



Criminal Justice Board Minutes

Held on 2 December 2020 chaired by the Rt Hon. Robert Buckland QC MP, Lord Chancellor and Secretary of State for Justice

Members

- Lord Chancellor and Secretary of State for Justice (Rt Hon. Robert Buckland QC MP)
- Attorney General (Rt Hon. Suella Braverman QC MP)
- Minister of State for the Home Department and Ministry of Justice (Kit Malthouse MP)
- President of the Queen's Bench Division (Rt Hon. Dame Victoria Sharp DBE)
- Senior Presiding Judge (Rt Hon. Lady Justice Thirlwall)
- Assistant Commissioner of the Metropolitan Police Service (Nick Ephgrave)
- Director General, National Crime Agency (Lynne Owens)
- Chair, National Police Chiefs' Council (Martin Hewitt)
- Director of Public Prosecutions, Crown Prosecution Service (Max Hill QC)
- Chief Executive, HM Prison and Probation Service (Jo Farrar)
- Acting Chief Executive, HM Courts and Tribunal Service (Kevin Sadler)
- Association of Police and Crime Commissioners Representative (David Lloyd)
- Victims' Commissioner (Dame Vera Baird QC)
- Chief Executive, Youth Justice Board (Keith Fraser)

By invitation

- Chair of the Bar Council (Amanda Pinto QC)
- Law Society Justice Lead (Richard Miller)

Senior Officials

- Interim Director General, Policy and Strategy Group, Ministry of Justice (Jerome Glass)
- Director General, Crime, Policing and Fire Group, Home Office (Tricia Hayes)
- Deputy Director, Criminal Justice Strategy and Criminal Court Policy Unit, Ministry of Justice (Matthew Gould)
- Chair, Criminal Justice System Strategic Command (Richard Vince)

Apologies

- Secretary of State for the Home Department (Rt Hon. Priti Patel MP)
- Commissioner of the Metropolitan Police Service (Dame Cressida Dick)

Introduction

1. The LORD CHANCELLOR welcomed members to the meeting, reflecting on the broad range of expertise and experience.
2. He welcomed the outcome of the spending review which reflected the importance the Government places on Criminal Justice.

Agenda Item 1: Recovery

3. The LORD CHANCELLOR highlighted the hugely encouraging progress that had been made:
 - Since August, the Magistrates' Court had dealt with more disposals than receipts;
 - 265 Crown Court rooms had been opened alongside an additional 10 jury trial rooms within the 16 Nightingale Courts;
 - England and Wales led the way internationally by restarting jury trials before any comparable jurisdiction;
 - We had commenced testing of frontline staff in prisons;
 - And, embracing technology, fully digital casework processes and investment in a robust technology infrastructure had allowed the CPS to work remotely and participate fully in video hearings.

4. He thanked Criminal Justice System (CJS) Partners for their dedication and work during this time. However, he recognised that there remained much to do but was reassured that channels are now firmly established to guide recovery and tackle the ongoing challenges
5. RICHARD VINCE outlined the work of the Criminal Justice System Strategic Command (CJSSC) since its' remobilisation in September which included identifying and addressing potential and current risks to the system. He thanked CJS partners for their participation and engagement in CJSSC activities.
6. CJS partners welcomed the excellent recovery work in Magistrates' Courts but highlighted the Crown Court as a continued concern, particularly around complex cases. A further concern was raised around workload going into the Winter months.
7. KEVIN SADLER noted the comments and outlined HMCTS' actions for increasing capacity in the Crown Court. He expected 290 courts to be open by December and hoped to announce an additional 40 Nightingale Court rooms. He noted the Covid Operating Hours pilots had finished and was open to public consultation. He also welcomed the accelerated role out of section 28 which would make taking victim statements for use at a later date easier.
8. Members welcomed the outcome of the DPP v Crown Court at Woolwich and Others which confirmed that the pandemic is a good and sufficient reason to extend a custody time limit.
9. The ATTORNEY GENERAL thanked partners for their work; we could not ignore the successes whether it is increasing capacity, prioritising cases or the other efforts taken to maintain the CJS.

Agenda Item 2: CJB Stocktake

10. The LORD CHANCELLOR noted that it was an appropriate time to talk about system reform. We had achieved much and truly come together as a system, it is a good time to look forward.
11. MATTHEW GOULD gave a summary of the work undertaken on behalf of the Board, noting the truly cross-system nature of those projects. The CJB had undertaken two rounds of prioritisation, first in 2019 and then in July of this year. He highlighted the key success and challenges in the work being done in the projects which resulted from the latter exercise, including engagement with the local level and the long-term work to ensure a suitable model for Video Remand Hearings. He noted the success of the Spending Review and summarised the ongoing work of the CJB Sub-Groups. He recommended that the Board undertaken a further round of prioritisation in the first half of 2021.
12. The ATTORNEY GENERAL welcomed the publication of the Disclosure Guidelines and the CPIA Code of Practice which will come into effect on 31 December. She thanked Board members for their work in the process. She noted the concerns of frontline staff recognised the need for a bedding in period highlighted her intention to form anew Disclosure Review Group and committed to an annual review to the guidelines.
13. The LORD CHANCELLOR welcomed the update and the Board agreed that the Disclosure Sub-Group could now be closed.
14. Board members discussed briefly areas of potential focus for 2021 and agreed on the following priority areas for consideration:

- Data sharing, collation and quality
- Disproportionality and equality

Closing remarks from the Chair

15. The LORD CHANCELLOR thanked Amanda Pinto for her time as a member of the CJB as her role as Chair of the Bar Council comes to an end.
16. The LORD CHANCELLOR thanked members for attending, commenting that “action and challenge” should remain the Board’s focus. He looked forward to the next meeting early next year.

Action 1: AGO to close the Disclosure Sub-Group.

Action 2: MoJ to undertake a prioritisation exercise on behalf of the CJB to scope new work areas.