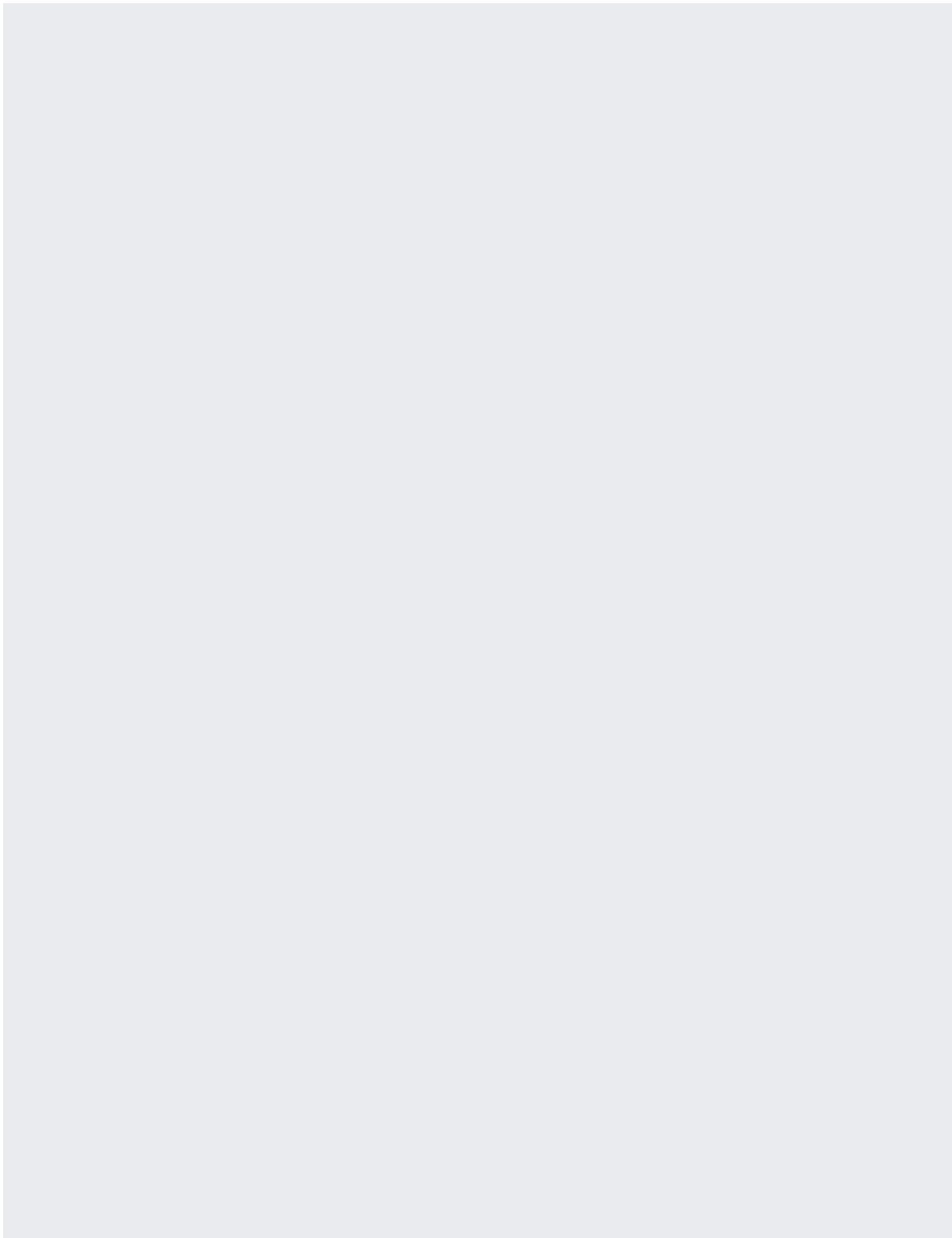




BUSINESS PLAN 2020-2022

**NORTHUMBRIA
LOCAL CRIMINAL
JUSTICE BOARD (LCJB)**



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Further details about our governance framework, terms of reference and information sharing agreement can be found in the appendices.



FOREWORD BY KIM McGUINNESS

I was delighted to take on the role of chairing Northumbria Criminal Justice Board following my election as Police and Crime Commissioner in July 2019. The board had fairly recently undergone a process of review and re-invigoration. Consequently I inherited a partnership of criminal justice agencies who had a new vision for partnership working to deliver more efficient and effective criminal justice locally. They had a shared understanding about the key challenges faced; an agreed plan of work to deliver improvements in key areas; a collective understanding about what success would look like and how this would be measured. These are all indicators of a collaborative and mature partnership.

I continue to be impressed by the good working relationships of the many professionals involved and the willingness of all partners to work together to improve the criminal justice system locally for the benefit of all, particularly victims.

This resolve/determination has never been so tested as recently as a result of the current COVID-19 pandemic which continues to have a major impact on many aspects of life including the criminal justice system. Consequently we have had to focus on our response to both the immediate crisis faced in early spring 2020 and more recently on recovery from that crisis and rebuilding a system which not only delivers at a similar level to pre COVID -19 activity but aims to improve beyond this.

In response to the challenge of recovery and rebuild, we established a new time limited strategic group of board members (Recovery Group) to oversee this process and support partners' local, regional and national recovery plans. We also established a

similar group (Effective Engagement) in response to another major challenge; supporting victims and witnesses in cases going through the court system to build confidence and enable them to play their part in securing fair justice.

Agreement of this Business Plan has been slightly delayed due to the pressing need to focus on the response to COVID-19 but I am pleased to say this has now been achieved and both the board and sub groups are already engaged in delivering it.

Some of the priorities for this second business term (2020-2022) roll forward with a renewed focus from the previous term (2018-2020), as these were about addressing long term and entrenched performance issues. Real progress has been made in these areas and I applaud the board's determination to improve further. Other priorities involve new developments.

All the priorities outlined in this Business Plan aim to improve the efficiency and effectiveness of the local criminal justice system. They will equally support the recovery and rebuilding process mentioned above.

I am therefore delighted to endorse this Business Plan 2020-2022.

A blue ink handwritten signature of Kim McGuinness, consisting of a large, stylized 'K' followed by a flowing line.

Kim McGuinness
Police and Crime Commissioner for Northumbria
(Chair of the LCJB)

OUR VISION AND FUNCTION

Our vision

The Police Reform and Social Responsibility Act 2011 placed a duty on Police and Crime Commissioners and other criminal justice agencies (Chief Constable; Crown Prosecution Service; Her Majesty's Court & Tribunal Service; Prisons; Youth Offending Teams; Community Rehabilitation Companies and the National Probation Service) to work together to provide an efficient and effective local criminal justice system.

In Northumbria we will fulfil that duty by working together, and with other partners, as a Local Criminal Justice Board in a spirit of collaboration to ensure the whole system delivers optimally for local people.

Our priorities are:

- strong support for victims and witnesses;
- fair, just and effective progression of cases;
- apprehension, punishment and rehabilitation of offenders;
- promotion of joint work that reduces the number of people entering the criminal justice system.

Apart from local focus we will engage nationally to shape debate and influence decision making.

Our success will be a safe community confident in its criminal justice system as a foundation for wellbeing.

Our function

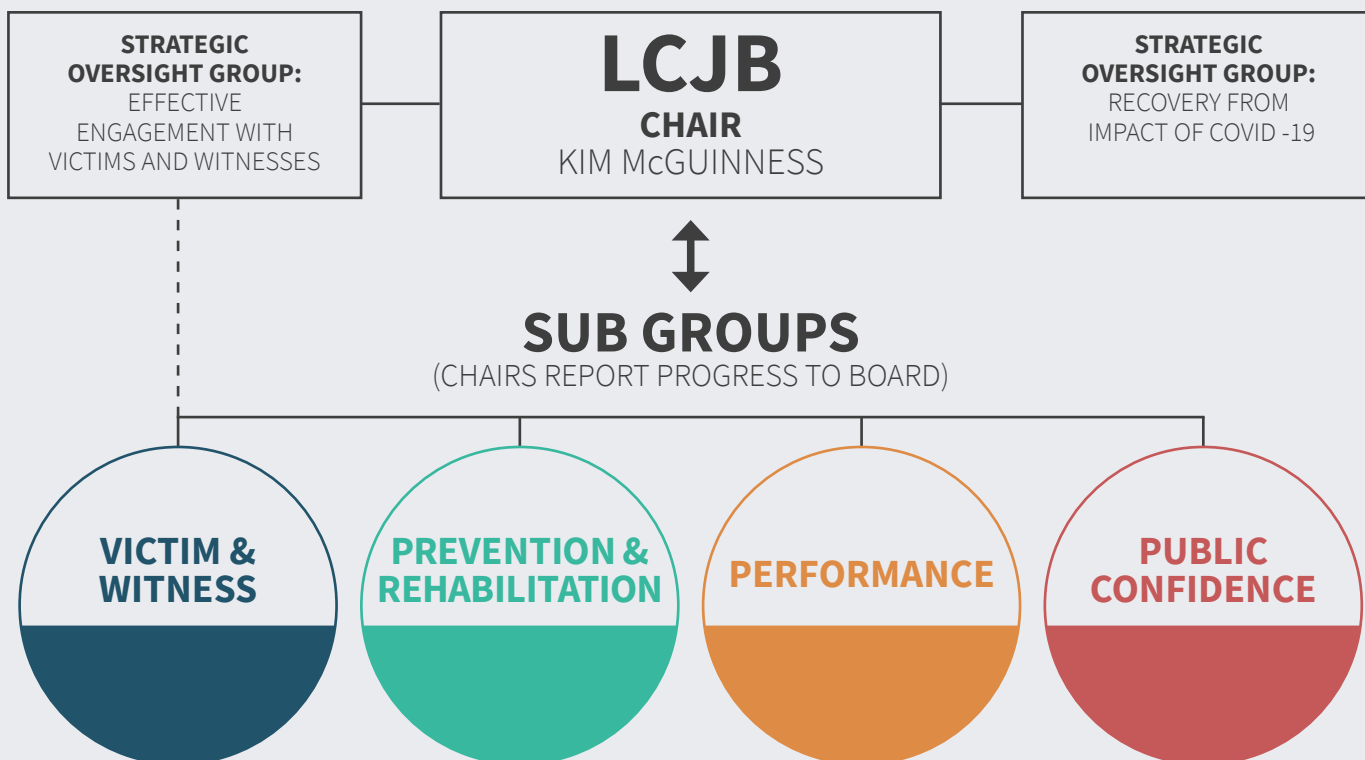
To bring together the key partners and senior representatives of criminal justice agencies operating within Northumbria, allowing for collaboration and partnership working. Northumbria LCJB is responsible and accountable for the service provided to victims and witnesses, the delivery of the criminal justice system targets in this area, improvements in the delivery of justice and securing public confidence.

For further details about our governance framework, terms of reference and membership, please see appendices one, two and three.

LCJB STRUCTURE AND PRIORITIES (2020-2022)

VISION: BUILT ON FOUR PILLARS:

- Strong support for victims and witnesses
- Fair, just, effective progression of cases
- Prevention and rehabilitation of offenders
- Reducing entry into the criminal justice system



SUB GROUP PRIORITIES

The following priorities, two from each Sub Group, will be our focus for 2020-2022



LCJB VICTIM AND WITNESS SUB GROUP

Priority 1

To improve compliance with the Victims’ Code of Practice (VCOP), using Northumbria’s Compliance Framework to identify priority areas and monitor performance.

Fit with LCJB priorities

Strong support for victims and witnesses	●
Fair, just, effective progression of cases	●
Prevention and rehabilitation of offenders	●
Reducing entry into the CJS	

Explanation of fit with above

Improvement in victim and witness care is linked to the vision and strategic plans of all criminal justice agencies and that of the LCJB. Compliance with VCOP and improvement in performance against the 5 key entitlements within VCOP, which Police & Crime Commissioners (PCCs) are now accountable for measuring, will ensure all partner agencies and the LCJB focus on ensuring we deliver strong support for victims and witnesses across our agencies.

Improved compliance with VCOP will support the LCJB focus on addressing victim and witness attrition. This has a direct impact on conviction rates, numbers of hearings in cases, early guilty pleas, effective and ineffective trials i.e. fair, just, effective progression of cases. This work will also focus on early identification of special measures and the availability of these.

Whilst sitting outside the 5 key entitlements, victim focussed Restorative Justice (RJ) is an important element of VCOP. RJ can support the cope and recovery of victims and the rehabilitation of offenders.

Setting the scene

The Victims’ Code of Practice is a statutory code that sets out the minimum level of service that victims should receive from criminal justice system agencies. It is currently under review with an updated version expected late 2020/21 (published Nov 20).

There is concern at both national and local level about the extent to which agencies are fully meeting their VCOP responsibilities. In 2019, The National Criminal Justice Board (NCJB) introduced a requirement of PCCs to work with LCJBs to measure compliance against the 5 key entitlements of VCOP (entitlements that victims have said are the most important ones for them). They are:

1. Written acknowledgement that a crime has been reported.
2. Completion of a needs assessment and timely referral, where appropriate, to support services.
3. Receiving updates during the investigation, court process and of the outcome of their case,
4. Offer to make a Victim Personal Statement and be informed how this was used at court.
5. Advance notice of a prisoner’s release if victim opted into Victim Contact Scheme.

PCCs are required to report annually to the Ministry of Justice (MoJ) who, with the Association of Police and Crime Commissioners (APCC), will report to the NCJB.

Improving compliance with VCOP was also a priority in our previous LCJB Business Plan (2018-2020).

The VCOP Task and Finish Group, accountable to the LCJB via the Victim and Witness Sub Group, have focused on establishing a VCOP Compliance Framework which has supported the LCJB in identifying areas within the 5 key entitlements where effort needs to be focused to drive improvement activity and to monitor progress. The board has recently agreed the areas for focus and will now develop detailed multi-agency improvement plans. The Victim and Witness Sub Group will now assume responsibility for the improvement work.

Northumbria's performance in non conviction rates due to victim and witness issues (attrition) is rated as being one of the lowest nationally. Improved compliance with VCOP should mean more victims feel supported and able to attend court to give evidence in trials to support the prosecution of the case. This is all the more important given the impact of COVID-19 on the criminal justice system.

The purpose

- To monitor multi-agency compliance with the 5 key components of VCOP with an aim to improve compliance in the agreed priority areas. Each of the priority areas will require a detailed implementation plan to deliver improvements in the 'offer' to victims and performance outcomes.
- This will strengthen the support offered to victims and witnesses and enable more to feel able to attend court to support the prosecution of their case.

Initial outline of project plan

- The VCOP Task and Finish Group has completed the design and delivery arrangements for our LCJB VCOP Compliance Framework. As a result this group will be disbanded and accountability for the improvement work and ongoing monitoring will be undertaken by the Victim and Witness Sub Group.
- Thresholds for good performance against various performance measures will need to be agreed by the LCJB. The board has recently agreed the measures which will be the focus for improvement activity.

- Each agreed area for improvement will have a priority owner identified.
- The priority owners will develop an implementation plan to deliver improvements and use the same LCJB template to monitor progress and report to the sub group.
- The sub group will report progress to the LCJB using the Highlight Report template, presented by the sub group chair.

Results – what will success look like?

- Success will equate to demonstrable improvements in delivery of key areas of VCOP, measured through our VCOP Compliance Framework including victim feedback. This framework measures all the key entitlements and will be considered at Victim and Witness Sub Group and LCJB meetings. The framework is included in the LCJB performance report. Improved compliance should support a reduction in attrition levels (baseline has been established for 2 key cohorts) and potentially a reduction in cracked trials and increase in early guilty pleas.
- CPS PTPM national measures (23 & 24) – non conviction outcomes due to victim and witness issues – will be further indicators of success. Again this features in the LCJB Performance Report.
- Improvements are likely to be seen medium/ long term as improvement plans could entail structural changes to the delivery of victim services and significant changes to practice.

LCJB PREVENTION AND REHABILITATION SUB GROUP

Priority 1

To evaluate Integrated Offender Management (IOM) arrangements across Northumbria, which were implemented two years ago as a priority in the previous Business Plan (2018-2020).

Fit with LCJB priorities

Strong support for victims and witnesses	
Fair, just, effective progression of cases	
Prevention and rehabilitation of offenders	●
Reducing entry into the CJS	

Explanation of fit with above

In seeking to provide robust multi-agency responses to tackling repeat and persistent offenders we are aiming to appropriately rehabilitate offenders and prevent further offending.

Setting the scene

The issue relates to a multi-agency evidence base (supported by various government inspectorates) that a small number of offenders are responsible for a significant proportion of all crime. If the frequency and/or gravity of offending in these cases can be reduced then the benefits to communities, the public and relevant agencies are significant.

In addition to obvious benefits such as a reduction in crime and therefore victims, the IOM approach combines partner agency resources to deliver a reduction in the public spend associated with offending; the appropriate rehabilitation of offenders (including prevention of further offences) and a reduced burden to all agencies involved in the management of their offending and associated behaviours and on the wider criminal justice system.

Evidence indicated that the previous approach to IOM needed to be strengthened with better co-ordination and governed in a manner which best supports a multi-agency approach. Northumbria Police (with the support of statutory agencies tasked with the management of offenders) launched a new approach to IOM in April 2018. This is based on an algorithm to select a cohort measuring the “recency, frequency and gravity” (RFG) of an individual’s offending behaviour.

Over the past 2 years we have introduced a set of robust governance arrangements to ensure multi-agency “buy in” to the process. Whilst this is working well, the priority moving forward is to expand on this way of working, drawing on evaluative evidence to better understand “what works” and replicate that consistently across Northumbria.

In February 2020 HMICFRS* and HMPPS** published the result of a joint national inspection of 7 force area around IOM. Northumbria was not inspected but the sub group has reviewed national findings to identify learning and address those recommendations as required.

The purpose

- This priority is about better evaluation of the work undertaken over the past 2 years. The key task being to evidence “what works” with the cohort to reduce reoffending and replicate that learning. In addition there is a key task in maintaining the momentum and governance currently in place in relation to IOM.

*Her Majesty’s Inspectorate of Constabulary and Fire & Rescue Service. ** Her Majesty’s Inspectorate of Prisons and Probation Service

Initial outline of project plan

- Priority owners are already identified.
- Undertake detailed analysis of the “recency, frequency, gravity” (RFG) scoring over the past 24 months (quarterly review of cohorts). April 18 – June 2020
 - This work will be jointly undertaken by National Probation Service (NPS), Northumbria Community Rehabilitation Company (CRC) and Northumbria Police and reported to the Prevention and Rehabilitation Sub Group.
- Collect detailed case studies in each Police Area Command (covering all 6 Local Authorities).
 - This work will be led by Northumbria Police and supported by Youth Offending Teams, NPS and CRC.
- Identification of “what works” and “what doesn’t work” to be drawn together in a series of briefings to be disseminated to agencies involved.
- Development of additional interventions and/or approaches based on this learning to further reduce reoffending.
- Continued IOM governance arrangements to be monitored through the Prevention and Rehabilitation Sub Group.
- Exploration of opportunities to pilot innovative ways of working. This will include exploring how to maximise on the learning and evidence base from our work with women in this cohort and our work with the Gateshead Housing Company and Junction 42 employment service.
- To conduct a joint organisational learning review of the impact of COVID-19 and lockdown measures on cohort members and IOM activity, to include consideration of:
 - Impact of lockdown measures on offending behaviour, this will consider impact on RFG measures, crime types that cohort members are identified as being involved in and evidence from cohort members and their case managers on the impacts of lockdown
 - Consideration of impact of changes in services on cohort members and risks associated with their offending, this will include considerations around access to benefits and stable accommodation, health and treatment services, mental health and family and support networks

- Consideration of impact of lockdown on capacity to deliver joined up IOM support to cohort members and learning how to maintain effective support and/or what could be improved in future to enable effective IOM activity to continue.

Results – what will success look like?

In relation to immediately measureable results:

- Overall reduction in RFG scoring against the cohort selected for inclusion in IOM approaches. The cohort is to be refreshed every 6 months moving forward in addition to the 2 years of historic data we have now gathered for more detailed analysis. Cohort members RFG will be re-scored quarterly over the 12 months from the point of cohort creation in order to monitor fluctuations in their offending behaviour until the point of deselection.
- Case studies indicative of qualitative successes and ability to draw on the learning from these individual stories.
- On-going monitoring that governance arrangements are in place to hold all relevant agencies to account.

Expected additional results include:

- Long term reduction in reoffending rates (measureable over longer periods of time). This could involve comparison with others areas nationally.
- Reduced expenditure across statutory services (including Police, Courts, Prisons, Adult and Children Social Care, specialist and universal services). Case studies will include estimated costs of cohort members to public services in the 12 months prior to selection compared to the 12 months post selection.
- Completion of an organisational learning debrief report to capture the impact of COVID-19 on cohort members and effectiveness of IOM process, and identify recommendations as to how to adjust IOM process to reduce risk to staff, cohort members and wider public.

LCJB PREVENTION AND REHABILITATION SUB GROUP

Priority 2

To increase the number of eligible cases diverted from charge into a conditional caution with rehabilitative conditions to address the causes of crime and reduce demand within the criminal justice system in the Northumbria area.

Fit with LCJB priorities

Strong support for victims and witnesses	●
Fair, just, effective progression of cases	●
Prevention and rehabilitation of offenders	●
Reducing entry into the CJS	●

Conditional cautions involve delivery of interventions that aim to rehabilitate low level offenders and contribute to preventing subsequent entry into the criminal justice system. Those which contain a restorative justice element hold offenders to account for what they have done. The interventions help offenders to understand the real impact, take responsibility and make amends.

Explanation of fit with above

National research indicates that many victims of crime (less serious crime) are less concerned about the offender going to court and more concerned that something effective should happen to ‘stop it happening again’. There is local evidence to suggest that most victims are happy with the outcome of a conditional caution which requires the offender to engage in a rehabilitative intervention to address the causes of crime and understand the impact they have had on the victim.

The COVID-19 pandemic is having an impact on victims and witnesses and their experience of the criminal justice system as a result of suspended prosecutions and delays to trials. The inability to progress cases efficiently tests witnesses’ resolve and their willingness to attend court. The ‘change in circumstances’ created by COVID-19 is an additional public interest factor which may lead to some low level, time limited cases, not achieving justice. Conditional cautions, which require the offender to complete interventions to address the root causes of their offending, can provide a realistic alternative to charge in appropriate cases and secure an efficient, effective and fair outcome.

Setting the scene

During the first wave of COVID-19 a significant backlog of cases awaiting the first hearing built up in the criminal justice system due to government requirements of social distancing significantly reducing the volume of trials listed and finalised in court. This requires keeping victims and witnesses ‘on hold’ for trial thereby increasing the potential for victim and witness attrition (non-attendance at court) and jeopardising public confidence in the criminal justice system.

The challenge of achieving an efficient criminal justice system will be managing demand and the subsequent pressures on the system to ensure we have the best opportunity to achieve a smooth recovery. The starting point for this is ensuring that investigations are managed in a timely manner and that decisions regarding the outcome of the investigation are made effectively with consideration given to all available options before electing to charge to court. An effective structure to support officers in respect of Out of Court Disposals, in particular conditional cautions, with clear pathways for diversion and capacity to manage the volumes of referrals will assist in reducing demand on the court process. This predominantly impacts on the Police, The Office of the Police and Crime

Commissioner and intervention service providers to build the platform that will free up capacity for all partners later in the criminal justice process.

This approach is consistent with the interim national strategy set out by National Police Chiefs' Council lead for Charge and Out of Court Disposals who has suggested a remedy to alleviating some of the burden within the criminal justice system is by exploring the use of Out of Court Disposals where options contain diversionary activity.

Northumbria Police operate a recently revised conditional caution (CC) framework designed to divert less serious cases from charge and into conditional cautions with interventions attached. There is scope to increase the use of this framework across the force. The framework refers offenders to one of six pathways identified as the most appropriate to address their offending behaviours. An evaluation of the framework was carried out by Northumbria University in 2019 which found high levels of victim satisfaction and a reoffending rate at 12% (people who had received a CC went on to commit a further offence within six months of the intervention) which compares favourably with the reoffending rate of 31% for those charged as well as the reoffending rate of other Out of Court Disposals. General offender compliance with conditional cautions based on two years of data remains strong at 75%.

Northumbria's previous Business Plan (2018-2020) includes a priority involving Restorative Justice and Community Resolution: an early intervention and diversion pilot to reduce re-offending in Southern Area Command. This aims to divert adult offenders (18 years and over), in appropriate cases into a restorative intervention as a condition of the community resolution. The restorative justice intervention involves the offender being referred to Victims First Northumbria (VFN) who will support the offender drafting a written letter of apology/explanation while also delivering a quality intervention with the offender aimed at increasing their awareness regarding the effect of crime on the victim.

Recently secured funding (PCC's Violence Reduction Unit) will allow the appointment of an Out of Court Disposal Coordinator on a temporary contract to support the delivery of conditional cautions.

The purpose

- The focus of this priority is to reduce current and future demand on the criminal justice system by diverting appropriate cases into a conditional caution which requires successful completion of a rehabilitative intervention.

- Delivering quality restorative justice and rehabilitative interventions allows us to maximise opportunities to prevent reoffending by diverting offenders away from the criminal justice system and enhance victim satisfaction through the delivery of timely and fair resolution of cases.

Initial outline of project plan

- Use analysis of disposals to determine potential volume of cases suitable for an out of court disposal.
- Engage with pathway providers to ensure capacity to manage the increased volumes of referrals.
- Refresher training input for custody sergeants and their key role in identifying appropriate cases.
- Develop a strategy to increase police officer awareness of conditional cautions and promote a culture where adopted as a viable alternative to charge in appropriate cases.
- Develop performance management gatekeeping function/process to maximise custody cases diverted from charge.
- Develop options for future delivery – expansion or variation to improve efficiency and effectiveness of interventions.

Results – what will success look like?

A recent external evaluation (by Northumbria University) indicates a reduction in reoffending rates in cases subject to the conditional caution framework and high levels of victim satisfaction.

The successful completion rate of conditional cautions is high – 75% over two years.

The framework is therefore a validated approach to reducing demand and cost in the criminal justice system, reducing further offending and providing satisfaction for the victim in terms of outcome of the crime.

Measures of success will include:

- Increased numbers of conditional cautions
- An increased proportion of all outcomes as conditional cautions
- Maintenance of a high completion rate
- Increased compliance with the Victims' Code of Practice with improved standard and frequency of victim updates.
- Reduced expenditure across statutory services by diverting cases out of the criminal justice system and addressing the causes of crime.

LCJB PREVENTION AND REHABILITATION SUB GROUP

Priority 3

To explore the use of custodial sentences of 6 months and under in the Northumbria area and, given their link to high reoffending rates, to develop strategies to reduce their use by offering robust community-based alternatives.

As part of this exploration, the COVID-19 pandemic will be considered specifically in terms its impact on sentencing.

Fit with LCJB priorities

Strong support for victims and witnesses	
Fair, just, effective progression of cases	●
Prevention and rehabilitation of offenders	●
Reducing entry into the CJS	

Explanation of fit with above

In exploring the use of the imposition of short custodial sentences this priority will evaluate and analyse if there were any alternatives which could have been imposed. This supports the fair, just and effective progression of cases.

In seeking to reduce the use of short-term custodial sentences it is anticipated that in the longer term, this is likely to result in a reduction in reoffending and the effective rehabilitation of offenders.

Setting the scene

There is significant evidence that short-term custodial sentences are ineffective in terms of rehabilitation and desistance from crime. 64.5% of prisoners released from sentences of less than 12 months reoffend within one year. This is much

higher than the 38% who reoffend after serving a community-based sentence and the 29% of those who reoffend after having served a custodial sentence of more than 12 months. Further; evidence from Scotland (where the use of short-term sentences has been reduced by 40%; reserved for only violent or sexual offending) demonstrates a direct correlation being the reduced use of short-term custody and a fall in reoffending rates.

It is well understood that short-term custody disrupts family ties, housing, employment and treatment programmes and is less likely to provide meaningful rehabilitation in line with desistance principles. Prisons are not designed to address the needs of short-term prisoners who are often in cycles of persistent offending and lead chaotic lifestyles.

Locally commissioned research identified that in the Northumbria area, whilst we are in line with the average rate for the imposition of short-term custodial sentences (per 10,000 of population), we have sometimes had a higher than average rate nationally for the use of short-term custodial sentences as a proportion of total custodial sentences imposed. Further, Northumbria has the third highest reoffending rate of all LCJB areas. It is therefore reasonable to identify a likely link between the use of short-term custodial sentences and a high reoffending rate.

The purpose

- The initial focus of the priority is to explore the relatively high use of short-term custodial sentences in the Northumbria area. We anticipate that sentencers feel frustrated when faced with a repeat offender who has not responded to previously imposed community sentences.
- Through this initial exploration, and depending on what it tells us, we will seek to develop proposals and initiatives to decrease the imposition of sentences of 6 months and under through the offer of robust alternatives.

Expected additional results include:

- Long term reduction in reoffending rates (measurable over longer periods of time and an existing Ministry of Justice published measure)
- Improved sentencer confidence in community based alternatives (indeed if that is identified as an issue as part of initial analysis/sentencer engagement).
- Reduced expenditure across statutory services (including police, courts, prisons, specialist and universal services).

Initial outline of project plan

- Establish a Task and Finish Group which will report progress to the Prevention & Rehabilitation Sub Group. The priority owner will be the NPS members of the Sub Group.
- Detailed analysis of the profile of the cohort who receive short-term custodial sentences in the Northumbria area to be undertaken by NPS and CRC representatives on the priority Task and Finish Group.
- Focus groups/survey activity with sentencers.
- Identification of cases at risk of short sentences and agreed process to target those offenders.
- Development of interventions/pathways as direct alternatives to the use of short-term custody.
- Pilot use of interventions/pathways as direct alternatives to the use of short-term custody.

Results – what will success look like?

In relation to immediately measurable results:

- Develop a detailed understanding of the local position with regards to short term sentences:
 - In depth understanding of the rationale for the custodial sentence and why community based alternatives (if applicable) were not imposed.
 - In depth understanding of the cohort of service users who receive a short custodial sentence.
- Using the baseline currently of the use of short-term custodial sentences, measure reduction on a monthly basis.

LCJB PERFORMANCE SUB GROUP

Priority 1

To further improve the quality of Northumbria Police case files.

Fit with LCJB priorities

Strong support for victims and witnesses	●
Fair, just, effective progression of cases	●
Prevention and rehabilitation of offenders	
Reducing entry into the CJS	●

Explanation of fit with above

This priority (agreed for a second business term) supports the need to ensure that the correct people are charged with the correct offence in a timely and proportionate way thus supporting the fair, just and effective progression of cases.

A further improvement in the quality of police case files will enable charging/diversion decisions to be made at an earlier stage leading to an earlier hearing and therefore less waiting for victims and witnesses to achieve a satisfactory outcome.

A proportionate good quality file-build at the beginning of the process enables the CPS to serve a file on the defence that allows them to take early instructions. It also leads to a more effective first hearing where Judges and Magistrates can properly, fairly and proactively manage the case, determine the issues and encourage timely guilty pleas.

Setting the scene

File quality has been an ongoing challenge locally with implications for the wider criminal justice system.

Northumbria data shows a trend of constant improvement over the last 2 years. This is across both Magistrates' and Crown Courts although performance in the Crown Court until most recently is less consistent. That said, Crown Court performance has been below the national average for case file rejections in each of the last 6 months.

The same reasons continue to be given for the rejection of files by the CPS: visual evidence; points to prove and key witness statements, account for 30% of file rejections and are about file content rather than strict quality of content. The delay in the full implementation of the locally developed police Digital Case File (DCF) means that this may continue although it is anticipated that Northumbria Police's new operating model involving the concentration of investigation and case file preparation within the Secondary Investigation Unit (SIU) may lead to improvement. It is recommended that this is monitored so the full effect of the DCF can be seen when rolled out and fully implemented.

The purpose

- To improve the timeliness and quality of cases from the first submission and thereby ensure an earlier resolution for victims, witnesses and offenders.
- To reduce the time taken at each stage of a case and the amount of resource taken up in each agency due to resubmission, relisting and reworking.
- To see an improvement in the delivery of each agency at each stage of the process:
 - **Police:** the provision of a proportionate and high quality file will enable charging decisions to be made faster and avoid the re-working involved in many cases at present. Where the

decision is to take no further action victims and witnesses will have an earlier resolution and more time to consider their rights of review. High quality includes timeliness and this will lead to a reduction in cases lost through late submission or re-submission.

- **CPS:** on receipt a decision can be made earlier and without the need for re-working currently undertaken in many cases. A better product can be served as Initial Disclosure Prosecution Case (IDPC) before the first hearing enabling both prosecutors and courts to take a pro-active stance at the initial hearing and an earlier disposal of each case. A better quality case would allow earlier identification of issues as part of the disclosure process.
- **HMCTS:** at the first hearing the bench will have more information on which to make earlier and pro-active decisions. A more effective case management hearing can take place. The bench can be more confident in sentencing exercises. There would be less need for adjournments improving listing opportunities and increasing capacity and timelines.
- **Defence/defendant:** early receipt of a better IDPC package allows instructions and pleas to be taken earlier. This will lead to an earlier resolution of the case and sentencing will take place at a closer point to the commission of any offence. Defendants will have to spend less time on bail awaiting resolution reducing family disruption. A reduction in the time on bail may lead to significant reductions in the opportunity to offend during this period.
- **Probation:** the improvement in the quality of the information provided to the probation service allows them to make a better assessment of the individual and ensure that recommendations/interventions are more effective.
- **Prisons:** better quality information will be available to the prison establishment regarding the offence committed and the sentence will be nearer in time to the date of commission, this will enable any targeted intervention in the system to take place when needed.
- **Victim/Witnesses:** a better quality file will reduce the time to get matters resolved due to earlier listing, victims and witnesses would get earlier closure. Proper case management at the first hearing would enable issues to be identified and reduce the need for victims and witnesses to attend court.

Initial outline of project plan

- To continue looking at File Quality within the framework of the current CPS/Police performance meeting using the appropriate multi-agency representation. Taking forward the plan and assessing the introduction of new investigation based teams.
- Update the agreed Police/CPS File Quality Action Plan to include the new DCF programme and confirm a more robust reporting structure including regular reports into the PTPM by the Area Commanders.
- An improved recording system within Northumbria Police to share file quality data down to shift level.
- Ensure the file quality measurement framework is used properly and consistently by CPS staff.
- Priority owner (Police) to report progress to the LCJB Performance Sub Group using the LCJB Priority Implementation & Monitoring Plan template and to the board (sub group chair) via quarterly Highlight Report.

Results – what will success look like?

- The primary expected result is that there will be a reduction in the number of cases that are rejected by the CPS at the initial stage but also throughout proceedings; (measure - section 1 in LCJB Performance Report & CPS charging data).
- There will be a reduction in the amount of re-working by agencies caused by the consequent 'churn'.
- There will be an improvement in the timeliness of cases i.e. charging and the first court appearance will be brought forward; (measures - sections 1.2; 1.3 & 2.1.3 in LCJB Performance Report)
- In turn this will enable earlier listing and improve the experience of victims and witnesses, allowing earlier resolution of cases and increasing the chance to keep victims and witnesses engaged with the process. (measures - sections 1.4; 2.4 & 2.5 in LCJB Performance Report)
- The receipt of a quality case with all required pieces of evidence will provide a basis for LCJB priority about an improvement in early guilty pleas (measures - sections 1 & 1.2 in LCJB Performance Report).

LCJB PERFORMANCE SUB GROUP

Priority 2

To increase the number of guilty pleas at first hearing in the Magistrates' Courts.

Fit with LCJB priorities

Strong support for victims and witnesses	●
Fair, just, effective progression of cases	●
Prevention and rehabilitation of offenders	●
Reducing entry into the CJS	

Explanation of fit with above

Ensuring cases within the criminal justice system are dealt with efficiently and effectively means that, at the first hearing, sufficient information is available and/or can be served on the individual/representative and the court to ensure the case can progress immediately.

A significant number of cases both in the Magistrates' Courts and the Crown Courts are allowed to take multiple hearings before acceptable pleas are entered.

An improvement in the number of cases dealt with at the first hearing will enable victims and witnesses to achieve justice at an earlier stage and reduce the risk of further offending against them. It will enable all criminal justice agencies to make better use of resources by concentrating on cases going to trial.

It will also bring sentencing closer in time scale to the relevant offending and enable a better management of punishment and rehabilitation.

Setting the scene

This is an agreed priority for a second business term. Whilst focus on this issue in the previous business term led to a general trend upwards with some improvement in the beginning of quarter 4 (January to March) 19/20, we think there is scope to improve further. From quarter 1 (April to June) 20/21, performance will have to be judged in the light of restricted listing across courts due to the COVID - 19 pandemic. There are currently about a quarter of the volume of cases being currently heard (June 20) which is even more reason to ensure that those which are heard are robustly managed in terms of case progression.

The purpose

- To increase the number of guilty pleas at first hearing and therefore enable a better use of existing resources within the LCJB area and across all agencies:
 - **Police** – an early/immediate guilty plea reduces the need for the police to provide an upgrade or trial file which may ultimately not be needed. This saves resource that can be used in other areas.
 - **CPS** – an early guilty plea reduces the reworking needed when cases are repeatedly adjourned and avoids further work taking place which is not ultimately needed. This allows resources to be directed to complex and contested matters.
 - **HMCTS** – by reducing a guilty plea to one hearing in the majority of cases the court capacity is freed to enable the earlier listing of contested matters, the importance of this being more relevant in the current climate.
 - **Defence/defendant** – Early disposal of guilty plea cases allows more resource to be devoted to complex and contested matters. Defendants can benefit by appropriate intervention closer to the date of commission of the offence and it does lead to less opportunity to ‘gather’ offences together whilst on extended bail.
 - **Victims/Witnesses** – get earlier conclusions for complainants and less uncertainty about the need to attend court and give evidence.

Initial outline of project plan

- Ensure the plans of the existing Transforming Summary Justice (TSJ) group supports the early guilty plea priority and feed into the performance group.
- These plans to be recorded on the LCJB Implementation and Monitoring Plan template which priority owners will update and use to feedback to the LCJB Performance Sub Group.
- Ensure the improvement in file quality supports the ability to serve a comprehensive, relevant and proportionate case before the first hearing.
- Engage with all agencies to ensure that in each case they are ready to make progress.
- Explore any involvement with the defence community to address possible blockers to the proposal.
- Develop and agree a file quality measurement framework to be reported into the performance sub group bi-monthly.
- Ensure that court listings allow for brigading of cases and effective case management.

Results – what will success look like?

- There will be a reduction in the number of cases that have more than one hearing resulting in a guilty plea (sections 1.2 & 1.3 in LCJB Performance Report).
- There will be a reduction in the number of court sessions devoted to adjournments and therefore earlier available trial slots (sections 1.3 in LCJB Performance Report).
- In turn this will enable earlier listing and improve the experience of victims and witnesses, allowing earlier resolution of cases and increasing the chance to keep victims and witnesses engaged with the process (sections 2.1.2 & 2.1.3; 1.4 in LCJB Performance Report).
- The receipt of a quality case with all required pieces will provide a basis for this priority (section 1 in LCJB Performance report).

LCJB PERFORMANCE SUB GROUP

Priority 3

To increase the number of guilty pleas at first hearing in the Crown Court.

Fit with LCJB priorities

Strong support for victims and witnesses	●
Fair, just, effective progression of cases	●
Prevention and rehabilitation of offenders	●
Reducing entry into the CJS	

Explanation of fit with above

Ensuring cases within the criminal justice system are dealt with efficiently and effectively means that, at the first hearing, sufficient information is available and/or can be served on the individual/representative and the court to ensure the case can progress immediately.

A significant number of cases both in the Magistrates' Courts and the Crown Courts are allowed to take multiple hearings before acceptable pleas are entered.

An improvement in the number of cases dealt with at the first hearing will enable victims and witnesses to achieve justice at an earlier stage and reduce the risk of further offending against them. It will also enable all criminal justice agencies to make better use of resources by concentrating on cases going to trial.

It will also bring sentencing closer to the relevant offending and enable a better management of punishment and rehabilitation.

Setting the scene

This priority has been agreed for a second business term. Whilst focus on this issue during 2018-2020 resulted in performance in quarter 4 (January to March) of 2019/20 returning to being 'green' rated with an overall early guilty plea rate of 42.7%, performance in quarter 1 (April to June) 2020/21 is variable, but this is against the backdrop of the COVID-19 pandemic, with virtual courts, and significantly reduced volumes.

With the large backlog of cases and bail trials being listed far into the future there is a risk that defendants will enter more not guilty pleas in the hope that the increased time between offence and trial will lead to the prosecution case failing due to witness attrition (non-attendance at court). This risks causing a vicious spiral, where delays drive an increase in not guilty pleas, creating more delay, and so on.

The purpose

- To increase the number of guilty pleas at first hearing and therefore enable a better use of existing resources within the LCJB area and across all agencies.
- As the criminal justice system looks to recover from the backlogs created by the global pandemic, early guilty pleas will be more important than ever, to ensure that resources are used efficiently.
 - **Police** – an early/immediate guilty plea reduces the need for the police to provide an upgrade or trial file which may ultimately not be needed. Reduces the resources required for witness care.
 - **CPS** – an early guilty plea reduces the reworking needed when cases are repeatedly adjourned and avoids further work taking place which is not ultimately needed. This allows resources to be directed to complex and contested matters.
 - **HMCTS** – reducing the number of cases listed for trial, allowing for court time to be used effectively.
 - **Defence/defendant** – early disposal of guilty plea cases allows more resources to be devoted to complex and contested matters. Defendants can benefit by appropriate intervention closer to the date of commission of the offence and it does lead to less opportunity to ‘gather’ offences together whilst on extended bail. Defendant obtains the highest level of credit for his/her plea.
 - **Victims/Witnesses** – get earlier conclusions to complaints and less uncertainty about the need to attend court and give evidence.

Initial outline of project plan

- Ensure the plans of the existing Better Case Management (BCM) group support the early guilty plea priority and feeds into the LCJB Performance Sub Group.
- These plans to be recorded on the LCJB Implementation and Monitoring Plan template which priority owners will update and use to feedback to the LCJB Performance Sub Group.
- Ensure the improvement in file quality supports the ability to serve a comprehensive, relevant and proportionate case before the first hearing.
- Engage with all agencies to ensure that in each case they are ready to make progress.
- Explore any involvement with the defence community to address possible blockers to the proposal.
- Develop and agree a file quality measurement framework to be reported into the Performance Sub Group bi-monthly.

Results – what will success look like?

- There will be a reduction in the number of cases that have more than one Crown Court hearing resulting in a guilty plea (sections 1.2 and 1.3 in LCJB Performance Report).
- There will be a reduction in the number of court sessions devoted to adjournments and therefore earlier available trial slots (sections 1.3 in LCJB Performance Report).
- In turn this will assist in reducing the backlog of cases which has built up as a result of the COVID-19 pandemic, allowing as swift a resolution of cases as possible. (sections 2.1.2 and 2.1.3; 1.4 in LCJB Performance Report).
- The receipt of a quality case with all required pieces will provide a basis for this priority (section 1 in LCJB Performance Report).

LCJB PERFORMANCE SUB GROUP

Priority 4

To understand whether there has been a significant increase in domestic abuse cases since the COVID-19 pandemic and how criminal justice partner agencies are progressing this workload across the system. Thereafter, to consider how to improve the timeliness and effectiveness of domestic violence trials within Northumbria Magistrates' Courts.

Fit with LCJB priorities

Strong support for victims and witnesses	●
Fair, just, effective progression of cases	●
Prevention and rehabilitation of offenders	●
Reducing entry into the CJS	

Explanation of fit with above

- All LCJB partner agencies are working to recovery plans with a collective aim to regain the momentum which was significantly impacted when the COVID-19 epidemic occurred. Domestic abuse is a priority area of work due to the harm caused to victims. To inform the recovery agenda there needs to be an understanding of the level of domestic abuse cases/workload outstanding, and at what stage in the process, as well as understanding what recovery work needs to be undertaken across all partner agencies. The police report an increase in domestic abuse during lockdown. This needs to be explored further and should form an integral part of the newly established LCJB Recovery Group agenda using metrics and analysis. Adopting a two-staged approach to this area of work, once the recovery group has established the base line position as outlined, further progression can be considered in the context of improving timeliness and effectiveness of domestic abuse cases moving forward through 2021/22.

- The quality of files of evidence produced at the first court hearing has a direct impact on the ability for robust case management to take place in the initial court hearing. Clear directions and timely applications based on the file of evidence will enable trials to be listed effectively (with the full range of measures/applications explored early) and in a timely manner thus supporting the fair, just and effective progression of cases.
- Listing of trials in a timely manner will manage expectations of victims and witnesses and encourage their engagement with the court process. This in turn should improve court outcomes.
- Timely sentencing will support earlier access to rehabilitation in suitable cases where there is a conviction or a late guilty plea.

Setting the scene

- Whilst the drivers for this initiative include high levels of victim and witness attrition (non-attendance at court); high non-conviction rates; low level of early guilty pleas and high cracked and ineffective trial rates, there needs to be a recognition that there is now the impact of the COVID-19 pandemic on the criminal justice system and specifically on the progression of domestic abuse cases which will exacerbate the current situation.
- The quality of files of evidence produced at the first hearing impacts on the ability for robust case management to take place. This in turn impacts on the ability to encourage early guilty pleas. Additionally, the ability to robustly case manage

a case allows for clear trial directions and timely applications allowing courts to effectively list trials within a realistic timeframe. Timely listing of trials will manage the expectation of victims and witnesses and encourage engagement in the trial process. This in turn should improve court outcomes.

- Currently 23% of the workload in Northumbria Magistrates' Courts relates to domestic abuse crime. The non-conviction rate due to victim and witness issues in these cases stands at 79% (Jan – Feb 2020) and this is amongst the lowest level of performance in the country.
- There remains a consistently high cracked and ineffective trial rate across Northumbria. Late guilty pleas, leading to cracked trials, may exist for a number of reasons, including where the victim/witness does not attend court to give evidence or where the case file is initially prepared to anticipated guilty plea standard, rather than the not guilty plea standard and therefore the full evidence is not laid out at the earliest opportunity to encourage earlier guilty pleas. Additionally, the listing of cases for trial which are not robustly case managed leads to numerous trial listings and a withdrawal of engagement by victims and witnesses creating higher non conviction rates due to victim and witness attrition or issues.

The purpose

- This is a multi-agency initiative involving LCJB partners and specifically Northumbria Police, CPS, HMCTS and Probation. The objective initially will be to establish a base line understanding of the impact of COVID-19 on the level of domestic abuse cases at each stage in the criminal justice system and how the cases are being progressed through the recovery plans.
- The aim is to reduce the time between not guilty plea and trial and sentence (if guilty verdict or late plea). Every aspect of the journey of a domestic abuse case from charge through to trial and guilty/not guilty verdict through to sentencing will be considered including whether the Police can prepare case files to such a standard that from the outset it will enable CPS/HMCTS to advise on/robustly case manage and list in effective and timely manner. The National Probation Service will be key to supporting prompt sentencing through the provision of sentencing advice.
- It will be necessary to bring all key partners together and form a task and finish group led by a HMCTS Project Manager. This group will be tasked with mapping out the specific milestones of a case and

produce a number of proposals which will improve the timeliness and effectiveness of domestic abuse trials. This group will also establish base line performance data (specifically timeliness and victim and witness engagement).

Initial outline of project plan

- Through the LCJB Recovery Group to agree a multi-agency objective to establish a baseline of metrics/data in relation to outstanding domestic abuse caseloads across the criminal justice system with specific emphasis on data post COVID-19.
- Establishment of a multi-agency task and finish group bringing together all appropriate stakeholders led by a HMCTS Project Manager and overseen by priority owner (HMCTS).
- This group will undertake a process mapping activity of all key stages of a domestic abuse case journey and develop a full implementation plan for the lifespan of this initiative.
- This group will report directly to the LCJB Performance Sub Group on the management/scope and implementation of the initiative using the LCJB Implementation/Monitoring Plan template.
- This group will undertake the evaluation of the project moving forward in 2021.

Results – what will success look like?

- Performance improvement reflected in reduction of cracked and ineffective trial rates (section 2.4 & 2.5 in LCJB Performance Report) and an increase in guilty pleas at first hearing (section 1.2).
- Improved file quality (section 1.1 in LCJB Performance Report).
- Improvement in non-conviction rate for victims and witnesses (section 1.4 in LCJB Performance Report).
- Improvement in time period from first hearing to completion (sections 2.1.3 in LCJB Performance Report).
- Improved experience through the criminal justice system for victims and witnesses (VCOP measures, section 5 in LCJB Performance Report).

LCJB PUBLIC CONFIDENCE SUB GROUP

Priority 1

To deliver a refreshed communications strategy in order to maintain public confidence in the justice system and the organisations which help to deliver it.

Fit with LCJB priorities

Strong support for victims and witnesses	●
Fair, just, effective progression of cases	●
Prevention and rehabilitation of offenders	●
Reducing entry into the CJS	●

- To offer a concise and consistent narrative as agreed by police, CPS, courts and other partners which can be used externally, when appropriate, to manage expectations with regards to potential delays, maintain public confidence in the CJS and inform how criminal justice is going to look post COVID-19.
- To increase awareness and recognition internally of outstanding work/ justice outcomes between organisations involved in the LCJB.

Explanation of fit with above

The COVID-19 pandemic has had a significant impact on all parties, with the lockdown restrictions having a knock-on effect on the administration of justice. It is essential that we maintain the public's confidence in the ability of criminal justice partners to deliver an effective criminal justice service that supports victims, deals robustly with those who commit crime, prevents re-offending and supports rehabilitation – while at the same time managing expectations regarding potential delays in the system and educating the public as to what the criminal justice system will look like post COVID-19.

The purpose

To work with Local Criminal Justice Board partners to deliver an effective communications strategy which has a more external focus, offering a concise and consistent narrative agreed by all partner agencies that can help maintain public confidence in the CJS post COVID-19. There will also be emphasis on internal communication to increase knowledge of the work of the board and highlight outstanding work/justice outcomes achieved by partners.

Setting the scene

The LCJB needs to maintain public confidence as well as celebrate success to promote excellent work in the criminal justice system.

The communication strategy will therefore have two main purposes:

Initial outline of project plan

- Work with partners to produce an effective communications strategy that includes consistent messaging from all LCJB partners in order to maintain public confidence in the CJS and highlight outstanding work/justice outcomes of board partners.

- Find opportunities, where appropriate, to deliver and communicate the agreed external messaging with regards to managing the public's expectations on potential delays and informing them on how criminal justice will look post COVID-19.
- Share examples and recognise good work/justice outcomes between partner agencies in order to raise awareness of the board's work and profile.
- This work will be led by Northumbria Police.

Results – what will success look like?

- LCJB partners deliver the consistent external messaging, where appropriate, to maintain public confidence in the CJS.
- LCJB partners share the agreed communications strategy within their organisations.
- Increase in communication activity highlighting good work/justice outcomes between partner agencies via sub group reps.

LCJB STRATEGIC OVERSIGHT GROUP

1. Effective engagement with victims and witnesses'

To establish a strategic oversight group to:

1. Improve our understanding of victim/witness attrition (non-attendance at court) amongst the high volume of cases who do not give their consent for the police to refer them to victims' services for support, particularly support during the criminal justice process,
2. Engage more effectively to encourage attendance at court to ensure fair justice, punishment and rehabilitation as appropriate.

Fit with LCJB priorities

Strong support for victims and witnesses	●
Fair, just, effective progression of cases	●
Prevention and rehabilitation of offenders	●
Reducing entry into the CJS	

Explanation of fit with above

Northumbria has comparatively high levels of victim/witness attrition (non-attendance at court) which in turn results in comparatively high levels of cracked trials and non-conviction rates due to victims/witnesses often not attending court to give evidence. It also impacts on the number of guilty pleas at first hearing as there is a culture of anticipating that the victim/witness is unlikely to attend the trial based on previous experience. This causes unnecessary delay and churn across all parts of the system; delay in the offender accessing appropriate rehabilitation services and crucially, additional anxiety for the victim/witness as cases are sometimes unnecessarily listed for trial. We know that a significant number of late guilty pleas are entered on the trial day once the defendant sees that the victim/witness has attended. We believe

that by strengthening the support for the large number of victims/witnesses who do not qualify for referral to specialist support, we will deliver better on the three LCJB priorities identified above and improve the efficiency and effectiveness of the criminal justice system in Northumbria.

Setting the scene

Northumbria LCJB is concerned about sustained low performance against the national CPS measure (PTPM measures 23 & 24) 'non conviction outcomes due to victim/witness issues'. Our performance is the lowest nationally in this respect. Largely this relates to the level of victim/witness attrition at court ie, victims/witnesses who do not attend court to support the prosecution of the case.

Previously the LCJB has focused on attrition amongst the smaller cohort of victims/witnesses who receive the enhanced service from Victims First Northumbria. This cohort have consented to referral to support agencies. However, we now understand that this cohort represents around 5% of cases which go to court and that attrition amongst this cohort is relatively low.

Consequently, in order to improve our performance against the national measure, we also need to focus on the larger volume cohort who do not give their consent to referral and who, until recently, receive a minimal level of support through the criminal justice system, and those who receive support from other specialist services, in the belief that improved support/engagement will enable more victims and witnesses to attend court, give evidence and experience fair justice delivered.

There is also the impact of the COVID-19 pandemic on the criminal justice system, particularly the backlog of trials, which is likely to further exacerbate witness attrition.

The purpose

- The aim is to reduce the non-conviction rate due to victim and witness attrition across courts in Northumbria. Northumbria's low performance in this area has shown little improvement over recent years. We need a better understanding of attrition amongst victims and witnesses who do not consent to referral to specialist victim support services.
- Once that understanding is achieved, we need to address this through the re-design of support and engagement and also by maximising the take up of existing support mechanisms (eg, high standard Needs Assessments; Victim Personal Statements; Special Measurers etc).
- To deliver this we need to establish a senior level strategic oversight group involving board members and subject experts.
- There are potential benefits to be gained for all parts of the criminal justice system and as LCJB partners we share a responsibility to ensure we effectively engage with victims and witnesses and deliver an efficient and effective criminal justice system.

Initial outline of project plan

- Proposal to LCJB – Assistant Chief Constable Bacon
- Agree Membership, Terms of Reference, Priority Owner, meeting dates.

- Data collection – establish information needs and process to address these.
- Respond to data
- Agree an Effective Engagement Improvement Plan including a revised specification of offer of support for the large volume cohort of victims and witnesses whose cases are going to court.
- Written report on progress to be presented at quarterly LCJB meeting.

Results – what will success look like?

Proposed measures of success:

- Reduction in victim/witness attrition across Northumbria courts.
- Reduction in non-conviction rate due to victim/witness issues (measures in sect 1.4 LCJB Performance Report).
- Reduction in cracked trials (measures in sect 2.6 LCJB Performance Report).
- Reduction in ineffective trials (measures in section 2.7 in LCJB Performance Report).
- Northumbria VCOP Compliance Framework.

Addressing attrition rates as described above will contribute to LCJB other work streams:

- Performance Sub Group priority to increase guilty pleas at first hearing (measures in sect 1.2 LCJB Performance Report).
- Public confidence through more positive experiences and outcomes in the criminal justice system
- Victim and Witness Sub Group priority about improving VCOP compliance (measures in sect 1.5 LCJB Performance Report).

LCJB STRATEGIC OVERSIGHT GROUP

2. Recovery from impact of COVID-19 pandemic on the local criminal justice system

The Northumbria LCJB agreed to establish a strategic group of its members, to consider how the partnership will work towards rebuilding and restoring delivery levels which existed pre COVID-19, and identify good practice which has emerged during the early response to the pandemic which partners would want to retain moving forward.

Fit with LCJB priorities

Strong support for victims and witnesses	●
Fair, just, effective progression of cases	●
Prevention and rehabilitation of offenders	●
Reducing entry into the CJS	●

Explanation of fit with above

The criminal justice system was facing many challenges pre the COVID -19 pandemic, including delays and inefficiencies which impacted on the fair, just, effective progression of cases. This in turn meant many victims and witnesses felt unable to remain committed to attending court for trial to give evidence. Timescales between the offence occurring and sentencing of the defendant meant delays in offenders being both punished and having access to rehabilitation services, which in turn meant a greater likelihood of further offending.

The COVID-19 pandemic has exacerbated this situation and the COVID secure requirements for delivery across the criminal justice system has led to an inevitable backlog of cases and significant delays in cases being progressed at all stages of the criminal justice system. It is therefore imperative that ways forward to recover from this position become a focus for the LCJB.

Alongside this, the LCJB priorities agreed for the 2020-2022 business term will also support recovery and rebuild.

Setting the scene

At an Extraordinary LCJB Meeting the board considered the existing COVID-19 related meeting structures within and between partner agencies, in particular the weekly local criminal justice partners’ dial in meeting, chaired by a Police LCJB representative. This meeting was set up as an immediate response to the announcement of lockdown, in March, to facilitate the sharing of information between partners and to support business continuity across the system. A number of board members were involved in this meeting. After the immediate crisis members reported an increasingly steady state within their organisations albeit working under interim models of delivery. It therefore appeared that the meeting had achieved its early aims and, it was now time to move to the next phase of ‘recovery’; bringing the criminal justice system back up to full speed and recovering from backlogs and ‘rebuild’; considering implementing longer term changes to the way agencies and the criminal justice system operates as a result of learning during the recovery phase.

Whilst we need to acknowledge that direction regarding recovery will be led by decision makers at a

national level, there is scope to influence delivery at a local level also.

The purpose

- This task and finish group will support the management of both current demand and the future operating environment.
- It will consider the capacity of the end to end system, locally, to meet the additional demand created by the inevitable build up of prosecutions caused by the unavoidable need to pause and re-engineer approaches as a result of COVID-19.
- We need a collective understanding about the backlog in the system, at which points the backlog both occurs and could be growing, the types of cases involved and a coherent plan to deal with current and future demand.
- The aim is to support, not duplicate, individual agency recovery plans through particular consideration of the interdependencies between the agencies involved and in the interests of the aims of the wider criminal justice system and fair justice for all.
- To agree work streams within a Partnership Recovery Plan, and address any barriers to achievement. This will include what can/cannot be retained post COVID-19; what should/should not be reverted to; and new ways of working which will need adapting to.
- To ensure effective strategic level multi-agency co-ordination of actions with clearly defined lead roles.
- Recovery is a transitional phase and the Recovery Group will need to determine when this phase is complete and how and when any remaining activity can be transferred to business as usual or the new normal.

Initial outline of project plan

- Agree Membership, Terms of Reference.
- Agree data sets to support a collective understanding of backlogs and demand pre court, at court and post court (enforcement) stages and through which to measure progress.
- Identify recovery issues for local resolution involving interdependencies between partners

which, if addressed, will support other recovery plans at local, regional and national levels.

- Agree which issues will be taken forward through recovery based work streams and identify work stream owners.
- Agree implementation and monitoring plans for each work stream to be used as a reporting mechanism to the Recovery Group.
- Written report on progress to be presented by the chair at quarterly LCJB meetings.

Results – what will success look like?

- Reduction in backlogs at all stages of the criminal justice system - pre court; at court; post court enforcement. (CPS Weekly Dashboard; HMCTS Recovery Data).
- Case finalisations consistently higher than receipts (CPS Weekly Dashboard; HMCTS Recovery Data).
- Listing of all cases in Holding Courts.
- Implementation of case progression models to improve timeliness and outcomes (LCJB Performance Report).
- Delivery of justice returns to pre COVID-19 levels and possibly even beyond that

NORTHUMBRIA LCJB PERFORMANCE MEASURES

Introduction

Northumbria LCJB performance framework has 3 sections;

1. **Primary measures** – which focus on the agreed LCJB sub group priorities.
2. **Secondary measures** – those that will both benefit from improved performance of the primary measures and will support/indicate improved performance in the primary measures.
3. **Outcome measures** – conviction rates and offender management.

Other measures, for example; victim needs assessments and algorithm scores in IOM cases are considered and managed by the sub groups themselves with progress fed back to the board via the Chairs Highlight Report.

Primary measures

- 1.1 File quality
 - Percentage of case file failures - all courts; Magistrates Courts and Crown Court
 - Reasons for case file failure (most recent quarter)
- 1.2 Guilty plea at first hearing
 - Guilty pleas - Magistrates Court; Crown Court
- 1.3 Average number of hearings per case
 - Average number of hearings - Magistrates Court (guilty pleas; contested)
- 1.4 Unsuccessful outcomes due to victims and witness issues
 - Unsuccessful outcomes due to victims and witnesses - all courts; Magistrates Court; Crown Court
 - Unsuccessful outcomes due to victims and witnesses by offence
 - Unsuccessful outcomes due to domestic abuse victims and witnesses -all courts; Magistrates Courts; Crown Court
- 1.5 VCOP compliance
 - Victims receiving a written acknowledgement that a crime was reported
 - Victims receiving an update when suspect is arrested; bailed; charged.
 - Victims satisfied with follow up contact
 - Victim Personal Statements – were they used at court and reported back to the victim.
- 1.6 Conditional cautions
 - Increasing the number of conditional cautions with rehabilitative requirements attached.

Secondary measures

- 2.1 Average number of days-from crime recorded to charge; from charge to listing; from first listing to completion
- 2.2 Number of warrants issued as a percentage of charges and postal requisitions
- 2.3 Use of remote evidence suites
- 2.4 Cracked trials
 - Cracked trials - Magistrates Court; Crown Court
 - Top five reasons for cracked trials - Magistrates Courts; Crown Court
- 2.5 Ineffective trials
 - Ineffective trials - Magistrates Court; Crown Court
 - Top five reasons for ineffective trials - Magistrates Courts; Crown Court
- 2.6 Pre-sentence reports completed on the day
 - Pre-sentence reports - Magistrates Courts; Crown Court

Outcome measures

- 3.1 Conviction rates - all offences
 - All offences - Magistrates Courts; Crown Court
 - Reasons for unsuccessful outcomes
- 3.2 Conviction rates - domestic abuse
 - Domestic abuse - all courts
 - Reasons for unsuccessful outcomes
- 3.3 Conviction rates - sexual offences
 - Sexual offences - all courts
 - Reasons for unsuccessful outcomes
- 3.4 Conviction rates - rape
 - Rape - all courts
 - Reasons for unsuccessful outcomes
- 3.5 Conviction rates - hate crime
 - Hate crime - all courts
 - Reasons for unsuccessful outcomes
- 3.6 Offender management
 - Successful completion of community sentences and post release licenses.

APPENDICES



APPENDIX 1

NORTHUMBRIA LCJB

GOVERNANCE FRAMEWORK

AND TERMS OF REFERENCE

Vision

The Police Reform and Social Responsibility Act 2011 placed a duty on Police and Crime Commissioners and other criminal justice agencies (Chief Constables; Crown Prosecution Service; Her Majesty's Court & Tribunal Service; Prisons; Youth Offending Teams; Community Rehabilitation Companies and the National Probation Service) to work together to provide an efficient and effective local criminal justice system.

In Northumbria we will fulfil that duty by working together and with other partners as a Local Criminal Justice Board in a spirit of collaboration to ensure that the whole system delivers optimally for local people.

Our priorities are strong support for victims and witnesses; fair, just and effective progression of cases; the apprehension, punishment and rehabilitation of offenders, and promotion of joint work that reduces the number of people entering the criminal justice system.

Apart from a local focus we will engage nationally to shape debate and influence decision making. Our success will be a safe community confident in its criminal justice system as a foundation for wellbeing.

Function of Northumbria LCJB

To bring together the key partners and senior representatives of criminal justice agencies operating within Northumbria, allowing for collaboration and partnership working. Northumbria LCJB is responsible and accountable for the service

provided to victims and witnesses; the delivery of the CJS targets in this area; improvements in the delivery of justice and securing public confidence.

Core Membership

- Police and Crime Commissioner (PCC)
- Northumbria Police
- Crown Prosecution Service (CPS)
- Her Majesty's Courts and Tribunal Service (HMCTS)
- National Probation Service (NPS)
- Community Rehabilitation Company (CRC)
- Youth Offending Teams (YOTs)
- Youth Justice Board
- HMP Northumberland
- Victims First Northumbria (VFN)
- Chair of any Northumbria LCJB sub group
- Legal Aid Agency
- LCJB Business Manager
- Defence Representatives (Magistrates and Crown)
- Court Based Witness Service

Standing Observers

- Judiciary and the Magistracy

Chair/Vice Chair

The Chair and Vice Chair will be appointed by the board and will be reviewed every two years and will be selected from the core members of the board. The Chair and Vice Chair may serve consecutive terms.

The Vice Chair will take on the responsibilities of the Chair in the Chair's absence.

The Chair will:

- Lead the board to deliver effectively against national priorities and local needs.
- Ensure effective engagement between partner agencies to achieve the vision and to deliver against the Business Plan.
- Call additional meetings at any time in response to exceptional risks or issues that require member consultation and agreement.

The Board

- The board approach to decision making will be in the spirit of strong collaboration and partnership working.
- It is in the spirit of this collaborative approach that each board member is whole heartedly committed to achieving the delivery of the Business Plan and performance improvement.
- Priorities of the board will be reviewed annually and where appropriate, sub groups will be responsible for local joint planning, implementation, and coordinating delivery of the priorities and reporting back to the board at the quarterly meetings.
- All representatives should have the authority to make decisions and effective contributions within board meetings on behalf of their respective agencies and send a representative when they are unable to attend.
- Board meetings will consider a range of issues including:
 - National audit and inspection reports
 - CJS performance information
 - Issues and risks arising from delivery of the Business Plan
 - National priorities and legislative changes
 - Response to emergency situations such as the COVID-19 pandemic.

Board Administration

- The board will meet on a quarterly basis to ensure continued progress of set priorities.
- Board administration will be facilitated by the Chair.
- Agenda items will be requested three weeks prior to board meetings.
- Agendas, supporting documents and reports will be circulated to the board seven days prior to board meetings.
- Verbal updates will be on an exceptional basis only and will be agreed by the Chair in advance.
- It will be the responsibility of the LCJB Business Manager to manage the agenda items for the board in consultation with the Chair.

APPENDIX 2

NORTHUMBRIA LCJB SUB GROUP - TERMS OF REFERENCE

Membership

To be made up of representatives from the partner agencies on the Northumbria LCJB and other stakeholders that can contribute to achieving the LCJB vision and the remit of the group.

Each sub group member should appoint a deputy at an appropriate grade who can, in exceptional circumstances, represent their agency in their absence.

To undertake, only where directly requested by the Northumbria LCJB, to form a task and finish group to undertake a specific task.

Chair/Vice Chair

The Chair and Vice Chair for each sub group will be appointed by the Northumbria LCJB Board and will be reviewed every two years. The Chair and Vice Chair may serve consecutive terms.

The Vice Chair will take on the responsibilities of the Chair in the Chair's absence.

Responsibilities

- To bring together a group of officers able to deliver improvements in line with the priorities identified in the LCJB Business Plan.
- To have a performance management framework agreed by the board and fully understand the performance impact of service improvements in delivering the Business Plan.

- To identify and use best practice and learning points from national/local partners; feedback from audit and inspections and nationally and locally identified risks to problem solve and inform service improvement.
- To undertake to complete any pieces of work as required by the Northumbria LCJB.
- To produce a plan with clear targets and responsibilities to deliver those priorities from the Business Plan that the board identify as the responsibility of the sub group.
- To identify areas of inefficiency and duplication and appropriate action to mitigate across all agencies in the LCJB.
- To identify training needs in LCJB partner organisations.
- To escalate successes and challenges in a quarterly LCJB report — to be presented by the Chair of the sub group.

Meeting arrangements

Bi monthly meetings for a maximum of two hours.

The Chair is responsible for arranging a note taker for each meeting and for the content and quality of written notes following the meeting before distribution to group members

APPENDIX 3

INFORMATION SHARING AGREEMENT BETWEEN MEMBERS, ATTENDEES AND OBSERVERS OF THE NORTHUMBRIA LOCAL CRIMINAL JUSTICE BOARD

PURPOSE

To facilitate the sharing of information between Members, Attendees and Observers of the:

NORTHUMBRIA LOCAL CRIMINAL JUSTICE BOARD

in order to fulfil statutory duties under the Police Reform and Social Responsibility Act 2011.

PARTNERS

Members, Attendees and Observers of this LCJB including the Board, Sub-Groups and any Task and Finish Groups working on behalf of and at the direction of the LCJB.

DATE AGREEMENT CAME INTO FORCE

18th September 2018

REVIEW DATE

14th July 2020

AGREEMENT OWNER

Northumbria Police & Crime Commissioner (Chair of Northumbria LCJB)

AGREEMENT DRAWN UP BY

Louise Silverton, on behalf of the LCJB

LOCATION OF ISA

Original will be held by the Office of the Police and Crime Commissioner

VERSION RECORD

VERSION NO

1.2

AMENDMENTS MADE

Pg5;6;7;16;17 task finish groups/ membership/quarterly meetings.

AUTHORISATION

Kim McGuinness (Chair)

1. INTRODUCTION

- 1.1 The Police Reform and Social Responsibility Act 2011 (“The Act”) makes provision for the Police and Crime Commissioner (“The PCC”) to work co-operatively with the criminal justice bodies in the police area for the exercise of functions so as to provide an efficient and effective criminal justice system.
- 1.2 To this end, the PCC together with the criminal justice bodies in the Northumbria area have reinvigorated the Local Criminal Justice Board (“the LCJB”) to ensure, through collaborative and partnership working that the whole criminal justice system delivers optimally for local people. The LCJB is responsible and accountable for the service provided to victims and witnesses, the delivery of the criminal justice service targets in the Northumbria area, improvements in the delivery of justice and securing public confidence.
- 1.3 In order to achieve the objectives of the LCJB it is essential that a full and frank exchange of information is facilitated. This information may include personal and special category data of individuals in the Northumbria area.
- 1.4 The sharing of such information will ensure that all partners have at least the minimum information necessary to fulfil their statutory function under the Act.
- 1.5 This ISA will apply to partners, members, attendees and observers attending LCJB meetings and sub-groups and related task and finish groups.
- 1.6 This ISA is concerned with the sharing of information in order to fulfil statutory duties and to lend support to the purposes of the LCJB. This ISA deals with the sharing of non-personal, depersonalised and personal or special category data.

2. PURPOSE

- 2.1 The purpose of this agreement is to facilitate the secure sharing of non-personal or depersonalised data and information, personal data and special category data between Members, Attendees and Observers

of the LCJB including the Board, sub-groups and any task and finish groups created in furtherance of the LCJB objectives.

- 2.2 The LCJB Governance Framework and Terms of Reference are set out in Appendix A.
- 2.3 The LCJB Sub-Groups Terms of Reference are set out in Appendix B. There are 4 sub-groups as follows:-
 - Victims and Witnesses
 - Prevention and Rehabilitation
 - Public Confidence
 - Performance

Periodically there will be Task and Finish Groups with either a strategic or operational focus and bespoke Terms of Reference.

The agreement will enhance the ability of partners to ensure the whole criminal justice system delivers optimally for local people whilst being compliant with Human Rights and Data Protection Legislation and facilitates:

- The collection and exchange of relevant information.
- A coordinated approach that delivers improvements to the criminal justice system
- Ensures that the sharing of information has a basis in law

- 2.4 It also seeks to increase the confidence of partners involved, providing them with the information needed to meet the LCJB objectives.

3. PARTNER(S)

- 3.1 Members, Attendees and Observers of the LCJB, sub-groups and any task and finish groups of the LSJB including:-
 - Police and Crime Commissioner for Northumbria
 - The Chief Constable of Northumbria Police
 - Crown Prosecution Service (North East)
 - Her Majesty’s Courts and Tribunal Service (North East)

- Northumbria Community Rehabilitation Company
- Youth Offending Teams in Northumbria
- HMP Northumberland
- Victims First Northumbria
- Legal Aid Agency
- LCJB Business Manager
- National Probation Service (North and South of Tyne, Northumbria)
- Youth Justice Board (North East)
- Representatives of the Judiciary and Magistracy (Northumbria Bench)
- Defence Representatives
- Court Based Witness Service

At board level – only depersonalised data regarding practice and performance issues in relation to strategic priorities will be shared.

At Sub-Group and Task and Finish Group Levels – some personal and special category data may be shared around individual cases where there is learning for the benefit of the group and the LCJB. The data will only be shared where it is necessary to achieve the LCJB, sub group or task and finish group objectives and priorities.

4. POWER(S) & RESPONSIBILITIES

4.1 This agreement fulfils the requirements of the following:

- Section 10 Police Reform and Social Responsibility Act 2011

4.2 This agreement is compliant with and takes account of:

- The Human Rights Act 1998
- The Data Protection Act 2018 and the Law Enforcement Directive
- The General Data Protection Regulation (GDPR)

5.3 Data shared under the agreement is subject to constraints on its use by the partners.

5.4 There must be a clear audit trail which covers the whole process when information is shared. This will take the form of minutes taken from LCJB, sub-groups and any task and finish groups established under the LCJB.

5.5 Information shared between partners must not be disclosed to any third party without the written consent of the partner that provided the information.

5.6 Information received by each partner must be securely stored and disposed of when it is no longer required for the purpose for which it is provided.

5. PROCESS

5.1 This agreement has been formulated to facilitate the exchange of information between partner agencies. It is incumbent on all partners to recognise that any information shared must be justified in furtherance of the LCJB objectives. The balance, between the human rights of an individual and the need to disclose information in order to achieve the purposes of the LCJB, must be assessed to ensure the information shared between agencies is proportionate and justified in all cases.

5.2 Types of information to be shared:-

6. ROLES AND RESPONSIBILITIES UNDER THIS AGREEMENT

6.1 All partners to this agreement must appoint Specific Points of Contact (SPOC) who will be responsible for acting as the points of contact to process the data handled by the partner received under this agreement.

6.2 The SPOCs within each partner organisation will be the designated attendees of the LCJB and the sub-groups. It is their responsibility to ensure that any personal or special category data is not shared unless there is a legitimate purpose in furtherance of this agreement and written consent has been received from the partner providing the information.

7. INFORMATION SECURITY

7.1 The Partners agree to apply appropriate security measures, commensurate with the requirements of GDPR and the Act including all appropriate technical and organisational measures to guard against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.

7.2 In particular, the Partners shall ensure that measures are in place to do everything reasonable to:

Make accidental compromise or damage unlikely during storage, handling, use, processing, transmission or transportation,

Deter deliberate compromise or opportunist attack, and

Promote discretion in order to avoid unauthorised access

7.3 The Partners agree to adhere to the measures set out in Appendix C.

8. REVIEW, RETENTION & DELETION

8.1 Partners to this agreement undertake that data shared will only be used for the specific purpose for which it is provided in line with this agreement.

8.2 The recipient will not release the information to any third party without obtaining the express written authority of the partner who provided the information and to ensure consistency will also where ever possible first consult with the LCJB.

9. REVIEW OF THE INFORMATION SHARING AGREEMENT

9.1 This ISA will be reviewed 12 months after its implementation and annually thereafter. The nominated holder of this agreement is the Chair of the LCJB.

9.2 This ISA has been based on the national template for Information Sharing which forms part of the guidance issued on the Management of Police Information by ACPO and the Home Office.

10. INDEMNITY

10.1 All signatories to this agreement will, as recipients of information, accept total liability for a breach of this Information Sharing Agreement should legal proceedings be served in relation to the breach.

11. SIGNATURE(S)

11.1 By signing this agreement, all signatories accept responsibility for its execution and agree to ensure that staff are trained so that requests for information and the process of sharing itself is sufficient to meet the purpose of this agreement.

11.2 Signatories must also ensure that they comply with all relevant legislation. Partnership organisation / agency / authority:

Signed
Name Rank / position:

.....
(Please print name and position within organisation)

On behalf of
(Please name of agency / partnership / authority / organisation etc.)

Dated

APPENDIX A

SECURITY OF INFORMATION

It is important that all information that will be shared in accordance with the terms of this agreement is secured in order to maintain its confidentiality. The following guidance is issued to ensure that information is handled, transmitted, stored and destroyed in a secure manner thus reducing the risks to its confidentiality:

Handling of Information: It is important that the 'need-to-know' principle is adopted and only authorised personnel in accordance with this agreement should be given access to shared information.

Transmission of Information: The sharing of information should be subject to secure transmission methods. If sharing by E-mail, it is important that personal information is only sent to secure E-mail addresses, e.g. .pnn.police.uk, .gsi.gov.uk, .cjsm, .gcsx, .nhs.net. It is the responsibility of the partners to ensure that secure E-mail processes are developed. If information is manually shared via CD or USB memory stick, appropriate steps to protect the information should be taken i.e. encryption, this will protect the information against a compromise of confidentiality if the CD or USB Memory Stick is lost or stolen. If personal information is to be shared by post, appropriate steps should be taken to ensure that it is sent in a secure manner i.e. recorded delivery. Due to inherent security issues, the sharing of personal information by Fax is discouraged. If sharing information verbally by telephone, it is important that appropriate measures are taken to guard against eavesdropping. Prior checks should be initiated by the person sharing information to ensure that the person receiving the information is authorised in accordance with this agreement.

Storage of Information: Partners to this agreement should ensure that hard-copy information that is produced is secured in a locked cabinet or draw when it is not in use. The key to the furniture should be securely managed in order to prevent unauthorised access to personal information.

Disposal of Information: Secure methods for disposing of information should be adopted, where possible hard-copy information and CD's containing

personal information should be destroyed by cross-cut shredders. Please note that information that is intended for disposal must be protected up to the point it is disposed of.

Reporting of Data Breaches: If any partner suspects that a data breach has occurred that may impact on the confidentiality of the information, details of the breach must be reported within 2 hours to the LCJB Business Manager. Timely reporting will aid in any investigate that will aim to prevent the breach from reoccurring.

KEY CONTACT FOR FURTHER INFORMATION

Local Criminal Justice Board Business Manager

enquiries@northumbria-pcc.gov.uk

Office of the Police and Crime Commissioner
First Floor
Victory House
Balliol Business Park
Benton Lane
Newcastle upon Tyne
NE12 8EW

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