



Criminal Justice Board Minute

Held on 16 October 2023 chaired by the Rt. Hon. Alex Chalk KC MP, Lord Chancellor and Secretary of State for Justice

Members

- Lord Chancellor and Secretary of State for Justice (Rt. Hon. Alex Chalk KC MP)
- Parliamentary Under Secretary of State, Ministry of Justice (Mike Freer MP)
- Minister of State, Ministry of Justice (Rt. Hon. Damian Hinds MP)
- Minister of State for Crime and Policing, Home Office (Rt. Hon. Chris Philp MP)
- Attorney General (Rt. Hon. Victoria Prentis KC MP)
- Solicitor General (Michael Tomlinson KC MP)
- Senior Presiding Judge (Lord Justice Edis)
- Criminal Justice Lead, Metropolitan Police Service (Commander Nick John)
- National Police Chiefs' Council Lead for Criminal Justice (Rob Nixon)
- Director of Public Prosecutions, Crown Prosecution Service (Max Hill KC)
- Chief Executive, HM Courts and Tribunals Service (Nick Goodwin)
- Director General Chief Executive, HM Prison and Probation Service (Amy Rees)
- Interim Chief Executive, Office of the Victims' Commissioner (Madeleine Story)
- Director of Investigations, National Crime Agency (John Denley)
- Chair, Association of Police and Crime Commissioners (Donna Jones)
- Interim Chief Executive Officer, Youth Justice Board (Stephanie Roberts-Bibby)

By Invitation

- Operational Director of Public Affairs, Law Society (David McNeill)

- Chair, Bar Council (Nick Vineall KC)

Senior Officials

- Permanent Secretary, Ministry of Justice (Antonia Romeo)
- Director General Policy, Ministry of Justice (Ross Gribbin)
- Director, Courts, Criminal and Family Justice, Ministry of Justice (Ed Lidington)
- Deputy Director for Police and Fire Funding and Criminal Justice System Strategy, Home Office (Charlotte Bryant)
- Director and Deputy Head of Office, Attorney General's Office (Kelby Harnes)

Apologies

- Director General Policy, Ministry of Justice (Jerome Glass)
- Secretary of State for the Home Department (Rt. Hon. Suella Braverman MP)
- President of the King's Bench Division (Rt. Hon. Dame Victoria Sharp, DBE, PC)
- Commissioner, Metropolitan Police Service (Sir Mark Rowley QPM)
- Head of Justice, Law Society (Richard Miller)
- Chair, Youth Justice Board (Keith Fraser)
- Criminal Justice Lead, Association of Police and Crime Commissioners (David Lloyd)
- Chair, National Police Chiefs' Council (Gavin Stephens)
- Director General, National Crime Agency (Graeme Biggar CBE)

Agenda Item 1: Lord Chancellor's Welcome

1. The LORD CHANCELLOR welcomed members and thanked them for the recent actions they had taken to address the issues that the Criminal Justice System (CJS) was facing.
2. The LORD CHANCELLOR ran through the latest prison population figures and recognised that this was a point at which the CJS risked suffering disruption. He said that he would be making an announcement on the current situation and plans to the House of Commons that afternoon.

Agenda Item 2: End of Custody Supervised License (ECSL) Scheme

3. AMY REES said that one of the measures being introduced to alleviate pressures on prisons was an end of custody supervised licences (ECSL) scheme which would make certain prisoners eligible for release up to 18 days before their conditional release date in targeted prisons. ECSLs

would only be used when and where necessary and if deemed safe to do so. Those released would face strict licence conditions and could be recalled to prison at any point.

4. Only prisoners within 18 days of their 50% automatic release date would be eligible. There would be several exclusions from the scheme including; those on the sex offenders register or serving a sentence for a sexual offence, those convicted of terrorist offences, all violent offenders serving 4 years or more, those currently remanded in custody or serving a recall, and Category A prisoners.

Agenda Item 3: Wider Package of Reform

5. ROSS GRIBBIN said that the Lord Chancellor would be announcing new policy measures that afternoon. These would include:
 - Early removal of foreign national offenders (FNO).
 - Full sentences for rape offences.
 - Suspension of short sentences.
 - Earlier termination of Imprisonment for Public Protection (IPP) sentences.
 - Changes to remand and recall.
 - Options for future prison capacity and reforms of probation services.
6. The LORD CHANCELLOR said that judges would remand those who did not follow court orders into custody and that the Ministry of Justice (MoJ) would double the availability of electronic tags.
7. ROB NIXON thanked colleagues for their ongoing work and collaboration and said that it was important to examine shifts in demand going forward.
8. The LORD CHANCELLOR said that the goal of this work was to cut crime. The focus would be on putting the most dangerous offenders away for longer but allowing those who could be redeemed to be rehabilitated.
9. MINISTER PHILP said that the Home Office (HO) supported the implementation of the measures. He said that Operation Safeguard had allowed capacity to increase and welcomed the Lord Chancellor's recommitment to an extra 20,000 prison places. However, it was important that custodial sentences remained available, particularly for prolific offenders.
10. DONNA JONES said that it was vital to get more courts sitting, increase the recruitment of district judges and out of court disposals.
11. NICK GOODWIN said that HMCTS was continuing to recruit legal advisors and that the situation in courts would improve as staff continued to gain more experience and training.
12. The LORD CHANCELLOR said that the immediate measures set to be announced were a temporary and targeted scheme aimed at relieving points of pressure in certain places. The wider policy changes would also help to reduce pressure on prison capacity, but moreover were part of the wider mission to cut crime.

AOB and Closing remarks from the Chair

13. The LORD CHANCELLOR thanked members for their contributions and continued support.