

Date: Wednesday, 9 September 2015
Location: CR5, City Hall
Hearing: MOPAC Challenge Board - Criminal Justice System Timeliness

Start time: 10.00am
Finish time: 11.35pm

Members:

Stephen Greenhalgh, Deputy Mayor for Policing and Crime
Faith Boardman, MOPAC Challenge Member
Jonathan Glanz, MOPAC Challenge Member
Keith Prince, MOPAC Challenge Member
Helen Bailey, Chief Operating Officer at MOPAC
Marie Snelling, Director of IOM, MOPAC

Guests:

Baljit Ubhey, Chief Crown Prosecutor, Crown Prosecution Service
Anthony Rogers, London Business Manager, Crown Prosecution Service
Kate Gilbert, Assistant Chief Officer, National Probation Service
Mark Simmons, Deputy Assistant Commissioner, Metropolitan Police Service
Jeremy Burton, Commander CJ & Crime, Metropolitan Police Service
Sara Lewis, Head of Met Prosecutions, Metropolitan Police Service

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): Everybody, welcome to another MOPAC challenge on criminal justice timeliness. Delighted to see you all here. I will not rush through and introduce everybody because I think we have got to get through quite a lot, and we want to have an opportunity to delve into the information we have got and have some tangible actions coming out of this morning.

I will start off by saying that I think there is a lot to be pleased about, in that London's criminal justice system delivers very sure justice. The level of ineffective trials is considerably below the rest of the country, at around 15%. It is about 5% below the national average, and that is something to be very proud of, that Londoners are getting sure justice, and justice is effective. It is fair to say that there is a challenge around timeliness. On average the court cases in London are taking nine and a half days longer than the rest of the country, and also those prolific offenders, very often on their tenth conviction, take twice as long to go through the criminal justice system as first-time offenders. Very often we see reoffending rates increase when some of these offenders are on bail and awaiting their court appearance. So there is a link there to levels of crime and reoffending. Hopefully we can explore ways of speeding up the criminal justice system. I will now hand over to Marie, who is going to take us through the MOPAC criminal justice timeliness dashboard and a short presentation. Marie.

Marie Snelling (Director of IOM, MOPAC): Thank you very much indeed, Stephen. So, to kick off, then, this is the criminal justice timeliness dashboard with the latest data that is up to March 2015, as per the latest published Ministry of Justice data. The first and the opening page of the dashboard shows that -- the top section of the page shows the monitoring of the CJS timeliness target and the current position compared to England and Wales. All court cases in London took on average 164 days from offence to completion in the financial year 2014/15. It is worth noting that the gap between London and England and Wales, in terms of the average, has reduced to two days in the same financial year. London, however, is not on target to achieve the 20% target that has been set by March 2016. The completion time is 21 days higher than what it should have been if we were on track to achieve that target.

The bottom section of this page shows London compared with other regions nationally. In 2014-15 we can see that cases took 151.3 days to complete in London's magistrate's courts, and that is slightly higher than England and Wales. London is ranked fourth out of seven national regions in terms of its offence to completion times for magistrate's courts, the first, of course, being the best times, so mid-table. In the financial year 2014/15 cases took 339.3 days to complete in London's Crown Courts, and that is just over 19 days higher than England and Wales, and for the Crown Courts London is ranked sixth out of seven national regions in terms of the overall offence to completion time.

On the second page, then, of the dashboard, we can compare and look at magistrate's court performance, and this gives us an overview of the trend in performance by quarter. The cases dealt with by the magistrate's courts took 150 days from offence to completion in the period, which is the latest period of data, which is January to March 2015. We can see that this is a six-day improvement compared to the same period for the previous year, January to March 2014. The shift has been from 156 to 150 days. We can also see that the number of defendants decreased by 1,531 in that quarter, January to March 2015, in comparison to the previous year, although what we also note is that in the latest quarter, October to December 2014, there had actually been an increase. We can also see that the Southwest London justice area recorded the longest average timeliness period in London with 165 days.

Onto page 3, then, of the dashboard. Thank you. So this is a comparison of the magistrate's courts. We can see from the dashboard that there are clear variations amongst the London local justice areas. The top section of the dashboard showing that case timeliness in the Southwest is mainly affected by the offence to charge stage, for example, whilst when we look at the South London justice area, we can see that in comparison to others it has the worst first listing to completion times. The bottom section of this page provides a comparison with England and Wales. We can see from here that most local justice areas are performing better than England and Wales for overall offence to completion, except for the Northwest and the Southwest. We can also see that the magistrate's courts in London are performing better than England and Wales in relation to charge to first listing, but there is a problem and a challenge around the first listing to completion stage, which is indicated by the reds on the right.

If we then go onto page 4 of the dashboard, this is the comparison of the Crown Courts' performance. We can see here therefore that cases held in London Crown Courts are taking 345 days from offence to completion in the quarter January to March 2015. It is worth noting that this is the longest average offence to completion time in the Crown Courts since January 2012. We can also see that while the number of defendants has reduced significantly since 2012, there has been an increase at the back end of 2014 of defendants coming into the Crown Court. We

can also see from the dashboard that the Southwark Crown Court records the longest completion times of 504 days for the period January to March 2015.

Page 5 of the dashboard, please. So in relation to comparing the Crown Courts, then, what we can see from this page of the dashboard is that there is significant variation in performance amongst the Crown Courts. The top section is showing a comparison of the completion times for all of the courts at different stages of the process, and we can see that the central criminal court records the longest first listing to completion times, while Southwark Crown Court records the longest offence to charge times, for example. The bottom section of the page provides a London Crown Court comparison with England and Wales in the table there. The data shows that 50% of London Crown Courts perform worse than England and Wales for the overall offence to completion time, and it also shows that all Crown Courts, except for Blackfriars, perform worse than England and Wales in the first listing to completion times, as indicated.

That concludes the data dashboard piece. Building on that, it is worth noting that we have done a range of analyses to drill into some of these areas a bit further. So if I could have the slides, please. Just a few slides to run through. Firstly it is worth saying that since the last MOPAC challenge on this topic, which was at the end of last year, there were a number of areas that were prioritised as part of that challenge, which we will pick up here, and progress has really been made on that. Those include around the magistrate's courts, the focus on East London, and indeed motoring, and I will just take you through some of those highlights.

The first slide here, just to reiterate that it is providing headline figures on case timeliness for last year and builds on the dashboard. We have seen that the gap between England and Wales has narrowed significantly. We know that England and Wales has, on average, got worse, and that generally London has maintained its performance around timeliness. We also know that across the period England and Wales recorded an increase of eight days since the beginning of the Police and Crime Plan of 2012. London, however, has recorded a four-day improvement in the same period of time. We also know that a significant proportion of the overall improvement in London, as shown by the dashboard, is due to the improvement in the magistrate's court and the work that has been done by partners on that. To exemplify that, that equates to a six-day improvement in January to March 2015, when looking at the same period the year before. That is a shift from 156 to 150 days. As said before, we know that most of the local justice areas are performing better than England and Wales. If I could have slide four, please.

We know that significant progress has been made in the East London Justice Area. Just to highlight a few of the successes there, we can see that the East London Justice Area is now performing significantly better than England and Wales, and has an improvement of over five days for the period January to March 2015. We also know that if we look back to 2012 the same Local Justice Area has recorded a whopping 16-day improvement in the number of days from charge until first listing, and the East is also recording the best charge to first listing average times, together with the Northeast area, when you look at all of the other London justice areas. What is important about that success is that the East area also records the highest number of defendants, so actually doing really, really well, considering the number of defendants that are coming in to that justice area. We also can see from the point at the bottom, which picks up Stephen's point earlier, that the effectiveness rate in East London as well has also significantly improved in the East, and some of our more recent data consolidates that that improvement is being sustained.

Briefly, slide five, please. I mentioned motoring offences. Motoring offences have improved by over 25 days in January to March 2015 compared to the same period in 2014. At 169.7 days from offence to completion, as shown on the bar charts, London is now performing better than England and Wales. The improvement is mainly due to an improvement of over 25 days in the offence to charge stage, which is shown on the graphs.

Slide six, please. With regards to trial effectiveness, the graph at the top shows London performance against England and Wales. Just to point out that the solid lines are London. The England and Wales lines are the dotted ones, for those purposes. There has been an excellent and sustained improvement in the trial effectiveness rates. At March 2015 this was at 58.3%, in comparison to 48.5% in England and Wales. This means that London tops the country in regard to effectiveness, and is still driving an improvement. We can see from those graphs that there has been a sustained and consistent improvement over a number of years. We can also see at the bottom that the improvement is within both the magistrates and the Crown Courts on this one.

Slide seven, please. Seven and eight I will not talk to, but I know will be picked up through the challenge. Slide seven provides an overview of the Transforming Summary Justice programme. Slide eight sets out the single justice pilot and the better place management initiatives. These are overviews of national and local initiatives that are either running or indeed are planned and are in place since the last MOPAC challenge on this topic.

If I could therefore have slide ten, please. If we then turn to some of the current and emerging issues, then, slide ten is setting out the capacity and demand in terms of London courts, and it looks at the number of courtrooms in the magistrates' and the Crown Courts and their performance. We can see that there is a direct correlation between the average numbers of trials listed per courtroom and the timeliness of cases in the magistrate's courts. As a result, the more cases listed per room, the longer it takes for those cases to complete. This mainly applies in the magistrate's court. With the potential court closures, with pressure on courts to list cases through a reduced number of facilities, there are therefore some challenges that we may want to explore in relation to the impact on timeliness.

If I could have slide 11, please. Slide 11 sets out the decline in Crown Court performance. We touched on this earlier. To reiterate, the average time from offence to completion for cases heard in London Crown Courts, the latest data is showing that those are standing at over 11 months, at 345 days in the period January to March 2015. We know that compared to other Crown Courts that cases are taking longest to complete in Southwark, and that there has been an increase of 147 days over the last three years. This is corroborated by recent publications by Victim Support, and Lord Justice Leveson, who has shown that victims appear to be waiting longer for justice.

Slide 12, please. We then had a look at timeliness through the Crown Courts and drilled into that. It is intended to give you more detail on the different stages of cases going through the Crown Courts. The table in the top right, and the element with the yellow ring round it, is showing that 50% of London Crown Courts are performing worse than England and Wales for offence to completion. On the far right of this we can see that the first listing to completion, the reds, are showing that London Crown Courts are performing worst in that element compared to England and Wales, and that all Crown Courts, except Blackfriars, are performing worse in their first listing to completion than England and Wales. What we have therefore done is to

seek a breakdown of this first listing to completion stage from the Ministry of Justice, and that is showing that 72% of the first listing to completion time is being taken by sending to Crown Court and to the main hearing. The actual hearing is only taking 26% of that time.

The maroon bars in the bottom-right show that the length of time between sending to the Crown Court is also getting worse. This has gone from 122 days at the beginning of 2014; it stands at 151 days at the beginning of 2015. We can also see in the blue table in the bottom-left that London is performing worse on this element than England and Wales. So an issue around sending to Crown Court.

Slide 13, please. We have also looked at waiting and hearing times, and we can see in London that there are increasing waiting and hearing times in the Crown Courts. Following on from the previous slide, we can see that there is an increase in average waiting times from sending to the Crown Court to the main hearing, and it is particularly true as shown by the table where the defendant pleads not guilty. In such cases the average waiting time has increased by seven weeks and stands now at 34 weeks, which is around eight months. The bottom table is showing that there is a range of metrics showing that hearing and waiting times are higher in London. For instance, we can see that victims and defendants will wait an extra two weeks in London for a trial, compared to England and Wales, and even when the defendant has pleaded guilty, the trial will take longer in London compared to the overall national picture.

Slide 14, please. Slide 14, then, sets out the picture with regards to outstanding cases in the Crown Courts. Currently the backlog of cases in London Crown Courts, as at the end of June 2015, was just over 9,600. These are cases that are waiting to be heard. Over 2,000 of those cases - that is 24% - have been outstanding for over eight months, or 36 weeks. It would take around seven months to clear this backlog, should there be no further cases sent for trial in the London Crown Courts. The small blue table box that is on the right-hand side shows that the total number of outstanding cases has increased by around 50% over the last two years, but it is also worth mentioning that there has been an increase in the number of defendants going into the Crown Court over the same period. So there are a number of questions here about how do we manage this increase in demand whilst also tackling backlog?

Furthermore, a key element of this slide is setting out that in 74% of the outstanding cases here the defendants were on bail. This is meaning that they potentially have the ability to reoffend, and hence causing wider pressures on the criminal justice system to be able to manage those. As an example, when looking at analysis from 2014 we can see that over 6,500 London offenders were convicted of an offence whilst on bail. 4,790 of those were convicted for indictable offences. So this is a significant challenge, and is starting to demonstrate the impact of court delays on reoffending, and therefore crime, as Stephen was alluding to at the beginning.

Slide 15, please. The final slide is looking at timeliness by offence. The table at the top is showing that there are inherent differences between the timeliness of different offence types, and there is also no correlation with the overall volume of defendants. We know as well that high rates of reoffending are concentrated in a small number of offence types, and those include some of those listed there, such as theft and robbery. Our reoffending analysis that we have done elsewhere also shows that prolific offenders commit acquisitive crime more frequently, of which those seven crimes there are high volume acquisitive crimes. Lastly, therefore, the graph at the bottom shows that as the number of sentencing occasions in court

increases, as Stephen mentioned, timeliness increases. So, in combination, those points start to set out the relationship and indeed the impact of reoffending and reoffenders on timeliness in the criminal justice system. That concludes the data dashboard and the presentation.

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): Thank you very much indeed, both for taking us through the dashboard and that short presentation. That sets us up very well. I want to say, apologies from Sheila Proudlock, who has not been able to come this morning, which is a pity, but delighted we have got our Chief Crown Prosecutor, Baljit, as well as Mark, leading for the Met, supported by colleagues, and also the National Probation Service. Kate, welcome. I perhaps can kick off with some of the good news, because I think in the last MOPAC challenge we wanted a concerted effort around East London. It is fair to say that progress has been made. I was wondering if all of you could perhaps draw out some of the lessons that you have learnt from the improvement we have seen in that justice area. Perhaps we could start with you, Mark.

Mark Simmons (Deputy Assistant Commissioner, Metropolitan Police Service): Yes. As you say, Stephen, there was a concerted effort in East London, because of the backlog that had built up there. The principal way we solved it, in essence, was to put more resource into it. So there was more overtime for case builders, from a police point of view, to move through the cases. I think, Baljit, you put additional prosecutors in there, and the Court Service put on more first hearing slots. In essence, increased capacity and increased resourcing, and moved us through that backlog. On the basis that we cannot rely on doing that for all our performance improvements, the critical thing is, what did we learn from the overall thing that we saw at Stratford? I think, probably, as Baljit -- we have not actually asked you this, but I think the big thing we learnt is that we need to be better at anticipating factors that are going to skew performance in different places.

So what built up in East London was a variety of things. There was stuff like the Olympics that did lead to a build-up of cases in East London. There were some things about the shift in work. So we know from the police point of view, from a crime point of view, we know we are seeing a shift from West to East London in terms of where our demand lies. Then there is recognising how that meets capacity and being able to anticipate those sorts of things more. So the solutions, I think, largely, were we resourced it, we put in the extra capacity. The big lesson is how we anticipate shifts in demand and prepare ourselves for that better. That is where we lead into, I guess, in some of the other discussions, and some of the things we are looking forward to in how we continue to improve across London as a whole.

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): So putting in more resources clearly does it for the short term. Do you regularly review how demand levels vary, and therefore the resources you put in? How often does that occur? Do you just use historic -- and then ...?

Mark Simmons (Deputy Assistant Commissioner, Metropolitan Police Service): From the police point of view we periodically look at how demand shifts. Clearly we are looking at crime patterns all the time, and that is the first stage, is it not, in terms of the criminal justice process. We look at the throughput in the London Criminal Justice Board and in the various subgroups. We look at the volumes that go through the different areas and we talk to the

individual LJAs, usually on an exception basis, i.e. who has got the biggest challenge in particular areas, around what they are experiencing.

So we get to the level of granularity in that that says, for example, in the North LJA recently they had a particular issue about defendants not being produced at magistrate's court, and they had a particular issue about where defendants already in prison were not coming to magistrate's court. So we get down to that level of granularity that says where there is a performance challenge. What are the particular features there? It is rare that it is the same challenge right across the board. There tend to be different issues in different places, and that is how we try and focus the effort. So we look at what is going through. We look at the demand and we try and obviously address measures to (Overspeaking)

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): How often do you make a decision about where the resourcing goes? Is that an annual thing, or is it a quarterly thing?

Mark Simmons (Deputy Assistant Commissioner, Metropolitan Police Service): Well, from the police point of view, just looking at the balance of police resources, clearly there are a whole lot of things that affect --

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): Sure.

Mark Simmons (Deputy Assistant Commissioner, Metropolitan Police Service): We are just at the moment doing a process of looking at how demand has shifted across boroughs in London. I think the last time we did that was in 2012.

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): It is not frequent, then. It is not even an annual look.

Mark Simmons (Deputy Assistant Commissioner, Metropolitan Police Service): No, but clearly on an annual basis we would not be moving people from, you know, Richmond to Newham. So from Sara's team, on the criminal justice front, because that is a London-wide team, Sara is able to flex her staff's efforts in terms of particular demands. So whether that is about specific crime types, so putting more into things like domestic abuse, more effort in(?) witness care and in case builders into domestic abuse, or whether it is around geography, then that is one of the benefits of having that kind of London-wide criminal justice setup that we moved to three or four years ago now.

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): Sara, do you want to comment?

Sara Lewis (Head of Met Prosecutions, Metropolitan Police Service): Yes. I mean I would just say that from my point of view, mine is a kind of constant review of where my case builders are on the boroughs, looking at the throughput that is going through there. As soon as I get vacancies I know that I need to actually increase numbers on Waltham Forest, say, or Barking, something like that. So it is a constant review, from my point of view.

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): Okay. So for you it is easier to get that constant review(?).

Sara Lewis (Head of Met Prosecutions, Metropolitan Police Service): Yes.

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): For the borough staff it is harder to shift people from one borough to the next.

Sara Lewis (Head of Met Prosecutions, Metropolitan Police Service): Yes.

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): That is once every four or five years. Baljit, lessons from your side?

Baljit Ubhey (Chief Crown Prosecutor, CPS): I would echo what Mark has said about monitoring performance and moving resources accordingly. It is easier for us to do in London because, for example, for the magistrate's court we have brought all our prosecutors into one single unit, so we do not have the geographical divides in the same way. It gives us more resilience, and that is why we took that decision to actually bring everybody in. I think it is probably also worth mentioning that we have, under the London Criminal Justice Board, revised our performance management arrangements. So Mark chairs a delivery management group that reports to the board on performance, and obviously their performance is a risk. Sitting underneath that are now local justice area performance meetings, which are multiagency, so that actually people can talk about local performance and start looking at the issues and doing things, because I think with the scale of London we need a mechanism like that in place. That had sort of fallen by the wayside. I think that will, in the coming months, also help.

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): So performance management is rooted now into individual local justice areas. Any other comments from probation? Any other thoughts?

Kate Gilbert (Assistant Chief Officer, National Probation Service): Very similar. We meet in various forums with our partners here and the Court Service, and constantly reviewing performance and trying to move resources where we are able to.

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): I am going to hand over to Faith, but before I do that, it is so obvious, and I would think it deserves a comment. Essentially we seem to be making some headway relative to the rest of the country when it comes to the magistrate's courts. The Crown Court situation seems a massive challenge, and in particular some courts. I am just wondering what is driving that? What makes London different, if you like, from the rest of the country? Even from the presentation, I get the trends; I don't get why that is the case.

Baljit Ubhey (Chief Crown Prosecutor, CPS): I think London does have a high not guilty plea rate, so we have a higher number of cases that stay guilty, so we have more trials. So we obviously have a large amount of work. I think we have some of the most complex work, and we have more trials. I think there is something which will not necessarily come out in the data, but when we look at some of the courts, like Southwark, when you look at some of the trials

that Southwark Crown Court is dealing with, in terms of the complex frauds, in some of the Operation Yewtree cases, these cases take an awful long time, and we need to recognise that.

I think we also need to recognise -- and this is not unique to London, but it is a feature when we are looking more generally at timeliness -- is how the world is changing. So the iPhones that we have are computers, and they are very, very relevant now in terms of evidence gathering. So what was required for an investigation ten, 15 years ago, is simply not the case now. When we have a rape case, one of the first things we will be looking at is actually, let us have a look at what is on the phone. So I think when we are looking forward we need to have an eye to the complexity. I appreciate that is across the board. That is not unique to London. The unique features for London are: it does deal with more complex work; it does have more trials, and that is obviously going to have an impact on timeliness.

Mark Simmons (Deputy Assistant Commissioner, Metropolitan Police Service): I think it is probably fair to say, I think, Sheila will probably say London also takes, and is under increasing pressure to take trials from outside London.

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): Really?

Mark Simmons (Deputy Assistant Commissioner, Metropolitan Police Service): My understanding, Southwark and Kingston in particular get a lot of the fraud trials, which are more complex and which take longer. If you discount those courts that are special in London, either by virtue of that work, or the Bailey, if you take those three courts out, the average on the rest drops by two weeks, 14 days, roughly. So there are some features in London that are not entirely, purely London, I think, and something about the very specific, as Baljit mentioned, the number of fraud trials, and the fact they tend to get concentrated in Southwark and, I think, Kingston, which is the outstandingly worst in terms of timeliness.

Baljit Ubhey (Chief Crown Prosecutor, CPS): It is probably not that they are taking work from other regions, but they are doing national work, because the national teams are based in London. So they are just doing national work, which will have a --

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): I get that. We are a capital city. So actually, then, we have highlighted three points, a point that the Mayor(?) always goes on about, about the fact that Londoners do not plead guilty as frequently as the rest of the country, probably because they believe that they will have a very good brief to see them through the process. Anyway, whatever happens, they do not plead guilty, and that will have an effect on the number of trials. Your point about complexity is well made. The complexity of fraud, the complexity of historic sex offences --

Baljit Ubhey (Chief Crown Prosecutor, CPS): Terrorism cases.

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): All these other things. Terrorism issues. It is hard to regionalise the problem, and we are acting as a court service for cases that have a national dimension, and that then adds to complexity as well. I think those are points well made. I am now going to hand over to Faith to ask a question around domestic abuse. Faith.

Faith Boardman (MOPAC Challenge Member): Yes, I would like to. This is, you will recall, an area that we highlighted when we last got together, and it is one where I think we feel particularly concerned about delay, not least in that it can affect the outcome of the hearing itself, as well as the strain and stress involved in those sorts of cases. So we have heard a lot about genuine progress, and I am feeling quite positive about what I have heard, but I would like to ask specifically about domestic violence and what steps are being taken. If I could start with Baljit.

Baljit Ubhey (Chief Crown Prosecutor, CPS): I think we recognise that domestic violence needs to be a priority for London, not least because actually we have seen a growth in the number of cases that we are dealing with in the courts. So it is an area of work that is increasing. Again, it is an area of work where often suspects plead not guilty, and so we have more trials. So it is growing, and it is more contested work. So again, that will feed into issues around timeliness. So the London Criminal Justice Board has made domestic violence a priority.

I chair a delivery group looking at what can we do to improve performance. We have focussed on the magistrate's court because that is where the highest volume of domestic violence work is. The numbers are far more significant in the magistrate's court. What we have done is we have looked at where performance is more challenging across London, and we have identified some key areas. We have prioritised Croydon and Camberwell because we can see that there are some real performance challenges there. We have also got good partnership working and a real commitment to actually do something a little bit different around domestic violence there. So we are in the process of developing a pilot where we will try and expedite domestic violence trials in Croydon and Camberwell. What we are aiming for is cases after the first hearing being listed within four weeks for trial.

What we are also looking at, in addition to that -- now, we will not be able to do it for all domestic violence cases in Croydon and Camberwell, because there is not the court capacity, but the courts have identified some additional capacity. We have agreed that we will free up domestic violence prosecutors to conduct those trials, and we are also looking at what enhanced support service we can provide for those victims, both through witness care and give them support, so that we can try and make sure we can keep those victims on board, or address (inaudible). So it is a really targeted approach, and probation are also involved in that project, because again, if someone does plead, or -- we want to try and deal with those cases expeditiously. We are hoping to go live in October, as far as that is concerned, and I think what we will do is we will use that as an opportunity to learn and see what does work and what does not work. I think targeting somewhere where we have high volumes and performance challenges, but there is a real willingness to have a look at doing something about this, is a really positive step.

Faith Boardman (MOPAC Challenge Member): I certainly would welcome that. It sounds promising. How long do you think it will be before we can judge the results of that?

Baljit Ubhey (Chief Crown Prosecutor, CPS): I think, obviously, if the first listing -- four weeks -- we will probably start having trials in November. I think we need at least three months' data, so I would say by the end of the financial year we should have a good analysis of how it has worked and what we can learn, and what we can do elsewhere, because we know it is not just the South where we have got performance challenges. We want to focus on East

London as well. There is something else that we did around domestic violence, and we are using the learning from that to inform the thinking around these pilots. In preparation for Transforming Summary Justice, we did have a trial blitz in East London, and somewhere else.

Anthony Rogers (London Business Manager, CPS): Greenwich.

Baljit Ubhey (Chief Crown Prosecutor, CPS): Greenwich. What we agreed, as a board, was that we would prioritise domestic violence cases there. So that was a great success in London. We were the first to do the trial blitz nationally. It is a national trial blitz. We went first. The feedback we have had from the Chief Magistrate has been incredibly positive, about how that has gone. Really good partnership working. We are going to use the learning from that to have a look at this. But I agree with you. We need to find a way of reducing the time between offence to trial in domestic violence cases. We have got to find a way of doing that, because that undoubtedly will make a difference, as far as the willingness of a victim to attend court.

Faith Boardman (MOPAC Challenge Member): I think that is the critical factor. Thank you very much.

Mark Simmons (Deputy Assistant Commissioner, Metropolitan Police Service): It links to some of the other things we are doing as well. So yesterday I signed off the MOPAC-sponsored agreement around victim support, people working in three boroughs in West London: Hillingdon, Ealing and ... I cannot remember the third one now. Speaking to the police officers there, I know how keen they are to get them embedded, to help with the support for victims, to keep them engaged in the criminal justice process, and whatever other support they need. So that work all links into some of the other things that are happening.

Sara Lewis (Head of Met Prosecutions, Metropolitan Police Service): Can I just say as well that in the South, so for the areas that Baljit is describing, we are also having Victim Support working alongside our witness care units as well, so that should keep, hopefully, victims on board in these cases.

Faith Boardman (MOPAC Challenge Member): Thank you. I look forward to seeing the results.

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): Yes, that is very good. A very exciting pilot, and it is good to see the work from that. Keith.

Keith Prince (MOPAC Challenge Member): Thank you. The first question that I had was for Mark, and that is around slide five. Congratulations. We have seen that there has been a 25-day improvement in timeliness regarding most of the cases, no pun intended here, and we see that this has been driven by a major improvement in the offence to charge stage. Can you say how this has been achieved, and what impact will initiatives such as the single justice pilot and London 'Make a Plea' online service have on further improving timeliness for motoring offences?

Mark Simmons (Deputy Assistant Commissioner, Metropolitan Police Service): I don't know how pleased I am to say this or not, really. In essence the analysis around the data on this

took us into our own internal processes around the time from offence to laying of information more often than an actual charge, in traffic cases. Because you have six months in which you can do that lawfully, I think we were probably using too much of the six months, and just by re-engineering the process so that we try and do it quicker. I know that sounds a bit basic, and in some ways it's probably a pity to have to say that, but it was as basic as going back into the process and saying, actually, you know, there is no good reason why it is taking us longer, if we just move everything upstream. So (several inaudible words). The single justice pilot seems to be positive. Sara, I know you have been heavily engaged with that. Do you want to talk a bit about that?

Sara Lewis (Head of Met Prosecutions, Metropolitan Police Service): Yes, okay. So we have been piloting the single justice ... I have forgotten the word. What is it called?

Mark Simmons (Deputy Assistant Commissioner, Metropolitan Police Service): Single justice pilot.

Sara Lewis (Head of Met Prosecutions, Metropolitan Police Service): Thank you.

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): You are piloting the single justice pilot.

Sara Lewis (Head of Met Prosecutions, Metropolitan Police Service): Yes, exactly, in Lavender Hill, and that basically takes out all summary-only non-imprisonable offences from the courtroom, and it speeds up the system incredibly. The magistrates are really positive around it at Lavender Hill. At the moment we are doing that for camera cases only, but we are looking to extend that across all traffic offences as well. The 'Make a Plea' online service, which was piloted in GMP, we are looking at that coming on board in October. Again, we think that will significantly increase timeliness in most cases as well.

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): Right. Can we move on to Jonathan and trial effectiveness?

Jonathan Glanz (MOPAC Challenge Member): Thank you. I wonder if we could have slide six up, please. Baljit, I see that the effective rate continues to improve, which is obviously very welcome, and is now better than England and Wales. Can we explore what more can be done to continue with that trend? You touched on earlier the issue of technology. I am particularly interested in what technology can do to assist in this area. I do not know whether you and colleagues might be able to give us some background and update as to whether technology is now beginning to contribute to ensuring that trials are indeed effective.

Baljit Ubhey (Chief Crown Prosecutor, CPS): As far as technology is concerned, we are digital in the magistrate's court, in terms of the Crown Prosecution Service (CPS) prosecutors prosecuting from laptops, and I think Wi-Fi has been rolled out, or will be rolled out by the end of September in all magistrate's courts. There is a programme of rollout in the Crown Court, as far as digital working is concerned, as well. I think that will all help. We do have a strong performance on effective trials in London, which I think, given the volume of work and the number of trials, I think is a real achievement.

We are not resting on our laurels. We have set ourselves, as the London Criminal Justice Board, some stretch targets, as far as effective trials are concerned. I think the initiatives that perhaps we will come on and talk about, Transforming Summary Justice in the magistrate's courts and the Better Case Management initiative in the Crown Court, will also contribute to an increased effective trial rate. I know there is some good work going on looking at using remote links, because obviously if we can use technology and use remote links and get victims to give evidence in a way that is more convenient, then undoubtedly that will lead to even more effective trials. So even though we have got fantastic performance, and we are top of the country, when we look at those that are ineffective, in terms of the trials, you know, witness non-attendance, as far as prosecution reasons are concerned, is the big factor. So I think technology will assist there.

Defence is also an issue, as far as ineffective trials, but again, I think there are some significant changes that will make a difference. Certainly when the new legal aid contracts come in next year, the defence will need to work digitally. At the moment we can only persuade them. We cannot mandate it, but the new contracts in the New Year will mandate that. So I think there is an awful lot that is going on that is going to support effective trials, so I think it is perfectly feasible that we can continue to improve the effective trial rate in London.

Jonathan Glanz (MOPAC Challenge Member): Without creating a hostage to fortune, you were referring to some stretch targets. How far do you think it will be possible to improve that kind of overall percentage?

Baljit Ubhey (Chief Crown Prosecutor, CPS): The Board has set targets for this year of 60% in the magistrate's court and 63% in the Crown Court. I think we are on track to deliver those. I suppose we will review them again. You know, we want to have a stretch target that is realistic and have that improvement.

Mark Simmons (Deputy Assistant Commissioner, Metropolitan Police Service): You made a link between technology and improvement. We know that some of the things that contribute to the performance are having good quality case files that we provide to the CPS. We have invested heavily, as I think you probably know, in our own digital file system. That is helping drive quality because it prompts people into doing the right thing, so we know that our delivery of disclosure to the CPS is much better now. It still needs to carry on improving, but it is improving. So there are things like that, where the technology is helping us continue to drive improvements in quality, without in the least being complacent around that.

Then you have got things that we think will be helpful for the future. So Jeremy is leading a bit of cross-agency work in East London around the use of video, which should help us with the victim experience and some particular crime types, and specifically to keep driving the improvement.

Jeremy Burton (Commander CJ & Crime, Metropolitan Police Service): If I may, in essence, we have identified a remote site in Stratford, another one in Lewisham, where vulnerable victims, and indeed witnesses, can go and give evidence through video links into court. We can start that in October with a view to extending that across the rest of London as well.

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): That is great news, to be able to do that. We do not have the Court Service here, but I do remember Dave Weston saying that we were going to have these digital courts up and running by about now, about a year ago. In terms of having all the, sort of, Wi-Fi connectivity, is that all happening?

Baljit Ubhey (Chief Crown Prosecutor, CPS): That is being rolled out across the magistrates' --

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): It is a national programme?

Baljit Ubhey (Chief Crown Prosecutor, CPS): It is part of a national programme. In the magistrate's courts by the end of September, and not long after that for the Crown Courts. That will make a huge difference in the ability to access information, so that is a really positive step.

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): It is a portal for both your prosecutors but also the defence as well?

Jeremy Burton (Commander CJ & Crime, Metropolitan Police Service): Yes.

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): Yes.

Baljit Ubhey (Chief Crown Prosecutor, CPS): Well, it is Wi-Fi connectivity, so it means people can access -- there is some other work that is going on. Southwark Crown Court is piloting Case Lines, which is about looking at how you can actually work digitally in the Crown Court. I know that the Court Service is keen to see how that is working and roll that out across the Crown Courts as well. That is about digital case management in the Crown Court. So that is going on, and then further down the line, really, we are looking at how can we have a system where everybody can access the information, but that is the work of the common platform. That is a bit further away.

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): The Crown Courts are lagging the magistrates' in terms of rollout. It is magistrates' first and then Crown Courts. Jonathan?

Jonathan Glanz (MOPAC Challenge Member): No.

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): Great. Well, let us shift, then. I do not know how we were going to ask this, but Faith, you were going to ask about the next slide "Transforming Summary Justice".

Faith Boardman (MOPAC Challenge Member): Yes.

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): Has anyone any comments on this? Faith?

Faith Boardman (MOPAC Challenge Member): I think we understand that this went live in May, and we would really welcome an overview to perhaps explain one or two of those boxes. What is the ambition here? How is it going to drive further improvement in timeliness, particularly given all the other initiatives that we know are going on? Baljit, I do not know whether you want to start.

Baljit Ubhey (Chief Crown Prosecutor, CPS): I am more than happy to talk about this. I would say, really, some of the outcomes we are looking for are those purple boxes to the right of the slide, really. So, you know, increase in effective trials, better timeliness, better efficiency, fewer hearings, and hopefully more guilty pleas at the first hearing. Those trials that we are going to have, so those cases that remain trials, actually we are very focussed on what the issues are. So we are not calling for police officers to give evidence on the same issue where one will do, and if we can agree evidence agreeing that -- so having much sharper and focussed trials.

This is quite a significant shift, though, in the way that we are working. We should not underestimate the scale of change, both for the police, the CPS, and indeed the courts. What this really requires is that we are good at anticipating the likely plea. So we cluster likely guilty plea cases and not guilty plea cases, so that they are in different courtrooms, so the expectation is that those cases will plead guilty, and those that are going to plead not guilty, that we have got an environment in court where there is really robust case management, so that we are narrowing the issues. In order for that to happen, that means the police need to correctly identify the plea. They have got to be bailed to the right court with the right bailing time, because the timelines are different from guilty plea cases and not guilty plea cases. For the not guilty plea cases, significantly, what that means is that we need a high quality file from the police with all the information, and then the CPS need to make sure that we are reviewing that information carefully before that first hearing, and, if possible, perhaps even engaging with the defence, if we think there are some issues, so that we can really make progress.

So, in essence, what we are doing is front-loading the system. What has happened historically is we start the process and then we are playing catch-up, and sometimes we are having numerous hearings and we are still playing catch-up. The police may be drip-feeding us information. We are then not getting to that in a timely way, and we are resolving issues in court that should have been resolved much sooner.

So what this system is trying to do is make sure, particularly for the bail cases where we have time, that we really do have our ducks in a row, so to speak, before that first hearing. This is such a big change for us, this is a big priority for us, in terms of the London Criminal Justice Board, and I know Mark spends a lot of time at the Delivery Management Group looking at performance, but we have agreed some shared performance metrics over and above what nationally they will be looking at. It is a national initiative. We have looked at what is going to tell us whether this is working or not. So are we getting the dates to avoid, for example, on those likely not guilty plea cases? Because if we do not get the dates to avoid, particularly for civilian witness, at that first hearing, we are going to be setting a trial date that may well not be suitable for those civilian witnesses. So it is really getting into the detail of what is going to drive success. I think probably in London we are measuring and monitoring more around this initiative, probably, than elsewhere, I think.

Faith Boardman (MOPAC Challenge Member): We are beginning to get a theme here that there is quite a lot about all the parties involved really looking at the business system, the process that has to be gone through, in a lot more granularity.

Baljit Ubhey (Chief Crown Prosecutor, CPS): Absolutely.

Faith Boardman (MOPAC Challenge Member): How does it feel from the Met point of view?

Mark Simmons (Deputy Assistant Commissioner, Metropolitan Police Service): I think you absolutely put your finger on the key to improving performance here. We cannot improve the performance of the overall objectives here just within individual agencies. So all the hand-off points are really critical. Some of that you can do through the data. Some of it you can only do through having the relationships and the discussions and so on. So Sara chairs joint performance meetings jointly with the CPS on a monthly basis for each of the regions of London, where we look jointly at the performance between us. Some of that is about data and some of it is about case studies, and just examples of things that work and do not work. So looking across agency is absolutely critical. It is a truism that we do not really have a criminal justice system. We have a group of agencies that kind of join up with each other, but to call it a system in the genuine sense of a single process that operates all the way through, nationally we do not have that. So that joint working is really important.

The Delivery Management Group I chair, the structure that Baljit mentioned that we just reinvigorated -- local justice area, of partners meeting at local level, not just ringing each other up from time to time, but actually meeting, looking at the performance across the business, and where there is no data, then just talking about what they are experiencing and unpicking it is really critical. We talk about Transforming Summary Justice (TSJ), but of course, as Baljit has already mentioned, we are about to start the Better Case Management initiative, which is a kind of TSJ for the Crown Court. A critical part of that is what we call the case progression process, which again is cross-agency. In between hearings, or following hearings and in between hearings, how are we jointly identifying the issues we need to work on? Whether it is about keeping witnesses on board, keeping victims prepared to support prosecution, whether it is about following up forensics or following up CCTV and so on.

The joint process we are working on at the moment, where the three agencies work on that outside of the court hearing, will help us take us towards what Baljit described, getting on the front foot, being ready, rather than waiting to be at court and then find we are not, and having to go away and do things. So that joint working, looking at the process and getting on the front foot, are really critical parts of how we are trying to drive the continued improvement.

Faith Boardman (MOPAC Challenge Member): Kate, I am conscious that your service is very much involved in Transforming Rehabilitation, as well as the transforming summary. Could you give us a view of how the two are going, and how well they are interrelating?

Kate Gilbert (Assistant Chief Officer, National Probation Service): Yes, certainly. Transforming Rehabilitation was a government programme which effectively was looking at the old probation trusts and bringing competition to the market. What was created was a National Probation Service dealing with the court end of the business, and the high-risk and public

interest decision-making was all transferred to the National Probation Service. There are seven areas. One of those is the London division. Then 21 community rehabilitation package areas were created. Again, in London we are relatively well off in that we have got one Community Rehabilitation Company to relate to. So that is kind of the key aspects of Transforming Rehabilitation.

I think one of the other things I would say is it has created new work across the system. The first bit of new work is in the court, for us. One of our key responsibilities is assessing cases and deciding whether they go to the National Probation Service or whether they go into the Community Rehabilitation Company, that is retained within the National Probation Service. So that has added considerable work for us.

In the court end of the business. I think it is also fair to say the under 12 months group of offenders, who previously were not supervised, who were highly prolific in the revolving door, and had much higher levels of reoffending, are now within the system. So there is further new work within the system. I think most of that will fall on the Community Rehabilitation Company (CRC) side, but there are some high-risk offenders in that group falling to the National Probation Service. But I think it is very positive that those offenders will receive supervision. They will receive a licence period and they will be supervised by the National Probation Service (NPS) or by the CRC, and they will also receive post-sentence supervision, which is specifically aimed at rehabilitation. So we expect that group, once we grip them and they start understanding the processes, that we will have an impact both in the NPS and the CRC, on reducing reoffending. They are potentially those offenders that might be repeat offenders, and also, as mentioned earlier, offending whilst on bail.

So in terms of TSJ, I think, the National Probation Service, our key challenge is producing reports on the day, so that we can speed up justice. There are some key challenges in there, because part of our role is to inform sentence, but also part of our role is to ensure public safety and protect victims. So we are getting information from a number of sources and assessing the defendant before the court, and then making recommendations about sentence. For us, the balance is making sure that the information that we have and that we obtain, that we need to make that decision. Some defendants, actually, we can get that information post-sentence, and it will not impact upon the risk assessment that we need to make, and the risk management plan that we need to put in place to manage that person. So it is making those decisions, and so training our staff to be sufficiently able to make those decisions, and also to make decisions about what can be done with an oral report and what requires a written report.

I think it is a challenge. There are resource issues in there as well for us. We have put extra staff in the court to ensure that we can make this decision in terms of where a case goes, and with Transforming Summary Justice, again, we will need to look at the processes, the decision-making, the training of staff. I think one of the key issues for us, as well, is that we are a national service, and some of these decisions that we have to make about what information we need, and where we get it from, and whether we get it pre-court or post-court, is actually determined by probation instructions from the National Offender Management Service. So we are trying on a local level to influence the next probation instruction, so that we clearly can make very sound decisions based on that national guidance and make more of the decision-making and get more of the information post-sentence. So we are involved in that.

We have also got a CPS pilot which we are now rolling out. One of our long-term issues is about how we get CPS papers. We call it the bundle of the IDPC, the prosecution case. We have successfully been piloting that for about the last three months. It is a digital solution. It is an interim solution until we get full digitalisation on the platform, but it has helped us enormously in terms of getting that paperwork and that information we need to prepare a proper risk assessment and advise the court effectively.

So, I think, for us, to summarise, the key challenge is getting it leaner, getting it shorter and getting it quicker. Those are some of the methods that we are working on. One of senior managers is involved in the Domestic Violence (DV), the domestic abuse pilot that Baljit mentioned earlier, and we are very keen to take the learning from that, because one of our key challenges is with domestic violence cases, where clearly there is a victim who potentially is immediately at risk that person leaves the court, and so we need to get that right. We need to have certain information. We need to have information about where the children are and who might be at risk. So we are very keen to take the learning out of that, because some of the key cases that we find difficult to progress on the day are domestic violence, those with mental health issues, and those with substance misuse issues, where we are dependent on other services to make a risk assessment and risk management plan that will protect the victim. So I think those are the key issues for us.

Faith Boardman (MOPAC Challenge Member): Thank you.

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): Great. Thanks. I am conscious of time, so we will move on, perhaps, to Keith, on (several inaudible works).

Keith Prince (MOPAC Challenge Member): Thank you. Originally I was hoping to ask this question of Sheila, but as we know, unfortunately, she cannot be here today. So perhaps the partners may be able to help out. Slide ten sets out the challenges of courtroom utilisation across London, and the relationship that has on impacting timeliness. Given the challenges ahead, can someone, perhaps, members of the panel, suggest what plans are in place to balance the demand and capacity in order to manage court workloads across London, optimising efficiency, and thus ensuring the good work to reduce timeliness in magistrate's courts is not adversely affected as a result?

Baljit Ubhey (Chief Crown Prosecutor, CPS): I think as far as the Crown Court is concerned, where we have obviously got the larger backlogs, there is movement of work now. So what I would say is I think there is awareness of trial await times, and active management and movement of work. Snaresbrook, which has some challenges, work has been going to Basildon Crown Court, and that has been working very well, I have to say. So I think what we are starting to see is that management and thinking how we can look at this. I know that the courts are also looking at where listing is working more effectively and trying to take a pan-London approach. One of the things on the Crown Court side we want to do more is how can we look across London and do things more consistently? I think that is probably all I can say about that side of things.

I do think the initiatives that we have talked about, especially in the magistrate's court, if we are doing TSJ properly we should have shorter trials. We should have more focussed trials. So even the trials that we do have, they should not take as long. So I think there is still scope for

efficiency. Notwithstanding the fact that there will be some court closures, I do not think -- and I cannot remember the court closures. I know there is a consultation at the moment. I do not think they have a significant impact on criminal casework. So I think the planned court closures in the magistrate's courts will not be significant, as far as our work is concerned. In any event, we would hope that this initiative would really start making a difference.

At the moment we have still got a hybrid, so we have still got trials that were viewed and processed in the old way, and we have now got some of the new TSJ trials starting to come forward, but I do not think until the New Year will we have a complete, we are now in a TSJ-only world. I think we know that we have got some of the old trials until December. I think that is the answer. I think the courts are operating at full capacity, so it is not that they are keeping some of their courtrooms empty. I think the capacity is being utilised, and we are looking at different ways of doing things. Again, I think some of the things that were mentioned earlier about the Lavender Hill pilot, all of these things, does some work actually need to be done in a courtroom, or can it be done in a different way? I think looking at that as well, all of those things are important.

Keith Prince (MOPAC Challenge Member): Thank you. Just moving on, again, in relation to magistrate's courts, perhaps members of the panel could suggest where we should actually focus our collective time and resources, in order to innovate and drive those improvements, bearing in mind the size of the cuts that we need to make.

Mark Simmons (Deputy Assistant Commissioner, Metropolitan Police Service): I think the big strategic things for us, probably, aside from driving home the TSJ-type work that Baljit has talked about, I think there is a lot of interest in what video-enabled justice will offer. There are lots of ideas around that, and we are working with a couple of other areas outside London at the moment to try and look at what a business case might be that would use video justice in different ways. So it is the things Jeremy has talked about in terms of remote links combined with links to custody suites, combined with links to prisons, and how can we maximise all those different elements of video technology that are in use in separate bits? How can we maximise them overall, so the victim's experience is different? It helps with timeliness in the courts. It reduces the demand for buildings, or at least where everyone goes at the same time, and in theory should help manage our resources better, because we can concentrate on the places where we can do work over video.

Keith Prince (MOPAC Challenge Member): There are other benefits on cost saving as well, not moving people all around.

Mark Simmons (Deputy Assistant Commissioner, Metropolitan Police Service): Of course there is, yes. Prisoner transport. We know that doing video links for hearing from people in prison, from courts, saves on the prisoner transport. That is not a cost saving to us, but it is a saving to the public purse. For us, if we can get away from officers having to travel to court, because they can give evidence over video link, that should be a cost saving and a time saving. We will guess what the benefits might be, but I guess lawyers in one place, doing stuff remotely, ought to be a benefit. What we have not got at the moment is a really comprehensive, clear business case that has done all the analytical work to say where we think the benefits and the costs would fall. That is the bit of work that we are participating in with a couple of other areas in the South. I think Sussex has got some innovation fund money to help

build the case, to see how we can do it, so we are working with them in terms of the data that we are building.

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): The Police and Crime Commissioner told me that they wanted us involved with that. Have we picked up on that?

Mark Simmons (Deputy Assistant Commissioner, Metropolitan Police Service): Katy Bourne. Yes, we have. We provide the volume data that helps to build the case. I think Katy's position is, from the meetings I have had with her, that they do not have sufficient volume, probably, to make the case, but they have got the funding to develop the case. We have the volume of cases.

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): Using our money, of course.

Mark Simmons (Deputy Assistant Commissioner, Metropolitan Police Service): Well, at the moment there is no money.

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): It would have been in our budget, but it has been (overspeaking)

Mark Simmons (Deputy Assistant Commissioner, Metropolitan Police Service): Yes.

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): Anyway, we are working on helping them prove the case that they have got the money for?

Mark Simmons (Deputy Assistant Commissioner, Metropolitan Police Service): Yes.

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): Marvellous.

Mark Simmons (Deputy Assistant Commissioner, Metropolitan Police Service): No, they have not got the money for the implementation. They have just got the money for building the case.

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): I meant that. You have the means to do it. They have the money to do the proof of principle.

Mark Simmons (Deputy Assistant Commissioner, Metropolitan Police Service): Yes.

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): You've got the volume.

Mark Simmons (Deputy Assistant Commissioner, Metropolitan Police Service): Yes.

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): Good. So we are working together on that. Excellent. I just want it clear in my mind. You have got a national programme, and one of the things that was interesting was you said we have decided,

particularly the CPS and the police, to have joint metrics to drive improvement. I was not absolutely clear what the metrics are. Perhaps you could just run through what those --

Mark Simmons (Deputy Assistant Commissioner, Metropolitan Police Service): Yes. So one of the things that the CPS is doing is they are basically looking at all the files we are putting through. On some of the key issues that we know are challenges, in terms of quality, they are providing us with data back about when we hit or do not hit some of the key things.

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): This is on (several inaudible words)?

Mark Simmons (Deputy Assistant Commissioner, Metropolitan Police Service): Yes, so when I get it at a level that I can use down to individual boroughs -- is to what extent a victim's personal statement has been completed, to what extent are we providing the correct disclosure material, and dates to avoid for witnesses, which is key in being able to set trial dates. So some of those we are getting from the CPS, and clear data that I can use with Sara and Jeremy in terms of how do we make sure the quality of file is what it should be coming in. So it is things like that that we are adding on. The quality of our anticipation of the plea is something that is not being monitored nationally. All they are monitoring nationally is who pleads guilty or not, which is not quite the same thing. Again, that has been really helpful. We know we are hitting about 92%, I think, at the moment, from memory. That does not mean 92% of people plead guilty, but we are making the correct assessment on everything we know at the time. That is really reassuring for us. That means we focus on the areas where we have got more challenges.

Then from our own data, from the NSPIS system, we are looking at how well are we complying with the bailing process. Again, Baljit mentioned that earlier. It is critical, because you have separate guilty and not guilty courts, that we, on the basis of our assessment of the plea, bail to the right courts, otherwise we completely ... what is the polite word? But we make a mess of everything right at the start. So it is that sort of level of measures which are not in any of the national, kind of, overarching assessment of how TSJ is going. One of the problems with a lot of CJ monitoring is it tends to just take the outcome, and that is no good in terms of working out what Baljit's people need to do, what our people need to do, what the courts need to do separately. What we are trying to do is get down to that level of granularity.

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): So you are trying to do something to improve the operation on an on-going basis, as opposed to waiting for the outcome and then just saying, "Here is the result"?

Mark Simmons (Deputy Assistant Commissioner, Metropolitan Police Service): Yes.

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): Got it. Thanks, that is very, very helpful.

Anthony Rogers (London Business Manager, CPS): It is worth mentioning just briefly that we are having to do this manually, because there is no system way of doing it.

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): Really?

Anthony Rogers (London Business Manager, CPS): So it is very expensive. In London we took the decision that actually to make TSJ land properly that we would do this, because we needed to be able to influence --

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): Yes.

Anthony Rogers (London Business Manager, CPS): But we do this manually, so it is an expensive way to do it, but it is worthwhile.

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): People-intensive.

Anthony Rogers (London Business Manager, CPS): It is very, very resource-intensive.

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): So you are bending it to work for you, despite the lack of technology.

Mark Simmons (Deputy Assistant Commissioner, Metropolitan Police Service): Basically, a lawyer has, I think, four things they check off on each file, do they not (overspeaking)

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): Got it. So you go through and make that assessment. We are returning to the issue which we touched on in the opening remarks around the declining Crown Court performance. If we go to slide 11, which Marie took us through ... slide 11. There it is. It shows that the issues, particularly from first listing to completion, which when we had the outline reasons and the drivers we did not particularly pick up on any point in the process, but that seems to be a part of the process which is challenging. Any thoughts about how we can address that specific area of concern, with regard to Crown Courts?

Baljit Ubhey (Chief Crown Prosecutor, CPS): In relation to first listing to completion?

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): To completion. Correct.

Baljit Ubhey (Chief Crown Prosecutor, CPS): I think it is probably worth talking about the Better Case Management initiative in a little bit more detail, because I think this will help. The other thing that we are doing as a precursor to the Better Case Management initiative, similarly to TSJ, we had a trial blitz, we are having a case management blitz in the Crown Court between October and December. That will not address the whole backlog. What we are doing is we are looking at certain offences. I think it is assault, public order --

Anthony Rogers (London Business Manager, CPS): It's assault, fraud, drugs and theft.

Baljit Ubhey (Chief Crown Prosecutor, CPS): Yes. We are going to prioritise looking at cases that are already over a year old in terms of from the date of offence. Really, what we will do is we will have a team of lawyers that we will free up to do this work. They will re-review those cases and check whether we have still got willing victims and witnesses on board, if that is an issue. Do we think that this is a case that could have pleaded? We are also in negotiations

with the courts. We have not agreed this yet, but what we are hoping is that as part of the case management blitz, particularly where we think this is a case where perhaps there should be a guilty plea, we would like to case management hearings so that we can get those cases on and make progress with that. That will then start having an impact on the backlog. So we are at the very early stages of planning that, but we are targeting certain offence areas. Again, we think if we want this initiative to work in the Crown Court, because Crown Court cases take longer -- otherwise we will be running a hybrid system for a really long time in the Crown Court.

So we will start Better Case Management properly in January, but we are piloting in two Crown Courts in London, Isleworth and Woolwich, and again, we are at the very early stages. I think there is good judicial engagement in this initiative, and I think that is what probably is different, perhaps, from other initiatives in the past. We have lots of initiatives in the Criminal Justice System, but there is really significant judicial interest in this. The president has taken a keen interest in how this works in London. Mark is sitting on a national implementation team, which is I think chaired by the SPJ. So really, really strong judicial support to make this work, which I think is significant. What this scheme is about, as Mark said, it is a bit like Transforming Summary Justice in the Crown Court. So it is about saying, "Okay, how do we make sure we frontload and get our cases ready before the first hearing in the Crown Court?"

There are a couple of slides that talk about timings between various hearings. All Crown Court cases start life in the magistrate's court and they are sent to the Crown Court. What this initiative will say is that there will be 28 days between that hearing in the magistrate's court and the first hearing in the Crown Court. That is called a Pre Trial Hearing Preparation (PTPH) hearing. I cannot remember --

Anthony Rogers (London Business Manager, CPS): Pre-trial Preparation Hearing.

Baljit Ubhey (Chief Crown Prosecutor, CPS): Pre-trial Preparation Hearing. At that hearing there will be an expectation that the prosecution will have the papers and will have reviewed those papers, will have engaged with the defence about what the issues are, and really made progress. There is a form that has been drafted by the judiciary which really does ask some very searching questions around forensics, around CCTV, all the things that we know make a difference to cases. And the idea is that we should make far more significant progress at that first hearing in the Crown Court than we do at the moment. What happens at the moment is a case is sent from the magistrate's court and it has a preliminary hearing in the Crown Court. Sometimes that is seven days, sometimes it is 14 days - it depends on the court - but not an awful lot will happen, quite frankly. Then you have a Plea and Case Management Hearing (PCMH), which is weeks later, and so again, it is a bit like we are drip-feeding, we are not ready and we are not making progress. This is about actually we will make progress at that hearing.

Actually, I think this will start driving the guilty pleas in the Crown Court as well. Certainly as far as the CPS is concerned, we've got a real focus on how do we make sure that we get more guilty pleas in the Crown Court early, and actually if we've got weak cases, how do we weed them out of the system more quickly? So we have actually got CPS targets around early disposal in the Crown Court. I have to say, if I look at performance from quarter one to quarter four, we have seen an improvement in early disposal, so we have got that focus in any event on weeding out weak cases as well.

So it will be a really big change. The thing that we are really keen to do in London, and I do not know if we will achieve it, is to try and have a consistent approach across the Crown Courts in London. Whether we achieve that or not time will tell, but absolutely what we do not want to be doing is doing this initiative with slight tweaks in 11 different ways across the 11 Crown Court centres. We will have a local implementation team as well. The recorder of London will be chairing that meeting, so I think it is quite an interesting time. Whilst I know that those timeliness figures do not look healthy for the Crown Court, I think there are some big changes that will come in, in the New Year, that will start making a difference in the Crown Court.

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): That is good to know, that change is afoot, and helpful to understand the specific focus on particular offence types that take longer, the case selection and getting the focus sounds sensible. Judicial engagement is obviously going to be essential to drive change. Actually, if I go to slide 12, one of the things that our team picked up on was when we look at this stage, first listing to completion, there is a lot of time that is consumed. Around 70% of the time is the case being sent to the Crown Court from the magistrate's court. I am just wondering whether there are opportunities to deal with that specific delay between, you know, the two systems, speeding that up, and what practical things can be done to address that issue.

Baljit Ubhey (Chief Crown Prosecutor, CPS): What this new initiative will mean is all cases in London will be sent within 28 days. So that will be across the board. When it is sent from the magistrate's court, the first hearing has to be in 28 days.

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): Okay. So it is like a universal diktat now?

Baljit Ubhey (Chief Crown Prosecutor, CPS): There will be a universal diktat, as far as London is concerned, of 28 days. That will come in from January, apart from the two courts where we are piloting. So we will not see the benefits of that, but that will be uniform across the board.

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): What is it, on average? If 28 days is the diktat, what are we hitting at the moment, as an average?

Mark Simmons (Deputy Assistant Commissioner, Metropolitan Police Service): We cannot tell from this, because the hearing it refers to here is not the equivalent hearing.

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): The worst thing would be if the diktat is slower than the current --

Mark Simmons (Deputy Assistant Commissioner, Metropolitan Police Service): No, it is not. It is not. The first hearing is challenging, but that 28 days will be quicker. What it should do, if it works, as Baljit says, is we should get a really clear direction from the judge on what needs to happen. It does not guarantee the time from that to the final hearing.

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): It just gets the process kicked off within --

Mark Simmons (Deputy Assistant Commissioner, Metropolitan Police Service): Yes, exactly.

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): Understand.

Baljit Ubhey (Chief Crown Prosecutor, CPS): We are not sure what “main hearing” means. If it means PCMH, then absolutely the 28 days will be a lot quicker.

Anthony Rogers (London Business Manager, CPS): That is impossible.

Baljit Ubhey (Chief Crown Prosecutor, CPS): I know, but I do not quite understand what -

Anthony Rogers (London Business Manager, CPS): No, it is --

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): It is described as “substantive hearing”.

Baljit Ubhey (Chief Crown Prosecutor, CPS): Yes.

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): I can barely read it.

Baljit Ubhey (Chief Crown Prosecutor, CPS): What that does not say is, “Well, what about the ones that do not plead guilty?”

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): Okay.

Baljit Ubhey (Chief Crown Prosecutor, CPS): So they all have hearings (overspeaking)

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): Okay. I think this is a limitation, obviously, of what we have pulled out, but it is good to know that there is a plan to address what seems to be a significant chunk of that particular stage, and getting that to start to work faster. Right. Can we move on? Jonathan?

Jonathan Glanz (MOPAC Challenge Member): Yes. If we could slide 13 up, please. I think it shows that we have got waiting times and hearing times which are longer in London than elsewhere, and also that there are significant increases in that by up to some seven weeks. You talked a little bit before, Baljit, about encouraging guilty pleas, and clearly that can help to transform that. I just wondered whether, coming back to a technology theme, I know it is early days, Mark, but we have had a body worn video trial, and whether or not that kind of evidence - you referred to CCTV when you were talking about assessing the evidence with the defence team - whether it is too early to draw any conclusions, or whether you feel that that is something which will be able to ensure that we get more guilty pleas at an earlier stage.

Mark Simmons (Deputy Assistant Commissioner, Metropolitan Police Service): If we start with the body worn video and then ask Jeremy, because Jeremy has taken over the lead on that project now. It is very difficult to evidence in a hard and fast way whether body worn video evidence helps encourage guilty pleas. Anecdotally we are being told yes, that that is one of

the things that influences defence solicitors and what they advise. I think I would say we are not far enough down the road to have a consistent and substantial evidence base yet on what the consequences are, what the impact is. It is kind of anecdotal at the moment.

Jeremy Burton (Commander CJ & Crime, Metropolitan Police Service): Yes, and I would simply echo that. We are running a pilot in Bromley, in terms of the throughput through the CPS. The College of Policing will be publishing their evaluation towards the end of this month on it, but I would simply reinforce it is too early, and it is complex.

Jonathan Glanz (MOPAC Challenge Member): Any idea when the data might become a little bit clearer?

Mark Simmons (Deputy Assistant Commissioner, Metropolitan Police Service): Well, as I say, we are getting the valuation, which is a range of things. It is some hard data around cases. It is also some results of surveying staff around their use of it, and various other things. We get that a bit later this year. The body worn video, we are now heading towards rolling that out more widely. So bear in mind the pilot -- that means only two teams out of five response teams at a small number of boroughs have it, so the volume is not very significant. It is testing the concept, and we have worked quite hard, not just at the operational front end, but how we use the product, then, digitally through to the prosecution. The volume from that, you know, it tests the concept. It has not provided sufficient volume for us to really be able to see yet what the full impact will be. We think it will be significant. Clearly, it is seen as an investment.

Baljit Ubhey (Chief Crown Prosecutor, CPS): Certainly as far as CCTV is concerned, the sooner we can get that the better. There are some key things that make a big difference to whether a case will progress or not: medical statements - within the Crown Court in particular, but it applies equally to the magistrate's courts - but medical statements; CCTV; and disclosure. That is why we have had such a focus on disclosure in the magistrate's courts. Disclosure is important, because when I talk about disclosure, it is the material that we are not using. We obviously serve our papers, but it is the material that we are not using. What the defence will say is, "We need to know that there is not something in your possession that may assist the defence", because that is going to have an impact on whether someone pleads guilty or not guilty. So knowing what we call the unused material is really important. Those are the key things that will drive whether someone pleads guilty, or whether you are able to make progress.

So I think when we are looking at the Better Case Management initiative -- and some of this is not within our gift. We have to rely on other partners to provide that information, but I do think that those are the things that cause delay. Those are the things that when we do not have them it is hard to make progress, and we will need to have a real focus on that.

Jonathan Glanz (MOPAC Challenge Member): That is helpful, thank you.

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): Faith, you are going to have the last question, because of time. We want to focus on this issue of reoffending on bail.

Faith Boardman (MOPAC Challenge Member): Yes. Slide 14 here is saying that 74% of these cases defendants are on bail and potentially able to reoffend. Indeed there is a figure

there of 6,666 have been convicted of an offence while on bail. That is a serious issue. Kate, it was interesting to hear earlier about the ways in which you are proposing to amend it at the more junior level, in age terms. What impact do you think those changes will have on that, when taken in conjunction with the changes in the court system and the speeding of it up?

Kate Gilbert (Assistant Chief Officer, National Probation Service): Okay. Sorry, which changes are you talking about? The introduction of the --

Faith Boardman (MOPAC Challenge Member): The transformation of rehabilitation.

Kate Gilbert (Assistant Chief Officer, National Probation Service): So the under-12-months offenders?

Faith Boardman (MOPAC Challenge Member): Yes.

Kate Gilbert (Assistant Chief Officer, National Probation Service): Yes. I do not have any data, and obviously bail is a judicial decision driven by legislation. I do not have data, but I think that potentially within that group there will be some of those under-12-months repeat revolving door people, but also potentially that hard to reach group who have mental health problems, have substance misuse, who come under the Integrated Offender Management scheme. So that would be a group of people who are repeat offenders with those sorts of issues, where we work very collaboratively with the police in all of the London boroughs to help manage those people. So they would have a service from a group of practitioners, not just the probation service and the CRC, services provided by the local authority, and some scrutiny by the police. So that group of people potentially would be overseen and hopefully that would reduce their offending on bail, but it is an issue that bail is essentially a judicial decision.

Faith Boardman (MOPAC Challenge Member): Mark, are there further things planned from a police point of view?

Mark Simmons (Deputy Assistant Commissioner, Metropolitan Police Service): Really, the managing offending piece, as Kate described, the joint work we are doing on that, that I think is at the core of this. We have to prioritise, but we work on enforcing bail conditions, both in terms of that cohort of offenders that we identify there, and generically, but there is an awful lot of people on bail, and some of the conditions are quite difficult to enforce. It is inevitable that there are going to be people who are on bail and who are going to commit offences, and for those that are on bail that do not go to prison it is not necessarily the case that bail is a significant factor on whether they can offend or not. We know that reoffending rate is also true of people who are not on bail who have been convicted. So for me, there is an issue about offending on bail, because that gives us an extra lever in terms of enforcement, but the core of it is the joint work we do on offender management, making sure we identify the right cohort, and then jointly working on the best ways of preventing their offending.

Baljit Ubhey (Chief Crown Prosecutor, CPS): The courts will prioritise custody cases, understandably so.

Mark Simmons (Deputy Assistant Commissioner, Metropolitan Police Service): Yes.

Baljit Ubhey (Chief Crown Prosecutor, CPS): Custody cases have custody time limits, and they need to get those trials on within the custody time limits. So those cases are prioritised over bail cases, unless you have got vulnerable victims.

Stephen Greenhalgh (Deputy Mayor for Policing and Crime) (Chair): That is helpful. I think we have covered some of the issues around timeliness for different offence types, unless there are any specific points people wanted to raise. You know, you are focussing on some of those issues in joint work. Any other points anyone would like to raise? I think we have covered most of the ground. I am actually really encouraged that particularly the police and the CPS, but also colleagues in probation, thank you for coming here, and having the joint performance management to address some of these intractable problems is cause for encouragement. Also hearing that there is real judicial engagement with some of these issues, to change things, I think is going to be absolutely critical.

I go back to some of my opening remarks. I do not think the London public would want a slower system for repeat offenders. I think that would be the single biggest challenge, if we can find ways of actually speeding up a system for those people who have been through this process multiple times. I think that must be an overriding objective, if we want to frankly reduce the volume of cases from a smaller pool of people going through the system. Ultimately the figures speak to that, do they not? The number of first-time defendants is going down, but the number of repeat offenders continues to be far higher than the rest of the country. So I think that must be where we all focus, or where you as partners in the Criminal Justice System focus, if we are going to deal with some of the challenges that lie ahead. But I am very encouraged that there are clear plans. I am looking forward to seeing some of the results. I note that we are not necessarily going to make our target, but at least we are heading in the right direction and there is a common resolve to do something about it. We will be taking this up with the Court Service in due course, so thank you very much indeed for coming to the MOPAC challenge.