

Surrey and Sussex Criminal Justice Partnership Meeting Minutes – Collaborative Session

10:10 -12:55hrs, Wednesday 6th June 2018
Surrey Police HQ, Schofield Room, Guildford

1. Welcome and Apologies – David Munro

David Munro (Host Chairman)	Surrey Police and Crime Commissioner	DM
Katy Bourne	Sussex Police and Crime Commissioner	KB
Jaswant Narwal	Chief Crown Prosecutor – CPS (Vice Chairman)	JN
Mark Streater	Office of the Sussex Police and Crime Commissioner	MSt
Craig Jones	Office of the Surrey Police and Crime Commissioner	CJ
Clive Davies	Surrey Police	CD
Sam Goolding	Surrey Police	SG
Tim Shaw	Surrey Police	TS
Cynthia Allen	KSS CRC	CA
Nick Pascoe	HM Prison and Probation Service	NP
Simon Nelson	Sussex Police	SN
Jayne Dando	Sussex Police	JD
Dave Manning	HM Courts & Tribunals Service	DMa
Debbie Cropanese	HM Courts and Tribunals	DC
Wendy Tattersall	Public Health England	WT
Mike Blower	Surrey County Council	MB
Helen Harrison	Surrey County Council	HH
Emily King	West Sussex County Council	EK
Rob McCauley	Legal Aid Agency	RM
Anne Elgeti	NHS England	AE
Sam Sanderson	Women in CJS – Project Manager	SS
Kate Payling	VEJ – Programme Manager	KP
Bruce Tippen	SSCJP Business Manager	BT
Lindsey Parris	SSCJP	LP
<u>Guest Speaker:</u>		
Nick Ephgrave	Chief Constable Surrey Police	NE
Apologies received from:		
<i>Alison Bolton</i>	<i>Office of the Surrey Police and Crime Commissioner</i>	<i>AB</i>
<i>Suki Binning</i>	<i>Seetec Group – Kent, Surrey & Sussex CRC</i>	<i>SB</i>
<i>Maralyn Smith</i>	<i>Victim Support</i>	<i>MS</i>
<i>Jo Player</i>	<i>Brighton & Hove City Council</i>	<i>JP</i>
<i>Tania Riedel</i>	<i>Sussex YOT's</i>	<i>TR</i>
<i>Rebecca Hills</i>	<i>Sussex Partnership NHS Foundation Trust</i>	<i>RH</i>
<i>Susanne Jarman</i>	<i>Citizens Advice – Witness Service</i>	<i>SJ</i>
<i>Ben Byrne</i>	<i>Surrey County Council</i>	<i>BB</i>
<i>Justine Armstrong-Smith</i>	<i>East Sussex County Council</i>	<i>JAS</i>
<i>Ian Whiteside</i>	<i>HMP Bronzefield</i>	<i>IW</i>
<i>Vicky Robinson</i>	<i>HMP Bronzefield</i>	<i>VR</i>
<i>Rodney Warren</i>	<i>Warrens Solicitors</i>	<i>RW</i>
<i>Samantha Allen</i>	<i>Sussex Partnership NHS Foundation Trust</i>	<i>SA</i>
<i>Sally Varah</i>	<i>Deputy Lord Lieutenant – Surrey</i>	<i>SV</i>
<i>Laurence Taylor</i>	<i>Sussex Police</i>	<i>LT</i>
<i>Nick Sloan</i>	<i>VEJ Programme Director</i>	<i>NS</i>
<i>Nev Kemp</i>	<i>Surrey Police</i>	<i>NK</i>
<i>Jane Macdougall</i>	<i>WMC Legal LLP</i>	<i>JM</i>
<i>Victoria Jeffries</i>	<i>HM Prison and Probation Service</i>	<i>VJ</i>
<i>Andrea Saunders</i>	<i>HM Prison and Probation Service</i>	<i>AS</i>

DM welcomed members to the collaborative session and noted it would be Tim Shaw's last SSCJP meeting. DM thanked TS for his input and contribution to the SSCJP meetings.

Declarations of Interest:

None received.

2. Minutes and Rolling Action Log from previous meeting 7th March 2018

JN requested an amendment to the notes on page 5 which should read the new Disclosure Group is led by Surrey Police Constable Nick Ephgrave and Co-Chaired with CPS.

Notes Amended.

The Action Log (separate document) was discussed and updated.

3. Performance Overview

BT reported high level performance is now presented in graphical form for both Surrey and Sussex. The graphs show a spread of performance over two years based upon our averages and using industry standard ranges to show variances. Where available national averages are also shown to demonstrate an additional comparator. So far we have been able to produce eight graphs for each area using or adapting information already supplied by partners. Further work is necessary to develop graphs for other desirable KPIs as agreed by the SSCJP. Additional graphs will be added when and if the information is made available. A pie chart has been produced to show the ratio of crimes prosecuted in Sussex to those diverted through Out-Of-Court-Disposals.

There are a number of variations that will result in exception reporting. This will be managed by the SSCJP Support Team and highlighted to members at the quarterly Board meetings. The graphs will also be made available to the sub-groups to assist with their work delivering their high-level action plans. Where available partners will bring additional performance information at sub-group level.

The upper and control limits (dashed line) show the variance we can normally expect due to natural changes over time which we cannot control (common cause variance).

A data point shows significant change if:

- It appears outside the upper or lower control limits
- There are 6 data points in a row increasing or decreasing
- There are 3 data points in a row near the control limit lines
- There are 8 data points in a row above or below average

Current performance for June 2018 shows:

- There are no current examples above or below the limits
- There is one example of a deteriorating trend of 6 points (offence to completion in Sussex)
- There are no current examples of three-in-a-row near the control lines
- No examples of eight-in-a-row – our data would need to grow beyond 2 years for this to occur

KB congratulated BT and LP on a good piece of work and added she thought the new performance charts were visually enhanced and much improved than the previous RAG status performance reports. KB requested the "legend" data on the performance charts should be the same for both Surrey and Sussex to help with comparisons between the two areas.

Action: LP to amend the "legend" data on the performance charts so they are the same for Surrey and Sussex.

EK and JN both suggested the SSCJP needs to be clear regarding what the aspirations and ambitions are in relation to performance. **Noted**

BT reported exceptions will be raised where there is significant disparity between local performance and other benchmarks where known. The SSCJP has not set targets but does benefit from comparison against national performance. An example of disparity currently exists in relation to offence to completion rates in Surrey (Magistrates Courts) but this gap is reducing. These graphs demonstrate that the same KPI for Sussex shows a deteriorating trend.

CJ asked if Surrey data was available in relation to the ratio of crimes prosecuted to those diverted through Out-Of-Court-Disposals.

BT reported once access is gained to the Surrey Police performance reporting tool this data will become available.

4. **CJS Efficiencies**

Video Enabled Justice (VEJ)

KP reported the London and South East (LASE) Video Enabled Justice (VEJ) programme is a collaboration across criminal justice partners in London, Sussex, Surrey and Kent to roll-out video technology to a wider range of participants within the Criminal Justice System.

A Local Implementation Team (LIT) has been introduced in Kent which is co-chaired between HMCTS and the LASE VEJ team.

The LASE VEJ programme is currently piloting a technology-based booking and video connection solution and business processes for the Overnight Remand Prisoners from Police Custody. The pilot is taking place in Kent (Medway Magistrates' Court and Kent Police custody sites) with ongoing testing, change and transition activities in preparation for the pilot release. Engagement will continue with stakeholders to ensure collaboration, awareness and involvement with the VEJ Programme.

The pilot will validate the design of process improvement using the GTL tool. The GTL tool has been commissioned initially for 18 months to support the coordination and booking of virtual remand court attendees between police custody and the court.

KP thanked KB (Project Sponsor) for her continued support and engagement with the project. MSt also wished to thank DC and JN for their support, engagement and their ambition for greater access to justice. The opportunities to expand the project are huge and engagement with the defence community is key to move things forward. The VEJ Programme Team are also working closely with Kent Prisons.

MSt reported the VEJ Programme would be looking to set up a Surrey and Sussex VEJ LIT in the very near future.

AE asked if there had been any engagement with the Liaison and Diversion Service.

DC reported the Deputy Justices Clerk who currently co-chairs the VEJ LIT is clear on the triage process and engagement with the Liaison and Diversion Service will be required.

DM asked if the project is on time and within budget.

MSt reported considerable progress had already been made but noted the project is funded by the Home Office so any delays with the project could result in the HO reclaiming some of the funding.

MSt extended an invitation to members to visit Kent to see a virtual court hearing once the pilot phase is up and running effectively.

KB reported a visit to HMP Wandsworth was also worth a visit to see their large virtual court conferencing facilities.

DM asked if all partners are on board with the project.

MSt reported once a Surrey and Sussex LIT is implemented engagement from local partners would be covered.

The SSCJP endorsed the ongoing work of the VEJ Programme.

5. **Supporting Victims and Witnesses**

RASSO – performance against objectives

JD reported within the RASSO Improvement Plan there were 3 components which are being reviewed and monitored:

- **To reduce delay of rape and serious sexual offences from initial file submission to trial**

Triage DI's are actively monitoring timeliness and chasing officers for resubmissions within the target dates set to reduce delays.

Delays have been incurred in police receiving CPS action plans, due to correspondence via the generic CJ email account. Action plans are now being copied to the OIC and DI direct. This will promote timely receipt of action plans and robust DI monitoring to ensure actions are expedited.

In Sussex there are currently 575 trials outstanding, a significant reduction compared to May 2017 which had 843 outstanding trials. In Surrey there are currently 371 outstanding trials, again a reduction compared to May 2017 which had in excess of 500 outstanding trials.

HMCTS confirmed that Judges have not been receiving advanced notification of the Disclosure Management Document to promote early direction to the defence re disclosure. HMCTS protocols for early submission have been revised.

Both Surrey and Sussex are listing RASSO cases for trial within 6 months of the PTPH. This is a fundamental improvement on timeliness whereby previously listings had a backlog of at least 12 to 18 months which often resulted in withdrawn support from prosecution witnesses.

There has been a significant reduction in ineffective cases listed for trial. In May 2018 Surrey had 9 trials listed 3 were ineffective due to unwell defendants and insufficient juror availability. Sussex had 13 trials listed 1 was ineffective, adjourned due to witness unavailability.

None resulted from prosecution failings.

- **Improve RASSO advice file quality**

The Triage DI'S for both Surrey and Sussex continue to triage all case-files submitted to the RASSO CPS Unit. Triage data continues to be captured. Tailored feedback continues to be provided to the investigators and the authorising officer as appropriate. Improvements in investigative standards and digital submissions continue. High profile disclosure failings, R v Allen et al have presented fresh challenges which has recently impacted upon the timeliness and quality of submissions due to a requirement for staff development and training with regards to digital media and disclosure.

Training on CPIA has been provided to Surrey and Sussex investigators. Disclosure seminars have been completed in both Surrey and Sussex. Disclosure supervisors' workshops and disclosure working groups have been completed and / or are in progress in Sussex. Disclosure improvement plans are progressing with allocated Disclosure Champions and SPOCS.

A Digital Media Strategy and a revised RASSO MG3 template incorporating information for the completion of the Disclosure Management Document (DMD) have been produced and cascaded to all Surrey and Sussex investigators, and added to the Forces Crime Library.

Guidance and direction has been provided to all Surrey and Sussex investigators re: the abolition of the 'merits based approach' - akin to always believing the complainant in the absence of undermining material and putting aside all doubts about the sufficiency of supporting evidence.

The above was never intended to replace the evidential test of a 'realistic prospect of conviction'. This has however dramatically reduced RASSO submissions to the CPS Unit due to decisions to file by police in line with the Crime Management Strategy.

To ensure trial opportunities are not missed SDCP Lisa Ramsarran and the triage DI will jointly provide direction to SIO'S on the full code evidential test.

Sussex Police have recruited a newly formed Sexual Offences Investigation Team (SOIT) under the leadership of D/Supt Carwyn Hughes. The team provides for 2 dedicated Detective Sergeants and 20 SOIT staff comprising of officers, police staff and external candidates. The SOIT are currently undergoing extensive training and attachments, and are expected to be fully deployable in September 2018. The SOIT will be managed by the RASSO Triage Detective Inspector.

As of June 2018, Kent police, CPS and HMCTS have been invited into the joint regional RASSO Improvement Plan to ensure a consistent and collaborative approach.

- **Improve conviction rate for RASSO offences**

Rolling Year to Date **Rape** Conviction Rate (May 2017 to April 2018) - Sussex **53.68%**, Surrey **60%**.

Rolling Year to date **Serious Sexual Offences** Conviction Rate May 2017 to April 2018 - Sussex **76.77%**, Surrey **83.9%**.

This shows a mild to moderate increase in conviction rates for Rape and Serious Sexual Offences in comparison to the previous year.

KB asked how we can improve the number of trials outstanding.

DC reported there are currently 688 trials outstanding, however, this is still a huge reduction in the number of outstanding trials from this time last year. Both Lewes and Guildford Crown Courts are sitting at their maximum capacity. There had also been success at Lewes CC in respect of clearing the number of older files (2 years or more) that were outstanding.

DC added that nationally there is plan to cut the number of Crown Court sitting days across the country but she felt confident this would not affect the number of Crown Court sittings days in Surrey or Sussex.

DMA reported Lewes Crown Court is a 10 courtroom centre with a healthy caseload and added good progress had been made with the effective and ineffective trial rate.

KB asked if there was anything she could do as the Sussex Police and Crime Commissioner to assist by perhaps speaking to the Justice Minister.

DMA reported there are no plans to close either Lewes or Guildford Crown Courts but agreed to discuss this matter with KB outside the meeting.

JN reported the RASSO caseload in the South East is the second highest in the country. The number of contested cases are high and the percentage of cases of a sexual nature are higher than any other type of case. More cases of a sexual nature are coming through from Sussex than either Surrey or Kent.

JN raised concern that no cases have been coming through recently for charging. There would normally be up to 25 cases a week coming through for charging and she wondered if the recent disclosure issue could be the cause. She was also concerned about the potential bottle neck of cases coming through to CPS.

TS confirmed no cases have been sent through to CPS in the last 3 – 4 weeks and added the Surrey DI had recently rejected 40 cases. However these issues are being addressed.

KB asked for information regarding the number of RASSO cases in the court lists and timeliness data for RASSO cases. DM agreed that this should be a joint action for the RASSO teams to take forward and to provide an update on progress at the next meeting.

Action: JD to note and progress with partners in the Joint RASSO Action Plan.

6. Reducing Re-Offending

Surrey and Sussex Checkpoint

CD reported he had briefed members about Surrey Checkpoint at the last SSCJP meeting but since the last meeting there had been some changes.

AQ reported Surrey will include a Checkpoint Plus element to the scheme. Checkpoint Plus will include offenders with Multiple Disadvantage. This cohort of offenders will have an enhanced eligibility criteria including accepting offenders with numerous previous convictions. The cohort will initially consist of Women offenders, Women domestic abuse offenders and Care Leavers. These cases will go before a multi-agency panel who decided on the most appropriate outcome, community resolution, conditional caution or charge.

AQ added eligibility for Checkpoint Plus will now include Knife Crime, Harassment and Hate Crime offences and asked for all partners, particularly CPS and Courts to note this aspect.

The schemes interventions will be a mixture of those delivered by the Navigator and local providers. Navigators will be trained in Restorative Justice as well as other interventions. There will be specialist navigators, navigators from the Women's Support Centre, the Care-leavers team and from mental health. Interventions will also be delivered by other statutory authorities, local charities, offender pays schemes and it may include reparation in the local community. The engagement of partner agencies and being able to refer offenders to statutory and third sector support is crucial to the scheme. A directory is being compiled of agencies who can provide these interventions at county and borough level.

SN reported Sussex Police have held positive meetings with Surrey Police colleagues regarding the Checkpoint Scheme. Sussex Police are currently reviewing their case management system, looking at how many diversionary services are available in Sussex and reviewing staffing levels to administer the scheme. Discussions remain ongoing with an ambition to submit a business case for additional support.

SN added a new Reducing Re-Offending Inspector is now in post and they will be taking this work forward.

JN asked if the DPP's authority had been obtained to take forward deferred prosecutions and conditional cautions.

Action: JN and CD to discuss if the DPP's authority had been obtained to take forward deferred prosecutions and conditional cautions.

DM reported he was excited about this piece of work and looked forward to seeing this work progress in Surrey.

BT noted the recent “Lammy” recommendation that government explore greater use of a deferred prosecutions model in which someone accused of committing low or medium level crime is given an opportunity to complete specified conditions where there had been an admission of guilt. This could address some disproportionately for BAME individuals being less likely to admit guilt (which may indicate a lack of trust in the justice system) and thus ending up with more punitive outcomes in court.

JN reported Out of Court Disposals are being reviewed nationally and the SSCJP should be mindful of any recommendations going forward. **Noted**

Youth Justice

MB reported the main intervention had been the Youth Restorative Intervention (YRI) which is an out of court disposal with no criminal record or entry into the criminal justice system. Over the last 6 years the benefits of the YRI has seen:

- Victim Satisfaction has improved
- Overall youth crime has reduced
- Re-Offending has reduced from 35-45% to 25%
- Financial savings - £3 for every pound spent

In 2007/08 1,499 youths were arrested in 2016/17 116 youths were arrested resulting in a 92% reduction which is the lowest in England and Wales.

Custodial sentences have reduced from 20 in 2010/11 to 9 in 2016/17.

MB added the impact on the adult system from 2011 – 2016 saw a 52% reduction in the number of 18 – 23 years olds charged and 29% reduction in the proportion of all adults charged aged 18 – 23 years old.

KB asked how long the young person is tracked to see if they re-offend.

MB reported a young person would be tracked for one year but once they enter the adult world tracking will cease.

DM reported he was surprised the excellent work regarding the Youth Restorative Intervention scheme was not advertised more widely.

MB reported the good work carried out regarding the YRI scheme should provide confidence into the adult world.

BT suggested that the September SSCJP meeting should focus on reducing re-offending.

Agreed

7. Women’s Justice – Triage and Diversion (Steps to Change)

SS updated members on the objectives and progress of Triage and Diversion (Steps to Change) project (Year 1). The project focuses on three core areas of the Criminal Justice System and impact on women offenders’ namely initial point of contact (arrest, voluntary attendance or community resolution) post charge and post release over a three year period from March 2017 – March 2020. There have been 5 referrals through to date.

- To establish a pan Sussex Women’s Triage and Diversionary (T&D) project (focus on low-level offending) from current custody suites and incorporating Out Of Court Disposals (OOCDD) and Voluntary Attendance Suites (VAS). Therefore reducing the number of women going to court.
- To centralise and establish a countywide data resource of key existing/new partners, voluntary and the community sector allowing us to target and support more women in the Criminal Justice System and prevent further women with complex needs from entering it.
- To build upon new innovative partnerships and to revisit existing partner arrangements to focus on improved outcomes and preventative work. All contracts to ensure that a cost benefit analysis is completed to ensure best value and quality is delivered to the public purse as well as to each individual women offender. Thus reducing women’s reoffending rates and women going to prison on shorter sentences.
- To promote service delivery and enhance communication amongst women’s prisons and community integration teams. To set up a mentoring system to bridge the link between custody and community. To target support for complex and vulnerable women offenders more effectively and reduce recall rates.
- To understand TV licence enforcement action across Sussex and impact on women and to work with BBC to provide recommendations.

SS drew the Boards' attention to the recommendations for Year 1 and with their support will progress with partners over the next quarter.

BT asked the Board to note the recommendations and raise any exceptions or red lines with SS.

The recommendations were supported – no red lines.

8. **Prison Healthcare – National Partnership Agreement**

WT reported five partners (MoJ, HMPPS, Department of Health & Social Care, PHE and NHSE) had signed a National Partnership Agreement for Prison Healthcare in England 2018 - 2021. The agreement sets out:

- The defined roles of the five partners
- Commitment to working together and sharing accountability for delivery through linked governance structures
- Core objectives and priorities for 2018-21 and a link to work plans that provide details of the activities to deliver priorities
- Working together to improve data and evidence to understand the health needs of prisoners and the quality of health services delivered to people in prison.

The shared objectives of national partners are:

- To improve health and wellbeing of people in contact with the criminal justice system and reduce health inequalities
- To reduce reoffending and support rehabilitation by addressing health related drivers of offending behaviour
- To support access to and continuity of care across health and justice care pathways

NP reported prisoners have high expectations, in that, they expect to see a doctor on the same day, the prison population is getting older, the number of Sex Offenders is increasing and the volume and use of drug taking within the prison is also increasing which in turn increases demand on NHS services with the prisons.

NP added prisons are continually managing drug maintenance and treatment programmes which is becoming a real issue and concern as over fifty percent of the prison population are taking some form of drugs.

AE reported NHSE are currently reviewing Healthcare into Prisons and are working closely with all the prisons. There will be a re-procurement of healthcare in HMP Lewes, Ford and some Surrey prisons. NHSE are also looking at discharges to ensure prisoners are released safely. There is a focus on transfer of information through PECS and into the community.

WT added that effective working between prisons, NPS and CRC is crucial upon release.

SS reported some partners dealing with Prison to Community Healthcare are having difficulty gaining access into some Surrey/Sussex prisons.

Action: SS to send information to AE/WT regarding the issue of partners not being able to gain access into Surrey/Sussex prisons.

CA asked what does the National Partnership Agreement offer against previous processes.

WT reported it will build upon the work of previous processes.

BT reported this strand of work would assist with continuity of the healthcare action being prepared by the Reducing Re-Offending Groups going forward.

CJ reported it is vital that NHS colleagues attend future Reducing Re-Offending Group meetings. **Noted**

DM reported he was surprised in terms of the shared objectives of partners that drug and alcohol issues was not rated as the number one objective.

WT reported Kent, Surrey and Sussex have one of the best drug and alcohol services in prisons.

9. **Partner Updates**

Deferred until the next meeting.

10. **Disclosure**

DM warmly introduced guest speaker Surrey Chief Constable Nick Ephgrave.

NE thanked the SSCJP for inviting him to talk about Disclosure and added it was a pleasure to attend the SSCJP again as he was the former Chairman of the Surrey Criminal Justice Partnership.

NE reported he is the National Police Chief Council lead for Disclosure and Chairman of the Criminal Justice Coordination Committee.

NE reported within the HMCPSI/HMICFRS and Mouncher Investigation reports a total of 26 recommendations were made identifying a number of themes which included training and accreditation, closer liaison and better information sharing between the CPS and the police, greater accountability, the handling of third party material and the adoption and use of a better digital case management system. The reports also identified challenges involving disclosure concerning digital technology including social media.

Work has taken place within the CPS and the police service to address these recommendations but it is clear there is still more to achieve.

A Joint National Disclosure Improvement Plan sets out the further work needed to address the recommendations as well as to identify and prepare for future challenges. It does so under five themes: Capacity, Capability, Leadership, Governance and Partnership. It is a joint plan owned by the police service, the Crown Prosecution Service and the College of Policing and will succeed with senior leaders in all organisations adopting it and supporting its implementation.

Capacity

Across the criminal justice system resources have been stretched as the nature of the crimes we investigate and prosecute continues to evolve. The intentions of the statutory disclosure scheme remain the same; principally, to assist the defence in the timely preparation and presentation of its case, and to enable the court to focus on all the important issues in the trial. But while the principles remain unaltered, the working practices of the police service and Crown Prosecution Service have had to respond to significant developments. There has been an explosion in the volume of digital material created in criminal investigations, with greater strain being placed on the capacity for CPS lawyers and individual officers to consider disclosure.

There is a significant resource implication to be considered concerning digital media collected during an investigation, which is invariably complicated due to the sophistication of mobile devices and the extremely large amount of data that requires capturing, analysing, reviewing and disclosing where appropriate.

Investigating officers are required to pursue all reasonable lines of inquiry, whether to exonerate or inculcate suspects, under the Code of Practice issued under the CPIA 1996. This will often include obtaining and analysing communication data originating from devices belonging to the complainant, the suspect and, on occasion, third parties.

Prosecutors should be alert to the critical importance of such evidence. Where such lines of inquiry have not been undertaken prosecutors should advise the police to pursue them.

There is a further significant resource implication in the capturing of third party material which also requires examining and disclosing where appropriate, particularly in the historical crime investigations which have increased dramatically over recent years.

There is great potential for the use of more advanced technologies in this area. We have identified areas where technology could help the disclosure process in providing advanced search tools, improved document and process management, content analysis and actually assessing the relevance of material.

Capacity

It is apparent from both the HMCPSI/HMICFRS and Mouncher Investigation reports that there is a lack of understanding concerning disclosure responsibilities within the police service and that, in volume Crown Court cases, prosecutors sometimes fail to challenge poor quality schedules and in turn provide little or no input to the police.

The CPIA clearly states that the duty to disclose information rests with the officer in the case or a designated disclosure officer. It is therefore imperative that all officers and police staff involved in investigations have a good working knowledge of the disclosure rules.

Disclosure issues need to be considered as an integral part of all investigations, rather than an additional responsibility added on at the end when preparing a prosecution file. It is recognised that the current training delivered is not successfully providing the appropriate learning outcomes for large sections of the police service.

The process by which disclosure is quality assured in the CPS has been reviewed to ensure that prosecutors positively engage with officers regarding issues relating to unused material at the charging stage of all cases. Both services need to learn from the significant reforms that have taken place in the most complex investigations.

Leadership

Examples of excellent leadership in relation to disclosure matters are apparent in many areas in England and Wales, although we recognise that this is not consistent throughout the whole of the CPS and police service.

Matters relating to disclosure have not generally been given the national profile or importance they merit on all levels of casework. We have started to redress this balance through the National Police Disclosure Working Group and its panel of disclosure experts, NPCC policing leads and CPS Disclosure Champions.

Governance

It is recognised that nationally, very little joint governance between the CPS and police regarding disclosure is currently in place.

A mechanism needs to be implemented to review and monitor performance and to enable the sharing of learning throughout the police and CPS. Performance, compliance and quality must be monitored in order to identify both good practice and areas for improvement across the full range of casework.

Partnership

The disclosure legislation and the issues that have been highlighted in recent failed cases and the various inspection reports highlight the need for a joint approach and close working between the police and CPS.

Action must be taken by the Police, the CPS and also by partners throughout the criminal justice system, in particular the defence community, to ensure the effective implementation of proposed measures designed to tackle the current challenges.

To assist in the management of the large amount of data that is now recovered in all levels of investigations, assistance and technical expertise should be sought from external providers as well as colleagues with the relevant technical knowledge.

NE reported he and JN Co-Chair the Kent, Surrey and Sussex Disclosure Board which will focus on implementing the work identified in the Joint National Disclosure Improvement Plan.

JN asked members commit and sponsor the SSCJP Disclosure Event scheduled for October 2018. **Noted**

NE reported the Joint National Disclosure Improvement Plan has been received favourably by the Judiciary.

KB asked if any Surrey and Sussex cases had been re-reviewed following the recent publicity around disclosure.

NE reported 47 cases have been identified with disclosure failures but none were Surrey or Sussex cases.

KB asked if older cases would be re-visited.

NE responded that the focus is on cases currently in the system and future cases.

DM thank NE for attending the SSCJP meeting and updating members of Disclosure matters.

11. AOB

None

Close

DM thanked members for their time and input during the meeting.

Next Meeting:

Wednesday 5th September 2018 – OSPCC, Sackville House, Lewes