



Better Case Management (BCM) Newsletter

September 2015

Issue 1

Welcome to the first in a series of regular newsletters which will keep you updated on the implementation of Better Case Management (BCM).

BCM Principles

- BCM builds on the success of Transforming Summary Justice (TSJ).
- It links key complementary initiatives.
- These initiatives will improve the way cases proceed through the CJ system.
- One of the key BCM initiatives is a uniform national Early Guilty Plea (EGP) scheme.

The **10 key principles** of this initiative are:

1. A single national process
2. Getting it right first time
3. Identifiable person responsible for the case
4. Serving material on a proportionate basis
5. Duty of direct engagement
6. Fewer hearings
7. Hearings will be effective
8. Consistent judicial case management
9. Compliance
10. Digital working

Governance

The National Implementation Team (the NIT!) provides strategic oversight. Local Implementation Teams (LITs) for each Circuit will provide local oversight and are being set up under the following judicial leads:

Circuit	Judicial Leads
London	HHJ Hilliard QC supported by HHJ Kinch QC
Midlands	HHJ Dean QC
North East	HHJ Collier QC
Northern	HHJ Goldstone QC
South East	HHJ Holt supported by HHJ Cutts QC
Wales	HHJ Rees
Western	HHJ Ford QC

Where necessary the Circuit LITs will establish “Local LITs” at individual Crown Courts, chaired by the Resident Judge, reporting to the Circuit LITs and with the Judicial Lead ensuring consistency across the Circuit.

Phased Implementation

There will be an phased implementation of BCM, the key dates are:

October 5 2015

The Criminal Procedure Rules and Case Management Practice Direction come into force.

5 October and 9 November 2015

“Early adopter” courts (Isleworth, Leeds, Leicester, Liverpool, Merthyr, Portsmouth, Reading and Woolwich) will start operating BCM for new cases. These early adopters will be able to refine the detail of the scheme, test out the new Plea and Trial Preparation Hearing (PTPH) form, and ensure compatibility with the Crown Court Digital Case System (formerly CaseLines). For cases sent prior to the commencement date courts will continue with their current listing patterns.

5 January 2016

All courts will start operating BCM. Up to that date they will continue with their current listing pattern of Preliminary Hearing and PCMHs., using the existing Plea and Case Management Hearing form - March 2013 edition.

Non early adopters will be expected to apply BCM principles before the official start date (5 January 2015) in that:

- The prosecution and defence will seek to identify case owners who will engage with each other at the earliest opportunity – if not in the magistrates’ court then hopefully at the Preliminary Hearing;
- Guilty pleas will be agreed or issues identified in Not Guilty cases to allow for meaningful, specific, achievable directions to be made;
- Lots of interim “mentions” will be avoided before an effective trial.

The commencement date means that BCM applies to all cases ALLOCATED and SENT to the Crown Court after that date. However this phased implementation will not address the “bulge” in managing both the old system whereby the review and decisions often take place near to or at the trial date and the new BCM system where such work is done at the outset. Therefore there will be an Expedited Case Management initiative (the “Blitz”) at **all** Crown Courts from October to December.

The Blitz will:

- target approximately 11000 cases set down for trial in four offences categories (assault, theft , fraud and drug offences) which statistically are shown most likely to be resolved
- involve CPS Crown Advocates undertaking a critical assessment of these cases to determine:
 - if they should still proceed to trial (with further work being identified and undertaken to strengthen the case);
 - be discontinued; or
 - the strength of the evidence allows for an early resolution (possibly through guilty plea), including bringing forward trial dates
- involve HMCTS listing additional case management hearings, where necessary.

Digital Case System (formerly CaseLines)

- BCM needs to operate digitally. It is crucial that it works together with the Digital Case System (DCS).
- DCS is the Crown Court digital case system which has been piloted at Leeds and Southwark Crown Courts.
- It provides a web-based digital Crown Court file which can be accessed by the judiciary, defence and prosecution in court.
- It requires Wi-Fi in the court building and for participants to have a modern browser on their computer.

Next steps

- CPS training of their staff starts this month,
- The LITs and the Blitz will start in the coming weeks.

I hope that everyone will engage in both positively. I will update you on progress through my next newsletter shortly.

Lord Justice Gross

Senior Presiding Judge for England and Wales

Further Information

More information on BCM can be found at Judiciary.gov.uk or you can view a [video of a BCM road show](#) online.