

Criminal Justice Board

25 April 2016, 13:00-14:30, 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, Crime, Criminal Justice and Victims (The Rt Hon Mike Penning MP) – **MP**
- President of the Queen’s Bench Division (Sir Brian Leveson) – **PQBD**
- Chair National Police Chief’s Council (Chief Constable Sara Thornton) - **ST**
- CEO Crown Prosecution Service (Nick Folland) - **NF**
- CEO National Offender Management Service (Michael Spurr) - **MS**
- Director General Crime & Policing Group, Home Office (Mary Calam) – **MC**
- Non-Executive Member (Sir Martin Narey) - **MN**
- Victims’ Commissioner (Baroness Newlove) - **VC**
- Strategic Advisor to the Board, Director of Strategy, MoJ (Pamela Dow) - **PD**
- Director Criminal Justice Policy, MoJ (Stephen Muers) – **SM** (from item 5)

Apologies:

- The Chancellor of the Duchy of Lancaster (The Rt Hon Oliver Letwin MP)
- Director of Public Prosecutions (Alison Saunders)
- Senior Presiding Judge (Lord Justice Fulford)
- Commissioner of the Metropolitan Police (Sir Bernard Hogan-Howe)
- CEO HM Courts & Tribunals Service (Natalie Ceeney)
- Director General Criminal Justice Group, MoJ (Indra Morris)
- Police and Crime Commissioner Representative (Staffordshire Police and Crime Commissioner, Matthew Ellis)
- Non-executive member (Sir Theodore Agnew)

Agenda item 1: Introduction

1. The JS welcomed attendees to the seventh meeting of the Criminal Justice Board (CJB), and in particular NF to his first CJB since joining as Chief Executive of the CPS. The JS also welcomed the VC for her attendance to discuss the Victims’ Law.
2. JS noted that MC will shortly be leaving the Home Office, and thanked her for her work in both the CJB and the SOG. MC noted that her successor (Paul Lincoln) will soon be meet members of the Board to introduce himself.

Agenda Item 2: SOG update

3. PD outlined the commitments the SOG had made at its last meeting, to improve the support given to the CJB.
4. The SOG will identify and highlight the knottiest problems arising from policy reform, data, and emerging trends, so the CJB can consider them. The SOG will also take ownership of the CJB’s actions to drive change and solve problems within the CJS, between meetings. PD noted the smaller core membership of the SOG, with consistent

membership, to allow for more in-depth, constructive discussion, and clear accountability.

5. The Board welcomed these changes.

Agenda Item 3: Matters Arising

6. PD updated on the Implementation Unit (IU)'s work on CJB performance. The IU will seek to answer the following questions: (1) What is the purpose of the CJB performance monitoring system? (2) How well does the CJB measure performance? and (3) Is the CJB using performance data effectively? The IU will conclude this work in summer, and it will be presented to the Board at the July CJB for discussion.
7. ST noted that this will be a very broad methodology based study, which will look critically at performance data from across the CJS. The IU will also consider how the performance of one agency may affect another within the system.

Agenda Item 4: Prison Reform Update

8. The JS highlighted the importance of prison reform, both to MoJ and to the CJS as a whole, and the support given to the agenda by the Prime Minister and Chancellor.
9. MS introduced the paper. He explained how the programme will see a fundamental change in both the running of prisons and our expectations of them, and that work was ongoing in parallel to tackle some of the challenges faced by the system (such as extremism, gangs and New Psychoactive Substances). This reform is far reaching and will need to be delivered with support from the wider CJS, as well as local communities and outside partners.
10. MS summarised some of the key strands of the reform programme:
 - **The re-configuration of the prison estate**, made possible through the £1.3 billion allocated by HM Treasury in the Spending Review. The programme will develop new prisons, designed to provide modern facilities for the future needs of the prison population. Changes to the prison estate would include the closure of old, Victorian prisons which are expensive and no longer suitable for use.
 - **The prioritisation of education within prisons**, to help rehabilitate Offenders, incorporating the recommendations of Dame Sally Coates' recent review into education in prisons, in addition to the focus on skills and employment
 - **Increasing the individual autonomy of prison governors**, moving away from a centralised system to one where decisions are taken at the local level, with strong accountability for outcomes. This will be trialled through six reform prisons. In order for prisons to be successful in this new structure, they must look outwards as well as inwards, forming strong new relationships with communities, businesses and the third sector.

11. Members thanked NOMS for their work, and in particular the work done to build their relationship with other CJS agencies.

The following points were made in discussion:

12. Members agreed on the importance of reform prisons being outward looking and close working relationships with local partners (for example CRCs and PCCs). They flagged the importance of good information sharing between different CJS agencies.

13. A particular point was raised about rehabilitation of radicalised and extremist prisons. MS noted that NOMS were working closely with the Home Office to consider this issue.
14. Members noted the importance of new technology in reform, for example court video links and in-cell facilities.
15. Members flagged the particular different needs of remand prisoners and those with mental health conditions. The JS thanked everyone for this discussion.

Agenda Item 5: Victims' Law

16. SM outlined initial thinking with regard to the Victims' Law. He asked for views on the paper with a particular focus on the role of central versus local authorities (PCCs) and the relationship between the code and the law. VC stressed the importance of this discussion. Her view is that various CJS agencies are not currently providing what victims need consistently or delivering their obligations under the Victims' Code. Any new legislation needs substance if it is to improve the experiences of victims in the CJS. She also noted that any legislation needs to extend to the support and rehabilitation of victims post-trial, as far as they need it.
17. MP noted that new legislation must put victims at the centre, tailoring the law for their needs and requirements.

The following points were made in discussion:

18. The Victims' Law must be practically deliverable. Local partners should take a leading role in providing information to victims on processes and support available, and addressing the fragmentation within the system.
19. In clarifying the law around this area, providing the necessary training for staff in the different CJS agencies so they could understand their duties, would be crucial.
20. Legislation must inspire a real cultural shift to victims, rather than reinforcing a "box ticking" culture.
21. Members noted the potential resource implications in delivering different services. The JS questioned whether there was detailed research and data on the victims' journey that could be used to identify major issues and events that needed to be particularly addressed. VC confirmed that the Victims' Panel had participated in several research projects, and would be a good source of information for this question.

Action: SM to update the CJB on any developments to the work on Victims Law.

Owner: Stephen Muers

Due Date: end of June/ early July 2016

Action: MP and SM to work with the Victims' Panel and draw together other research to consider the Victims' Journey in developing policy on the Victims' Law.

Owner: Mike Penning and Stephen Muers

Target date:

Agenda 6: AOB

Analysis of Geographical Variations

22. The JS noted that this paper would be discussed in much greater detail at the July CJB.
23. PQBD suggested further analysis to consider “cracked” cases and the different circumstances in which they arise, considering the difference between ‘good’ and ‘bad’ crack scenarios. PQBD also expressed further interest in discussing the report’s findings on the relationship between judges and listing officers, whilst noting that listing is a judicial function and therefore constitutionally independent.

Action: MoJ analytical services to provide further advice on cracked trials.

Owner: Analytical Services, MoJ

Due Date: July 2016

Measuring Case File Quality

24. ST stated that the current trial into developing a national case file standard had begun on 1 March and would finish at the end of April, and had been formed of three separate forces. She recommended, following discussion with the Police, CPS, and the SOG, that the trials be extended to the end of May, and grow to include two new police forces. ST noted that this would mean that a CJB decision whether to approve national roll out of the initiative would be pushed back until the end of September.

Action: CJB agrees with the new proposal to the trial on Measuring Case File Quality.

Owner: CC Sara Thornton

Due Date: May 2016

Action: Paper on Mental Health within prisons to be include in the agenda for the September CJB. Health Minister to be invited to the meeting.

Owner: CJB Secretariat

Due Date: September 2016

Acronym list

CJB	Criminal Justice Board
CJS	Criminal Justice System
CRC	Community Rehabilitation Company
IU	Implementation Unit
MoJ	Ministry of Justice
NOMS	National Offender Management Service
PCC	Police Crime Commissioner
SOG	Senior Officials Group
ToR	Terms of Reference