



# Criminal Justice Board Minute

Held on 11 July 2024 chaired by the Rt. Hon. Shabana Mahmood MP, Lord Chancellor and Secretary of State for Justice

## Members

- Lord Chancellor and Secretary of State for Justice (Chair) – Rt. Hon. Shabana Mahmood MP
- Secretary of State for the Home Office – Rt. Hon. Yvette Cooper MP
- Attorney General – Richard Hermer KC
- Chair, Criminal Justice Action Group (Permanent Secretary, Ministry of Justice) – Dame Antonia Romeo DCB
- Chief Executive, His Majesty's Courts and Tribunals Service – Nick Goodwin
- Chief Executive, His Majesty's Prison and Probation Service and Chair, Criminal Justice Board for Wales – Amy Rees
- Director of Public Prosecutions, Crown Prosecution Service – Stephen Parkinson
- Commissioner, Metropolitan Police Service – Sir Mark Rowley QPM
- Criminal Justice Lead, National Police Chief's Council – Rob Nixon QPM
- Chair and Joint Criminal Justice Lead, Association of Police and Crime Commissioners – Donna Jones
- President of the King's Bench Division – Dame Victoria Sharp DBE PC
- Senior Presiding Judge – Lord Justice Edis PC
- Chair, Youth Justice Board – Keith Fraser
- Chair, Bar Council – Sam Townend KC
- Head of Justice, The Law Society – Richard Miller
- Victims Commissioner – Baroness Helen Newlove

## **Invitees**

- Minister of State (Minister for Prisons, Parole and Probation) – James Timpson OBE
- Parliamentary Under-Secretary of State, MoJ – Lord Ponsonby of Shulbrede
- Parliamentary Under-Secretary of State, MoJ – Alex Davies-Jones MP
- Permanent Secretary, Home Office – Sir Matthew Rycroft CBE
- Director General Policy Group, MoJ – Ross Gribbin
- Director, Courts, Criminal and Family Justice, MoJ – Ed Lidington
- Deputy Chief Constable, National Police Chiefs' Council – Nev Kemp QPM
- Executive Director, Directorate of Security, HMPPS – Richard Vince CBE
- Director General, Operations, National Crime Agency – Rob Jones CBE

## **Apologies**

- Chair, National Police Chiefs' Council (NPCC) – Gavin Stephens QPM
- Director General, National Crime Agency – Graeme Biggar CBE

## **Agenda Item 1: Lord Chancellor's Welcome**

1. The LORD CHANCELLOR thanked members for attending at short notice and said she was keen to convene the Board within her first week as Lord Chancellor to emphasise the importance of collaborative cross-system working.
2. The LORD CHANCELLOR said the meeting would cover the announcement she was due to make regarding prison capacity pressures and the change in the automatic release point for Standard Determinate Sentences (SDS) from 50% to 40%. There would be exclusions for serious violence, sex offences and offences associated with Domestic Abuse. This would not be a permanent change. She had not chosen to do this because she wanted to, but because it was the only available option to stabilise the prison capacity situation. It would be reviewed in no more than 18 months.

## **Agenda Item 2: Prison Capacity Update**

3. DAME ANTONIA ROMEO said that she had chaired a meeting of the Criminal Justice Action Group (CJAG) on 10 July to discuss the implementation of the changes to the SDS release point and to discuss preparations for the introduction of the measure with operational colleagues. The CJAG had for the past 18 months been closely monitoring prison capacity pressures and overseeing the measures put in place to manage them. It would continue to do so and report relevant information back to the CJB.
4. ROSS GRIBBIN said that he was grateful to partners for their support over the last few months. He described the main elements of the SDS change. The Lord Chancellor was committed to transparency; data on the numbers released would be made available and an annual prison capacity statement would be published to ensure this. At least 1,000 new trainee probation officers would be recruited by March 2025 and MoJ would continue to work closely with delivery partners.

## **Agenda Item 3: Implementation**

5. AMY REES said that the change to SDS would come into effect for newly sentenced prisoners, and it would also be applied retrospectively, requiring prisons to recalculate conditional release dates for all in-scope sentences. The usual safeguarding processes and checks would be carried out and offenders would be subject to the same licence conditions as appropriate for their release and risk level. The proposed implementation of SDS would be staggered into two tranches to mitigate the risks of release into the community.

## **Agenda Item 4: Implementation Taskforce**

6. RICHARD VINCE said that the Criminal Justice System Strategic Command (CJSSC), which had been stood up to deal with immediate pressures facing the system, would continue to respond to the prison capacity situation and that an Implementation Taskforce had been established to support the implementation of the changes and co-ordinate responses to any operational impacts. The police had played an important role in setting up the taskforce, and the impacts to their work had been considered throughout.

7. NEV KEMP said that the police, HMCTS, and HMPPS had established a strong working relationship which would be useful as the measures were rolled out, and that the police's primary concern was ensuring that risk to the public was minimised.
8. During the discussion the following points were made:
  - i. It would be important to work with local partners, such as police forces and Local Criminal Justice Boards, to understand the downstream effects of the measure.
  - ii. Data sharing would be key to ensuring the smooth roll out of the scheme and join up between operational bodies.
  - iii. It would be important to ensure that the right offences were excluded.
  - iv. As prison capacity pressures stabilised, attention should be turned to the Crown Court outstanding caseload.
  - v. It would be important to ensure that victims received timely communications regarding the release of prisoners.

## **AOB and Closing remarks from the Chair**

9. The LORD CHANCELLOR thanked members for their attendance and brought the meeting to a close.

**Action 1: Richard Vince to share the Implementation Taskforce Terms of Reference with members of the Board.**

**Action 2: MoJ and HO to work together to define the exclusions from the change to SDS to ensure that the right offences were excluded.**