



BCJB Board Meeting
14th September 2022
Teams Meeting

Name:	Organisation:
Cara Gavin (CG)	Bedfordshire OPCC
Gemma McCormack (GM)	Bedfordshire OPCC
Simon Powell (SP)	Bedfordshire OPCC
Wayne Humberstone (WH)	Bedfordshire OPCC
Dee Perkins (DP)	Bedfordshire Police
Festus Akinbusoye (FA)	Bedfordshire OPCC Police and Crime Commissioner
Pat Jennings (PJ)	Bedfordshire Youth Offending Service
Kerry White (KW)	Beds, Cambs and Herts Crown Court
Matthew Thomspson (MT)	Beds, Herts and Cambs AOJ
Jeanette Keyte (JK)	Central Bedfordshire Council
Rachel Mort (RM)	Crown Prosecution Service
Nick Titchener (NT)	Defence – Lawtons Law
Ian Butler (IB)	Hertfordshire Police
Dave Collins (DC)	Luton Borough Council
Thomas Moreton (TM)	Probation Service
Layla Allen (LA)	Thames Valley & Herts Witness Service
Joanne Smith (JS)	Bedfordshire Police

1 - Welcome:

FA welcomed everyone to the meeting and noted apologies from; Amanda Roberts, Kate Somarakis, Fiona Beazer, Ian Melville, Ian Miller, Jaswant Narwal, Lorna Carver, PJ Butler, Trevor Rodenhurst, Olivia Rose and Simon Smith.

2 – Minutes of Last Meeting & Actions:

FA advised that the minutes of these meetings are published on the OPCC website and asked for all to advise throughout the meeting if any information is restricted and should not be included within the minutes.

FA also advised that the minutes of the meetings in June 2021, February 2022 and May 2022 require checking from all attendees and to advise of any restricted information that requires removing before they are published. These minutes will be sent to all attendees and any comments to be returned to GM by the 23rd September 2022.

Action: All to check content of previous minutes and return comments to GM.

The actions from the previous meeting were discussed;



FA advised that the Terms of Reference have been updated to highlight that the OPCC will be covering the cost of admin support for this board, all were happy and the Terms of Reference have been agreed and signed off.

RM will meet with the OPCC Criminal Justice Manager once she is in post, Françoise Julian will be starting in this role on the 28th September 2022.

3 –Terms of Reference:

All were in agreement with the changes/updates and have now been agreed and approved by the Board members.

4 – File Quality:

DP and RM have spent some time together with their Performance Analysts to go through some of the measures which would be of benefit to be reported at this meeting. The file quality data was the primary focus, report discussed. Compliance rate is now improving but anticipating it taking a dip within July, mainly due to staffing levels over the summer holiday period. Bedfordshire are currently 11th Nationally compared to other Forces for DGA compliance which is a good position. Files are checked monthly, moderation panels are held where cases are discussed with CPS and an agreement is made on final compliance levels.

Successfully contested – In June that was really good performance in terms of one case being contested, that reflects good performance on the side of CPS that they were reviewing the cases appropriately which has improved from May. The revised rate has gone from 31% in October up to 64.9% in June.

RG updated that we are hoping for more 80% + of the relevant files to be assessed which will give a more accurate picture for the Police to work with as at the moment, we are only doing this for 60% of our cases. We are hoping the contested rate will improve as we are completing more forms on more appropriate cases.

DP advised that the file quality unit is now up and running which helps a great deal, we have had to build that unit from scratch and give them the training. The file quality measurement changed last year, it is much more complex now and this has taken the Police and CPS some time to understand get in order in terms of how we manage it. File quality is very subjective and comes with caution, especially in terms of how we reflect it in the minutes, as sometimes the narrative is better than the data in terms of, it is an improving picture for Bedfordshire from when we first commenced but we still have work to do for both the Police and CPS.

RM advised in terms of timelines and said that this is dependent on each case and whether it is Magistrates, Crown or RASSO and also depends on what stage it is at. We have 28 days to provide pre-charge advice but then we have to serve material on the defence within a certain timeframes under TSJ or BSM so is dependent on where the case is at throughout its journey within the system.



RM discussed the moderating panels and advised that this is an opportunity to contest, challenge the data and picking up any lessons learned to roll out across the CPS and Police Forces. The moderating panels are held monthly.

DP discussed first triage, this is for when the cases first go into the CPS and are viewed to make sure that everything is there that needs to be there. At the last BCJB Bedfordshire were 43/43 for Police Forces and we have really struggled in this area in terms of first triage rate. We have seen a steady improvement which now places us 33/43, a lot of this has been improved with the file quality unit and we now know there is a 78% chance of getting your file through first triage if put through the file quality unit and compared to a 7% chance if you don't. We and CPS have also now agreed a moderation session with Hertfordshire and Thames Valley as part of that Thames Chiltern cohort to look at moderating the data. We have now reached agreement that the 'do not use forms' which were the technical issues we discussed at the last BCJB, they cause a failure and will now be removed from the data as well. We will now be focussing on Officer error and CPS error. Our compliance rate went up to 62.5, then took a slight dip in July which placed us at 33rd Nationally, work continues to build upon this and address it. Every error within every cases is counted as 1 for example, if there is one statement that includes 5 errors, that would equal 1. This does appear to be improving but is expected to dip again due to the summer leave position. The sense of partnership working is good and we have a more aligned position with this data in terms of the partnership.

Data Protection breaches were discussed, this is where the Police had sent something across to the CPS but had not been redacted correctly, DP advised that this has improved but we are continuing to monitor.

RM reported on the conviction rate for magistrates court team and advised that this rate fluctuates monthly;

The figures for July are as follows;

82.7% Nationally
83% Thames and Chiltern
76.4% Bedfordshire

Crown Court:
77.9% National
79.5% Thames and Chiltern
84.2% Bedfordshire

Positive performance is being reported in the Crown Court and the Magistrates Court is the focus.

MC advised that work is being completed to explore why these numbers are so low at this time, there could be a number of factors but this is being looked into. The findings and any trends will be reported back at the next meeting.



Guilty plea at first hearing, this is not a positive picture; poor guilty plea at first hearing is being reported, some of this is due to non attendance, this is being explored and we are also looking into the pilot that Herts are currently running. Also looking into courts being more robust i.e. no adjournments due to administration issues, there is lots of work ongoing around this. CPS and HMCTS are looking at any learnings that are coming from this data. FA advised he is aware of the pilot in Herts and is keen for Bedfordshire to explore and adopt this.

RM updated on Crown court guilty pleas – The Police send all material for pre-trial, CPS prepare the material, serve evidence early at courts, then we are in a good position to accept guilty pleas early. Due to the COVID backlog and the strikes this figure may get worse over the coming months. It is difficult trying to keep victims and witnesses on board due to the length of time it is taking for cases to come to court. We are looking at anything else we are missing in terms of guilty pleas. DP advised that the Police and CPS have a monthly Trial Ready meeting now to ensure that we are in a good position in advance of trials but there are many other factors that are causing issues within the Court.

5 – Scorecards:

DP advised that the data is sent in a difficult format and it takes a lot of effort in understanding the data. The Force, with the help of the Performance Team have been looking at and understanding the data, the last data received was March 2022. It shows the time it has taken from the offence being recorded to the police charging. At this time Bedfordshire sits was below the national average which means we are getting our cases charged quicker than other Forces. The Home Office will be interviewing DP regarding timeliness and why we see this position. In terms of all crime we are below the National average and in terms of a successful outcome we sit just below the National average, for outcomes with no suspect identified we sit just above the National average. The other measure they look at is adult rape and where we were fairly low in terms of our timeliness compared to the National average, we have nearly doubled it from January to March. The rape numbers are small compared to what we solve. We have had some very old cases which we have now managed to resolve, push through CPS and get a charging decision. Timeliness is not a concerns and a quarterly strategic meeting with DP, Head of Protection and the RASSO Lead in the CPS is held where all cases are individually discussed, there are also meetings throughout that quarter to look at cases. Each case goes for early investigation advice, it comes back with an action plan and it then goes for a charging decision. The good news in terms of rape as a measure is the outcomes, Nationally is 3.98% and in Bedfordshire we sit at 9.9%. Our position does fluctuate but at this time we sit at 11th Nationally.

MT advised Paul Goodwin in finalising the scorecards in a grid format and once complete will forward to the Board.

6 – HMCTS:

RM updated regarding the strike action which is in place at the moment. The defence are striking in the Crown Court so all Barristers, fundamentally this is impacting Crown Court, they are continuing to strike, even through the National period of mourning the strike will be continuing. We do not have an end date at the moment but are preparing for the future internally on how we can progress cases. Discussions have taken place with all resident

judges about the approach taken. It is clear for guidance that we will be trial ready for every hearing. The Courts have also agreed that they will put back any witnesses for the first day if the defence do not turn up for trial. Managing the CTL Custody cases is a priority and we are working closely with the Courts and will apply for extensions where appropriate.

FA asked if we are seeing any knock on impact at the moment with the strikes? RM advised the biggest challenge at the moment is not getting the cases out of the system as when we look at our backlogs, we have a significantly higher backlog now than we had at the peak of the Pandemic. Some cases are already set for August/September 2023, now any new cases are likely to be pushed back further than that date. There is a real risk that we will lose that engagement and commitment due to the delays to date. The Witness Care Unit have put in a huge amount of work to prepare witnesses and victims for trial and the trials then do not go ahead. The bulk of the backlog is waiting for trial dates, there is also a backlog of people awaiting sentencing.

Judge Simon is now the resident Judge, from HMCTS point of view the resources are now there for Judges than have been previously, the backlog will be a priority and everything that can be done is being done.

IB agreed that engagement around victims and witnesses is a real challenge, some have been in the pipeline for quite a long time already and we are trying our best to support and manage expectations.

7 – Performance Updates:

WH advised that for the next meeting the Criminal Justice Project Manager for the OPCC will be in place – Francoise Julian. Moving forward with these meetings we will be looking to have a more thematic approach, we would like to evolve the Criminal Justice Board so that all partners get more out of it and Francoise will be arranging to meet with all board members once she has started. The plan going forward is that we will be putting a pack together ahead of the meetings for Partners to interject where required but this is something Francoise will also be working on.

DC updated on Q4 end of year report:-

- Finished quite strong in terms of our statutory performance in 2021/ 22. We have outperformed the national and our statistical family position across the three areas of reducing first time entrants, reoffending and use of custody – This is the first time Luton has finished on green in terms of custody and outperformed all comparators.
- First time entrants last year – 29 young people who came into the youth justice system young person who come in 1st time and receives a caution or a statutory court order).
- Reoffending in Luton finished at 28% against the statistical family group of 32% and national average of 34%.



- Custody – worked very hard to bring these figures down from 60 young people going into custody in 2017 to effectively only having two young people over the last two years and only one sentenced to custody at this moment.
- Despite the success of reducing custodial sentencing, concern comes with secure remand over the last 6 months. We have seen children being charged with serious offending for the first time and made subject to secure remand, which is a predictor for future custodial sentencing.

PJ updated that there is a concern around first time entrance figures as they had reduced so much in terms of young people coming into the criminal justice system, they were so low that an rise in the figures statistically puts us at a disadvantage, i.e. 2 young people coming in.

We haven't seen any delays in court since the COVID pandemic in terms of children being seen in court.

PJ is currently doing a disproportionality report around the over representation of black and ethnic minority children in the criminal justice system as part of a response to His Majesties Inspectorate Probations report on black, brown and mixed children in the criminal justice system. PJ has found in the 2021 figures that there is a definite over representation. We will be looking at collecting data from other Agencies to see what it is saying. It is important that we start moving forward with this in terms of what we are going to do to stop it. PJ advised that Traveller children are in the most deprived communities and do not have their own categorisation.

PJ to share his report at a future meeting.

LA updated some headlines from the Witness Service;

The number of witnesses in the financial year to date who have been referred to the victim service for support is very healthy at 29.8% and this has been rising year on year. This year the witness service have supported 7 defence witnesses. There is support provided call and Enhanced service which is for vulnerable or intimidated witnesses, the figure for the last financial year shows 10.6% received this support and is up this year to 24.7% which shows there is a high demand for this service.

The referral timeliness is the notice we get from the witness care unit and the majority of the referrals are usually 4 months notice and 55.1% of referrals are 4 months plus of the trial date, this came down considerably during COVID. 92% of the referrals are 4+ weeks of the trial date which means there is plenty of time for adequate support to be given i.e. phone calls, court visits etc.

Surveys are being completed online, the figures have dropped but 96% are satisfied or very satisfied, 1 was neither and 1 was dissatisfied.

There are currently 19 volunteers from Luton Magistrates and Crown Courts, we are trying to ensure that all days are covered but are constantly recruiting.



FA advised he will seek support from the OPCC in terms of promoting the Witness Service.

Action: SP and WH to discuss with LA

JK updated from the CSP's;

The biggest challenge at the moment is the number of domestic homicide reviews that are coming through to Central Bedfordshire, there are currently 6 at the moment. Some have come through with suicide as the cause of death, but domestic abuse has been linked to them. There is a concern around how this will play out in the long term and there are national moves to change suicide to be included as part of the criteria. Another challenge has been to find professionals and organisations to support with the reviews.

A piece of work that is ongoing is with You Turn Future supporting 16 years olds and preventing them going into the criminal justice system. We are into year 3 now and looking to extend this support to include work around the cuckooing agenda.

FA asked in terms of key learnings from the domestic homicide reviews, could the board be sighted on these? JK advised that once they have been sent back to the Home Office for approval this can be shared at with the board with any particular themes.

DP advised there are 7 DHR's in Bedfordshire and shared that once the review is published we then action the learning. In Bedfordshire we have a dedicated officer who leads on any reviews and once they are agreed to be published, they go on the internal website, the learning is collated and tracked. This then goes into the Force's Vulnerability Board and the ones that need further discussion get taken into the Force Executive Board.

8 – Local & National Updates:

TM to provide report

9 – Victim Journey & Victim Care:

To be added to December Agenda.

10 – AOB:

Out of Court Disposal:

JS leads for Bedfordshire Poilice on File Quality and Out of Court Disposals and updated on the current position. Since September 2021 have been in a two tier Force where community resolutions and conditional cautions and only use simple cautions in very specific circumstances. A Scrutiny Panel was introduced in January 2022 to review a sample of criminal cases that have concluded by using the out of court disposal. These meetings are quarterly and the Panel looks at 5 youth cases and 10 adult cases, the Panel is chaired by Judge Baker and a number of partners sit on the panel and there is an excellent uptake from partners. Performance has been steadily improving and there is



now a strong feedback link, victim views being recorded is critical. Around 80% of cases do comply with policy which is very positive. We also monitor any breaches of out of court disposals via the Co-ordinator and there is a weekly review of all those cases to make sure they are being regularly updated by Officers. 575 community resolutions have been issues so far this year and 420 conditional cautions across Bedfordshire. There is a new code of practice being developed by the MoJ as Nationally all Forces have to sit within two tier and Bedfordshire are in a good position as we are already running with that system. The community caution is going to replace the conditional caution which doesn't have an option for prosecution. There is still some outstanding work on how fines are going to be managed, this may be taken through the Court system but has not been formally agreed as yet. Community resolutions will remain the same but confirmation has not been received on this as yet.

We are in a good place in Bedfordshire but there is still some work that is going on around this.

FA asked if DP can provide the following information 'what percentage of recorded crimes in beds are investigated and what the conviction rates are, can this be broken down into crime types'. DP will send to FA.

11 – Date of Next Meeting:

13th December 2022.

Actions:

Action:	Action For:
8 - OPCC to have a discussion with CPS regarding funding for Criminal Justice Board. Complete	
9 - Budget discussion and document to be sent around administration of the CJB. Complete	
10 - For the Board to receive shared CPS and Force data. Complete.	
11 - RM to meet with OPCC Criminal Justice Project Manager once they are in post. Ongoing.	
12 – Update on deep dive into the reasons for the compliance - DP	
13 – Update on the trend in terms of numbers of Officers who are going through the File Quality Team - DP	
14 – MT to share scorecard data in new format	
15 – WH and SP to meet with LA to discuss support for the Witness Service.	
16 - FA asked if DP can provide the following information 'what percentage of recorded crimes in beds are investigated and what the conviction rates are, can this be broken down into crime types'. DP will send to FA.	

