

For Information	
Public/Non Public*	
Report to:	Police and Crime Panel
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Report of:	Police and Crime Panel
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Agenda Item:	7(a)

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Priority Theme 2: Improving the Efficiency, Accessibility and Effectiveness of the Criminal Justice System – progress to date

1. Purpose of the Report

- 1.1 To update the panel as to work within Force regarding Priority 2: Improving Efficiency, Accessibility and Effectiveness of the Criminal Justice System and set the position for Nottinghamshire in the national Criminal Justice context.

2. Recommendations

- 2.1 The panel note the report in response to requests from the previous meeting.

3. Reasons for Recommendations

- 3.1 In order to update the panel as to activity under Priority 2.

4. Summary of Key Points (this should include background information and options appraisal if applicable)

4.1 Priority 2 is well embedded in Force and is progressing well. The priority is one which clearly can only succeed through effective partnership working with colleagues such as the Crown Prosecution Service (CPS) and Her Majesty's Courts and Tribunal Service (HMCTS). To this end Nottinghamshire is well placed with an active Local Criminal Justice Board (LCJB), chaired by the Chief Constable, and strong operational relationships throughout all organisations.

4.2 Taking each of the three areas (Efficiency, Accessibility and Effectiveness) in turn this report will highlight key achievements in each for 2014/15 and future initiatives for 2015/16 alongside an overview of the national context around Criminal Justice and Nottinghamshire's role in that.

4.3 Efficiency

4.3.1 Regionalisation – A Common Delivery Model across all Four Forces.

4.3.1.1 The Business case for a regional Criminal Justice (CJ) function (East Midlands Criminal Justice Service (EMCJS)) including Custody was signed off by Chiefs and Police and Crime Commissioners in December 2013. Since then a regional Head of CJ – Chief Superintendent Debenham – has been appointed and the various work streams have developed over the course of this year. The aim is simply to drive out efficiencies and savings via a standardisation based on best practice of all CJ functions, leaning out management and supervisor structures along the way. It is currently estimated that the four forces involved in EMCJS (Leicestershire, Lincolnshire, Nottinghamshire and Northamptonshire) will realise a share of approximately £4.8 m in savings and enable one common delivery model which allows for greater flexibility, resource resilience and one single approach with maximum efficiency embedded. In turn this will assist partners such as CPS and HMCTS in agreeing change and ensuring a 'single touch' approach to the East Midlands. To date EMCJS has established and part implemented a structure for a regional Senior Management Team (SMT), developed processes and policies around Custody provision, is developing prosecution processes and has agreed a model for Witness Care provision. It is also currently scoping the position of several other units. Human Resource processes are underway surrounding the SMT and the current Business Support unit.

4.3.2 Common ICT across all Four Forces

4.3.2.1 As an enabler to the above the Four Forces have chosen to adopt a single product for Intelligence, Crime, Custody and Case Preparation. The adoption of a single iteration of the product to be hosted in a single force but be shared by all Forces is the first of its kind nationally.

4.3.2.2 In operational terms this will underpin the need to adopt one common delivery model with the same processes behind the ICT, being used in each of the Forces. This will allow Nottinghamshire to benefit from cost savings on their ICT infrastructure budget but also greater resilience of resources and allow Forces to move work, intelligence and crime information freely around the East Midlands. It also gives the East Midlands the ability to be proactive around change as the product is 'ever green' and changes due to legislation or major process change are already delivered in the existing cost. On occasions these types of changes have cost the force and delayed implementation.

The roll out of the product commences in December 2014 and ends in January 2016.

4.3.3 Police Led Prosecutions

4.3.3.1 Police led prosecutions (PLP) have been running in Nottinghamshire now for approximately 2 years but the process has been honed to be chiefly digital, saving on moving bundles of paper across different agencies. In essence, the Police Presenters will now present on guilty plea traffic matters (and a limited number of crime matters for Criminal Damage under £5,000 and shop theft under £250). Police IT is accessible from the Court preventing adjournments to check Police held data and ensuring a more efficient service. The use of Police resources is funded from the costs awarded at Court. Further this frees up Crown Prosecutors to concentrate on Not Guilty traffic matters and Crime matters, meaning therefore that they have more time to review cases pre hearing and to deal with defence or Officer communication.

4.3.3.2 The Nottinghamshire approach of prosecuting from laptops, reducing adjournments and being able to access Police ICT has led to the Force being seen as a 'Best in Class' user of the PLP processes and numerous visits from other Force wishing to replicate the processes. Put together with the active use of the Postal requisitioning the whole summary process has become lean and efficient in terms of how we increase the pace of cases through the court – we are currently listing 160 cases each day so as to realise time and resource to other areas of the business and other agencies.

4.3.4 Property Model

4.3.4.1 2014 has seen the culmination of the Archives and Exhibit project. Nottinghamshire has reduced the number of sites for storage of property and exhibits all operating within the same operating model, delivering efficiency and control around property and exhibits that before was simple not evident. Out of this business model has come better links with the Forensic unit, more clinical process for the collection and storage of forensic evidence, a more efficient and reliable courier service with an in built security in terms of recording what is moving where and when and received by whom and less responsibility for Officers and, an efficient service for the delivery of exhibits to court.

4.3.4.2 Recently the College of Police have peer reviewed the Nottinghamshire approach and in their final report have said that the revised policy of using overnight stores instead of local property offices '*In terms of operational efficiency is a positive process*' and that the hub structure has '*provided gains in efficiency and staffing resilience*' and that '*The refinement of services is generally seen as good and users felt that the service provision for property and exhibits was moved in the right direction. Service users appreciated the forensics submission forms being completed by Archives and Exhibit staff. The team consider the forensic submission and support by Archive and Exhibit staff as providing a good*

gate-keeping service with consistency in forensic processes'. (Archives and Exhibits Review June 2014, College of Policing)

4.3.5 Paperless recording of Exhibits

4.3.5.1 Historically Officers have recorded exhibits and their movement on Other than Found Property Sheets (OTFP) in paper format. In July 2014 Nottinghamshire Police launched the electronic solution. A database that replaces the OTFP sheet with a database built into the Crime system which allows an electronic record accessible by all and a variety of management information reports to be created. At any one time an officer can update or link an exhibit to another. The exhibits within the system can be linked to the Crime therefore by making the locating of exhibits, the use of exhibits in the court process and the return of exhibits (where relevant) to their owners easier.

4.3.5.2 The electronic nature of the system also helps the Force manage its property better. The Force is currently running an operation to dispose of property it no longer needs to keep and to encourage Officers to only seize what is necessary in the case. It is also refining policies and procedures around property to enable proportionality in the amount of property it receives and stores as well as tighter management control around property audits. This piece of work is currently on-going.

4.3.6 Case Build Model – Delivering the Future Work stream

4.3.6.1 This work is part of the Delivering the Future Work Stream and is therefore currently in progress. The aim is to release police officers from office based activity which others can reasonably be expected to perform, thereby making most efficient use of resources. It is anticipated that this will also help us to focus relevant training, accountability and improve quality through having a centralised group of individuals who are trained and skilled in the area of case build. This function will link into the Prisoner Handling Function and have the potential to fit into regional EMCJS in order to future proof and sustain the model. Much of the detail is still being worked upon.

4.4 Accessibility

4.4.1 Virtual Courts

4.4.1.1 This project is in early stages and is being managed regionally. The aim of the project is to use video link technology within a Custody suite to reduce the need to move suspects from Custody to Court. Eventually this will enable the brigading of remand Courts, for example, on a regional basis. In theory it may also assist if defence solicitors could use it to advise clients in Custody suites. Nationally other forces are using this to good effect in terms of other Court applications, for example Warrants

etc. which obviously helps to speed up processes, and reduces costs associated with having to appear in person.

4.4.2 Video Links (Live Links)

4.4.2.1 Nottinghamshire have recently installed Video links into the non-police venues. This is the next step from using the Video links technology for Police Officers thereby saving time in attending Court. This next phase is intended to let the victim or witness give evidence in less formal surrounding and so improve the experience, we recognise Police buildings and the Court room can add to the anxiety being felt by victims and witnesses.

4.4.2.2 Testing has taken place and we are now ready to move to full implementation.

4.4.2.3 We are also in the process of expanding our Video Link capability and are looking to use three other sites in force to assist Victims and Witnesses in terms of the length of their journey to a Court building. We are currently working with BCU to review demand data to help us intelligently identify these locations.

4.4.2.4 A third stage of this project is to look at other uses of the Video Link equipment in order to speed up the CJS process. We have successfully run Proceeds of Crime Act applications to the Crown Court using this method and are looking at several other potential uses including application for warrants. We are examining good practice from other Forces to ensure we maximise the full potential of this equipment.

4.4.3 Regional Witness Care Model

4.4.3.1 A new model for the structure of witness care units has been agreed by the EMCJS Steering group and implementation and HR procedures are now being worked through. The new model creates the role of regional witness care unit manager which will be a central person to ensure a consistency of service and embed quality across the region. It will also allow victim and witness issues to be dealt with by an allocated 'expert' rather than an addition to a day job. This will give extra impetus to those issues and a route for all issues and changes to be funnelled. Full implementation is expected within the next financial year.

4.4.4 Improved Return to Owner Process for Property

4.4.4.1 Under our Archives and Exhibits function In the last year we have sought to improve the process for returning property to the legal owners. The staff within the function now deals with all return processes and communicates closely with the Officer in the Case to ensure that the right

property goes to the right owner in a speedy and efficient manner with a full audit trail. It also enables a freeing up of space in storage units currently used for the storing of exhibits and property in general and frees up officer time thereby reducing cost.

4.5 Effectiveness

4.5.1 Back to Basics Training – Phase 2

4.5.1.1 The Force started the Back to Basics training for Sgts. in 2012 and this winter has commenced the second phase of that training. The Force has worked with the CPS and examined data such as the unsuccessful cases report in order to pull out content for the day's training. All Sgts are to attend and there are places for those, nominated as benefiting from such a course, at other ranks.

4.5.1.2 The course contains a pass/fail element in which Officer's knowledge of initial files and the charging process are checked to ensure that the quality of our initial guilty or not guilty plea files is high in order to bring maximum benefit from a speedy justice system for the victim and witnesses and to minimise remedial work or the requirement to upgrade files. Only after completion of the course and the attainment of a pass mark can the Sgt become accredited in File Preparation. Any Sgt would does not attain the accreditation cannot move to the next rank and would be recoursed.

4.5.1.3 Phase 2 of Back to Basics is set to run throughout 2015 and will complement the focus on initial files seen in the Transforming Summary Justice initiative. Improvement on the key issues taught in the course will be monitored through conversation with the CPS and through the dip sampling of case files which takes place on a monthly basis.

4.5.2 Victim and Witness Working Group

4.5.2.1 The Efficiency and Effectiveness Board of the LCJB, have commissioned a task and finish group to look at the reasons for cases being unsuccessful at court due to victim and witness issues (be that non-attendance or not coming up to proof). The group have commenced work to identify the key problems and relevant solutions to this issue. These include:

- A short survey of every victim and witness, regardless of crime, in an unsuccessful case to discover why they could not attend and if we could improve our service to eliminate this issue;
- A review of external data (British Crime Survey etc.) to enable us to identify problems and solutions others may have suffered;
- A practitioners meeting to empower staff in all three key agencies to resolve process problems (that is the Courts, CPS and Police);

- A review of a report to be published before Christmas around Domestic Abuse which will include data around the reasons for non-attendance at court.

4.5.2.2 This group will meet again in the early New Year in order to bring all the above together and find solutions.

4.5.3 Warrants Execution

4.5.3.1 In 2015 a proposal for the centralisation of warrants execution is due to be put to the Chief Officer team. Currently a fail to appear (FTA) or bench warrant will be returned to the Officer in the case for execution. This means that to control and hold accountable these officers is difficult due to their volume. In order to improve control and to ensure accountability around the achieving of relevant execution rates and the volume of outstanding warrants the Ch Insp for SMiom is to write a proposal to rationalise the current volume of warrants and then take over responsibility for the execution of those warrants within the current targets. At the moment this is an idea but we expect a proposal to be submitted to the Chief Officer team within 2015.

4.5.4 Retail theft Pilot.

4.5.4.1 During 2014 the Force has been a pilot area for the concept of the Digital Case File. As such we have worked with the CPS to develop a digital MG5 and a minimum standard in terms of other forms required for first hearing. This pilot has solely existed around the offence of shop theft. The aim was three fold in that it

- sought to reduce the work of the officer up front for a simple shop theft case,
- sought to improve quality of case file submissions by guiding the Officer through the points to prove and therefore forcing the Officer to include evidence to prove those points; and
- It sought to further modernise the CJS by taking the benefits from digital working.

4.5.4.2 The pilot has now been mainstreamed in to every day work and the CPS has assessed the pilot as a success in terms of its objectives. This has now feed into the next stage of working on a digital file for every offence type and any number of defendants to again realise the wider benefits of digital working and to assist in improving quality.

4.6 The National Context

Nottinghamshire are playing a lead role in many new national initiatives within the coming year. Below are key current or new initiatives which will further enable us to increase efficiency, effectiveness and accessibility within the CJS.

4.6.1 Transforming Summary Justice

4.6.1.1 Transforming Summary Justice (TSJ) is a national cross agency initiative to reform how we do business in the Magistrates Court. In particular the 10 characteristics that sit behind TSJ are designed to reduce the number of hearings and improve system wide efficiency. The aim is to have only one hearing for a guilty plea case in the Magistrates Court and only two for a not guilty plea case. All agencies within the system are engaged and the judiciary have intertwined the Summary Disclosure Review within TSJ as a key enabler to an effective process.

4.6.1.2 Although all Forces are working towards TSJ with a national go live date of the 31st May, Nottinghamshire is to provide national leadership and go live on the 1st February 2015 closely followed by the rest of the East Midlands. Benefits to the initiative include:

- A 'whole' system approach,
- Simplification of the disclosure process,
- Bringing key processes forward in time so as to make the 1st hearing effective,
- Reduction in the number of upgrade files for the Magistrates Court (less file building for Officers).
- A quicker resolution for victims and witnesses.

Officers are currently receiving training in anticipation of go live.

4.6.2 Digital Case File

4.6.2.1 In line with the above comments on the Retail Theft pilot, nationally there is an initiative to make all cases files digital from completion by the officer all the way through to court outcome. The project team are consulting with Forces and the various Case Preparation system suppliers to make this happen. By April 2015 Forces should have developed a word document to enable a digital case file to be built (akin to the digital MG5 for retail theft) but post that date the national team are looking at issues such as producing an App for Case build to pull information to a Cloud storage system.

Nottinghamshire are currently working with ICT leads to devise their word version of the Digital Case file in time for April.

4.6.3 Self-Assessment Matrix (Case Quality)

4.6.3.1 The Nottinghamshire Force has the national lead for File Quality, ACC Jupp, and as such are instrumental in terms of shaping the national methodology to improve case quality. One of the first steps has been to develop a Self-Assessment matrix in order to assess Forces against 13 criteria that support or develop and embed Case Quality within a Force.

The baseline year was 2014 and all 43 Forces completed the assessment and 6 Forces were visited as a result of their scores. The Self-Assessment aims to identify and locate good practice and then spread the good practice nationally. The Self-Assessment team then produce a Strategic Report for ACPO and partners looking at strategic issues and making recommendations to help develop and sustain improvements in Case Quality.

4.6.3.2 The ambition ultimately is to develop the Self-Assessment into a fully fledged Capability and maturity model for the Criminal Justice function within each Force. The Self-Assessment will run annually in line with the business planning cycles of the Forces and has been commended by the HMIC and College of Policing.

4.6.4 CJ Performance Framework

4.6.4.1 ACC Knighton from Derbyshire has recently taken over this portfolio for the Criminal Justice Business Area of ACPO. He is eager to establish a national CJ related performance framework for policing with compliments existing Key Performance Indicators but puts policing on the 'front foot' in terms of reflecting true performance and areas for improvement, until now we have been reliant on performance data from partners.

4.6.4.2 Nottinghamshire have agreed to be part of the reference group put together to compile this framework and are looking to play a very active part.

4.6.5 Leveson

4.6.5.1 Lord Leveson has been asked to look at the Criminal Justice system and explore new ways of doing business to address the austerity issues and to provide greater efficiency and effectiveness. As such a number of working groups consisting of representatives from many parts of the Criminal Justice system have been set up and a draft report including a number of recommendations for change and or improvement is currently circulating. Both Chief Constable Chris Eyre and ACC Jupp have been involved in these working groups and are actively shaping conversations and representing the interests of policing.

4.7 Conclusion

4.7.1 As can be seen from the above example of improvements in efficiency, accessibility and effectiveness Nottinghamshire has and are continuing to work hard to create a lean, technology enabled, victim and witness centred Criminal Justice System. We can do that alone but are well placed in Nottinghamshire to work actively and constructively with partners to deliver.

4.7.2 On a national level we are proactive in shaping future strategy and initiatives around Criminal Justice and work hard to realise the benefits of such at a local level.

5. Financial Implications and Budget Provision

5.1 With the exception of the regionalisation work around EMCJS all of the above work streams are carried out from within existing resources.

6. Human Resources Implications

6.1 All of the above is either expected or planned for or currently on going therefore the various activities should not have any unknown HR implications.

7. Equality Implications

7.1 Nil

8. Risk Management

8.1 Nil

9. Policy Implications and links to the Police and Crime Plan Priorities

9.1 The above are all examples of work surrounding Priority 2.

10. Changes in Legislation or other Legal Considerations

10.1 Nil

11. Details of outcome of consultation

11.1 Nil

12. Appendices

12.1 Nil

13. Background Papers (relevant for Police and Crime Panel Only)

- 13.1 Regional CJ – Business Case and Revised Business Case 2014
- 13.2 Archives and Exhibit Review, College of Policing June 2014
- 13.3 The ten Characteristics of Transforming Summary Justice.