

Durham and Cleveland Local Criminal Justice Board Review

This report sets out the findings, conclusions and agreed actions of the review of criminal justice partnership arrangements in Durham and Cleveland, undertaken from April to September 2016.

History

Local Criminal Justice Boards (LCJB) were established as a means of developing and sustaining the close and effective partnership working, across the CJS, essential to ensure the successful achievement of the high level objectives:

- Support for victims and witnesses;
- Progression of cases;
- Apprehension, punishment and rehabilitation of offenders in order to reduce reoffending.

There has been a consistent LCJB presence across Durham and Cleveland since their inception. Following the removal of national funding in 2012, one regional LCJB was formed across the Cleveland and Durham force areas supported by a single post of Business Manager.

Reason for review

The Police and Crime Commissioners wanted to work with other Criminal Justice Partners to improve the local system, and instigate closer and deeper partnership working than previously existed. This was with the aim of gaining better outcomes for people in contact with the criminal justice system (victims, witnesses and offenders), local communities, and the taxpayer. They therefore proposed that a review be carried out to assess current arrangements, whether they were fit for purpose, and to make recommendations for future improvement.

Feedback from discussions with LCJB members and other partnership providers of Criminal Justice Services

As a first step, all members of the LCJB were interviewed for their opinion about the current arrangements and effectiveness of the Board. This found that there was limited understanding of:

- How the LCJB's sub-groups related to each other;
- The relevance of the information which is reported back in relation to performance;
- The identification of risk issues; and
- Planning for the future.

Taken together, this indicated that the Board was not operating in a way which was effective.

All those spoken to welcomed the review, highlighting numerous national initiatives which are impacting on local practice and presenting both challenges and opportunities. These include:

- Reduced resources and the need to cut out any waste or duplication from the process;

- Transforming Rehabilitation¹ – although now completed, there are ongoing challenges with regard to payment by results, interface between Community Rehabilitation Companies and the National Probation Service and the new ways of working required of these two organisations;
- Transforming Criminal Justice² is led by the Ministry of Justice and the Crown Prosecution Service, and has been an ongoing review of the services since 2013. It is a strategy based on the simple premise that all parts of the CJS should be working towards achieving the same set of outcomes:
 - A swift, determined response to crime;
 - Treatment of victims and witnesses with the care and consideration they deserve; and
 - Better value for money for the tax payer.
- Review of Youth Offending Services³ – an interim report in February 2016 indicated a move from prison to education establishments for young people and consideration as to whether the service remains within the Criminal Justice System or becomes more closely aligned with children and family services;
- Prison reform⁴ – announced in 2016, includes the building of new prisons and changes to the infrastructure, including an emphasis on greater partnership working. For our area this has resulted in the piloting of one of the new ‘reform’ prisons across Holme House and Kirklevington Grange while HMP Durham will become a local remand centre. The MoJ is keen to see local examples develop around innovation and partnership working to improve rehabilitation;
- Policy work to consider the expansion of the role of the PCC in the Criminal Justice System is currently being undertaken by the Home Office and Ministry of Justice, in consultation with the Association of Police and Crime Commissioners and Association of Policing and Crime Chief Executives.

Board members recognised that, if the meetings were to become more effective, their attendance at and preparation for the LCJB meetings and subsequent feedback of information to their respective organisations was important. There was, currently, a feeling both within member organisations and across other partners (e.g. local authorities) that the LCJB had little impact. They acknowledged and supported the development of the role which PCCs can have at the Board due to their wider role in relation to victim services and commissioning potential. They also felt that a revised and coordinated approach would support the Chair to agree a delivery plan and then more effectively hold the Board to account for its delivery.

In summary the Board Members and others:

- ***Valued the relationships developed within the group but questioned its effectiveness in terms of local priority setting for the CJS;***
- ***Acknowledged the need for greater connectivity through the CJS between themselves, the sub groups and wider community partnership support across the victim, witness and offender pathways; and***

¹ [target-operating-model-3.pdf](#)

² [transforming-cjs-2013.pdf](#)

³ [Youth-Justice-Review.pdf](#)

⁴ Gov.uk Prison reform: Prime Minister’s Speech - 8 Feb 2016

- ***Acknowledged the need for a more structured, meaningful and evidenced performance framework through which risks could be identified, issues highlighted and CJS partners held accountable to each other and the public.***

Current Strengths of the Board and Sub Groups

Victims and Witnesses (separate groups for Cleveland and Durham)

Improving the experience of victims and witnesses is underpinned by national policy and guidance. The LCJB has introduced a number of key improvements to CJS processes in which victims and witnesses are expected to participate if they are seeking a criminal justice outcome⁵. The current delivery plan reflects the commitment to improve the experience of victims and witnesses⁶.

Local commissioning of support for victims through PCC/PCVC funding has allowed for a thorough assessment of services, the appointment of a new provider with access to police systems and the commencement of a process which will result in a more integrated approach to victim and witness support.

Both PCCs have welcomed Government thinking around the further devolution of victim services, particularly the witness service.

PCVC/PCC Victim and Witness Planning Groups have had representation from the LCJB Business Manager and more recently, a Victims and Witness Working Group has been established under the LCJB Efficiency sub-group to take forward a number of issues identified from a review of the victim's journey through the CJS, undertaken by HMCTS. Separately, the PCC Victim and Witness Planning Groups have also been considering issues highlighted by this work and agreeing actions to address them. To date, there has been little integration between the two but discussions have taken place to better align the work of the two sub groups and create a harmonised approach.

Reducing Reoffending (separate arrangements for Cleveland and Durham)

Reducing reoffending groups are currently more aligned with the community safety partnerships (CSPs) and there are no direct links to the LCJB, however some time ago the

⁵ There is significant national policy and guidance that underpins commitments to improve the experience of victims and witnesses and a recognition that the CJS has a responsibility to ensure victims and witnesses feel safe, are supported and consequently able to give evidence. Victims and witnesses also have a right to expect straight forward and co-ordinated service from CJS agencies; they are often the primary or sole witness of an offence, and they merit vigilant attention by all those involved in CJS processes. In addition, it is expected that the needs of families of victims and witnesses be taken into consideration particularly when a victim or witness has been subjected to very serious crime or traumatic events that could change the course of their lives forever. The Victim Services Commissioning Framework is clear that victims and witnesses should expect an integrated approach to their care and support and, in relation to the organisations represented, the LCJB is ideally placed to take forward the development of integrated care and support across the CJS.

⁶ The current LCJB Delivery Plan includes the intention to:

- Champion the provision of enhanced support for the most vulnerable victims and witnesses including reviewing their needs and concerns to keep them engaged;
- Explore how to provide better information to victims about their case
- Highlight hate crime concerns and consider improvements in identifying and prosecuting hate crime. This will include racial, religious, homophobic, transphobic and disability hate crimes;
- Act upon identified trends where victims have raised concerns about their experience of the Criminal Justice System through analysis of data collated by the Offices of the Police and Crime Commissioners;
- Promote best practice in working with victims and witnesses across all agencies;
- Work to ensure that victims and witnesses receive the most efficient and seamless high standard of service wherever possible.

Board requested that PCCs create one reducing reoffending group in each area. This has now been convened in Durham and Cleveland with the:

- OPCVC/OPCC chairing the meetings;
- Development of a 'Strategy on a Page';
- Refocusing of the objectives and development of the associated delivery plan;
- Establishment of reporting pathways to ensure that the work is aligned with both the LCJB and the CSP Boards.

Structures are already in place for aligning this work with the objectives of the LCJB and informing the Board with regard to priority setting. Much has been achieved locally around the reducing reoffending agenda, particularly in relation to:

- Integrated offender management for the most prolific offenders;
- Diversion away from the court process for young people and lower risk offenders;
- Multi Agency Public Protection Arrangements (MAPPA); and
- Multi Agency Risk Assessment Conferencing (MARAC) in relation to Domestic Violence

Key areas of work for the future include reviewing the availability, use and effectiveness of pathways at each stage of the CJS to reduce reoffending.

Effectiveness and Efficiency

The Effectiveness and Efficiency Sub Group has met consistently as a regional group across Durham and Cleveland and has supported the successful implementation of Transforming Summary Justice⁷ (TSJ) in our area to date, resulting in a more streamlined court process and the development of digitised case management. The use of Wi-Fi and video links in the courts are being progressed and the group continues to look at the reasons behind cracked, vacated and ineffective trials

Recently there has been a review of this sub group in terms of the links with the wider region now covered by HMCTS, namely the Northumbria area. Durham and Cleveland have requested to remain as a separate group however there have been some changes made to performance reporting and meeting arrangements in order to identify wider regional trends and any learning which can be shared.⁸

Vulnerabilities

The current Specialist Domestic Violence Court (SDVC) Sub Group focuses on the importance of efficiently and successfully prosecuting high levels of domestic abuse offences across the area, and has both a strategic and operational group. Specialist domestic violence courts have been established and inter agency relationships have been developed to support these. However, there is very little, if any, information exchange and communication between this sub group and the many other partnership groups which have been established to consider the issues associated with Domestic Violence.

⁷ [Transforming summary justice - inspection by CPS.pdf](#)

⁸ [\(Reviewed May 2015\) Terms of Reference Efficiency sub group.doc](#)

One of the challenges from the 'Working in Step' report is the lack of attention given by LCJBs to other vulnerabilities such as child sexual abuse and exploitation, hate crime and the increasing number of cyber-crime victims. There is opportunity to build on the work and structure of the SDVC and victims groups to explore the way in which the wider vulnerability issues are incorporated into the work of the board. In order to facilitate this it has been agreed that the strategic SDVC group will be disbanded and the information fed into the efficiency, reoffending or victim and witness sub groups as appropriate.

Opportunities

Much of the work carried out to date and the structures in place means there are a number of developmental opportunities for the Board in order to support the high level objectives;

- As well as the sub groups, there are a number of organisations and partnership arrangements with a remit for victims, witnesses and offenders. Currently, there appears to be no real connectivity between these structures and the LCJB. Despite differences in geography between Durham and Cleveland the current arrangements for a collaborative LCJB has the potential to:
 - Develop closer links between the various elements;
 - Capitalise on the opportunity to acknowledge and support individual agency priorities while agreeing shared aims and objectives;
 - Align planning and delivery programmes; and
 - Achieve the added value and increased efficiency that is often a feature of co-ordination and collaboration.
- Alongside the above there would appear to be significant advantages in exploring better integration between LCJB planning and delivery and that of other key stakeholders. In particular, a move towards single points of contact, information sharing agreements and common needs assessment frameworks could reduce duplication, increase efficiency and better manage the expectations of victims and witnesses.
- Extension of the remit of the LCJB to look at the 'end to end impact of the CJS on vulnerable victims and witnesses' as recommended in the Working in Step report and welcomed by Board members. This will ensure a whole process approach to the planning and delivery of the high level objectives.
- Greater connectivity of the sub groups of the Board will allow for priority setting, identification of risks and performance management using a whole process approach. Most of the sub groups have recently undertaken a review of terms of reference and work plans which can be further developed to incorporate the links with the other groups.
- Development of a collaborative approach to performance monitoring will enable collection and analysis of information relating to total victim, witness and offender experience rather than individual elements of the journey; establish a shared understanding of issues; enable joint priorities to be agreed and facilitate collective implementation, monitoring and evaluation.
- In 2015 Theresa May outlined plans for the development of the PCC role and stated 'We have yet to decide the full extent of these proposals and the form they will take, but I am clear that there is significant opportunity here for PCCs to lead the same type of reform they have delivered in emergency services in the wider criminal

justice system.⁹ The development of the PCC role has the potential to result in more opportunity for localised provision and commissioning of services as well as greater scrutiny of Criminal Justice provision.

Recommendations as agreed by the Local Criminal Justice Board – September 2016

The key recommendation is that the coordination of the LCJB business becomes a function of the Offices of the PCC Cleveland/PCVC Durham, rather than the appointment and funding of a Business Manager through the LCJB.

Alongside the management functions provided by the Cleveland and Durham PCC/PCVC Offices, the roles identified in order to enable the above are:

- Appropriate and effective chairs of the sub groups; current arrangements are:
Efficiency and Specialist Domestic Violence Court group chaired by HMCTS,
Victim and Witness groups chaired by Office of PCC/PCVC as commissioners of victim services,
Reducing Reoffending Group, chaired by OPCVC Chief of Staff in Durham and by the PCC in Cleveland.
- Board management and coordination
- Analytical support to each of the sub groups in order to provide a relevant and robust performance framework, support delivery of the high level objectives of the Board, assesses future risks, inform priority setting and provide a comprehensive narrative to report on these critical activities.
- Victim Development Officer to support the commissioning of victim services,
- Administrative support to the sub groups and the Board.

In addition Board members agreed the following actions:

- 1. To commit to the Board as the vehicle for progress within the CJS and prioritise the work where appropriate***
- 2. Approve the reorganisation of the Board and Sub Groups structure, as well as other appropriate partnership groups in line with the attached diagram (appendix 2)***
- 3. Consider the staffing requirements as highlighted above to determine potential funding arrangements.***
- 4. Approve the mapping of existing structures to allow for formal links to be explored, agreed and implemented between the LCJB and other relevant groups/partnerships.***
- 5. Support the development of a whole system performance framework that collects and analyses information, demonstrating the extent to which the whole local criminal justice system is:***
 - a) Delivering justice efficiently;***

⁹ [Theresa May speech.docx](#)

- b) *Reducing reoffending; and***
- c) *Supporting victims and witnesses.***

Appendix 1: Contributors to the Review

Board Members		
Gerry Wareham	CPS Chief Crown Prosecutor	Gerry.Wareham@cps.gsi.gov.uk
Gill Eshelby / Dave Summers	YOS Durham, Head of Service	Gill.Eshelby@durham.gov.uk
Miriam Robertson	YOS Stockton, Head of Service	Miriam.Robertson@stockton.gov.uk
Julie Allan	NPS Head of Area	Julie.Allan@probation.gsi.gov.uk
Maureen Gavin	NPS Head of Area	Maureen.Gavin@probation.gsi.gov.uk
Sheena Urwin on behalf of Paul Beddow	Durham Police, Head of Criminal Justice	Sheena.Urwin@durham.pnn.police.uk
Ciaron Irvine	Cleveland Police – Temporary Assistant Chief Constable	Ciaron.Irvine@cleveland.pnn.police.uk
Richard Burton	HMCTS Justices Clerk, Cleveland and Durham	Richard.burton@hmcts.gsi.gov.uk
Steve Graham	Prison Governor – Holme House	Steven.Graham@hmcs.gsi.gov.uk
Bronwen Elphick	Chief Executive DTV CRC	Bronwen.elphick@crcsecure.co.uk
Ian Blakeman	Executive Governor Holme House and Kirklevington prisons	Ian.Blakeman@hmcs.gsi.gov.uk
Tim Allen	Governor Durham prison	Tim.Allen@hmcs.gsi.gov.uk
Additional Contacts		
Suzy Vaughan	Cleveland Police	Suzy.VAUGHAN@cleveland.pnn.police.uk>
Alan Reiss	Durham OPCVC	Alan.reiss@durham-pcc.gov.uk
Allison Cooke, Chair Effectiveness and Efficiency	HMCTS Justices Clerk	Allison.cook1@hmcts.gsi.gov.uk
Karen Embleton -Chair of SDVC group	Deputy Justices Clerk, Cleveland	Embleton, Karen <karen.embleton@hmcts.gsi.gov.uk>
Caroline Duckworth	Durham CSP Manager	Caroline.duckworth@durham.gov.uk
Joanne Benson	Darlington CSP and YOS, Head of Service	Joanne Benson (Joanne.Benson@darlington.gov.uk)
Steven Hume	Stockton CSP Manager	Steven.hume@stockton.gov.uk
Clare Clark	Hartlepool CSP Manager	Clare.clark@hartlepool.gov.uk
Mike Batty	Consultancy Services	Michael.batty59@gmail.com
Barbara Gill	CRC	Barbara.Gill@dtvrcsecure.gsi.gov.uk
Robin Bonas	CRC Partnerships Manager	(Robin.Bonas@dtvrcsecure.co.uk)

Appendix 2

