



## BCJB Board Meeting

12<sup>th</sup> May 2022

### Teams Meeting

<b>Name:</b>	<b>Organisation:</b>
Amanda Roberts	HM Courts & Tribunals Service (HMCTS)
Cara Gavin	Bedfordshire OPCC
Catherine Sharp (CS)	The Legal Aid Agency
Dave Collins (DC)	Luton Youth Offending Service
Dee Perkins (DP)	Bedfordshire Police
Festus Akinbusoye (FA)	Bedfordshire Police and Crime Commissioner ( <b>Chair</b> )
Gemma McCormack (GM)	Bedfordshire OPCC
Ian Miller (IM)	HM Courts & Tribunals Service
Jaswant Narwal (JN)	Crown Prosecution Service
Kate Somarakis	HMCTS, Legal Operations (Beds, Herts, Thames Valley)
Lorna Carver	Placing Communities, Central Bedfordshire Council
Matthew Thompson	Beds, Herts and Cambs AOJ
Nick Titchener	Defence – Lawtons Law
Pat Jennings (PJ)	Bedford Youth Offending Service
Rachel Mort	Crown Prosecution Service
Simon Powell	Bedfordshire OPCC
Steve Pearson	HMP Bedford
Stuart Betts	Citizens Advise
Thomas Moreton (TM)	Probation Service
Wayne Humberstone (WH)	Bedfordshire OPCC

#### **1. Welcome**

FA welcomed everyone to the meeting and apologies were noted from Fiona Beazer, Fiona McDougal, Ian Melville, Mark Bishop, PJ Butler, Sharna Basra and Trevor Rodenhurst.

The minutes of the meeting held on 8<sup>th</sup> February 2022, were discussed and agreed as an accurate record.

## 2. Terms of Reference

The Terms of Reference were discussed following changes that were recommended after the last meeting.

JN mentioned financial accountability, paragraph 10. The BCJB's funding is currently provided voluntarily, by agencies sitting on the Board and is used to pay the costs of the Business Manager, and the Support Team along with some programme costs. Therefore there cannot be an assumption that the agencies will always be able contribute.

JN clarified that in principle, partners do not contribute to the OPCC's office, but we contribute to the Criminal Justice Board, as it is run through the OPCC we have to ensure some clarity and any requests for the coming financial year, midterm requests can be made preferably before the end of the year. JN asked for the Terms of Reference to be amended to reflect this.

LC advised that she is representing the Community Safety Partnership and noted that within the ToR it states, 'Represented by CSP Chief Executive' and queried if this should be changed to say, 'Chair of the Community Safety Partnership'? FA advised that this will be updated to 'a representative from the CSP' so that we are not limiting ourselves to having just one role attending

**Action: Budget discussion and document to be sent around administration of the CJB.**

KS shared that she has noticed representatives from the Board for Bedfordshire states 'Cluster Manager' for HMCTS and asked if representation from the Legal side of HMCTS could also be included in the Board representation. KS also advised that 'Clerk to the Justice for Bedfordshire' is a title that does not exist anymore they are now 'Head of Legal Operations'.

FA advised that as things stand, we cannot sign off on the Terms of Reference and this will be brought back to the next meeting.

## 2. File Quality

JN advised this is not just for the Force but for all of us as Criminal Justice partners who have a vested interest to ensure that we are able to take our cases through the system. Partners share data with the Police as they are the investigators but here at the Board the data is used to highlight some of the issues and how we measure the file quality. RM advised that she is the Area Business Manager for CPS and explained that the CPS assess File quality throughout the life of the case, there are many measures on how we assess our performance, the main areas are pre-charge, acceptance and rejection rates, data protection and the director's guidance assessment.

Pre-Charge, relates to anything coming into the CPS for a pre charge decision from the Police. The CPS operational staff complete a triage to make sure the case is a national



file standard compliant; the operational triage is purely based on whether the right forms have been submitted at the right time for a pre charge decision to be made timely. This does impact on the timeliness between arrest and then either a charge or no further action.

Concerning Data Protection; there have been a lot of changes Nationally and we now have joint CPS/Police redaction principles, this came in force as of July 2021. This does tie in with the pre charge work as where it is not GDPR compliant it will get rejected at that stage.

FA asked if the benchmark that is used for evaluating file quality in Bedfordshire is the same across the country or is it just the same across the three areas that the CPS oversee? RM advised that how we measure the pre charge and the redaction is the same, we have a national system to monitor that, so every Force and every CPS area is measuring in the same way. RM provided assurance that the CPS measure the same way as every other CPS area. DP added that the only thing that is different is very subjective file quality as you have different percentages of files being moderated in different CPS areas.

Directors Guidance Assessment, this is following the Directors Guidance 6 around how we deal with disclosure, there was a new reporting regime put in where there was a new way of assessing the file quality. This is a legal assessment so when the Lawyers review the cases, they are assessing the disclosure element of each case for all pre charged cases as well as Police charged cases. The CPS are now rolling out training to our Lawyers on completing the forms.

FA asked if the CPS have had any engagement with the supervisors or leadership within Bedfordshire Police about this specifically? RM advised that JN has spoken with the Chief Constable on several occasions but also, we pick it up through our Strategic Join Meeting that is held monthly and both RM and DP both attend.

DP advised in terms of the governance structure within Bedfordshire, we clearly have the strategic and operational that is attended at various levels. We also look at file quality within Force Performance Board and we hold a monthly Gold Group on file quality as we are a learning organisation. DP stressed the importance of the Board to work together in partnership to make sure that our victims are in receipt of speedy justice and that we are looking for the best possible outcomes for them. The data we use is CPS data which we receive,

DP shared the data and talked through the 3 measurements that RM discussed. DP added that in future, it would be very worthwhile looking at this data at the Criminal Justice Board and reconciling it with data across the Criminal Justice Partnership.

#### **4. Scorecards**



JN provided an overview and advised that the CJS scorecards is data that we all can own, not one single agency and we should consider how we can approach it as a CJB as the data is given to us on a quarterly basis. The first set of data which was issued was National data, it wasn't broken down regionally and that was provided to us last year. There are a lot of different measures; looking at when a crime was recorded to a Police decision, the Police referral to the CPS charge and then the third part is a CPS charge to case completion. Those three parts do touch on each of the agencies who attend this meeting. Development and use of the scorecards have been driven by Number 10 as you know, so a great deal of importance is attached to it therefore, as public servants we need to ensure that we do deal with this data in the way that is expected.

The first part is largely the Police, the second part is largely the CPS, and the third part is largely what happens in Court so HMCTS but not exclusively as this is very broad. Within the measurements they are looking at timeliness, victim engagement, quality of justice and then volume of cases. We are expected to take some responsibility for all of that data and look to see how as a CJB we can approach it working together as a partnership.

The next set of data which is going to be published on the 6<sup>th</sup> June 2022, is going to cover Quarter 3 from last year (July, August and September 2021). We as a Board have to consider how we want to approach this as we need to look at it holistically as a partnership. The CPS has a Performance Officer who can work with the OPCC, and it could be that there is a lead who is taken from the OPCC, the agencies then also work with the Performance Officer so that there is an overview from quarter to quarter on what this data is. There is also a great deal of political interest in this, we might want to consider inviting MP's to attend one of the CJB meetings.

FA advised that one of his concerns is that this data is retrospective but what he would like to get out of it is the previous months comparative data, which should provide a picture of what we are doing collectively and whether there is anything different now to what was happening six months ago so that when the next round of reports come out in six months' time, we will be able to see the benefit and timeline of progress that has taken place. In terms of the MP's, FA agreed stating that he has no issues with keeping them in the loop.

MT advised that he has looked at these scorecards as well and agrees with what JN has said. We need to look at this as a whole agency approach but there is a risk around understanding the data, there is a difference between telling the public statistics and telling them what is happening in the criminal justice system. The narrative is important to help all to understand the data more. At the CJB in Cambridgeshire, they are looking at that data as a whole but as a Force they are picking out what those key risks could be so they can then understand the story behind it.

FA advised that speaking to Inspectors in the Force, there are some who have concerns about the quality of the files, there are things being done about it by the Force, but FA



feels he would struggle at the moment to challenge the CPS as he would like to when I know that we still have this issue within Bedfordshire. I am keen to find out where the source is coming from which may then affect things further up the line.

DP agreed that the Board needs to take a pragmatic partnership approach and work together to make sure that we are happy with our data and that we understand it. If the Force and CPS can come together with our data in advance of this meeting and jointly present the data, it will give everyone here a much more informative view of the data being reported and enable them to understanding the context behind it as well.

FA asked, if there is a platform whereby any discrepancies can be discussed? DP advised we have moderation panels with the CPS to discuss file quality cases, we then amend the data to reflect those that have been successfully contested for the DGA assessments. In future, this will also include the first triage data to provide essential context when reporting back to the Board.

JN agreed adding that she has no issue with any Partner organisation challenging the CPS, we have to ensure that we are working together. However we also have to ensure that the Board remains strategic which means that the details must be discussed at the appropriate place i.e., the moderating panel. It would be helpful if we can ensure that the data that is presented is agreed data. Previously at this Board we had the Performance Officer from the OPCC who would work with all of the agencies and the data that was presented was data, which was accepted, that will be the way forward with file quality.

FA confirmed that we should have an agreement for the future, that the Force and CPS will report on an agreed data set. All agreed. JN confirmed that she is happy for the CPS Performance Officer to work with the OPCC and Force Performance Officers to ensure that this Criminal Justice Board is equipped with all the relevant and agreed data.

**Action: For the Board to receive shared CPS and Force data reports at future meetings. RM to meet with OPCC Criminal Justice Project Manager once they are in post.**

#### **5. HMCTS Court Workload Update:**

KS advised that it is important that we get the terminology right, we should be referring to 'court workloads' rather than backlogs, as we are now getting cases that are coming in within reasonable timescales although some cases will stay in our systems a little longer as matters are contested, or cases are adjourned for trial.

Bedfordshire came out of the Pandemic very strongly and very quickly. One of the things introduced was KS meeting fortnightly with the Police to look at the Athena loadings to see where we are listing to, with youth, domestic abuse and the gap and end gap listings. With Athena Forces nationally. We have been rolling out common platform from the last



week in March. The youth work is consistent, the numbers are low, and the youth court can take new cases when they come in without any delays.

FA asked KS if she is happy that they are maximising the court spaces with the resources that you have? KS confirmed that court spaces are being maximised but consideration has to be given to the number of trainees at any given time, so we have to look at the receipts that are coming in and also the personnel that we have to cover the courts. FA stated that he would like to come in and visit the Trainees to thank them. KS agreed.

JN shared that one of the challenges for the CPS, is the double listing of cases as prosecutors need sufficient time to look at and prepare cases. The ask is that when we are looking at the listing to make sure that we are thinking about prosecutors and where they are having to pick up trials very late.

IM shared that going forward COVID is still going to be there, and we will have sickness like everyone else. We have improved in Magistrates, but we are constantly hiring and training which does cause a slight delay.

In relation to CVP, JN advised that, if Prosecutors are at home with COVID they can still sign in from home and we should be utilising the benefit of this system.

## **6. Performance Updates**

DP asked for representation from Children Services to attend these meetings. PJ informed the Board that this would default to him and DC and they will both feed into these meetings. DP shared in relation to children being kept in custody overnight, that there needs to be some type of long-term vision. PJ agreed and informed the Board that there is some ongoing work relating to this.

TM updated the Board that Probation is doing well in terms of timeliness, however some work needed on the day reports that are undertaken. Probation will be working with HMCTS around trying to improve that.

DC on behalf of Luton YoS, informed the Board looking at quarter three data, that first time entrants are 143 against the national of 172, in real terms that means that there were only 33 young people that entered the criminal justice system from Luton. Reoffending currently in Luton is 28% against the national of 36%. Custodial sentencing, we only have one young person sent to custody. Where there are concerns is with secure remands which are measured on bed nights as the majority of those young people were first time offenders. We have had 2 high profile stabbings in Luton over the past two months where the young people involved had no footprint in terms of Police or Social Care, which is concerning.

PJ on behalf of Bedford YoS, shared that he attended an MoJ meeting at the beginning of the week, the Minister is looking at a change to our reporting structures and KPI's to include suitable accommodation, access to mental health and education but also, looking





at the issues around disproportionality. The Minister has asked for these to be in place by October 2022.

**Action: Children in Custody to be discussed at a future meeting.**

### **7. Reoffending/Youth Offending Prevention**

TM advised that he has met with DC and PJ to talk about a delivery model to best support those in the youth transitioning service into probation. We have the data which we are looking at to understand the cohort. We will also be looking at best practice.

FA asked regarding the recent announcements from the Home Office and MoJ around the payback scheme? Has the work programme been rolled out in Bedfordshire yet? TM confirmed that he is looking at scoping and the key issues around staffing in terms of recruiting, training and retention.

### **8. Local and National Updates & New and Emerging Legislation**

FA asked if there is anything on our radar which we need to be aware of? TM informed the Board that there have been some interesting developments around the integrated offender management scheme. Over the last 12 months there has been a refresh programme to focus on IOM on the neighbourhood crime cohort. We now have a regional manager with operational support and in Bedfordshire we have a longstanding IOM scheme that works very well. TM shared the IOM presentation.

FA asked how are the demands being met at the moment with getting those resources in until 2 – 3 years' time? TM advised these are new roles and we are looking at a regional policy on how we deal with gangs and county line related activity, with the youth cohort we are looking at what work we can do there to support this group, linked into the work the Youth Offending Services are doing.

### **9. AOB**

None.

### **9 – Date of Next Meeting**

14<sup>th</sup> September 2022