

**Criminal Justice Board****26 October 2015, 15:00 – 16:30, Committee Room 17, House of Commons**

## 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 of State for Government Policy (The Rt Hon Oliver Letwin MP) - **MGP**
- President of the Queen's Bench Division (Sir Brian Leveson) - **PQBD**
- Deputy Senior Presiding Judge (Lord Justice Fulford) - **LJF**
- Director of Public Prosecutions (Alison Saunders) - **AS**
- Chair National Police Chief's Council (Chief Constable Sara Thornton) - **ST**
- Commissioner of the Metropolitan Police (Sir Bernard Hogan-Howe) - **BHH**
- CEO Crown Prosecution Service (Peter Lewis) - **PL**
- CEO HM Courts & Tribunals Service (Natalie Ceeney) - **NC**
- Director General Crime & Policing Group, Home Office (Mary Calam) - **MC**
- Police and Crime Commissioner Representative (Staffordshire Police and Crime Commissioner, Matthew Ellis, attended on 26 October) - **ME**
- Strategic Advisor to the Board, Director Criminal Justice Reform, Ministry of Justice (Stephen Muers) – **SM**
- Development Director, HM Courts & Tribunals Service (Kevin Sadler) - **KS**

## Apologies:

- Minister for Policing, Crime, Criminal Justice and Victims (The Rt Hon Mike Penning MP)
- CEO National Offender Management Service (Michael Spurr)
- Director General Criminal Justice Group, Ministry of Justice (Indra Morris)
- Non-executive member (Sir Theodore Agnew)

**Agenda items 1 &2: Introduction and Matters Arising**

1. The JS thanked members for attending and asked whether there were any issues arising from the minutes of the previous meeting.

*Correction of September minutes*

2. BHH asked that paragraph 33 be corrected because as currently drafted it conflated two points.

**Action 1: CJB Secretariat to correct and re-circulate minutes to Board members.**

Action Owner: CJB Secretariat

Target Date: End October 2015 – completed

*Publication of CJB minutes*

3. The JS said he wished to publish the CJB's minutes and asked whether members had any objection.
4. No objections were raised.

**Action 2: CJB Secretariat to clear minutes with CJB members and arrange for their publication on the gov.uk webpages.**

Action Owner: CJB Secretariat

Target Date: Mid November 2015

**Agenda item 3: Criminal Justice Performance**

5. The JS invited SM to outline the proposed approach to discussing performance. SM provided an overview of the work undertaken and the discussion that followed focused on measures of "file quality" and "report to completion".

*Discussion on file quality*

6. The JS noted that it was critical for file quality measures to be agreed as soon as possible, particularly given that the time it takes for cases to progress through the system continues to increase. He asked what more could be done to quickly put in place a measure.
7. Board members described how a range of evidence was required for sexual offence cases and that it was complex to define the quality of different elements of evidence. There was a discussion about the reliance of file quality on knowledge of evidential thresholds. Members explained that this often works better in areas where CPS staff are embedded with the police. They also noted that the roll out of digital case files could increase the accuracy of case files but that this did not necessarily equate to an improvement in quality.
8. Board members highlighted that the Police and CPS were already undertaking significant work to put in place a file quality measure so that data could be collected from 1 April 2016. Board members suggested that it might be better to allow the Police and CPS to complete this work and build on current progress, rather than putting in an immediate but more rudimentary measure. They also commented that the quality of relationships and communication between agencies was often the primary determinant of case file quality.
9. The JS thanked members for their contributions and agreed that work already underway to develop a file quality measure should continue so that data could be collected from 1 April 2016. He also noted that the CJB should have a session on the quality of case files in March.

**Action 3: The joint Police/CPS work to put in place file quality measures to continue as set out in the performance paper, to ensure that data can be collected from 1 April 2016 and that the issue of file quality can be covered in detail at the CJB's March/April meeting.**

Action owner: Sara Thornton and Alison Saunders

Target date: March/April 2016

*Discussion on time taken from report to completion*

10. The JS noted that the time taken to complete cases was increasing, resulting in rising system costs and a negative impact on victims. He asked why there was no unified system for collecting data.
11. Members noted that this was partly attributable to issues around counting (for example the police count the number of people committing offences whereas the courts count cases). They also highlighted work was already underway to address some of the issues around the centralisation of data, most notably through the Common Platform. The complexity of

combining data sets was acknowledged and members agreed on the importance of ensuring different data systems are compatible, in particular of carefully considering the systems already available and linking datasets across the CJS as soon as possible.

12. Members asked for a presentation on current work to align technology in the CJS at a future CJB meeting and for a rapid study of the feasibility adapting different systems to include an examination of Police National Computer (PNC) data.
13. The JS summarised that work would be undertaken on the feasibility of adapting different systems, and that an update on this, and a presentation on the work underway to link technology in the CJS more generally, including the Common Platform, would be provided at a future CJB meeting.

**Action 4: A study on the feasibility of adapting different systems to be undertaken and an update to be presented to the CJB.**

Action owner: Stephen Muers

Target date: December 2015

**Action 5: A presentation on the Common Platform and relevant associated work to be delivered to the CJB at a future meeting.**

Action owner: Natalie Ceeney and Peter Lewis

Target date: February 2016

*Conviction rate*

14. Board members commented that the conviction rate cannot, in and of itself, be regarded as a measure of success. They noted that a successful trial is one that returns a verdict, whether that is a conviction or an acquittal.

*Dashboard and points of clarification*

15. Members stated they had a few points of clarification on how the measures discussed were counted and defined. SM agreed to write to CJB members clarifying the points raised.

**Action 6: Stephen Muers to write to members clarifying the points raised.**

Action Owner: Stephen Muers

Target Date: November 2015

**Action 7: Performance to be a topic at each subsequent Board meeting.**

Action owner: Stephen Muers

Target Date: December 2015 onwards

*General points*

16. Members discussed the nature of the measures and were clear that they did not want to set targets, and JS agreed that the intention was to have an overview of the system so that the Board can identify potential issues and take action as necessary. Members of the judiciary also noted that they were adopting a similar approach on the development of a Crown Court Performance Tool which would provide critical management information.

**Agenda item 4: Working with local partnerships**

17. ME briefly introduced the paper on local partnerships. He noted that there is evidence to suggest that Local Criminal Justice Boards (LCJBs) are not always focused on improving whole system performance, as members can sometimes be more focused on the performance of their individual organisations. He also commented that where LCJBs did work well together, it was largely due to good local relationships and he recommended that there be a mechanism for ensuring that there is a more uniform picture of partnership working.

#### *Ensuring effective local partnership working*

18. There was a broad discussion about the recent joint inspectorate report about local partnerships. Members noted the recommendations and discussed whether further changes could be considered. The Board also noted recent work undertaken by the APCC

19. Members agreed PCCs should be fully engaged in local partnerships and that, as elected members, accountable to the electorate, the work should explore whether they should take a leadership role and oversee the effective local delivery of justice. They also felt that it should explore ways of capturing and sharing effective local practice between regions, while noting that due to regional differences, what worked well in one part of the country might not be effective in another. Members also felt that judicial observers, as well as representatives from health and social services, had a key role to play in local criminal justice partnerships.

20. Members discussed the need to set national data standards and the potential to build national data systems that collate local data sets.

#### **Action 8: Ministry of Justice and Home Office officials to report to a future CJB meeting on the local leadership role of PCCs.**

Action owners: Mary Calam and Indra Morris

Target date: February 2016

#### *Technology*

21. ME noted that local areas were developing innovative approaches that could be shared, particularly in relation to technology. Members agreed that while they welcomed local innovation, common standards needed to be set nationally and that the Board had already set up a sub-group to ensure that data, information and technology standards are aligned across the system. Proposals for the group will be tabled at the next meeting.

#### **Item 5: Implementation of the Leveson Review**

22. KS presented a paper on the implementation of the Leveson Review, noting that 11 of the 56 recommendations had already been implemented. He noted that these were perhaps the most straightforward to achieve and HMCTS was now focused on delivering the more challenging recommendations, which require cross-CJS working. KS made three recommendations to support implementation going forward, namely that the Leveson Implementation Board:

- declutters progress reporting;
- holds senior people in different CJS organisations to account; and
- delivers monthly progress reports on implementation to the CJB.

23. Board members agreed to oversee the implementation of the Leveson recommendations. They noted that when the recommendations are fully implemented there will need to be

an assessment of whether they had resulted in swifter, more efficient justice at less cost or whether further action was needed.

**Action 9: The Leveson Implementation Board to provide regular progress reports on the implementation of the Leveson recommendations to the CJB.**

Action owner: Kevin Sadler

Target Date: December 2015 onwards

**Item 6: Forward Look**

24. The JS noted that the final paper for the Board's consideration set out a forward look for the CJB's next three meetings and invited members' comments on the agendas, in or out of committee.

25. Members noted that the items they had already flagged (in relation to PCCs and the Common Platform) should be included along with a session on victims and witnesses.

26. The JS confirmed these items would be included in future agendas and thanked members for their contributions. He also apologised for the late circulation of papers for this CJB meeting.

**Action 10: A presentation on actions underway to address the needs of victims and witnesses in the justice system to be delivered at a future CJB meeting.**

Action Owner: Stephen Muers

Target Date: April/May 2016

**Acronym list**

AG	Attorney General (The Rt Hon Jeremy Wright QC MP)
CJB	Criminal Justice Board
CJS	Criminal Justice System
DPP	Director of Public Prosecutions, CPS (Alison Saunders)
HS	Home Secretary (The Rt Hon Theresa May MP)
JS	Lord Chancellor and Secretary of State for Justice (The Rt Hon Michael Gove MP)
LJF	Deputy Senior Presiding Judge (Lord Justice Fulford)
NC	CEO HM Courts & Tribunals Service (Natalie Ceeney)
MC	Director General Crime & Policing Group, Home Office (Mary Calam)
MP	Minister for Policing, Crime, Criminal Justice and Victims (The Rt Hon Mike Penning MP)
SM	Director Criminal Justice Reform, MoJ (Stephen Muers)
PCC	Police and Crime Commissioner Representative (APCC to nominate a permanent representative; Staffordshire Police and Crime Commissioner, Matthew Ellis, attended on 17 September).
PQBD	President of the Queen's Bench Division (Sir Brian Leveson)
ST	Chair National Police Chief's Council (Chief Constable Sara Thornton)