



Criminal Justice Board meeting 2 February 2019

Attendees, Members

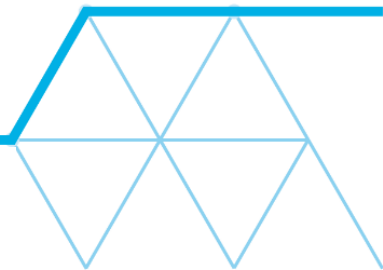
- Lord Chancellor and Secretary of State for Justice (The Rt Hon David Gauke MP) – **JS**
- Attorney General (The Rt Hon Geoffrey Cox QC MP) – **AG**
- Home Secretary (Sajid Javid) - **HS**
- President of the Queen’s Bench Division (Sir Brian Leveson) – **PQBD**
- Senior Presiding Judge (Lady Justice Macur) – **SPJ**
- Commissioner of the Metropolitan Police Service (Cressida Dick) – **CD**
- Chair of the Youth Justice Board (Charlie Taylor) – **CT**
- Director of Public Prosecutions (Max Hill QC) – **DPP**
- Chair, National Police Chiefs’ Council (Sara Thornton) – **ST**
- Association of Police and Crime Commissioners Representative (Dame Vera Baird) – **VB**
- Chief Executive, HM Prison and Probation Service (Michael Spurr) – **CEO HMPPS**
- Director General, Communications, Policy and Analysis Group, MoJ (Mark Sweeney) – **MS**
- Director General, Crime Policing and Fire Group, Home Office (Scott McPherson) – **SM**
- Chief Executive, HM Courts and Tribunals Service (Susan Acland-Hood) – **SAH**
- Deputy Legal Secretary and Head of Operations, Attorney General’s Office (Michelle Crotty) – **MC**
- Justice and Home Affairs Adviser, Policy Unit, 10 Downing Street (Michael Livingston) – **ML**

By invitation

- Chief Executive of the Bar Council (Malcolm Cree) - **MC**
- Head of Justice from the Law Society (Richard Miller) – **RM**

Senior Officials

- Nicola Hewer, Director, Family and Criminal Justice Policy, MoJ **NH**
- Melissa Case, Director, Family and Criminal Justice Policy, MoJ, **MC**



Introduction

- 1) JS opened by emphasising the unique ability of this Board to bring together senior leaders from across the Criminal Justice System and the importance of harnessing the range of experience and expertise.
- 2) JS welcomed the Attorney General, Home Secretary, and Director of Public Prosecutions to their first Criminal Justice Board meeting. He also welcomed representatives from the defence community; Malcolm Cree, Chief Executive of the Bar Council and Richard Miller, Head of Justice from the Law Society. JS emphasised the importance of advocates and litigators to our justice system and the importance of having their views represented at the CJB.
- 3) JS also thanked Chief Constable Sara Thornton for her sterling service to the Board as this was her last meeting as Chair of the NPCC.

Agenda item 1: The Criminal Justice System today

- 1) NH, outlined the importance of the Board having a collective view of the Criminal Justice System. NH provided a brief overview of some key published criminal justice statistics, and outlined the sub-groups to the Board, including the Senior Officials Group that focuses on delivering CJB goals and the disclosure sub-group which will oversee implementation of the recommendations from the AG's review. These groups will ensure a continuous process of delivery and will report on progress to the CJB.
- 2) NH went on to provide a forward look for the Board, which included: further work to create a shared view of the system; work to understand the impacts of changing demand across the system and work to understand what might be reducing the effectiveness of the criminal justice response to sexual offences.
- 3) The discussion centred on the importance of understanding the context of the data – for example the context of improvements in recording practices by police.
- 4) PD provided assurance to the Board that the Senior Officials Group had met to discuss contingency planning for EU Exit and departments and agencies were not only preparing their individual responses but also working together to understand the cross-system response.
- 5) **Action 1:** The MOJ to provide a more detailed overview of the system, getting underneath the data, and to report to the Board at the next CJB meeting.

Agenda item 2: Attorney General's update on disclosure

- 1) The AG thanked the Board for the support for his disclosure review and the creation of the disclosure sub-group. He emphasized the importance of addressing the issue of disclosure across the system. He requested that the Board continue to view disclosure as a priority.
- 2) The discussion focused on the difficulty that large volumes of digital evidence present for disclosure practices and the need to understand how changes in demand impact across the Criminal Justice System.
- 3) **Action 2:** The AG will provide a substantive update on disclosure at the summer CJB.
- 4) **Action 3:** The AGO, MOJ and HO agreed the need to be joined up to understand demands on the criminal justice system as we approach the Spending Review. A cross-system understanding of demand on the CJS will be presented to the Board at the summer CJB meeting.

Agenda item 3: Court reform and Crime Programme update

- 1) SAH provided an overview of the Crime Programme work to date and noted future work in this area. HMCTS provided a demonstration of the common platform.
- 2) The discussion welcomed the work in this area and agreed the need to embrace technology in the system, but also to understand and support behavioural change to go alongside it.
- 3) Some concerns were raised about the pace of delivery of the common platform and the fact that in the interim police forces were investing in their own digital transfer systems. SAH confirmed that HMCTS had taken steps to increase the pace of delivery because the programme was not where it had been hoped it would be by now.
- 4) **Action 4:** Senior Officials Group to monitor this issue moving forward. SOG will discuss how to do this at the April meeting and how it interacts with the CJB Integration Board where these elements of Reform are discussing cross system.

Agenda item 4: Pre-charge bail

- 1) Scott Mcpherson updated on pre-charge bail. He informed the board about the newly published NPCC guidance and other steps that have been taken to improve the use of 'release under investigation' (RUI) by police; as well as the upcoming report by Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) on pre-charge bail and domestic abuse, and further work by HMICFRS on pre-charge bail planned for this year.
- 2) Discussion focused on the need for data around the use of RUI across police forces.
- 3) **Action 5:** HS agreed to update on this at the April CJB.
- 4) **Action 6:** JS agreed that the senior officials group would take forward the monitoring of pre-charge bail and the use of postal charges and requisitions; but that this topic would remain under review by the Board under A.O.B.

Agenda item 5: Legal Aid Review

- 1) JS noted that a review into Criminal Legal Aid was being launched of which the Board should be aware.

Agenda item 6: A.O.B

- 1) PQBD raised the Offensive Weapons Bill and his willingness to discuss the impact of the proposed new measures on the courts. CT also expressed an interest in this conversation from a youth justice perspective.
- 2) **Action 7:** HS to arrange a meeting with relevant parties and report back to the CJB in April.

