future CJB.
23. The JS also requested an update on devolution.

Action 2. An update on work to establish what 'good' in the CJS looks like to be placed on the agenda for a future CJB

Owner: CJB secretariat

Date: TBC

Action 3. An update on CJS devolution at a future CJB

Owner: CJB secretariat

Date: TBC

Acronym list

NAO	National Audit Office
CJB	Criminal Justice Board
CJS	Criminal Justice System
CPS	Crown Prosecution Service
HO	Home Office
BCM	Better Case Management
TSJ	Transforming Summary Justice

Please note that the Board members' initials are listed on page 1.