



Ministry  
of Justice

# **Transforming the CJS**

A Strategy and Action Plan to Reform  
the Criminal Justice System

June 2013



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## **A Strategy and Action Plan to Reform the Criminal Justice System**

Presented to Parliament  
by the Lord Chancellor and Secretary of State for Justice  
by Command of Her Majesty

June 2013

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## Foreword



As Policing and Criminal Justice Minister, I work across two Government departments and regularly come into contact with a range of skilled and highly dedicated professions including the police, magistrates, solicitors, barristers, judges, Crown Prosecution Service, probation and court staff, prison officers and all the voluntary and private sector providers that make up the criminal justice system (CJS).

This is an experience which leaves me in no doubt about what needs to be done. It is inevitable that the CJS is complicated and essential to the rule of law that some elements of the system are independent from others. However, as I meet with people from different parts of the system I am continually struck by the endless examples of how one part can cause problems for another. These issues lead to real problems in how the CJS performs, such as the time taken for even basic cases to get through the system and the simply unacceptable experience that is all too frequent for victims that they attend court only to be told that their case will not be going ahead that day.

This Strategy and Action Plan starts from a simple premise that all parts of the CJS should be working towards achieving the same set of outcomes. As well as explaining what these outcomes are, it contains a number of specific actions for each part of the CJS. Most of these are not fundamental changes to how the CJS operates. They are mainly straightforward management actions designed to eradicate the simple failings and mistakes that currently blight the system and lead to delay, unnecessary work and a poor experience for victims and witnesses. I make no apology for this. For too long, the focus has been on introducing eye-catching initiatives that sound good but fail to tackle these basic underlying problems in performance.

This action plan also sets out how we will build on the more radical innovations of recent years. Central to this is a commitment to complete the process of digitising the CJS. Deploying the right technology in the right places has the potential to quickly transform criminal justice from a fragmented, paper-based system to a digital service that provides an efficient customer experience which meets the standards the public rightly expect from a modern public service.

I have not developed this action plan in isolation. I have established a Criminal Justice Board made up of senior representatives from across the CJS who have provided their advice and support in shaping this action plan, and who have collectively committed to its delivery. More widely, the deliverables within this action plan will feed into the National Group that I have established to tackle Sexual Violence Against Children and Vulnerable People. I have also discussed what reforms are needed with a wide range of people including two constructive meetings with representatives of the defence community. I am very grateful for their input and I am confident that with their continued support and commitment this action plan will be delivered in full and make a real difference to everyone that comes in contact with the CJS.

A handwritten signature in dark ink, appearing to read 'Damian Green'. The signature is fluid and cursive, with a long horizontal stroke at the end.

**Damian Green**  
**Minister of State for Policing and Criminal Justice**

## Strategy for criminal justice

### Why we must transform criminal justice

There is much that we can be proud of in our criminal justice system (CJS). It is admired and emulated across the world. Its workforce is dedicated and highly skilled and has made a significant contribution to the Government's deficit reduction programme by developing new and more efficient ways of operating, whilst at the same time delivering a 5% fall in crime in the last year alone.<sup>1</sup>

But there are also aspects of the CJS in which we can take rather less pride. It remains cumbersome, there are too many complex procedures and archaic working practices, its use of technology lags behind other public services, and it is still characterised by unacceptable delays, complexity which leads to blurred accountabilities, and huge amounts of time and effort unnecessarily going into straightforward cases. Her Majesty's Inspectorate of Constabulary's (HMIC) report *Stop the Drift* identified 70 rubbing points for a standard domestic burglary case where it was difficult to make progress because one agency or practitioner required information from another and at least seven occasions on which data had to be transferred.<sup>2</sup>

For victims and witnesses, despite some improvement in recent years, the CJS can be baffling and frustrating, and their experience all too often falls below the standards they might expect from a modern public service.

This Government is committed to transforming criminal justice into a modern public service that provides a swift, determined response to crime, treats victims and witnesses with the care and consideration they deserve, and provides much better value for money to the taxpayer.

### What we have already achieved

Last year we published two important documents setting out plans to reform the CJS: *Swift and Sure Justice*,<sup>3</sup> and *Getting it right for victims and witnesses*.<sup>4</sup> Since then we have made a good deal of progress:

- we have reformed the policing landscape, with newly elected Police and Crime Commissioners (PCCs) now in place and driving change locally, the National Crime Agency, and the College of Policing as a new professional body which will raise policing standards, cut crime and protect the public;
- the CJS is now working digitally in a number of important areas – most police forces now transfer over 90% of case files electronically to the Crown Prosecution Service (CPS), and all magistrates' courts are able to receive digital case files from the CPS;

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<sup>1</sup> *Crimes in England and Wales, year ending December 2012*, Office of National Statistics, April 2013

<sup>2</sup> *Stop the Drift*, HMIC, November 2010. *Stop the Drift 2 - A Continuing Focus on 21st Century Criminal Justice*, a joint review by HMIC and HMCPsi, was published on 4 June 2013

<sup>3</sup> *Swift and Sure Justice: The Government's Plans for Reform of the Criminal Justice System*, Ministry of Justice, July 2012

<sup>4</sup> *Getting it right for victims and witnesses* CP3/2012, Ministry of Justice, January 2012 and *Getting it right for victims and witnesses: the Government response*, Ministry of Justice, July 2012

- we have appointed a new Victims' Commissioner to give victims a voice at the heart of government, and have consulted on a revised Victims' Code;
- we are testing new models for justice including Flexible CJS, ensuring the CJS responds better to the needs of our communities, and Neighbourhood Justice Panels which require the perpetrator, victim and wider community to come together to ensure the perpetrator makes reparation;
- the Early Guilty Plea Scheme in the Crown Court and Stop Delaying Justice! scheme in magistrates' courts have been developed and rolled out by the judiciary, providing new and better ways of managing cases. It is now for each agency to work to make a success of the schemes;
- we have increased the police role in prosecuting specified offences. Nine 'pathfinder' areas were established in August 2012 to generate and test a best practice model for police-led prosecutions which is currently being evaluated; and
- we have set out radical plans to transform the rehabilitation of offenders.

### **Our Strategy and Action Plan**

This action plan will build on these reforms. At its heart is a set of shared outcomes that all parts of the CJS should be working to achieve. The CJS is necessarily made up of different parts, each carrying out different roles with clear separation of responsibilities. It is essential to retain the independence of operational policing and prosecutors, courts, defence and judiciary in order to ensure the system remains just. But over time, the way in which we have managed these distinct functions has caused unnecessary difficulties ranging from incompatible IT systems through to competing objectives and performance measures.

This is not to say that the various parts do not work together. The system relies on the collaboration of all those that work within it as well as the co-operation of victims, witnesses, police, prosecutors, defence lawyers and other experts to operate effectively. But this happens in spite of, rather than because of, the way in which the CJS is managed and is neither as efficient nor as effective as it should be.

We need a shared ambition for the CJS that articulates what we are working towards and how each part contributes to achieving it. As a first step, we have worked with practitioners from across the system to develop a set of outcomes that all parts of the CJS can share. These are:

- to reduce crime;
- to reduce re-offending;
- to punish offenders;
- to protect the public;
- to provide victims with reparation;
- to increase public confidence, including among victims and witnesses; and
- to ensure the system is fair and just.

Achieving this ambition will rely on a number of key CJS priorities, such as promoting rehabilitation and ensuring access to justice.

### Ensuring access to justice

We are rightly proud that our criminal justice system guarantees access to justice. Defendants and victims alike know that their case will be heard by a judiciary that is the envy of the world. We have ensured we preserve the right to trial by jury so that those charged of serious offences have the right to be tried by their peers. Our legal aid proposals preserve access to publicly funded legal advice for those who need it most. We recognise that a more efficient and effective legal aid system would help to improve the operation of the wider justice system. We are opening up the justice system, providing the public with more and easier to access information about how the CJS is working. We are also providing victims and witnesses with greater protection throughout the criminal justice process and a louder voice to ensure that their side of the story is heard.

Supporting these outcomes is our vision for how we want the CJS to operate in the future.

**A digital CJS:** at home, all those who work in the CJS enjoy the benefits of modern technology. But at work, it can feel like a different era, with cumbersome and often incompatible technology that they have to go to great lengths to work around. There have been improvements. For instance, the police can now digitally transfer case information directly to the CPS, and police and prisoners can link to court by video. But these are small steps and we need to go much further, by creating a CJS where:

- the police adopt mobile devices with access to real-time intelligence relevant to their role, location and local tasking, and can begin building case files from the street;
- there is a simple, easy-to-use digital file for each crime type, ensuring that the streamlined file is used by all parts of the CJS to prepare cases, helping to reduce the unnecessary additions and omissions that plague the current approach, and eradicating the mountains of unnecessary paper that too often characterise the system;
- evidence can be presented digitally in court, dramatically reducing the millions of pieces of paper floating around the system;
- the default option is for the police and witnesses to give evidence by video so they don't have to travel or hang around in court; and
- the public contact the CJS and manage their own services online as most people do in every other aspect of their lives.

**A CJS which is faster and right first time:** currently even the most straightforward cases can take six months from offence to justice outcome.<sup>5</sup> One of the least excusable reasons for these delays is the mistakes that blight the system leading to re-work and multiple adjournments. We have also made summary justice too complicated and bureaucratic, so that the police and magistracy – the cornerstone of criminal justice – can feel hamstrung and unable to make their contribution count. We will deliver a faster, less erratic system where:

- cases go ahead on the day they are planned;
- the CJS is flexible and responds to local concerns;
- guilty pleas are identified early, so they are dealt with at the first hearing;
- we focus our limited resources on the cases that need them – dealing more proportionately with simple summary cases;

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<sup>5</sup> Summary motoring cases took 183 days on average in Q1 2013. *Court Statistics Quarterly January to March 2013*, Ministry of Justice. June 2013

- trials are shorter and effectively managed with all parts of the system clear on what is expected of them; and
- there is a no-adjudgment culture, and police, prosecution and defence are prepared and ready to proceed on the day.

**A transparent and responsive CJS:** we need a confident, outward facing CJS which welcomes and responds positively to public scrutiny. We have already made progress and now publish far more information. But the CJS remains hard to understand and navigate, lacks a reliable mechanism to receive and respond to feedback, and feels remote to the public. We want to give people information to understand how their local system is doing, and clear ways for them to engage. And we want people to know that justice is being done, making it easy to obtain information about justice outcomes and by broadcasting some court proceedings. This will mean:

- the public drive local priorities informed by easy-to-access data about the CJS in their area;
- there are fast and open responses to complaints and feedback, and a customer services culture that ensures we learn from them; and
- justice is seen to be done through publishing information on justice outcomes, and through court broadcasting.

**Care and consideration for victims and witnesses:** providing the right support for victims and witnesses has been an ambition of the CJS for some time. But we need to make the system more responsive and easier to navigate if we are to put victims first and ensure they can and do engage with the CJS. We will build a reputation for a criminal justice service known for excellence in the way it treats its customers, where:

- victims and witnesses can expect that their contact with the CJS is well managed;
- information about the progress of a case is not dependent on case officers telling victims, but can be easily accessed online;
- victims receive meaningful reparation if they want it;
- the experience of giving evidence is eased through better protection, such as the use of video to give evidence and support from witness services, and we give greater regard to the convenience of witnesses; and
- if things go wrong, or they disagree with decisions on charging, victims have a right of review and receive a timely explanation and remedial action.

**The right response to crime:** the overriding purpose of the CJS is to reduce crime. Catching and punishing offenders deters crime and provides justice to victims. Currently there are a number of crimes where the CJS response is simply not good enough. For instance, some crimes that can have a serious impact on victims are currently being dealt with informally by the police (while, on the other hand, some cases still reach court unnecessarily), and others have far too little chance of the offender being successfully punished by the court. At the same time, the CJS response must be fair and just and we must work to eliminate any discrimination in how people are treated. This means a CJS in which:

- out-of-court disposals are used consistently and appropriately, and those accused of serious offences know that they can expect to face court;
- offenders are caught and punished and the CJS provides a powerful deterrent; and
- all people are treated fairly regardless of their personal characteristics or social background.

**Working in partnership:** we simply cannot continue with a situation where one part of the system routinely operates in a way that causes problems for another. Nor can we continue to procure incompatible IT systems or take decisions about the location of estates without thinking about the impact this has on the overall CJS landscape. This action plan sets out measures to tackle this, including:

- the Criminal Justice Board providing clear national leadership across all CJS reforms; and
- powerful local partnerships planning together how to respond effectively to local challenges and priorities and deliver the shared CJS outcomes.

This action plan supports and complements the case for reform for legal aid as set out by the Government in the consultation paper *Transforming legal aid: Delivering a more credible and efficient system* in April 2013.<sup>6</sup> This included proposals to drive greater efficiency amongst providers and explored reforms to encourage the prompt resolution of cases whilst at the same time ensuring that legal aid is available to those that need it the most. Our reforms to tackle waste and delay, informed by contributions from the legal profession, will ensure that cases are resolved more quickly, reducing the amount of time defence solicitors and barristers have to spend on each case and enabling them to deliver services more cost effectively.

### **Making sure we deliver**

Too often in the past, well thought through reforms have not led to sustained improvement. In some cases they have been dropped or momentum lost when the spotlight moved on, and in others a new initiative has been added on top, leading to confusion about what is supposed to be delivered.

We are determined to change this pattern. Digitising and streamlining how the CJS works will drastically reduce the amount of paper being used and will save large amounts of police, prosecutor, court and defence time. It will lead to more cases going ahead on the day planned and provide more support and protection for victims and witnesses.

We have established a new Criminal Justice Board to provide clear cross-CJS leadership. The Board brings together the operational leaders from across the CJS, including a representative of PCCs, the College of Policing, the Victims' Commissioner, and leaders of CJS departments and agencies. The Senior Presiding Judge also attends as an observer and provides the link to the Criminal Justice Council which provides advice to the Board. The Board has overseen development of this action plan and is responsible for its delivery. Each action in the plan is owned by a member of the Board who will ensure it is delivered to the timetable we have set out.

The actions in the plan will mainly be delivered over the next two years. The plan contains a number of different actions to deliver our vision. The most important are summarised below.

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<sup>6</sup> *Transforming legal aid: Delivering a more credible and efficient system*, Ministry of Justice, April 2013

**A digital CJS:**

- test a simplified digital case file for traffic and shoplifting cases by April 2014;
- establish the digital case file for other offences and roll out to all areas by April 2015;
- complete business case for digital courts, by the end of 2013;
- end reliance on paper by 2015/16; and
- complete business case for the common platform by the end of 2013 and start delivering in early 2014.

**A CJS which is faster and right first time:**

- improve the quality of preparation of case files by April 2014;
- establish single traffic courts in each police area (and explore the possibility of further centralisation of traffic courts in London) by April 2014;
- legislate to allow the majority of high-volume, low-level, 'regulatory' cases to be dealt with away from traditional magistrates' courtrooms, subject to Parliamentary time;
- enable police-led prosecution of low-level shoplifting to be implemented by summer 2014, subject to Parliamentary time;
- ensure the police and CPS do more to identify, and prepare appropriately, cases where there is an anticipated guilty plea by April 2014; and
- identify, reform, and then monitor compliance with the Criminal Procedure Rules and Practice Directions by December 2013.

**A transparent and responsive CJS:**

- by October 2013, for the first time, we will allow television cameras into the Court of Appeal to open up the court process and allow people to see and hear judges' decisions in their own words;
- by October 2013, we will have published case timeliness data on the police.uk website, enabling the public to see how long cases are taking in their local area; and
- by spring 2014, we will publish local police performance and expenditure data and increase opportunities for the public to engage with their police force, such as voting on local priorities.

**Care and consideration for victims and witnesses:**

- provide extra support for witnesses who are at risk of dropping out of proceedings, by July 2013;
- make it easier for witnesses to give evidence by video, reviewing progress by summer 2014; and
- provide an improved complaints process for victims and consider creating an independent complaints ombudsman for the CJS by August 2013.

**The right response to crime:**

- improve the consistency and take-up of special measures for vulnerable and intimidated witnesses - with the Criminal Justice Board to review progress in early 2014;
- pilot Section 28 of the Youth Justice and Criminal Evidence Act 1999, which provides for pre-recorded cross-examination of a vulnerable witness in three courts - Leeds, Liverpool and Kingston-upon-Thames - starting in late 2013;
- assess how disability hate crime has been handled in various police force areas by September 2013;
- revamp community impact statements by April 2014; and
- Minister for Policing and Criminal Justice to hold a number of events with stakeholders on equality in the CJS, beginning in autumn 2013.

**Working in partnership:**

- communicate the Criminal Justice Board's priorities to local partnerships and ensure the link between national and local level is strengthened by September 2013; and
- set out a more common approach across the CJS to staff training, objectives and talent management, beginning in September 2013.

The Criminal Justice Board will maintain an overview of all major reforms to the CJS ensuring that, taken together, they form a coherent package. The Board will also regularly review performance, both to ensure current reforms are delivered on time and have their desired effect, and to agree what further changes are needed. The Criminal Justice Board will refresh the action plan in summer 2014 and publish an update which will demonstrate the progress we have made towards our vision and the further actions we will commit to deliver.

## A digital CJS

It has taken the CJS far too long to embrace technology in the way that has revolutionised virtually every other business. The first thing that strikes anyone who visits a court is the mountain of paper files that should have disappeared a generation ago. The public and people that work in the CJS are frustrated and bewildered by its apparent inability to adopt technological innovations that are now routine in all our daily lives. We will make little progress towards our shared outcomes if we do not tackle this deficiency.

We have taken some important steps over the last three years. A cross-Government CJS Efficiency Programme has been established and has started to drive a more efficient, digitally enabled way of working. The programme has already made substantial progress:

- most police forces are transferring over 90% of case files electronically to the CPS;
- around 50,000 prison to court video hearings take place annually, saving time and reducing risk and disruption;
- 3,500 tablet devices have been provided to CPS prosecutors to present cases electronically in court; and
- video conferencing equipment is now available in all remand prisons, over half of magistrates' courts and all Crown Court buildings. It was used on over 32,000 occasions between June and December 2012. It is also being used for police officers to give evidence in some courts and to enable defendants to appear by video link to magistrates' courts for the first hearing.

### Freeing up police time

These reforms will benefit each part of the CJS and support efforts to deliver a better service to the public at lower cost. One of the objectives we have focussed on is freeing up police time to ensure the police can focus on preventing crime. The main benefits, which respond to the challenge set out in the recently updated HMIC report *Stop the Drift*, include removing or modifying steps in the CJS that are unnecessary or applied inappropriately, reducing over-preparation of case files, reducing mistakes that lead to re-work, and reducing time police officers spend waiting around to give evidence at court.

Central to this is the proposal to establish a streamlined digital case file. Creating a digital file at the outset will save the police time which is currently spent creating paper files, as well as reducing considerable work further down the line for the prosecution, defence and court staff. It will also ensure all case files are created to the same standard, which will assist officers to provide just the required information but no more. We are already developing these reforms for traffic cases and will expand to other offences over the next year.

We are also working with police forces to capitalise on the potential for using video to help free up police time. Nine police forces already use video to enable police officers to give evidence in court from police stations, saving them travel time and waiting time in court. We anticipate a further 18 police areas implementing this use of video in the coming year.

Alongside this in policing, the Digital First programme is beginning to demonstrate the transformative potential of new technologies, such as Body-worn Video, digital interviews and mobile working. This will allow officers to access and input information digitally while they are out on the beat, with real-time crime intelligence influencing when and where they patrol. For example:

- police forces and constabularies in Hampshire, Thames Valley and Plymouth have all used Body-worn Video to improve evidence capture. Police report that this has increased public confidence, reduced fear and malicious complaints against officers, and moderated behaviour by members of the public; and
- Hampshire Constabulary have piloted mobile working using a variety of devices including BlackBerry's, Mobile Data Terminals and laptops saving police time travelling to and from the station and allowing them to work better on the move.

Taken together, these programmes provide the building blocks that will enable the CJS to complete its transformation into a digital service. Central to this will be the development of a new **digital case file**. This has the potential to radically simplify criminal justice saving large amounts of police, prosecutor and court time. Files are routinely produced which contain far more information than they need or is ever used, and yet they can also miss the crucial information. By creating a simplified, streamlined case file and embracing a digital approach we can reduce the inclusion of unnecessary information, and help eradicate many of the common mistakes that cause delays later in the system. In the coming months we will test a simplified file which will enable an app-based approach for traffic and shoplifting cases, and extend this to cover other offences with a view to establishing a national digital case file standard by April next year. Working initially with the police and other criminal justice agencies in early adopter areas, we will then look to roll this out to all areas from 2014/15.

To exploit the opportunities the digital case file will provide us with to work differently, we will deliver the vision of **digital courtrooms**. This is the development that will finally end the CJS's outdated reliance on paper, allowing all parties to operate digitally. We have already tested this approach in Birmingham Magistrates' Court with simple, widely available technology. This has demonstrated the potential for digital courts to offer a radically better service, and could deliver significant savings. Alongside this we will also maximise the utilisation of video by prioritising prison to court video links. This will reduce the time and cost spent moving prisoners to and from court as well as improve security by reducing the risk of escapes. We are also working with police forces to enable more police officers to give evidence from police stations reducing the time wasted travelling to and waiting in court.

In the longer term, the digital case file and the creation of digital courtrooms will lay the foundations for developing a common digital information platform for the CJS. We will develop a business case to provide, for the first time, a **single information management system** allowing for evidence and case information to be shared across the CJS. This will ensure more efficient working practices for CPS and Her Majesty's Courts and Tribunals Service (HMCTS) and provide the single source for CJS information in the future. For the first time the information these agencies keep on the cases going through our courts will be kept together in one place, instead of being re-entered and replicated on numerous different systems, and all the relevant parties will be able to access the same data.

The real potential for these reforms becomes apparent when they are put alongside innovations in how the police use technology day to day. The police-led Digital First programme will not only allow digital capture of evidence at the point of reporting, but will allow officers to immediately start to build the CJS case file from their mobile device. No more lengthy forms to navigate and typing up of basic information from a notebook – instead simple digital apps, which ensure the critical information is captured once and in the most efficient manner – such as capturing basic details from a photo of a driving licence – and the file build is proportionate from the outset.

With an integrated version of the digital file it will be much easier for victims to get information about their case online in real time or to be automatically updated when there is a change in the status of their case.

**Summary of key actions:**

- test a simplified digital case file for traffic and shoplifting cases by April 2014;
- establish the digital case file for other offences and roll out to all areas by April 2015;
- complete business case for digital courts by the end of 2013;
- end reliance on paper by 2015/16; and
- complete business case for the common platform by the end of 2013 and start delivering in early 2014.

## A CJS which is faster and right first time

We cannot hope to achieve our shared outcomes unless we have a more efficient system. The public cannot have confidence in a system where even relatively simple cases can take six months from offence to completion, and some sexual offences take over a year to reach a conclusion. And we could target far more resources towards tackling crime if police witnesses were only called when needed and spent less time travelling to and from and waiting unnecessarily at court.

### More trials going ahead on the day planned

We cannot punish offenders, provide victims with reparation or tackle re-offending in a timely way when only 44% of trials in magistrates' courts and 49% in the Crown Court go ahead on the day they have been listed.<sup>7</sup> To radically improve performance, we need to see:

- streamlined case files built by the police with the right information and nothing that doesn't need to be there;
- better engagement between the CPS and defence with both sides ready to go ahead on the day listed;
- witnesses supported and ready for their day in court; and
- a no-adjudgment culture in court and compliance by all sides with the court's directions.

For too long, the CJS has been beset by the same set of inefficiencies. The complexity of the system invites them; the large number of steps and the number of different agencies and people involved in even straightforward cases create multiple opportunities for a part of the process to go wrong. Often this means time wasted re-doing work or trying to find ways to work around obstacles like incompatible IT. It has resulted in a culture which has grown used to errors and re-work, and to a degree tolerates them, and a service that falls short of the standards the public rightly expects.

We have made some important improvements since 2010. We now have a much better balance between work that is dealt with by the Crown Court and work that remains in magistrates' courts. Between 2004 and 2010 there was a significant increase in cases reaching the Crown Court. This is more expensive – for example, the average CPS cost order for a trial is more than three times more in the Crown Court than in magistrates' courts<sup>8</sup> – takes longer and, more importantly, fails to fully use the expertise of magistrates. To disincentivise cases unnecessarily reaching the Crown Court, the Government has already brought in changes to the legal aid payments framework. We have also announced our intention to look at the case mix between the two courts. The trend has recently reversed sharply, with a 10% fall in the number of cases received by the Crown Court in 2012 compared with 2011, and an 18% reduction in triable-either-way cases committed.<sup>9</sup>

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<sup>7</sup> *Court Statistics Quarterly October to December 2012*, Ministry of Justice, May 2013

<sup>8</sup> *Legal Guidance on Costs – Annex 1: Application for costs against convicted defendants - Scales of Cost*, Crown Prosecution Service, ([www.cps.gov.uk/legal/a\\_to\\_c/costs/annex\\_1\\_-\\_scales\\_of\\_cost/](http://www.cps.gov.uk/legal/a_to_c/costs/annex_1_-_scales_of_cost/), 10/06/2013)

<sup>9</sup> *Court Statistics Quarterly January to March 2013*, Ministry of Justice, June 2013

The CJS efficiency programme has made great strides in digitising parts of the system and identifying more efficient ways of working, the judiciary have developed new and better ways of managing cases when they do come to court, and we have stripped out unnecessary stages in the process such as committal hearings.

But we can do much more at each stage of the criminal justice process to get cases right first time, to remove some of the frustrations for those who come into contact with the system and to free up the time of our police officers and other practitioners to focus on what really matters.

The previous section described how we can use technology to transform how the CJS operates. But this will only have the desired effect if we also focus relentlessly on reducing the simple errors that currently blight the system. We have worked with CJS practitioners to determine what will make most difference, and the Criminal Justice Board has identified four priorities:

- improving the quality of file preparation so that they contain all the information they need and nothing extra;
- transforming summary justice, so that is it simpler, faster and more proportionate;
- tackling inefficiency in the Crown Court; and
- making sure performance measures are aligned and encourage the right behaviours.

#### **Summary of key actions:**

- improve the quality of preparation of case files by April 2014;
- establish single traffic courts in each police area (and explore the possibility of further centralisation of traffic courts in London) by April 2014;
- legislate to allow the majority of high-volume, low-level, 'regulatory' cases to be dealt with away from traditional magistrates' courtrooms, subject to Parliamentary time;
- enable police-led prosecution of low-level shoplifting to be implemented by summer 2014, subject to Parliamentary time;
- ensure the police and CPS do more to identify, and prepare appropriately, cases where there is an anticipated guilty plea by April 2014; and
- identify, reform, and then monitor compliance with the Criminal Procedure Rules and Practice Directions by December 2013.

### **Improving the quality of file preparation**

Simple errors at the outset of a case can lead to substantial re-work further down the line and trials not taking place on the day they were scheduled or even collapsing. Making sure that the case file has everything it needs and nothing it doesn't is crucial – with the right information available at the right time, to ensure appropriate pleas can be entered at the earliest stage possible.

Getting cases right first time hinges on getting the file preparation and other basics right. The previous section described how we will simplify and streamline what is required, and ensure that rather than digitising what exists now, we exploit the opportunities provided by digital working to make radical improvements.

We have begun this approach through 60 day task-and-finish groups which bring together practitioners from across the CJS to look at how we deal with traffic and shoplifting cases. These have identified the potential to strip out a significant portion of information that is currently routinely included and exploit digitisation to make the case file much clearer in what is required and also much easier to use. This will reduce the amount of time the police have to spend on file preparation and will enable the use of mobile devices in future.

In support of this work, we need to make sure that all those responsible for preparing case files have the skills and support they need. To achieve this, we will ensure that police are trained and supported to prepare files correctly, including by:

- reviewing training materials, and rolling out refresher training if necessary, to increase expertise in dealing with disclosure;
- improving the consistency of charging advice. In support of this, from April 2013, the CPS began handling all appropriate charging advice requests 24 hours a day, seven days a week through CPS Direct (the CPS dedicated charging service). The CPS will work to ensure that these new arrangements facilitate more consistent charging advice; and
- establishing whether existing guidance, training and awareness on preparation standards and proportionate and timely file build meet current requirements, and monitoring and improving quality and compliance with those requirements.

### Transforming summary justice

Summary cases are by their nature among the most simple that come before the courts. But they take too long, are frequently over-complicated, routinely involve a disproportionate amount of resources, and too often are not adequately prepared, which can lead to re-work and unnecessary adjournments. Magistrates' courts deal with them in huge volumes – 1.1 million adult summary cases completed last year<sup>10</sup> – and they range from relatively low-level offences, including many traffic cases or TV Licence evasion, to offences which can have serious consequences for victims and communities such as violent disorder. Some of the highest volume offences in our courts are often dealt with without the defendant even attending court. Speeding offences alone accounted for 9% of all of those found guilty in all courts in 2012, or over 110,000 people. TV licence evasion, fare evasion and failure to pay road tax also account for large volumes of court cases every year.<sup>11</sup>

These crimes are not victimless and we are clear that these offenders should be brought to justice. However, that does not mean that the current system is necessarily the best way to do this. Magistrates' courts, and the volunteer magistrates who generously give their time to their communities, spend too long dealing with cases that have little or no impact on those communities and require little expertise in either the law or the finding of facts. Often the role of the CPS is unnecessary in such simple cases. And when so few defendants turn up in low-level, high-volume cases like failing to pay road tax, why should such cases continue to be heard in a fully-staffed courtroom? We need to end the situation where three magistrates, a legal adviser and a prosecutor (all supported by a court usher) read out elements of a case to an otherwise empty courtroom before imposing an entirely predictable penalty. We have an over-engineered system that needs to be overhauled.

To simplify cases radically and streamline the system as a whole we will:

- legislate to allow the majority of high-volume, low-level, 'regulatory' cases to be dealt with away from traditional magistrates' courtrooms, subject to Parliamentary time; but in the

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<sup>10</sup> *Court Statistics Quarterly January to March 2013*, Ministry of Justice, June 2013

<sup>11</sup> *Criminal Justice Statistics Quarterly Update to December 2012*, Ministry of Justice, May 2013

meantime, taking immediate steps to establish a single traffic court in each police force area (and explore the possibility of further centralisation of traffic courts in London), which will be in place by April 2014;

- encourage an increase in the national take-up of police-led prosecutions for uncontested traffic and other specified offences, following an evaluation of the pathfinder areas in the summer, reducing cost and inter-agency handovers, and freeing up CPS time to concentrate on more serious and contested cases; and
- further increase the number of cases which the police can prosecute without requiring CPS involvement, by legislating in the Anti-Social Behaviour, Crime and Policing Bill, to make shoplifting a summary-only offence where the stolen goods are valued at £200 or less. This would mean that the great majority of shoplifting cases that are already dealt with in magistrates' courts would be subject to more efficient procedures, although it would still be open to defendants to elect a Crown Court trial.

We will also work to ensure that cases which can be resolved quickly are, by identifying potential cases for early guilty pleas and securing early pleas. We will:

- ensure the police and CPS do more to identify, and prepare appropriately, cases where there is an anticipated guilty plea;
- ensure that anticipated guilty plea cases are prioritised for early preparation and where possible, for early hearing; and
- work with the defence community on how to better prepare defendants for first hearings, including how to maximise the effectiveness of duty solicitors.

We will also work to ensure that however these cases are dealt with at court, they proceed more smoothly. We will:

- ensure more hearings go ahead on the day planned by focussing resources on making first hearings as effective as possible in cases that are likely to go to trial;
- set up a working group reporting to the Senior Presiding Judge to provide guidance on the application of the Criminal Procedure Rules in summary proceedings, with a view to making preparation simpler and more proportionate;
- support the Senior District Judge (Chief Magistrate) and His Honour Judge Kinch QC in their review of magistrates' courts disclosure rules to ensure they are proportionate and effective; and
- make better use of agent prosecutors in magistrates' courts by ensuring that they are able to pick up and prosecute floating and back up cases when their allocated cases either vacate, adjourn or finish earlier in the day.

And the Criminal Justice Board have collectively agreed that supporting the judicially-led refresh of the Stop Delaying Justice! initiative should be a priority for all the agencies involved in cases that go before magistrates' courts. A working group will be established – reporting to the Senior Presiding Judge – that will provide a coherent package of training actions, expectations and guidelines for CJS agencies, defence practitioners and magistrates, and will ensure that its delivery is a local priority.

### **Tackling inefficiency in the Crown Court**

There has been a good deal of progress in the Crown Court in recent years. The judicially-led Early Guilty Plea Scheme and work to improve case management provide the building blocks for much greater efficiency in the Crown Court. One of the strengths of this work is the clarity it can provide about the contribution needed from each part of the CJS for cases to

be managed efficiently and effectively. We are committed to learning the lessons from past reforms: where improvements are taking shape, we want to build on them, not superimpose something new. Our priority over the next period must be to ensure that all parts of the system are focussed on playing their part in making these schemes a success.

The goal of the Early Guilty Plea Scheme is to identify those cases where a defendant is likely to plead guilty and to ensure, through discussion between the defence and the prosecution, that the defendant enters a guilty plea at the first hearing in the Crown Court. It also seeks to ensure that (wherever possible) defendants are sentenced at their first hearing. The Scheme encourages proportionate file build, with the CPS only putting forward evidence sufficient to demonstrate to the defence that the case will stand up in these cases. In these various ways, the Scheme should reduce the number of witnesses attending court.

The Scheme was developed in Liverpool and has now been extended across England and Wales. Committal proceedings have now been abolished (meaning that cases to be heard in the Crown Court no longer need to have an unnecessary hearing in a magistrates' court). The abolition of committals, coupled with the Early Guilty Plea Scheme, should reduce the number of unnecessary hearings.

While the Scheme has the potential to deliver significant improvements, feedback thus far is that it is delivering mixed results with some areas performing better than others. These are still very early days for assessing how the Scheme and the abolition of committals work together in practice; it is important to take a practical approach while focussing on the objective of reducing the overall number of unnecessary hearings. Our commitment to improve the preparation of case files will support this initiative, and in addition each member of the Criminal Justice Board has committed to ensuring that they will play their part in actively making the Scheme a success.

For the CPS this means:

- personal responsibility and leadership from the Chief Crown Prosecutor, who must agree the approach to be taken with the Chief Constable;
- the establishment of a suitably resourced, dedicated team for all Crown Court preparation for the area;
- the prosecuting advocate should ask the defence to identify the issues in the case at the first hearing of the case in a magistrates' court;
- early identification of Crown Court cases likely to result in a guilty plea and early communication with the defence about the potential for a guilty plea or plea to an alternative charge. Weak cases identified at this stage should be stopped or summary-only charges substituted;
- timely handling of all aspects of case review, planning and preparation, including responses to correspondence and telephone calls, and clear notes about the work required to make the case sufficient for the defence to give firm advice to their client and to ensure an effective sentencing hearing; and
- cases that have been identified as likely to plead guilty should be brought to the sentencing judge's attention, in order to assist assessment of the 'first reasonable opportunity'.

For the police this means:

- personal responsibility for implementation from a senior representative in each police force;
- compliance with the Local Practice Guidance Note;

- agreement with the CPS and adherence to the expected standard of file build for cases likely to plead guilty, with a view to saving unnecessary work;
- immediate submission of any requests for specialist evidence to ensure the timescales set in the Local Practice Guidance Note can be met;
- clear and separate identification of suitable cases in existing file tracking systems; and
- collating and sharing relevant management information with other agencies.

For HMCTS (in both the Crown Court and magistrates' courts) this means:

- personal responsibility from the Justices' Clerk or nominated deputy in magistrates' court, and operational managers in the Crown Court for implementation;
- compliance with the Local Practice Guidance Note;
- in both triable-either-way and indictable-only cases, eligible cases must be flagged up as early as possible on appropriate forms, and appropriate records created; and
- listing officers, legal advisers, magistrates, CPS and solicitors should be trained or briefed about the requirements of the scheme and its implications, and informed of any amendments.

For the defence this means:

- firms must use the Local Practice Guidance Note;
- they should be offered regular contact with the local CPS lead to promote and review operation of the scheme;
- adopting secure email;
- senior partners in law firms should promote the scheme to all staff in the criminal department, and if the workload is sufficient then they should consider establishing an Early Guilty Plea Scheme team or nominating specialists;
- prompt review of cases should take place following the allocation/sending hearing. Processes to allocate an advocate to present the case should be commenced within 48 hours of allocation;
- systems for recording and monitoring cases and for early booking of prison visit slots for defendants in custody should be considered;
- correspondence with CPS regarding the basis of plea should be in writing; and
- in cases identified as likely to plead guilty but the defendant then chooses to plead not guilty the defence must inform the court before the scheduled hearing.

In addition, we will increase efficiency in Crown Court cases by improving compliance with Local Practice Guidance Notes and with Part 1 (The overriding objective) and Part 3 (Case management) of the Criminal Procedure Rules. We will develop metrics so that the Criminal Justice Board and local partnerships can monitor performance against these commitments and compliance with the rules, enabling appropriate action to be taken to address underperformance.

**The Case Management initiative** is designed to ensure early resolution of cases, more efficient use of time, better use of the courts, a reduction in unnecessary work by criminal justice agencies, more focussed and shorter trials, and parties in every case knowing and adhering to the expectations of the court. The Senior Presiding Judge has tested the scheme in six courts and is currently making refinements before developing an implementation strategy to ensure greater compliance with the Criminal Procedure Rules

across England and Wales. This will be completed by December 2013. The Chair of the Criminal Justice Board will seek commitment from all members to making this a success. In addition, we will:

- develop arrangements for formal plea reviews between the CPS and defence to take place in all cases, including those not eligible for the Early Guilty Plea Scheme. This would take place between the Plea and Case Management Hearing and trial and is designed to identify more guilty pleas before the day of the trial starting. It should also ensure that not guilty plea cases are progressed to trial expeditiously which will benefit all agencies and may result in fewer ineffective hearings and swifter case resolution;
- ensure prosecutors assist judges in deciding if a case is an appropriate one for a timetable. We will introduce a simple set of non-exhaustive criteria for prosecutors to use in identifying the sort of case in which a timetable may be appropriate, and where appropriate to make application and provide an agreed draft at the Plea and Case Management Hearing. This may be of particular benefit in cases where there are multiple witnesses and could improve timing estimates and provide witnesses and victims with more clarity, preventing lengthy waiting times outside court;
- review reasons for non-compliance with the Criminal Procedure Rules, Practice Directions and Local Practice Guidance Notes in Crown Court cases and take action to drive up performance; and
- for the subset of paper-heavy cases, we will oversee the implementation of the recommendations from the Senior Presiding Judge's review of disclosure to bring about more focussed disclosure in document heavy cases. The Senior Presiding Judge will test a tailored approach in four court centres (Birmingham, Manchester Crown Square, Kingston upon Thames, and Southwark) before implementation in all courts.

### **Making sure performance measures are aligned**

Agencies will only be able to pull in the same direction to achieve the shared outcomes if the way the system measures their performance enables this.

Misalignment of performance measures is repeatedly cited as a key cause of inefficient practices across agencies. We describe in the next section of this action plan how we will ensure greater transparency in using performance information and the role of the Criminal Justice Board in aligning performance measures and monitoring delivery. We also believe that a failure to follow the Criminal Procedure Rules and Practice Directions is a key reason for delay, but this failure is so widespread it is often tolerated and has few consequences. We are determined to ensure we create the right incentives for better performance. We will:

- work with the Criminal Justice Board and local partnerships to identify local and national performance measures, and remove or align those that create a barrier to effective performance. This builds on the progress CPS and HMCTS have already made in establishing a joint board, a shared objective, shared data and measures and collaborative working arrangements, which together enable them to identify and address poor performance and promote best practice, from a whole system rather than single agency perspective;
- identify, reform, and then monitor compliance with the Criminal Procedure Rules and Practice Directions by:
  - working with local areas over the remainder of this year to identify, and where possible address, the reasons why Criminal Procedures Rules and Practice Directions are not followed in both magistrates' court and Crown Court cases;

- identifying any barriers to compliance which cannot be overcome by changes to guidance, culture or practices and work with the Criminal Procedure Rule Committee to simplify criminal procedure if applicable;
- identifying baseline data on compliance where possible and put in place the appropriate measures to monitor how well the CPS and defence comply. As an example the CPS have set a level of expectation for areas in respect of compliance with judges' orders in the Crown Court of at least 75% in 2013/14 with the anticipation that this will rise to 90% in 2014/15; and
- as part of our commitment to being transparent about our performance, making this data on compliance available to CJS practitioners so that individuals can see and understand the impact of their performance, as well as making local level data available to the public so the CJS can be held to account.

The **Flexible CJS programme** announced last year has tested whether greater flexibility should be built into the CJS with an emphasis on the needs of victims and witnesses.

The pilots varied in nature and included magistrates' courts sitting outside traditional hours, in the evening and at weekends, and increasing the use of video-link technology.

The approach was piloted in 48 areas. The pilots were completed by 31 March 2013 and the process evaluation will be published in the autumn.

In advance of the formal evaluation, many areas have already decided to continue with elements of their local initiatives, citing efficiency benefits to local service delivery. After the process evaluation, we will consider what best practice can be learnt and rolled out nationally.

## A transparent and responsive CJS

We are clear about what we want the system to achieve. We need to know when we are succeeding, and when we are not. If we are to increase public confidence in the CJS, to demonstrate that it is fair and just, and to create conditions in which victims and witnesses have confidence that their dealings with the CJS will meet their needs, the public also need to be able to hold the system to account.

We have moved away from an exhaustive list of top-down targets which stifled innovation and meant that local practitioners had little discretion to do what was right for their communities. We want a CJS that is more responsive to the public it serves, not just to central government.

### Summary of key actions:

- by October 2013, for the first time, we will allow television cameras into the Court of Appeal to open up the court process and allow people to see and hear judges' decisions in their own words;
- by October 2013, we will have published case timeliness data on the police.uk website, enabling the public to see how long cases were taking in their local area; and
- by spring 2014, we will publish local police performance and expenditure data and increase opportunities for the public to engage with their police force, such as voting on local priorities.

Having the right information is vital to understanding performance, how it changes over time, and where the demands on the system cause changes in performance. This is as true for the public as it is for local managers or ministers. Each of them, for different reasons, will wish to know that they can access the information that will tell them how the CJS is performing against the criteria that they care about.

A CJS that is viewed as complicated and hard to understand does not inspire public confidence. We need to change this, and we need to give citizens the power not only to understand the system but to hold it to account, and push for improved performance when necessary. Access to information about how the system and its constituent parts are performing provides them with the tool to do so. Leaders and managers across the CJS – in addition to being better able to respond to local demands for change – can in turn use that information to make decisions about how to use resources and where to target their own efforts in achieving our shared outcomes.

We have made considerable progress already:

- we now publish a range of data including on sentencing, re-offending and court level case timeliness;
- the police.uk website shows local crimes and outcomes to help the public understand what happens after a crime has been committed in their area. The site has been extremely successful with over 55 million visits since its launch and, on average, over 17,000 visits per day;<sup>12</sup>

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<sup>12</sup> *POLICE.UK data for December 2011 – November 2012*, Home Office ([www.police.uk](http://www.police.uk))

- the *You be the Judge* website allows people to understand and consider the factors involved in sentencing decisions; and
- we have legislated to allow broadcasting from courts, beginning with the Court of Appeal and with a view to extending to the Crown Court, as we believe that allowing the public to hear judges' decisions in their own words will help them better understand the reasons why the judgment was reached.

The public will only have confidence in the system if they understand how it works, what they can expect, and how it is performing. Opening up public services will drive improvements in how those services are delivered and how their priorities are set. To achieve this, we will:

- publish more data on the performance, expenditure and priorities of the CJS so that members of the public can better understand criminal justice services in their area, and how they compare with others – starting with more information on case timeliness on [police.uk](http://police.uk);
- work with local partnerships to help establish what information they need to effectively plan and monitor performance;
- provide the Criminal Justice Board with the right information, working with it to align performance measures across the CJS and enabling it to monitor progress towards the CJS shared outcomes and improved effectiveness and efficiency; and
- explore effective mechanisms for sharing user satisfaction data to ensure that the way in which services are provided is improved.

In providing data to the public, we use two key digital platforms - [police.uk](http://police.uk) (which provides public access to local crime and justice data), and [open.justice.gov.uk](http://open.justice.gov.uk) (which helps to explain the complex justice system). As well as taking steps to realise the full potential of these sites, we will be working to provide data in formats which may be more easily re-used, in line with open data guidelines.

We will use agile and open policy making techniques to co-design the information provision at local and national level. Using a variety of digital and more traditional channels, we will work with local criminal justice partnerships, which bring together the key criminal justice agencies in a police force area, to establish their data requirements. We will also explore the requirements of potential users beyond the criminal justice system, such as health and local authorities. Again, we plan to do this in collaboration with local criminal justice partnerships, and particularly PCCs, who are well placed to speak on behalf of the communities they serve.

## Care and consideration for victims and witnesses

### Summary of key actions:

- provide extra support for witnesses who are at risk of dropping out of proceedings by July 2013;
- make it easier for witnesses to give evidence by video, reviewing progress by summer 2014; and
- provide an improved complaints process for victims and consider creating an independent complaints ombudsman for the CJS by August 2013.

Victims and witnesses have a very personal stake in the shared outcomes of the CJS. They want to see that the offender is caught and punished and does not commit the same crime again, and sometimes they may want the offender to make amends for the harm they have done.

Equally the system needs victims and witnesses to participate if offenders are to be brought to justice. We know that victims and witnesses who are satisfied with their contact with the CJS are more likely to be willing to engage with the CJS again in future.<sup>13</sup> To achieve our shared outcomes, the CJS needs victims and witnesses to have the confidence to participate fully in the system.

We have seen that the right information is vital to public confidence because it helps people to understand what is going on in the CJS. This is doubly true for victims and witnesses who, too often through no fault of their own, find themselves involved in the process.

Providing the right support for victims and witnesses has been an ambition of the CJS for some time and a lot of progress has been made. But we need to make the system more responsive and easier to navigate if we are to put victims first and ensure their engagement.

We aim to improve victims and witnesses' experience of the CJS both as an end in itself and to increase participation in the CJS process.

A one-size-fits-all approach to providing support for victims has not worked. It results in a system where support is routinely provided to those who may not need or want it, whilst victims struggling to deal with the impact of the most serious crimes, or persistently targeted or vulnerable victims, may not get the support they need. There is also scope to better target support at those victims who will otherwise not have the confidence to report the crime or give evidence in court.

Last year the Government published *Getting it right for victims and witnesses*,<sup>14</sup> which contained a number of measures to enhance support, both in the immediate aftermath of crime and to cope with the stress of going to court. Many of these measures are now being implemented, including:

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<sup>13</sup> *Satisfaction and willingness to engage with the Criminal Justice System: Findings from the Witness and Victim Experience Survey, 2009/10*, Ministry of Justice Research Series 1/12, February 2012

<sup>14</sup> *Getting it right for victims and witnesses: the Government response*, response to consultation CP3/2012, Ministry of Justice, July 2012

- introducing a mixed model of national and local commissioning for victims' support services to ensure that they better reflect what matters locally;
- revising the Victims' Code and the Witness Charter to better inform these important groups about what they can expect on their journey through the CJS;
- increasing and extending the Victim Surcharge and other financial impositions, which will see offenders pay up to £50 million a year more towards victims' services; and
- conducting a review of reporting restrictions in the courts to establish whether current protections for victims and witnesses are sufficient.

The next phase of our reforms must concentrate on improving the information that victims and witnesses have access to as they progress through the CJS. Like the public, we want victims to be able to hold the system to account, and have a stronger voice in the decisions that are made about how support should be provided or priorities pursued.

At present a victim can feel like an accessory to the system, updated on the progress of their case only when they ask, and not always told about decisions that might have a profound effect on their ability to cope and recover. Witnesses too can spend a good deal of time hanging around courts waiting to give evidence, and too often they are not called, or give up waiting. The very experience of giving evidence in court can be intimidating and we need to be sure that we are providing the support necessary to reduce this. Witness absence is one of the key reasons for ineffective trials.

The new Victims' Code will set out exactly what a victim can expect from the CJS and it places clear duties on CJS agencies. But things can go wrong, and if they do a victim should rightly expect an explanation and, where appropriate, redress. Locally, PCCs already receive complaints from victims about the performance of criminal justice agencies but do not of course have the power to hold all CJS agencies to account. At a national level, there is no cross-CJS function which ensures that agencies are complying with the Victims' Code when delivering services to victims.

Even when an offender is convicted and receives a sentence, the victims or witnesses can be left in the dark about what it means or what difference it will make. Not all victims want reparation but sometimes it would help them to receive an apology from the offender, some financial compensation or some other form of redress. The courts can order many types of reparation at present, from restorative justice to compensation orders, the victim surcharge to community payback. We know that some of these are effective punishments and some can reduce re-offending or raise money for services to support other victims. But we do not know what is most effective in providing meaningful reparation to victims.

We will:

- ensure that the witnesses who are most at risk of dropping out of the proceedings are effectively supported by reviewing current arrangements and, subject to findings, will consider introducing a risk management process to target those likely to drop out;
- make it easier for witnesses, including expert witnesses and police officers, to give evidence through video link;
- develop an effective nationally commissioned court-based Witness Service that works closely with Witness Care Units to provide minimum standards of treatment, provision of information, and support before and at court;
- explore how to provide better information for victims about the CJS, and about the progress of their case, building on the information already available on [police.uk](https://www.police.uk), and

looking into extending the successful *Track My Crime* system developed by Avon and Somerset Constabulary;

- work with the Victims' Commissioner, Baroness Newlove, to ensure that arrangements for victims to be informed when an offender is to be released from prison best meet victims' needs;
- improve feedback mechanisms, complaints and redress for victims by including in the revised Victims' Code an improved complaints process so that victims know who to contact and what to expect if things go wrong;
- look at the case for an independent complaints ombudsman for the whole of the CJS to investigate and report on complaints made by victims, either locally or nationally; and
- increase meaningful reparation to victims by establishing what works in helping them to cope and recover, and setting out how we will work towards this.

## The right response to crime

The overriding purpose of the CJS is to reduce crime. Every part of the system has a role to play in reducing crime: we know that catching and punishing offenders can deter crime as well as provide justice to victims, so bringing criminals to justice makes a crucial contribution to crime reduction.

### Transforming Rehabilitation

We will only reduce crime if we are able to reduce the stubbornly high rate of reoffending. This Government has launched an ambitious programme to achieve this. For the first time in recent history, every offender released from custody will receive statutory supervision and rehabilitation in the community. We are legislating to extend this statutory supervision and rehabilitation to all 50,000 of the most prolific group of offenders – those sentenced to less than 12 months in custody. We are putting in place an unprecedented nationwide ‘through the prison gate’ resettlement service, meaning most offenders are given continuous support by one provider from custody into the community. The market will be opened up to a diverse range of new rehabilitation providers, so that we get the best out of the public, voluntary and private sectors, at the local as well as national level.

We are also introducing new payment incentives for market providers to focus relentlessly on reforming offenders, giving providers flexibility to do what works and freedom from bureaucracy, but only paying them in full for real reductions in reoffending. A new public sector National Probation Service will be created, to protect the public and build upon the expertise and professionalism which are already in place. This new system will be in place by 2015.

PCCs, who were elected last year, are responsible for setting crime priorities locally. It is essential for local CJS partnerships to respond effectively to PCC priorities so the whole system plays its part in tackling crime. However, there are also crimes where either there is evidence of systemic failure in how the CJS tackles them, or they have a particularly devastating effect on victims, either due to the nature of the crime or the vulnerability of the victim or witness. Such crimes require us to consider nationally how the CJS is responding and take action to improve performance where necessary.

This action plan looks at how we can respond more effectively to three such crimes:

- violence against women and girls and child sexual abuse;
- hate crime; and
- gun and knife crime.

### Tackling violence against women and girls and child sexual abuse

Sexual violence against women and children is a particularly abhorrent crime and has featured prominently in the public consciousness in the wake of the Jimmy Savile, Rochdale and Oxford scandals.

In the last ten years, CJS agencies have improved the way they investigate sexual offending and domestic violence cases. Many police forces now have specialist units to deal with sexual offences and domestic violence cases, staffed by specially trained officers. The CPS has introduced specialist rape prosecutors, specialist Rape and Serious Sexual Offending Units and established a network of rape and child sexual abuse coordinators. HMCTS has

established a network of specialist domestic violence courts to improve the multi-agency response to this crime.

However, recent high profile cases, particularly those relating to child sexual abuse and exploitation, show there is more we need to do to tackle these appalling crimes. We know that there is a troubling level of under-reporting of rape and sexual assaults; only 15% of female victims are estimated to report the crime to the police.<sup>15</sup> We know that these cases take too long in court,<sup>16</sup> and we know that victim and witness engagement with the system remains problematic, with 12% of unsuccessful rape prosecutions being attributed to victim issues (retraction, non-attendance or other non-engagement). That figure rises to 46% for domestic violence cases.<sup>17</sup> Clearly we have to do more to support victims to see these cases through our courts.

In response, a significant programme of work is already underway across government. On 11 June 2013, the College of Policing and the Director of Public Prosecutions each launched guidance which clearly sets out what is to be expected of police and prosecutors with responsibility for cases where a sexual offence has been committed against a child or young person. Both are subject to public consultation until 3 September 2013.

In addition to the cross-Government *A Call to End Violence against Women and Girls Action Plan 2013*, recent initiatives include an agreed approach to the investigation and prosecution of child sexual offences, the establishment of a national panel to review past allegations of sexual abuse where no action was taken by the police or CPS and the complainant was not satisfied with the response, and the establishment of a National Group to tackle sexual violence against children and vulnerable people. We have also signed up to the EU Directive on combating sexual abuse and sexual exploitation of children and child pornography and are working towards building a better evidence base to understand how the CJS currently performs in trafficking cases.

The specific role of the Criminal Justice Board will be to make sure the CJS response to these crimes is improved from start to finish. To ensure this, we will:

- analyse how victims of sexual violence experience their contact with the CJS. We will do this work with rape support groups and other stakeholders and use the information gathered to establish an evidence base. This will inform improvements to the CJS response which are focussed on the victim;
- use the work described above, and the other reviews into the way sexual offences are investigated and prosecuted, to identify what further action is required to improve the CJS response to these crimes through the National Group on Sexual Violence Against Children and Vulnerable People;
- consider the responses to the revised Victims' Code consultation on the proposals to provide an enhanced service to victims of sexual violence, domestic violence and human trafficking (as well as an enhanced service to those under 18) by the CJS agencies;

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<sup>15</sup> Based on Crime Survey for England and Wales (CSEW) data: respondents between the ages of 16 and 59. *An Overview of Sexual Offending in England and Wales*, Ministry of Justice, Home Office and the Office for National Statistics, January 2013

<sup>16</sup> Sexual offences took an average of 175 days from the first listing in court until completion in Q4 2012 – the longest for any offence category. *Court Statistics Quarterly January to March 2013*, Ministry of Justice, June 2013

<sup>17</sup> 2011-12 data *Violence Against Women and Girls Crime Report*, Crown Prosecution Service, October 2012

- improve the consistency and take-up of special measures for vulnerable and intimidated witnesses;
- pilot Section 28 of the Youth Justice and Criminal Evidence Act 1999, which provides for pre-recorded cross-examination of a vulnerable witness;
- review the way in which victims who are being supported by services (under future national commissioning arrangements) are informed about their rights and expectations of the CJS;
- consider the extent to which extra or reserve jurors could be used in these cases to take the place of any jurors who have to be discharged during the trial, so as to minimise the risk of having to stop and begin again; and
- review how we might reduce the distress caused to some victims by cross-examination, particularly where there are multiple defence barristers.

### Tackling hate crime

Crime which targets a particular characteristic of a victim, whether it be race, faith, sexual orientation, gender identity, disability or anything else, can have devastating consequences for the victim, their family, and the wider community.

There have been positive improvements in investigation and prosecution over the last few years as CJS agencies become better at recognising and responding to different types of hate crime. Between 2006/07 and 2011/12, the number of successful CPS prosecutions across all types of hate crime has increased from around 9,600 (77%) to around 12,000 (83%).<sup>18</sup> Despite this and although our understanding of this crime has improved, including its causes and victims, there is still much more to do.

The UK is now recognised as a world leader in terms of how it responds to hate crime. A commitment in the Government's *Programme for government* to improve the recording of hate crimes demonstrated the importance this Government attaches to stamping out these corrosive crimes. The Government's *Challenge it, Report it, Stop it*<sup>19</sup> action plan published in March 2012, was a significant step forward in setting out clearly how the Government intends to improve performance at each stage of the criminal justice process, and we plan to publish an updated version this autumn.

Significant progress has undoubtedly been made, with tougher sentences for offenders and greater protection for victims, but we think we can do more by:

- gathering more evidence on how the CJS currently responds to hate crime across the country. We will do this by assessing how disability hate crime cases have been handled in 11 police force areas. We will also work with the courts to improve our information on the use of enhanced sentencing;
- ensuring that the CJS responds effectively from the perspective of victims and witnesses of hate crime. We will assess the scope for alternative disposals to offer a response to less serious hate crimes; and consider the responses to the consultation on extending enhanced entitlements under the Victims' Code to victims of hate crime;

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<sup>18</sup> *Hate Crime and Crimes Against Older People 2011-2012*, Crown Prosecution Service, October 2012

<sup>19</sup> *Challenge it, Report it, Stop it: The Government's Plan to Tackle Hate Crime*, HM Government, March 2012

- dealing more effectively with specific types of hate crime. We will consider how to implement the recent recommendations of the Joint Inspection Report into disability hate crime and consider the recommendations of the Law Commission's review *Hate Crime: review of aggravated offences and stirring up hatred offences*; and
- working with the College of Policing to review its central response to Internet hate crimes.

### Tackling gun and knife crime

Knife and firearm offences represent some of the most serious offending on our streets. We know that a large proportion of these crimes are linked to gangs, with the Metropolitan Police Service estimating that half of all shootings in the capital are gang-related. These crimes are often symptomatic of deeper problems in the community, the tackling of which clearly goes wider than just the CJS. The Government strategy, *Ending Gang and Youth Violence*,<sup>20</sup> reflects this by containing a wide range of measures to tackle the problem of gang and youth violence: from the earliest interventions to identifying and supporting at-risk parents, prevention schemes, through to rehabilitation.

Alongside this, tougher new offences and changes to the sentencing framework have been introduced. Since 2011, this Government has made gang injunctions available for 14 to 17 year olds, introduced new offences of 'threatening with an article with a blade or point or offensive weapon in public or on school premises' and a mandatory life sentence for those convicted of a second serious violent or sexual crime. We have announced our intention to create a new firearms offence of 'possession with intent to supply' with a maximum sentence of life imprisonment, whilst also bringing the maximum sentence for illegal importation of a firearm in line with this as well.

We want to build on the early intervention work at one end, and the tough sentencing regime with rehabilitation at the other, by ensuring that once a crime has been committed, the victims and witnesses are supported and protected through the entire process. Actions in this plan to improve the efficiency of the system and to improve support to vulnerable and intimidated victims and witnesses are the most effective way of raising performance. For example, steps to improve the implementation of special measures will have a positive impact on vulnerable and intimidated victims of gun and knife crime. We have included vulnerable or intimidated victims as one of the three categories of victims eligible for enhanced entitlements under the revised Victims' Code.

We will:

- encourage the wider use of community impact statements, which enable sentencing decisions to be informed by additional relevant information about the impact of a crime on the local area. The police, CPS and courts have reported these as being effective in providing the court with information about the impact of gun crime on a community and on local services;
- consider how information sharing between criminal justice agencies can be improved to ensure that appropriate security measures are put in place to manage gang members or violent offenders at court; and
- consider whether and how we could improve processing for firearms offences, looking at a number of possible causes of delay, including forensics.

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<sup>20</sup> *Ending Gang and Youth Violence: a Cross government Report*, HM Government, November 2011

## Ensuring our response to crime is fair and just

The CJS response to crime must be fair and just. This is crucial to maintaining the public's trust and ensuring the continued legitimacy of the system. Our aim is clear, to make sure that at all stages of the CJS:

- decisions are made solely on the basis of the facts, the available evidence and public interest; and that
- every individual is treated fairly and with respect in every single interaction with the CJS, regardless of their personal characteristics and/or social background.

But we cannot be sure that this is currently always the case. One area where we see increasing concern in the CJS is around the over-representation of Black, Asian & Minority Ethnic (BAME) groups. For example, the *Statistics on Race and the Criminal Justice System* report from 2010 suggests that, when compared to their representation in the general population of England and Wales, some BAME groups appear more likely to be victims of crime,<sup>21</sup> more likely to be stopped and searched,<sup>22</sup> more likely to be arrested<sup>23</sup> and, in some cases, more likely to receive a custodial sentence.<sup>24</sup> Currently, we do not fully understand the extent to which this may be due to other factors, such as individual and area demographics and characteristics of the offence and offender. It is therefore an area we must work to understand better and take action.

This is not a new issue for the CJS, and we have made some progress towards improving race inequality with better sharing of data with local criminal justice agencies and greater transparency of CJS statistics. However, a previous focus on targets meant that those efforts often had the unintended consequence of creating additional layers of bureaucracy, particularly at the local level, without addressing the underlying problems.

We have also made good progress improving services for female offenders where the Government recognised that a gender-specific approach was needed. Enhanced services are now provided to address the specific needs associated with women's offending, including drug and alcohol addiction, mental health, domestic violence and abuse. The Government published its key priorities for female offenders on 22 March 2013 and a new Advisory Board on female offenders will provide support on the delivery of these priorities. This will be chaired by Helen Grant, the minister with responsibility for women in the justice system.

In relation to offenders, the Government aims to develop and implement liaison and diversion services across all police stations and courts in England. These services will identify and assess offenders with a view to referring them to the appropriate mental health, substance

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<sup>21</sup> Adults from BME groups were more likely to be victims of personal crime in 2010/11 – 8% black adults compared to 6% among White adults, according to CSEW data. *Statistics on Race and the Criminal Justice System*, Ministry of Justice, October 2011

<sup>22</sup> Black, Asian and Mixed persons were more likely to be stopped and searched, compared to their proportions in the general population, than White persons, 2006/07 through 2009/10. In 2009/10, persons from these groups were stopped and searched 7.0, 2.2 and 2.8 times more than White persons, respectively. *Statistics on Race and the Criminal Justice System*, Ministry of Justice, October 2011

<sup>23</sup> Arrests per 1,000 population were higher for Black, Asian and Mixed persons (84, 29 and 59, respectively) than for White persons (26). *Statistics on Race and the Criminal Justice System*, Ministry of Justice, October 2011

<sup>24</sup> A higher percentage of those in BME groups were sentenced to immediate custody for indictable offences than in the White group in 2010 (White 23%, Black 27%, Asian 29% and Other 42%). This may in part be due to other factors such as pleas or the mix of crimes committed. *Statistics on Race and the Criminal Justice System*, Ministry of Justice, October 2011

misuse and learning disability services. This assessment can also be used to inform decisions at various stages of the criminal justice process; for example, diverting people away from the formal process, or from custody, where appropriate. However, there is still a great deal more to be done and ensuring equality is therefore a priority for this action plan. We are keen to build on previous and ongoing work across the CJS. We will:

- ensure the Criminal Justice Board takes a leading role in driving improvements in performance to ensure equality of treatment for everyone who comes into contact with the CJS. This will include exploring why there is over-representation of some groups (especially those with a protected characteristic, e.g. race or sex, as defined by the Equality Act 2010) and where we have evidence of inequality in the CJS, put a plan in place to tackle it;
- ensure the Criminal Justice Board takes a leading role in promoting diversity of the CJS workforce to ensure it better represents the population it serves;
- hold a number of events led by the Minister for Policing and Criminal Justice to discuss and debate equality issues and concerns openly with a range of stakeholders, particularly those voluntary sector organisations who represent service users. These will inform the work of the Criminal Justice Board and wider policy development; and
- work closely with the Youth Justice Board to ensure a joined-up approach to improving equality across the adult and youth systems, with an initial focus around ensuring greater racial equality.

For the public to have confidence that the system operates in a fair and just way they need to see this in practice in the way the CJS deals with crime. In relation to out-of-court disposals this has sometimes been in doubt. For example, HMIC concluded that, “the public should be better informed about their effectiveness and whether they are being used in the right way for the right reasons. This would help to eliminate any sense of injustice about different treatments in different places”.<sup>25</sup>

The Government has already acted to improve the use of out-of-court disposals by implementing changes in the Legal Aid Sentencing and Punishment of Offenders Act 2012 and strengthening the guidance. However, the Government is also concerned that serious offences and repeat offenders are sometimes punished with an out-of-court disposal which can be a cause of public concern, while, on the other hand, some cases do still reach court unnecessarily. The Government will consider the outcome of the simple cautions review and consider if further action is required.

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<sup>25</sup> *Stop the Drift*, HMIC, November 2010

**Summary of key actions:**

- improve the consistency and take-up of special measures for vulnerable and intimidated witnesses - with the Criminal Justice Board to review progress in early 2014;
- pilot Section 28 of the Youth Justice and Criminal Evidence Act 1999, which provides for pre-recorded cross-examination of a vulnerable witness in three courts - Leeds, Liverpool and Kingston-upon-Thames - starting in late 2013;
- assess how disability hate crime has been handled in various police force areas by September 2013;
- revamp community impact statements by April 2014; and
- Minister for Policing & Criminal Justice to hold a number of events with stakeholders on equality in the CJS, beginning in autumn 2013.

## Working in partnership

### Summary of key actions:

- communicate the Criminal Justice Board's priorities to local partnerships and ensure the link between national and local level is strengthened by September 2013; and
- set out a more common approach across the CJS to staff training, objectives and talent management, beginning in September 2013.

We will only succeed in delivering our shared outcomes if all parts of the CJS collaborate effectively.

It is right that the overall criminal justice framework such as the criminal law is made nationally. In introducing PCCs, the Government has made a clear commitment to promoting local justice. Communities are at the heart of criminal justice and we need to make sure that national laws and national priorities can be delivered at a local level – and that national priorities are informed by, and can respond to, the needs of local communities.

The national and local landscape is complex, and at a national level we have too often failed to take the opportunity to collaborate, and in turn this has made it more difficult for local partners. Our approach has to be to support local partnerships, by sharing expertise and information to help and support their planning, and by removing barriers to effective partnership working at every level.

The new mechanism for ensuring effective national collaboration is the Criminal Justice Board. As well as overseeing delivery of this action plan, the Board has a real opportunity to ensure that in future, the planning of resources such as IT, buildings, or other procured services, are considered from a cross-CJS perspective. To support this we will:

- use the leadership of the Criminal Justice Board to address barriers which currently prevent integration, clearing the way for transformative IT programmes;
- develop a transparent approach to all CJS contracts in the procurement pipeline, beginning with those in MoJ, to provide new opportunities for collaboration; and
- draw up criteria against which all CJS contracts can be assessed with a view to identifying opportunities for join-up between criminal justice agencies, and cost savings.

We want to see more effective collaboration at *every* level of the CJS. Locally, we would like to see all parts of the CJS coming together to plan how they will deliver improvements, alongside their local priorities, under this framework. Last year's *Swift and Sure Justice* white paper underlined the Government's view that local partnerships have a critical role in facilitating joint working in the CJS. However, we recognise that at a national level we need to define more clearly what is now expected of local partnerships.

Local partnerships have evolved in recent years – some merging with neighbouring areas, while others have changed their role and focus. We welcome such developments and urge criminal justice agencies to continue thinking about how best to tailor their partnership arrangements to suit local needs.

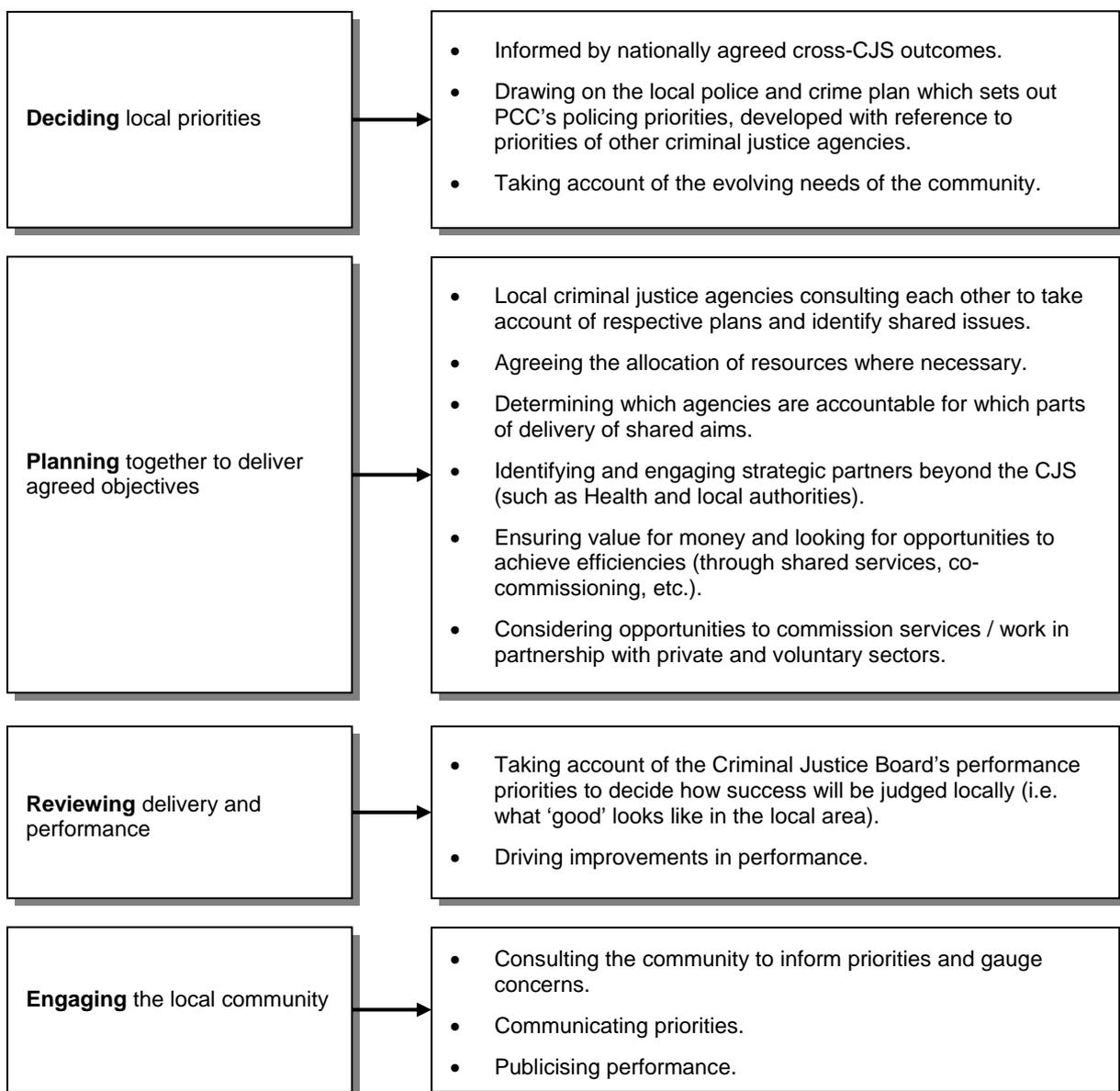
Such arrangements need to adapt further following the election last year of PCCs – the most significant change to the local landscape in recent years. PCCs have a mandate to identify and prioritise crime problems in their areas in consultation with their local communities.

Consequently they have a pivotal role to play in making sure all CJS, and other, local agencies work together in delivering justice.

Local partnerships are also of great importance in delivering two of the Government's key commitments:

- improving support for victims – with PCCs set to commission the bulk of support services at local level, ensuring services respond to the needs of victims in their areas; and
- Transforming Rehabilitation – in order to reform offenders and protect the public, we need local partnerships to develop constructive working relationships with the new probation providers to facilitate effective integration into the new system.

Local CJS partnerships should oversee strategic planning at the local level. The overview provided below sets out a suggested approach to planning, with the information that local partnerships may want to take into account at different stages of the planning cycle.



There needs to be stronger links between the Criminal Justice Board and local criminal justice partnerships. But we do not want communication to be just one way. To build these important links we will:

- communicate the Criminal Justice Board's priorities to local partnerships and provide them with a channel through which they can feed back to the Board;
- work with practitioners at a national and local level to ensure that each part of the CJS is clear about their role in achieving the shared outcomes;
- identify good practice to be shared between local areas, and promote ways of sharing information online, such as the Police OnLine Knowledge Area (POLKA) hosted by the College of Policing;
- explore different approaches to national-local working to inform how we will work together in the future, and ensure that lessons learned are shared across the system. We will start this work with the Mayor of London's office and other criminal justice partners to agree a CJS response to theft from the person in the capital; and
- improve joint working across the CJS by putting together a package of workforce options for criminal justice agencies which set out a more common approach to staff training, objectives and talent management.

## Appendix: Summary of Actions

The Criminal Justice Board will be accountable for delivering this action plan over the next two years. It will publish an update to the action plan in 2014.

Action	Lead Board member	Start	Finish
<b>A digital CJS</b>			
1	Begin a wider, rolling programme of reform, which will see the introduction of a simplified file for each crime type, ensuring that the streamlined digital file is established as the norm in criminal justice proceedings.	CPS – Peter Lewis HMCTS – Peter Handcock National policing lead – Chris Eyre College of Policing – Alex Marshall	June 2013    April 2015
2	Test a simplified file and app-based approach for traffic and shoplifting cases.	CPS – Peter Lewis HMCTS – Peter Handcock National policing lead – Chris Eyre College of Policing – Alex Marshall	Underway    April 2014
3	Continue to promote the take-up of secure email by the defence to enable the digital service of case material from the CPS ahead of the Legal Aid Agency requiring defence practitioners to have and use secure email from October 2014 as prescribed in the new criminal legal aid contract.	CPS – Peter Lewis HMCTS – Peter Handcock National policing lead – Chris Eyre	Underway    October 2014
4	Deliver digital by default courtrooms in magistrates' and Crown Courts that enable all parties to operate effectively without using paper.	CPS – Peter Lewis HMCTS – Peter Handcock National policing lead – Chris Eyre	2014 - subject to funding    2015/16
5	Increase the use of video across the CJS by encouraging the utilisation of existing video equipment by prioritising the use of video for prison to court video links so that the movement of defendants in and out of prisons is reduced.	CPS – Peter Lewis HMCTS – Peter Handcock National policing lead – Chris Eyre NOMS – Michael Spurr	Underway    Review in April 2014

Action	Lead Board member	Start	Finish
<b>A CJS which is faster and right first time</b>			
6	Following the judicially-led disclosure review in magistrates courts, review training materials and roll out refresher training if necessary, to increase expertise in dealing with disclosure.	College of Policing – Alex Marshall CPS – Peter Lewis National policing lead – Chris Eyre	Start in January 2014 following the outcome of the disclosure review  Dependent on the nature and volume of changes recommended in the disclosure review
7	From April 2013, the CPS began handling all appropriate charging advice requests 24 hours a day, seven days a week through CPS Direct (the CPS dedicated charging service). The CPS will work to ensure that these new arrangements facilitate more consistent charging advice.	CPS – Peter Lewis National policing lead – Chris Eyre	We will monitor the quality of charging advice over the course of 2013  Ongoing
8	a) Establish whether existing guidance, training and awareness on preparation standards and proportionate and timely file build meet current requirements; and b) Monitor and improve quality and compliance with those requirements.	College of Policing – Alex Marshall CPS – Peter Lewis HO – Stephen Rimmer	Underway  Ongoing
9	a) Implement a single traffic court in each police force area (and explore the possibility of further centralisation of traffic courts in London); and b) Legislate to allow the majority of high-volume, low-level, ‘regulatory’ cases to be dealt with away from traditional magistrates’ courtrooms.	HMCTS – Peter Handcock MoJ – Paul Kett	a) April 2014  b) Legislation as soon as Parliamentary time allows  As soon as Parliamentary time allows
10	Encourage an increase in the national take-up of police-led prosecutions for uncontested traffic and other specified offences, following an evaluation of the pathfinder areas in the summer, reducing cost and inter-agency handovers, and freeing up CPS time to concentrate on more serious and contested cases.	HO – Stephen Rimmer	Underway  December 2013

	Action	Lead Board member	Start	Finish
11	Further increase the number of cases which the police can prosecute without requiring CPS involvement, by legislating to make shoplifting a summary-only offence where the stolen goods are valued at £200 or less. This would mean that the great majority of shoplifting cases that are already dealt with in magistrates' courts would be subject to more efficient procedures, although it would still be open to defendants to elect a Crown Court trial.	MoJ – Paul Kett HO – Stephen Rimmer	Subject to Parliamentary time	Summer 2014, subject to Parliamentary time
12	a) Ensure the police and CPS do more to identify, and prepare appropriately, cases where there is an anticipated guilty plea; and b) Ensure that such cases are prioritised for early preparation and, where possible, for early hearing.	National policing lead – Chris Eyre CPS – Peter Lewis HMCTS – Peter Handcock	Underway	April 2014
13	Ensure more hearings go ahead on the day planned by focussing resources on making first hearings as effective as possible in cases that are likely to go to trial.	CPS – Peter Lewis HMCTS – Peter Handcock	September 2013	April 2014
14	Set up a working group to provide guidance on the application of the Criminal Procedure Rules in summary proceedings with a view to making preparation simpler and more proportionate.	CPS – Peter Lewis MoJ – Paul Kett	July 2013	December 2013
15	Support the Senior District Judge (Chief Magistrate) and His Honour Judge Kinch QC in their review of magistrates' courts disclosure rules to ensure they are proportionate and effective.	MoJ – Paul Kett CPS – Peter Lewis	July 2013	Review to be completed by December 2013
16	Make better use of agent prosecutors in magistrates' courts by ensuring that they are able to pick up and prosecute floating and back up cases when their allocated cases either vacate, adjourn or finish earlier on the day.	CPS – Peter Lewis HMCTS – Peter Handcock National policing lead – Chris Eyre	July 2013	October 2013

	Action	Lead Board member	Start	Finish
17	<p>Each member of the Criminal Justice Board has committed to supporting the judicially-led refresh of the Stop Delaying Justice! initiative. We will set up a working group – reporting to the Senior Presiding Judge – that will provide a coherent package of actions, expectations and guidelines for CJS agencies, defence practitioners and magistrates and will ensure that its delivery is a local priority.</p>	<p>CPS – Peter Lewis HMCTS – Peter Hancock</p>	July 2013	December 2013
18	<p>Each member of the Criminal Justice Board has committed to making the Early Guilty Plea scheme a success.</p>	<p>CPS – Peter Lewis National policing lead – Chris Eyre HMCTS – Peter Hancock</p>	Ongoing	Ongoing
19	<p>Actions to support the implementation of the Case Management initiative:</p> <p>Develop arrangements for formal plea reviews between the CPS and defence to take place in all cases, including those not eligible for the Early Guilty Plea Scheme.</p> <p>Introduce a simple set of non-exhaustive criteria for prosecutors to use in identifying the sort of case in which a timetable may be appropriate, and where appropriate to make an application and provide an agreed draft at the Plea and Case Management Hearing.</p> <p>Review reasons for non-compliance with the Criminal Procedure Rules, Practice Directions and Local Practice Guidance Notes in Crown Court cases and take action to drive up performance.</p>	CPS – Peter Lewis	July 2013	December 2013
20	<p>For the subset of paper-heavy cases, the Senior Presiding Judge will oversee the implementation of the recommendations from his review of disclosure to bring about more focussed disclosure in document heavy cases. The Senior Presiding Judge will test a tailored approach in four court centres (Birmingham, Manchester Crown Square, Kingston upon Thames, and Southwark) before rolling out across all courts.</p>	<p>CPS – Peter Lewis National policing lead – Chris Eyre</p>	Pilots commence in June 2013	Implementation from mid-2014

	Action	Lead Board member	Start	Finish
21	<p>Identify, reform, and then monitor compliance with the Criminal Procedure Rules, Practice Directions, and judges' orders:</p> <p>a) Work with local areas over the remainder of this year to identify, and where possible address, the reasons why Criminal Procedures Rules and Practice Directions are not followed in both magistrates' court and Crown Court cases;</p> <p>b) Identify any barriers to compliance which cannot be overcome by changes to guidance, culture or practices and work with the Criminal Procedure Rule Committee to simplify criminal procedure rules if applicable; and</p> <p>c) Identify baseline data on compliance where possible and put in place the appropriate measures to monitor how well the CPS and defence comply. (As an example the CPS have set a level of expectation for areas in respect of compliance with judges' orders in the Crown Court of at least 75% in 2013/14 with the anticipation that this will rise to 90% in 2014/15.)</p>	<p>MoJ – Paul Kett CPS – Peter Lewis</p>	<p>a) July 2013  b) January 2014  c) July 2013</p>	<p>a) December 2013  b) December 2014  c) December 2013</p>
22	<p>Make compliance data available to CJS practitioners so that individuals can see and understand the impact of their performance, as well as making local level data available to the public so the CJS can be held to account.</p>	<p>CPS – Peter Lewis MoJ – Paul Kett</p>	<p>July 2013</p>	<p>April 2014</p>
23	<p>Work with the defence community on how to better prepare defendants for first hearings, including how to maximise the effectiveness of duty solicitors.</p>	<p>MoJ – Paul Kett CPS – Peter Lewis</p>	<p>July 2013</p>	<p>December 2013</p>
<b>A transparent and responsive CJS</b>				
24	<p>Publish more data on the performance, expenditure and priorities of the CJS so that members of the public can better understand criminal justice services in their area and how they compare with others – starting with more information on case timeliness on police.uk.</p>	<p>MoJ – Paul Kett HO – Stephen Rimmer</p>	<p>Underway</p>	<p>Case timeliness information published by October 2013. Further improvements by spring 2014.</p>

	Action	Lead Board member	Start	Finish
25	Work with local partnerships to help establish what information they need to plan effectively and monitor performance.	MoJ – Paul Kett	September 2013	December 2013
26	Provide the Criminal Justice Board with the right information, working with it to align performance measures across the CJS and enabling it to monitor progress towards the CJS shared outcomes and improved effectiveness and efficiency.	MoJ – Paul Kett	Summer 2013	Ongoing – updates at regular Board meetings
27	Explore effective mechanisms for sharing user satisfaction data to ensure that the way in which services are provided is improved.	MoJ – Paul Kett	Underway	End 2013
<b>Care and consideration for victims and witnesses</b>				
28	Ensure that the witnesses who are most at risk of dropping out of the proceedings are effectively supported by reviewing current arrangements and, subject to findings, consider introducing a risk management process to target those likely to drop out.	MoJ – Paul Kett	July 2013	December 2013
29	Make it easier for witnesses, including expert witnesses and police officers, to give evidence through video link.	CPS – Peter Lewis HMCTS – Peter Handcock National policing lead – Chris Eyre	July 2013	Review progress by summer 2014
30	Develop an effective nationally commissioned court-based Witness Service that works closely with Witness Care Units to provide minimum standards of treatment, provision of information, and support before and at court.	MoJ – Paul Kett	Underway	New service to start October 2014
31	Explore how to provide better information for victims about the CJS, and about the progress of their case, building on the information already available on police.uk, and looking into extending the successful <i>Track My Crime</i> system developed by Avon and Somerset Constabulary.	MoJ – Paul Kett	Underway	September 2013

	<b>Action</b>	<b>Lead Board member</b>	<b>Start</b>	<b>Finish</b>
32	Work with the Victims' Commissioner, Baroness Newlove, to ensure that arrangements for victims to be informed when an offender is to be released from prison best meet victims' needs.	MoJ – Paul Kett	Underway	Summer 2013
33	Improve feedback mechanisms, complaints and redress for victims by including in the revised Victims' Code an improved complaints process so that victims know who to contact and what to expect if things go wrong.	MoJ – Paul Kett	Underway	August 2013
34	Look at the case for an independent complaints ombudsman for the whole of the CJS to investigate and report on complaints made by victims, either locally or nationally.	MoJ – Paul Kett	Underway	August 2013
35	Increase meaningful reparation to victims by establishing what works in helping them to cope and recover, and setting out how we will work towards this.	MoJ – Paul Kett	July 2013	Board to review progress and identify further action in summer 2014
<b>The right response to crime</b>				
36	Analyse how victims of sexual violence experience their contact with the CJS. We will do this work with rape support groups and other stakeholders, and use the information gathered to establish an evidence base. This will inform improvements to the CJS response which are focussed on the victim.	HO – Stephen Rimmer	July 2013	October 2013
37	Use the work described in Action 36, and the other reviews into the way sexual offences are investigated and prosecuted, to identify what further action is required to improve the CJS response to these crimes.	MoJ – Paul Kett	October 2013	November 2013
38	Consider the responses to the revised Victims' Code consultation on the proposals to provide an enhanced service to victims of sexual violence, domestic violence and human trafficking (as well as an enhanced service to those under 18) by the CJS agencies.	MoJ – Paul Kett	Underway	Summer 2013

	Action	Lead Board member	Start	Finish
39	Improve the consistency and take-up of special measures for vulnerable and intimidated witnesses.	MoJ – Paul Kett CPS – Peter Lewis National policing lead – Chris Eyre	Underway	Criminal Justice Board to review progress early 2014
40	Pilot Section 28 of the Youth Justice and Criminal Evidence Act 1999, which provides for pre-recorded cross-examination of a vulnerable witness in three courts - Leeds, Liverpool and Kingston-upon-Thames - starting in late 2013.	MoJ – Paul Kett	End of 2013	Pilot to run for six months
41	Review the way in which victims being supported by services (under future national commissioning arrangements) are informed about their rights and expectations of the CJS.	MoJ – Paul Kett	October 2013	Early 2014
42	Consider the extent to which extra or reserve jurors could be used in these cases to take the place of any jurors who have to be discharged during the trial, so as to minimise the risk of having to stop and begin again.	MoJ – Paul Kett	July 2013	November 2013
43	Review how we might reduce the distress caused to some victims by cross examination, particularly where there are multiple defence barristers.	MoJ – Paul Kett	July 2013	October 2013
44	Assess how disability hate crime cases have been handled in 11 police force areas.	CPS – Peter Lewis National policing lead – Chris Eyre	Underway	September 2013
45	Work with the courts to improve our information on the use of enhanced sentencing for hate crimes.	MoJ – Paul Kett	Underway	Progress and options to be considered by November 2013
46	Consider the responses to the consultation on extending enhanced entitlements under the Victims' Code to victims of hate crime.	MoJ – Paul Kett	Underway	Summer 2013
47	Consider the recommendations of the Law Commission's review, 'Hate Crime: review of aggravated offences and stirring up of hatred offences'.	MoJ – Paul Kett	Review expected spring 2014	Ongoing

	Action	Lead Board member	Start	Finish
48	College of Policing will review its central response to internet hate crimes during 2013–14.	National Policing Lead – Chris Eyre	Review October 2013	To be considered by ACPO early 2014
49	Encourage the wider use of community impact statements, which the police, CPS and courts have found effective in providing the court with information on the impact of gun crime on a community and local services.	MoJ – Paul Kett	July 2013	April 2014
50	Consider how information sharing can be improved to ensure that appropriate security measures are put in place to manage gang members or violent offenders at court.	HMCTS – Peter Handcock CPS – Peter Lewis National policing lead – Chris Eyre NOMS – Michael Spurr	July 2013	Identify further action required by autumn 2013
51	Consider whether and how we could improve processing for firearms offences, looking at a number of possible causes of delay, including forensics.	CPS – Peter Lewis HO – Stephen Rimmer National policing lead – Chris Eyre	July 2013	End of 2013
52	Ensure the Criminal Justice Board takes a leading role in driving improvements in performance to ensure equality of treatment for everyone who comes into contact with the CJS. This will include: a) examining experiences of the CJS and exploring why there is over-representation of some groups (especially those with a protected characteristic (e.g. race, sex) as defined by the Equality Act 2010); and b) where we have evidence of inequality in the CJS, put in place a plan to tackle it.	MoJ – Paul Kett	Autumn 2013	Board to review ongoing work

	<b>Action</b>	<b>Lead Board member</b>	<b>Start</b>	<b>Finish</b>
53	<p>Ensure the Criminal Justice Board takes a leading role in promoting diversity of the CJS workforce to ensure it better represents the population it serves. It will do this by:</p> <p>a) acting as a strong advocate for diversity across the CJS;</p> <p>b) reviewing workforce statistics and other evidence to identify barriers to diversity and areas for improvement; and</p> <p>c) taking action to tackle the under-representation at all levels across the CJS.</p>	MoJ – Paul Kett	Autumn 2013	Board to review ongoing work
54	<p>Hold a number of events to be led by the Minister for Policing and Criminal Justice to discuss and debate equality issues and concerns openly with a range of stakeholders, particularly voluntary sector organisations representing service users. These will inform the work of the Criminal Justice Board and wider policy development.</p>	MoJ – Paul Kett	Autumn 2013	November 2013
55	<p>Work closely with the Youth Justice Board to ensure a joined-up approach to improving equality across the adult and youth systems, with an initial focus around ensuring greater racial equality.</p>	MoJ – Paul Kett YJB – Frances Done	Underway	Board to review ongoing work
<b>Working in partnership</b>				
56	<p>Use the leadership of the Criminal Justice Board to address barriers that currently prevent integration, clearing the way for transformative IT programmes.</p>	MoJ – Paul Kett	September 2013	April 2015
57	<p>Develop a transparent approach to all CJS contracts in the procurement pipeline to provide new opportunities for collaboration.</p>	MoJ – Paul Kett	September 2013	April 2015
58	<p>Draw up criteria against which all CJS contracts can be assessed with a view to identifying opportunities for join-up between criminal justice agencies, and cost savings.</p>	MoJ – Paul Kett	September 2013	April 2015
59	<p>Communicate the Criminal Justice Board’s priorities to local partnerships and provide them with a channel through which they can feed back to the Board.</p>	MoJ – Paul Kett	Underway	September 2013

	Action	Lead Board member	Start	Finish
60	Work with practitioners at a national and local level to ensure that each part of the CJS is clear about their role in achieving the shared outcomes.	MoJ – Paul Kett	September 2013	April 2014
61	Identify good practice to be shared between local areas and promote ways of sharing information online, such as POLKA hosted by the College of Policing.	MoJ – Paul Kett	Underway	December 2013
62	Explore different approaches to national-local working to inform how we will work in the future and ensure that lessons learned are shared across the system. We will start this work with the Mayor of London's office and other criminal justice partners to agree a CJS response to theft from the person in the capital.	MoJ – Paul Kett	Underway	December 2013
63	Revamp community impact statements so that they can be used by PCCs and the National Crime Agency to make the courts aware of crimes that pose a particular problem in their areas and their impact on local communities.	MoJ – Paul Kett	September 2013	April 2014
64	Improve joint working across the CJS by putting together a package of workforce options for criminal justice agencies, which set out a more common approach to staff training, objectives and talent management.	MoJ – Paul Kett	September 2013	December 2014



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