

Employment and Skills within the Justice sector in Northern Ireland



Workforce needs, skills priorities and scenarios

Executive Summary

Skills for Justice | May 2010

Foreword

The Justice and Community Safety sector is part of the bedrock of our society. It is vital to public safety, social cohesion, economic recovery and growth; the skills of its workforce are the key to delivering a range of social and economic priorities. Skills for Justice is proud to be working with employers from across the sector and in all four nations of the UK to help them ensure they have the right people with the right skills to deliver these essential services.

This report sets out a picture of what is a highly complex sector. It reviews the state of the workforce, looks at the main drivers of change and offers some alternative scenarios for the next 5-10 years. It assesses some of the challenges ahead and the skills the workforce will need now and in the future. Finally it puts forward proposals for action – by Skills for Justice, by employers and by Governments – which will help ensure a Justice sector that is fit for the 21st century.

I am clear that while the report paints a picture, its real importance is as a stimulus to focused debate and to targeted action. I look forward to working with employers in the sector and with partners in Government across the UK on this agenda.

Alan Woods OBE

Chief Executive Officer
Skills for Justice

Summary

Skills for Justice is the Sector Skills Council covering all employers, employees and volunteers working to provide a range of essential public services in the UK Justice and Community Safety sector.

This report reviews the state of the workforce, the main drivers of change and future skills priorities in the sector, and provides a set of workforce projections and a small number of alternative scenarios for the sector for the next 5-10 years. The labour market information presented in the report draws upon national datasets as far as possible, but it also incorporates research and information generated by Skills for Justice. The main focus of the report is the Northern Ireland Justice sector as a whole, however, information from other parts of the UK has been included wherever relevant, bearing in mind that relevant data relating to Northern Ireland is sometimes seriously limited.

The administration of the skills system is devolved to the Northern Ireland Assembly, whereas the Northern Ireland Office, managed directly from Westminster, has responsibility for Northern Ireland's constitutional and security issues, in particular, law and order, political affairs, Policing and criminal justice. There will be significant challenges in the coming year for the sector in Northern Ireland following the devolution of Policing and Justice powers to the Northern Ireland Assembly.

The UK Justice sector, as represented in our current footprint, employs nearly 580,000 people, approximately 2% of the UK workforce, and is responsible for just over 5% of public spending annually. It is made up of several strands according to their main functions. The largest strand by far is Policing and Law Enforcement, which incorporates more than half of the total workforce in the sector, followed by the Community Justice, Custodial Care and Fire and Rescue Services strands employing between 12-13% of the workforce each (10-11% in Northern Ireland). Smaller strands (each representing 1-4% of the UK workforce or 2-4% of the Northern Ireland workforce) are Courts and Tribunal Services, Prosecution Services and Forensic Science.¹ Some of these employers across the strands also include members of the children and young people's workforce.

Sources of official, published data relating to the Northern Ireland Justice sector are less comprehensive than for the UK as a whole, reflecting the smaller size of the sector in Northern Ireland and the consequent sample size restrictions and confidentiality issues this implies. This problem has been recognised by the Department of Employment and Learning in Northern Ireland, who have funded additional research by Skills for Justice, specific to Northern Ireland, in 2006-07 and again in 2009. This research is used within this report to supplement and to compare to published data sources.

Current published data (LFS 2008-9) indicates that the Northern Ireland Justice sector employs 13,374 people. Given that the Police Service Northern Ireland alone currently employs 11,126 people, this is clearly an underestimate. In 2006-07 Northern Ireland sector data* indicated that employment was approximately 18,400, but this excluded the majority of voluntary and community sector employment. An indicative estimate at that stage, based on UK wide experience, suggested total Northern Ireland Justice sector employment of approximately 21,100 jobs.

¹ Fire and Rescue Services became part of Skills for Justice's footprint in April 2009. In addition, work has just begun to gradually expand our role in the Legal Services sector, however, Legal Services are beyond the scope of the present report altogether.

The main contribution of the sector is ensuring a safe society, which is an essential prerequisite to the wellbeing of its members, and equally to a stable and well-performing economy (this is vital for attracting and retaining business activity). It is therefore important that national, regional and local skills priorities consider and reflect the needs and aspirations of Justice sector employers side by side with those of employers in high potential growth areas such as advanced manufacturing.

The performance of the sector is subject to a high level of public scrutiny and measures of success are defined in a broad variety of ways such as recorded crime rates, performance indicators of service delivery, perceptions of safety among the public, promoting community safety, cost per prisoner and escape rate from prison.^{2,3}

Despite the availability of diverse measures, it is not a simple task to make a summary judgement as to how successful the sector overall is. The existing evidence suggests that by and large employers in the sector successfully meet the demands placed upon them, even though they have faced many serious challenges over the past

decade. One example is the need to increase diversity and ensure equality within the workforce as well as among service users.

The profile of the Northern Ireland workforce in the sector suggests a pattern of stable employment: the overwhelming majority of the workforce consists of employees on a permanent contract (98%), and the majority work in full time jobs (89%). Approximately 37% of the workforce is female (ten percentage points lower than in the whole Northern Ireland economy), but significant differences exist between strands: for example in the Policing and Law Enforcement and the Custodial Care strands just over a third of the workforce is female, whereas in Courts and Tribunal Services and Community Justice their proportion is at least two-thirds.

The proportionate representation of the different religious communities is a significant issue for employers in Northern Ireland. A statutory equality duty is placed on the public sector, requiring them to promote equality of opportunity and good community relations in every aspect of their work. This was brought into effect by Section 75 of the Northern Ireland Act 1998.

The 2001 Census showed that 43% of the population in Northern Ireland described themselves as being brought up in a community background which was Catholic, whilst 57% stated they were brought up in a Protestant community background. Research carried out by Skills for Justice in 2009* showed that some parts of the sector, for example the Probation Board for Northern Ireland and the Court Service of Northern Ireland do reflect the communities they serve, this is more of a problem for Policing and Northern Ireland Prison Service. The PSNI have operated 50:50 recruitment provisions since 2001, raising the Catholic representation within PSNI from 8.3% to 22% (with over 25% for Police Officers). The PSNI have a target of 30% representation to be met by 2011-2012.⁴

Less than 1% of the workforce is from minority ethnic backgrounds (around one percentage point lower than their share in the whole Northern Ireland economy), therefore the workforce represents the communities it serves.

²The Northern Ireland Policing Board and the Police Service of Northern Ireland, Policing Plan 2008-11 http://www.psnipolice.uk/policing_plan_2008.pdf

³Northern Ireland Prison Service (2009). Blueprint: Corporate Plan 2009/12 and Business Plan 2009/10. <http://www.niprisonservice.gov.uk/module.cfm/opt/5/area/Publications/page/publications/archive/false/download/true/id/404>

⁴NEquality Commission Annual Report 2007-08, page 50

The sector employs a considerably lower proportion of young people between the ages of 16-24 than the Northern Ireland economy (6%, compared with 14%). This reflects the minimum age requirement of 18 for most roles, the tendency of the sector to look for candidates with life experience, and the recruitment freezes for some organisations in recent years. However, the age composition of the workforce requires monitoring as an aging workforce might lead to loss of skills and experience in the medium to longer term, and may also make it more difficult for the sector to engage with young service users.

Workforce projections freshly updated for Skills for Justice for the period 2010-2020⁵ forecast a modest overall decrease (just under 6%) in total employment in the UK Justice sector. The fall is expected to be lowest in the area of justice and judicial activities, and highest in fire service activities. At the same time, the proportion of female employees is projected to increase slightly in all three activity areas; this will be the most pronounced (approximately 2.7%) in public security and law and order activities such as Policing. This also means that the expected fall will be seen mostly in the employment of men.

The current level of qualifications across the workforce of the sector broadly reflects on the one hand, the occupational structure of the workforce, which is dominated by occupations in the associate professional and technical major group such as Police Officers and Prison Service Officers⁶, and on the other, prevalent recruitment and training practices in large parts of the sector which is based on operating competence-based selection and training systems specific to the occupation without requiring a minimum level of formal qualifications.

Internal skill gaps present a greater challenge in the sector than hard to fill vacancies. The rate of hard to fill vacancies is considerably lower than across the whole economy, and the number of those due to skills shortages among these vacancies is very modest. In contrast, the extent of internal skills gaps is by and large similar to that in the workforce of the wider economy and appears to be more prevalent amongst managers and senior officials, but even more amongst administrative and secretarial staff than other occupational groups.

In addition to the technical and practical and customer handling skills highlighted by national surveys, the analysis undertaken as part of the recent Sector Skills Agreement process identified skills needs in management and leadership skills, skills in inter-agency working, ICT and in the area of equality and diversity. A recent survey undertaken by Skills for Justice amongst third sector employers in the Justice sector⁷ revealed a wide range of skills needs across the board, but more pronounced among volunteers.

The main drivers of current and future skills needs of the sector in Northern Ireland relate to the particular political and social context of the province, as well as to the domestic policy agenda and the internal trends of the UK public sector.

⁵ Wilson, R. (2010) Update of Working Futures for Skills for Justice, Stage 2: Employment Projections.

⁶ The share of this major group among occupations in the sector is 53% as opposed to 15% in the whole economy.

⁷ Skills for Justice (2009) Skills in the Justice sector: A survey of third sector employers 2009.

The Belfast Agreement was reached on Friday, April 10 1998. It set out a plan for devolved Government in Northern Ireland on a stable and inclusive basis and provided for the creation of Human Rights and Equality Commissions, the early release of terrorist prisoners, the decommissioning of paramilitary weapons and far-reaching reforms of criminal justice and Policing. Since the signing of the Agreement, society in Northern Ireland has changed and radical changes have taken place in Policing, security and criminal justice.

The Northern Ireland Assembly was established as part of the Belfast Agreement and elected on the 26 November 2003. Within the context of the Agreement, the criminal justice system in Northern Ireland underwent a major review. The review addressed the need for the criminal justice system to have the confidence of all parts of the community, whilst being fair and impartial, and sought to address issues of:

- increasing transparency and openness and enhancing public accountability and understanding
- increasing responsiveness to the concerns of the community and encouraging community involvement, where appropriate

- effectiveness in reducing crime and the fear of crime and looking at ways of improving the experience of victims
- introducing a strategy for equality monitoring in the criminal justice system.

Rights and equality: at the heart of the Agreement is a desire to protect human rights and promote equality. The Agreement paved the way for the creation of both the Equality Commission (sponsored by the Office of the First and Deputy First Minister) and the Human Rights Commission. These bodies were established under the Northern Ireland Act 1998 and came into existence the following year.

The Agreement also recommended the establishment of a statutory equality duty placed on the public sector, requiring them to promote equality of opportunity and good community relations in every aspect of their work. This was brought into effect by Section 75 of the Northern Ireland Act 1998.

The Belfast Agreement acknowledged the needs of the victims and survivors of the Troubles and accepted the need to address their suffering as an essential element of reconciliation. Addressing these needs is a top priority for the Government and

more than £20 million has been invested in victims' initiatives.

The particular position of the Justice sector across the UK makes factors such as legislation and the regulatory powers of the state inextricably part of the Justice sector's closer, 'transactional', context, and also means that many of the wider societal, economic and technological drivers are translated to the sector through government policies and priorities. Research undertaken for Skills for Justice towards the end of 2009⁸ identified a range of new and on-going influential drivers of change in the following broad categories:

- **policy and legislative changes**, as outlined above, have had a profound impact on the administration of justice in Northern Ireland
- **economic circumstances**, the most important of which is an anticipated budget freeze or reductions for many Justice sector employers in the coming years, as well as a possible increase in acquisitive crime (e.g. burglary and theft) in those areas most severely affected by the recent recession

⁸ Institute for Employment Studies (2009) Skills Priorities and Scenarios in the Justice sector.

- **social and demographic trends**, such as an aging workforce and service user groups (including victims, witnesses and offenders), and the continuing need to engage with young people. Also a range of other diverse but equally pressing issues, for example the prevalence of people with mental health problems in the justice system or on-going concerns about serious organised crime and terrorism
- **inter-agency working** is an on-going priority within the sector, which means closer integration in a variety of ways, for instance information and data sharing and sharing of knowledge and experience, as well as the smooth co-operation between public, private and third sector providers
- **other organisational and technological issues** such as the workforce modernisation agenda underway in the public sector, its potential industrial relations implications, as well as preparation for the implementation of the Equality Bill, and the on-going need to adopt existing and improving technologies at a fast rate

- **environmental concerns**, particularly environmental change, which impact most directly upon the capacity of Fire and Rescue Services to respond to emergencies, but also in terms of sustainable targets set for the public sector which continue to place demands upon the sector across the board.

Three basic scenarios have been built for the Justice sector for the next 5-10 years on the basis of the identified drivers of change. It is important to remember that scenarios are not forecasts or predictions. Rather, they are alternative but plausible, relevant, and challenging versions of the future, which can be used as a framework for thinking about the different ways in which the future might unfold and what strategies the sector might adopt in case of shifts in the Justice sector landscape. In reality, the future is likely to contain elements from these scenarios and yet other, unforeseen, factors.

The scenarios are:

- **joined up justice** – in which the overarching concept is effectiveness through joined up working between the Justice sector and other organisations
- **essential justice** – where the keyword is ‘frugality’, and maintaining essential services in focus

- **traditional justice** – with an emphasis on ‘toughness’ and a shift to operation.

A number of strategic actions emerge from the scenarios, some of which are more relevant to one scenario or another. Some of these actions are more directly related to the workforce and its skills while others are primarily initial considerations for sector employers and stakeholders to consider should the situation require. In these cases Skills for Justice’s main role will be in developing a response for any skills implications. The strategic actions touch upon a number of areas already identified in the Sector Skills Agreements as in need of skills development, demonstrating that some skills needs are acute and on-going in the sector.

Some of the key strategic actions are:

- mapping the ‘journeys’ of offenders, victims and possibly also witnesses
- to highlight areas for better co-ordination and co-operation to provide a seamless experience for service users, and to map these across to the roles and skills requirements in different Justice sector roles
- improving knowledge management and the sharing of best practice

- promoting cultural change and tackling ‘silo mentalities’ across organisations at all levels
- developing clear entry routes and opportunities to increase lateral career progression across the sector
- promoting better leadership and the creation of cross-sector leaders who could challenge entrenched strand-focused perspectives
- further developing para-professional qualifications with appropriate knowledge and practical skills content to enhance use of cheaper staffing resources
- devolving many managerial, decision-making and supervisory responsibilities as part of the drive for affordability
- improving HR and management monitoring systems for monitoring operational effectiveness and professional standards.
- recruitment and development of staff (involving a whole range of skills) from groups under-represented across the sector and at senior and management grades
- better management and leadership skills, particularly for managing professionals and self-management, as well as decision-making skills for lower grade staff
- performance management skills to deal with performance targets, indicators and other accountability issues
- greater cost-consciousness and commercial acumen, alongside improved procurement and commissioning skills across the sector (and an understanding of developmental commissioning)
- good all round communications skills and public relations skills
- greater cross-agency knowledge, research skills and ICT skills
- process improvement skills throughout the workforce to ensure better information flow and co-ordination between agencies
- further appropriate para-professional qualifications according to employer need.

Some skills priorities emerging from the drivers of change and resulting scenarios are:

- expertise in working with specific categories of people who may present specific challenges or require specialist knowledge

Some key areas for further action for Skills for Justice, employers in the sector and Government include:

- the continuing trend of engaging private and third sector organisations in the delivery of justice should be supported by **actions to encourage effective performance** such as support for joint training through employer networks/ clusters, recognition of the need to factor in support for training and management of volunteers through commissioning, support for third sector organisations to access public funding for training and to come together to increase capacity (e.g. through ‘sharing’ an apprentice, or developing joint purchasing power with providers). This will require joint action by Government, commissioners of justice services and employers. We will work with all interested parties to ensure that the support needed is available
- we are already active in our **support for the third sector** (leading work across the Alliance) and are developing a strategy, based on new research, for improving our offer to third sector employers

- Government needs to maintain and increase the movement towards **a more employer driven skills system**, particularly in encouraging employers to focus on, and invest in, areas of their workforce which might otherwise have taken a back seat because of the pressure to target resources on front line delivery. This is particularly important in supporting workforce modernisation and ensuring tasks are effectively devolved as far as possible
- commissioning bodies need to invest in the provision of improved **procurement and commissioning** skills (and an understanding of developmental commissioning) at national and local level to maintain standards and secure effective and sustainable delivery. This should be complemented by skills in tendering and securing funding, particularly for third sector employers
- the diversity issues must be a continued focus for joint action by governments, other stakeholders, employers as well as Skills for Justice. Apprenticeships are one route to encouraging diversity, but we would like to see a range of creative and flexible approaches to supporting employers in their work. In particular we would like to see Government investment in **initiatives aimed at improving workforce diversity**, such as a continuation of the Women and Work initiative which is already having an impact on the confidence and progression of women in the sector
- we recognise the importance of **engaging young people** to enter the workforce, and we have seen positive engagement from Justice sector employers to work alongside learning providers to design and co-deliver relevant pre-employment learning and qualifications. We wish to see continued Government commitment to the development and promotion of these qualifications, including ensuring that Higher and Further Education institutions recognise them as acceptable entry qualifications
- effective **inter-agency working** is a key issue for the sector. We will continue to work with employers and partners in Government to identify those areas where working together is essential for delivery – for example mental health, witness care, public protection – and we will explore the skills issues in order to develop and implement
- Justice sector employers need to continue their high level of investment in the competence of their workforces, to ensure that skills, knowledge and understanding keep pace with changing policy and practice. **Learning and training must be high quality and fit for purpose** in order to maximise the return from that investment, particularly at a time of financial constraint. To ensure this, Government needs to direct public funding for learning and qualifications towards that which meets the priority needs of employers. We need to continue to work with employers to identify their skills needs and priorities and articulate them to learning providers and funders. We also need to exert influence over learning providers to make available, and provide mechanisms by which employers can readily identify, quality learning provision which is designed to meet employer needs and priorities.



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Chief Executive, Skills for Justice, Centre Court,
Atlas Way, Sheffield, S4 7QQ

www.skillsforjustice.com



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