

Criminal Justice Board

15 December 2016 13:30 – 15:00 Rm 9.29a Ministry of Justice, 102 Petty France

Attendees:

- Lord Chancellor and Secretary of State for Justice (The Rt Hon Elizabeth Truss MP) - **JS**
- Home Secretary (The Rt Hon Amber Rudd MP) - **HS**
- Solicitor General (The Rt Hon Robert Buckland QC MP) - **SG**
- Minister for Courts and Justice (The Rt Hon Oliver Heald QC MP) - **SOH**
- Senior Presiding Judge (Lord Justice Fulford) - **SPJ**
- Director of Public Prosecutions (Alison Saunders) - **DPP**
- Police and Crime Commissioner Representative (Hertfordshire Police and Crime Commissioner, David Lloyd) - **DL**
- Chair, National Police Chiefs' Council (Chief Constable Sara Thornton) - **ST**
- CEO National Offender Management Service (Michael Spurr) - **MS**
- Non-executive Board member, Ministry of Justice (Sir Martin Narey) – **SMN**
- CEO Crown Prosecution Service (Nick Folland) - **NF**
- CEO of HMCTS (Susan Acland-Hood) - **SAH**
- Director General, Justice and Courts Policy Group, Ministry of Justice (Catherine Lee) - **CL**
- Director General, Prison Reform and Youth Justice Policy Group, Ministry of Justice (Justin Russell) –**JR**
- Deputy Legal Secretary and Head of Operations, Attorney General's Office (Michelle Crotty) - **MC**
- Director General, Crime, Policing and Fire Group, Home Office (Paul Lincoln) - **PL**
- Observer for Number 10 (Jack Cole)
- Economic Advisor to Lord Chancellor and Secretary of State for Justice (Adam Memon) – **AM**
- Deputy Director for Business Strategy, CTDD and HMCTS Reform/Change (Fiona Rutherford) – **FR**
- Deputy Chief Executive, HMCTS (Kevin Sadler) - **KS**

Apologies:

- Non-executive Board Member (Sir Theodore Agnew)
- President of Queen's Bench Division (Sir Brian Leveson)
- Minister for Victims, Youth and Family Justice (Dr Phillip Lee MP)
- Commissioner of the Metropolitan Police (Sir Bernard Hogan-Howe)
- Attorney General (The Rt Hon Jeremy Wright QC MP)

Agenda item 1: Introduction

1. The Lord Chancellor and Secretary of State for Justice (JS) thanked members for attending, and asked her economic advisor, Adam Memon, to introduce the CJS economic analysis.

Agenda item 2: CJS Economic Analysis

2. Adam Memon (AM) said that the analysis had two key messages. The first was that for the first time, we were able to set out the cost of each offence type at each stage

of the system. Second, four offence types accounted for over two-thirds of the overall spend in the CJS: violence against the person, fraud, theft and sexual offences.

3. Deep dives would give the CJB a more sophisticated understanding of specific offence categories, and three criteria were proposed to choose categories for deep dives:
 - a) high total cost to the system
 - b) high degree of harm to the victim or the public
 - c) poor or deteriorating outcomes (such as reoffending rates).
4. Sexual offences met all three criteria, and had a particularly high impact in terms of harm to victims and society and cost to the system. Theft tended to be committed by a cohort of prolific offenders with a very high volume of cases and reoffending rate, while violence against the person accounted for a quarter of total CJS spend and a quarter of police spend. Finally, despite relatively low reoffending rates, fraud was very costly to the CJS and wider society, with a small number of very high cost and complicated cases.
5. AM asked whether:
 - i. the CJB agreed that the correct criteria had been identified for deep dives
 - ii. the CJB agreed to commission a deep dive to report in the spring - with committed cross-departmental resource and with commitments on timely and quality data-sharing – into sexual offences, fraud and/or prolific offenders
6. JS supported commissioning a deep dive into sexual offences, looking at how long it took to respond to these crimes, and how they progressed through the CJS, including the impact of these cases on judges and the courts. JS said that with theft there were persistent reoffending and high recall rates. She would also support a deep dive on fraud.
7. The CJB agreed to commission a deep dive into sexual offences. Members acknowledged that fraud was an increasingly pressing concern, but it was agreed that the first deep dive should focus on sexual offences, with fraud being the focus of a future deep dive. The Senior Presiding Judge (SPJ) suggested, and the CJB agreed, that the focus should be on current rather than historic cases. JS asked for a report back to the CJB on the deep dive into sexual offences in the Spring.
8. Sir Martin Narey (SMN) said the CJB needed to be mindful of how much police resource was spent on keeping the peace, and that the police spend figures in the analysis did not capture all of that. He urged the CJB to look at the nature and seriousness of reoffending as well as its volume, saying that headline reoffending figures did not capture this and might therefore be misleading.
9. The Director of Public Prosecutions (DPP) said further analysis might include a forward look, to see what crime trends were on the horizon for the CJS. PL said that the Home Office could brief the CJB on this. The DPP added that conducting deep dives by offence type might miss important cross-cutting issues, such as vulnerable witnesses, or the impact of the use of social media.

Action: Bring the work on crime trends that is currently being done by Home Office for the CJB to review in the form of a forward look.

Action Owner: Paul Lincoln, HO

Target date: TBC

10. The CJB agreed to discuss the impact of social media on crime and cases going through the CJS at the next meeting.

Action: Conduct a deep dive into sexual offences and report back to CJB in the Spring

Action owner: CJB Secretariat

Target date: April CJB

Action: HO to lead on a paper on social media, for discussion at the February CJB

Action owner: Paul Lincoln, HO

Target date: 8 February 2017

Agenda item 3: Court Reform and Virtual Working

11. Kevin Sadler, HMCTS (KS) said that although virtual hearings were not new, HMCTS wished to confirm whether the CJB was content with the way that they were developing.

12. SPJ emphasised the importance of virtual hearings, and that they could be used for family justice and other kinds of justice as well. Their use should be promoted within the CJS.

13. The CJB discussed the need to strike a balance between ensuring uniform standards and not thwarting local innovation. There was more than one model of virtual hearings, because local areas had started to do conduct these on their own initiative, but now was the time to bring it together and make the framework clear.

14. David Lloyd (DL) said that he could see the need for a national strategy to ensure consistency of service provision, but emphasised the importance of ensuring that the learning and innovation from existing initiatives was not lost and was built upon when taking this work forward.

15. There was discussion about how much progress had been made with virtual hearings. The target to have 35% capacity for prisoner-court video links represented progress, as the level had been at 15% before.

16. Nick Folland (NF) said that HMCTS was engaging with partners on this in exactly the right way. Regarding the savings accrued to the CJS, he said that savings were not evenly shared across CJS agencies.

17. JS said that we needed timescales, and a way of measuring progress in delivering virtual hearings. JS asked for a more detailed plan for virtual hearings to be discussed at the next CJB meeting, with a map of what video links were in place where.

Action: Update the next CJB on virtual hearings

Action owners: Susan Acland-Hood, HMCTS

Target date: 8 February 2017

Agenda items 4 & 5: A.O.B and Next Steps

18. JS invited members to raise items for discussion at the next CJB.
19. DPP suggested that the CJB should discuss how to respond to the National Audit Office's report on CJS efficiency. It was agreed that MoJ would lead this. DPP also suggested a discussion on mental health. HS and other members agreed.
20. DL suggested that there should be a discussion a future CJB about local CJS join-up and devolution.

Acronym list

CJB	Criminal Justice Board
CJS	Criminal Justice System
PCC	Police and Crime Commissioners
DDi	Deep Dive
SO	Sexual Offences
HO	Home Office
MoJ	Ministry of Justice
KB	Katy Bourne
HMCTS	Her Majesty's Courts and Tribunals Service
NAO	National Audit Office
CJE	Criminal Justice Efficiency
OCCD	Out of Court Disposals

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