

Employment and Skills within the Justice Sector in Scotland

Workforce needs, skills priorities, and scenarios

Skills for Justice
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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 against 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.

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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 UK justice sector as a whole¹, however, information specific to individual UK countries, for which data is sometimes seriously limited, has been included wherever practicable.

The administration of the skills system is mostly devolved to country level within the UK, whereas there is greater variation as regards justice, even though some of the structural elements are mostly common regardless of which body is responsible. However, these variations mean that some individual UK countries will not be responsible *to the same extent* for the administration of their own affairs in these two respects. Therefore, within the same UK country, variations can exist between the administration of justice on the one hand, and of employment and skills on the other. This issue is most prevalent in Wales and Northern Ireland.

This state of affairs can make the harmonisation of the employment and skills system within the justice sector complex (for example in an area such as learning provision) and it highlights the complexities as well as underlines the importance of Skills for Justice's coverage of the UK.

The UK justice sector, as represented in Skills for Justice's 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. Smaller strands (each representing between 1-4% of the workforce) are Court and Tribunal Services, Prosecution Services and Forensic Science.² Some of these employers across the strands also include members of the children and young people's workforce.

The main contribution of the sector is ensuring a safe society, which is an essential prerequisite to the wellbeing of its citizens, and fundamental 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.

¹ The data in the report covers Standard Industrial Classification (SIC 2003) codes 75.23 (justice and judicial activities), 75.24 (public security and law and order activities) and 75.25 (fire service activities).

² 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 performance of the sector is subject to a high level of public and political scrutiny and measures of success are defined in a broad variety of ways such as reported and recorded crime rates, number of incidents and reconviction rates, performance indicators of service delivery, perceptions of safety among the public, and economic measures, (including, among others, the cost of crime and incidents, the cost of the justice sector, and the savings achieved by preventing crime and incidents).

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 of that challenge is the need to increase diversity and ensure equality within the workforce as well as the fair and equal treatment of all who come into contact with the justice system. In terms of economic measures, although the available information is patchy and fraught with methodological complexities, it suggests that *the cost of the justice system only represents a fraction of the overall cost of crime and incidents*, which in turn means that every crime or incident prevented or mitigated contributes to the reduction of the overall financial and emotional burden to, and to the greater safety of, society.

Compared with 2002 levels, total employment in the sector by 2008 had grown by approximately a third (34%), which is much greater than the growth observed in many other sectors. The profile of the 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 (86%). Approximately 40% of the workforce is female (6 percentage points lower than in the whole 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, Tribunals and Prosecution Services as well as in Community Justice their proportion is at least two-thirds. Six per cent of the workforce is from minority ethnic backgrounds (3 percentage points lower than their share in the whole economy, and as with gender, this varies considerably between strands), but this proportion is even lower in Scotland, Wales and Northern Ireland.

The sector employs a considerably lower proportion of young people between the ages of 16-24 than the UK economy (8% compared with 14%). This reflects the minimum age requirement of 18 for most roles, and the tendency of the sector to look for recruits with life experience. 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 2010-2020³ 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

³ Wilson, R. (2010) Update of Working Futures for Skills for Justice, Stage 2: Employment Projections.

(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 proportion of the total justice workforce expected to **retire or leave** the sector between 2010-2020 is **just under a third (30.4%)**, creating a replacement demand of approximately 141,000 workers (which is likely to be a conservative estimate). Among UK countries the decrease in sector employment is forecast to be the highest in England at -6.1% and the smallest in Scotland at -3.5%.

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 officers⁴, 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.

The majority of employers in the sector are large public sector employers (83% of the employees in the sector in Great Britain work in organisations with 50+ staff), but compared with the early 1990s, service providers in the sector have become far more diverse. There is significant private sector involvement, for example in the provision of custodial services, and third sector involvement has also greatly increased, for example in supporting victims, survivors and witnesses of crime as well as providing services to offenders and their families.

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 the customer handling skills highlighted by national surveys, the analysis of skills needs undertaken in 2008 as part of the recent Sector Skills Agreement process identified skills needs in management and leadership, inter-agency working, ICT and in the area of equality and diversity. A recent survey by Skills for Justice amongst third sector employers in the justice sector⁵ 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 are primarily determined by the *domestic policy agenda* and the *internal trends of the UK public sector*. This is chiefly due to the specific position of the justice sector, and in particular, the central role of the state in justice functions. This 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

⁴ The share of this major group among occupations in the sector is 53% in UK justice sector (54% for the justice sector in Scotland) as opposed to 15% in the whole UK economy.

⁵ Skills for Justice (2009) Skills in the justice sector: A survey of third sector employers 2009.

priorities. Research undertaken for Skills for Justice towards the end of 2009⁶ identified a range of new and on-going influential drivers of change in the following broad categories:

- **policy and legislative changes**, for example in the run-up to the 2010 general elections a set of emerging policy proposals on crime and justice, the skills system, public spending (including public sector employment and pay), as well as a possible increase of local democratic accountability and control in performance management mechanisms in some areas of the justice sector or the devolution of policing and justice to the Northern Ireland Assembly
- **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
- **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 radicalisation 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.

The 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. 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:

⁶ Institute for Employment Studies (2009) Skills Priorities and Scenarios in the justice sector.

- **Joined up justice** – in which the overarching concept is effectiveness through joined up working between justice sector and other organisations
- **Essential justice** – where the keywords are ‘frugality’, and maintaining essential services
- **Traditional justice** – with an emphasis on ‘toughness’ and a shift of focus to operations

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 ideas 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 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 make sure that staff have the right skills at the right level, ensuring efficiency and cost effectiveness
- 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

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
- 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 leadership and 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 learning and qualifications according to employer need

Given the anticipated squeeze on employers' budgets, the projected slight fall in total employment across the sector over the next ten years, as well as the healthy supply of new applicants and comparatively low labour turnover rate in most parts of the sector, **skills supply is likely to meet the demand for skills in the medium term**. Despite this, skills gaps and occasional skills shortages are likely to occur, which, considering the expected increase in demand for services, will be more important than ever to respond to through joint action by the sector, Government and the skills system. Continual change - particularly in relation to legislation and policy - in the sector will also lead to an ongoing need to maintain and update skills across the sector to keep pace.

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

- the justice sector has a very large proportion of its workforce in the associate professional/technical major occupational group. We therefore welcome the emphasis on skills at this level in the recent Skills White Paper⁷, as well as on higher skills, and in particular would wish to see **sustained investment in increasing the number of Apprenticeships at Advanced and Higher levels**. Skills for Justice will continue to work with employers to identify and take opportunities to develop apprenticeships in new areas and to increase uptake.
- 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. Skills for Justice will work with all interested parties to ensure that the support needed is available.
- Skills for Justice is already active in its **support for the third sector** (leading work across the Alliance) and is developing a strategy, based on new research, for improving its offer to third sector employers
- governments need 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

⁷ Department for Business, Innovation and Skills (2009) Skills for Growth: The national skills strategy.

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
- 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, such as the 14-19 Diploma in Public Services. 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. Skills for Justice 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 solutions.
- 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. Skills for Justice needs to continue to work with employers to identify their skill their needs and priorities and articulate them to learning providers and funders. Skills for Justice also needs 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.

1. Introduction

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 system.

This report is part of our core commitment to provide an annual assessment of the state of the workforce and future skills priorities in our sector, as required by the UK Commission of Employment and Skills:

“There is agreement across the four UK national governments that providing robust, comparable and comprehensive sectoral labour market information to articulate employer skill needs and inform the development of skills policy, is at the heart of the remit of Sector Skills Councils (SSCs) in the UK.”⁸

In order to fulfil this remit, the Scotland report has been produced with the following main objectives in sight:

- to provide an overview of the current economic and employment structure of the sector in Scotland
- to identify key factors driving current and future skills demand and priorities across the sector in Scotland
- to provide forecast figures of sectoral workforce demand over the next 10 years
- to set out a small number of scenarios for the next 5-10 years together with their skills implications.

Where possible, the report is based on national data sources (e.g. the Labour Force Survey (LFS), or the Annual Survey of Hours and Earnings (ASHE)), also in order to provide comparability with other macro-level data, as well as research and information generated by Skills for Justice as part of its on-going research programme. The sections on skills drivers, priorities and scenarios for the justice sector for the next 5-10 years are primarily based on fresh research commissioned by Skills for Justice⁹, supplemented by our own programme of customer-focused work. The report also contains figures based on an updated Working Futures forecast to 2018, provided by the Institute for Employment Research at the University of Warwick. This update is based on an economic forecast drawn up in the summer of 2009.

1.1 Employers in the Justice sector

In Scotland, employers in Skills for Justice’s footprint provide services in seven main ‘strands’¹⁰. The main activities of these seven strands are:

⁸ UK Commission for Employment and Skills (2009) Information to intelligence: A common LMI framework for sector skills councils, p. 3.

⁹ Skills Priorities and Scenarios, Institute for Employment Studies 2009. The research fieldwork with justice sector employers and stakeholders was conducted between September-November 2009, therefore the results reflect the situation as it stood very recently.

¹⁰ Fire and Rescue Services became part of Skills for Justice’s footprint in April 2009. Data on current workforce characteristics in this strand is included in the report, but some of the trend data up to 2008 is based on the footprint before the expansion. Work has also just begun to gradually expand our role in the Legal Services Sector, however, Legal Services are beyond the scope of the present report altogether.

Community Justice

- services for victims, survivors and witnesses
- community safety and crime prevention
- prevention of offending and re-offending
- supervision of offenders in the community
- community-based rehabilitation projects

Courts and Tribunals Services

- the judiciary and magistracy
- court management and administration

Custodial Care

- detention
- secure escort services
- prevention of re-offending
- electronic monitoring services

Fire & Rescue Services

- community fire safety
- resilience

Forensic Science

- forensic investigation of crime
- delivering evidence in court

Policing and Law Enforcement

- maintenance of law and order
- prevention and detection of crime
- reassurance and support for communities

Public Prosecution

- production and issue of summonses
- preparation of cases for court
- public prosecutions

Some of these employers across the strands also include members of the *children and young people's workforce*.

The main organisations represented within the justice sector in Scotland are outlined below.

Community Justice and voluntary Sector

There are approximately 22,100 voluntary sector organisations in Scotland, operating within the justice sector. 40% of these organisations work in the Social Care field, 26% work with Youth, 30% work in Community Development and Social Enterprise and 4% work in the field of Equality and Law. The sector is mostly comprised of small organisations with 1% of the sector receiving 57% of the overall share of income.

In Scotland the largest Community Justice organisations work either with offenders or with victims, survivors and witnesses. These include organisations such as

- Apex Scotland
- Includem
- Rape Crisis
- Scottish Women's Aid
- Victim Support Scotland
- SACRO

Policing

There are eight Police Forces in Scotland who, these are:

- Central Scotland Police
- Dumfries and Galloway Constabulary
- Fife Constabulary
- Grampian Police
- Lothian and Borders Police
- Northern Constabulary

- Strathclyde Police
- Tayside Police

The Association of Chief Police Officers in Scotland (ACPOS) is the principal voice of police leadership in Scotland and is the collective organisation of Chief Constables, Deputy Chief Constables, Assistant Chief Constables and Senior Police Staff from the eight police forces in Scotland, the British Transport Police (in Scotland) and the Scottish Police Services Authority (SPSA). ACPOS oversees and co-ordinates the direction and development of the Scottish Police Service and is constituted as a company limited by guarantee.

Training for Police Officers in Scotland is carried out at the Scottish Police College in Tulliallan .

Custodial Care

There are 16 prisons in Scotland, 15 of which are managed by the Scottish Prison Service. These are

- Aberdeen
- Castle Huntly
- Dumfries
- Glenochil
- HM Young Offenders Institute Polmont
- Noranside
- Peterhead
- Barlinnie
- Cornton Vale
- Edinburgh
- Greenock
- Inverness
- Perth
- Shotts

Scotland's two privately run prisons are Kilmarnock Prison run by Serco and Addiewell Prison, which opened in December 2008, is run by Kalyx.

The Scottish Prison Service currently employs around 4,500 staff. Training and development within the Scottish Prison Service is carried out at the Scottish Prison Service College near Falkirk.

Private Sector

There is an increasing number of private sector organisations working within the justice sector in Scotland. These include Premier, who run HMP Kilmarnock and Dungavel Immigration Removal Centre, and Reliance Security Group.

Reliance Security Group is comprised of Reliance Custodial Services and Reliance Monitoring Services in Scotland. Reliance Custodial Services transport prisoners to and from courts, prisons and police stations; while Reliance Monitoring Services provide

electronic tagging and monitoring, voice verification and monitoring of substance misuse services within Scotland.

Scottish Court Service

The Scottish Court Service makes up 3.6% of the justice sector in Scotland and aims to provide ready access to justice for the people of Scotland. The staff complement is around 1,000 employees and is made up of the following business units.

Headquarters in Edinburgh is made up of 4 units

- Operations and Policy Unit
- Personnel and Development Unit
- Finance and Information Technology Unit
- Property and Service Unit

The Supreme Courts is made up of 4 units

- High Court of Judiciary in Glasgow
- Accountant of Courts Office in Edinburgh
- The Court of Session in Edinburgh
- The Office of the Public Guardian in Falkirk

There are 49 Sheriff Courts across Scotland.

Criminal Justice Social Work

Criminal Justice Social Work Services (CJSW) are part of the work of the 32 Local Authorities in Scotland and provide the probation service within Scotland. They are responsible for delivering pre-sentence reports to courts, providing community sentences and supervising offenders who have been released or who are on statutory licence and voluntary throughcare.

CJSW are also responsible for the provision of community sentences such as Supervised Attendance Orders and Drug Treatment Orders.

Crown Office and Procurator Fiscal Service (COPFS)

COPFS provides Scotland's independent public prosecution and deaths investigation service. It makes up 5% of the justice sector workforce in Scotland (public sector organisations), with a staff total of 1512.

There are 49 Procurator Fiscal District offices across Scotland, each with an Area Fiscal. Headquarters is at the Crown Office in Edinburgh and is made up of the following units

- Operations
- Policy Group
- Management Services Group

Justice Department

The Justice Department is part of the Scottish Government and is comprised of four key groups. These include

- Criminal Justice Group
- Courts Group
- Police and Community Safety Group
- Civil and International Group

Immigration

Scotland has only one Immigration Removal Centre at Dungavel in Lanarkshire, and this is managed by Premier Custodial Group.

HM Revenue and Customs

HM Revenue and Customs is the new department responsible for the business of the former Inland Revenue and HM Customs and Excise.

1.2 The regulatory and administrative framework of justice and of employment and skills issues in Scotland

The administration of the skills system is mostly devolved to country level within the UK, whereas there is greater variation as regards justice, even though some of the structural elements are mostly common regardless of which body is responsible. However, the variations mean that some individual UK countries will not be responsible *to the same extent* for the administration of their own affairs in these two respects and therefore within the same UK country variations can exist between the administration of justice on the one hand, and of employment and skills on the other. This state of affairs can make the harmonisation of the employment and skills system (for example provision) with the skills needs of the justice sector, complex, and it highlights these complexities as well as underlines the importance of Skills for Justice's coverage of the UK.

The broad areas of justice, education and skills are devolved in **Scotland** to departments of the Scottish Government. Structural differences are more pronounced as well between the Scottish education and justice system and the rest of the UK, for example local authorities are responsible for administering probation through Criminal Justice Social Work departments, and Children's Hearing Panels are responsible for youth justice.

In comparison, in **England**, the justice system is regulated and administered at governmental level by three government departments: the Home Office, the Ministry of Justice and Communities and Local Government as well as the Attorney General's Office. Education, skills and lifelong learning matters are administered by the Department for Business, Innovation and Skills.

In **Wales**, The Welsh Assembly is the devolved government for Wales, however the administration of justice is not currently devolved from that of England and most of the key justice sector organisations cover both England and Wales. Therefore the Home

Office, the Ministry of Justice and the Attorney General's Office are responsible for these functions. However, education and skills, community safety, and fire and rescue matters are devolved to departments within the Welsh Assembly Government. As a result, links between the education and training aspects of the justice sector and the Welsh Assembly Government are strengthening rapidly.

There is an increasing emphasis on creating specific Welsh strategies on Justice issues so they can be responsive, and form part of the Welsh Assembly's vision for the creation of a fully inclusive society.

In **Northern Ireland** issues of education and skills, as well as fire and rescue services and the administration of Justice is currently undertaken by the Northern Ireland Office, although in recent years significant steps have been taken towards devolution following the Good Friday agreement and reforms to create the Police Service of Northern Ireland. At the time of writing this report, legislation to pave the way for the devolution of policing and justice powers is believed to be 'imminent'.

2. The factors driving skills demand

2.1 The contribution and performance of the sector

A safe society is not only an essential prerequisite to the wellbeing of its citizens, but also to 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.

Even though the benefits of a justice system that works are beyond doubt, defining its contribution to the public good in measurable terms is not without difficulty, especially if the preventative aspects of the justice system (i.e. crimes that are not committed or incidents that do not happen as a result of the deterrent effects and preventative actions of the system) are also added to the equation.¹¹

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:

- **Crime rates, number of incidents and reconviction rates:** measures of these include self-reported and police-recorded crime figures, and the number of incidents. Reconviction rates measure the proportion of convicted offenders who are convicted repeatedly by the courts within a certain period of time, usually two years from sentence or release from prison.¹²
- **Performance indicators of service delivery:** these indicators include, for example, crime detection rates by the police, the number of offenders sentenced by the courts, the time taken for cases to come to trial, the number of prisoners and people being supervised in the community, the number of fires and incidents attended by fire and rescue service¹³.
- **Perceptions** of safety among the public and the level of fear of crime; the level of public confidence in the criminal justice system and satisfaction with the performance of organisations in the sector, and the perceptions of those dealt with by the system, such as victims and prisoners.¹⁴ The number of 'police on the street' is an integral part of this debate, which is often used to convey a political message of success in ensuring public safety.

¹¹ Information on the overall cost of crime tends to be patchy and a comprehensive and reliable methodology is notoriously difficult to achieve, not least due to the fact that the majority of offences remain unreported and unrecorded. The costs and benefits of crime prevention has so far been the least well-researched area, see e.g. Roman, J. and Farrell, G. (2002) Cost-Benefit Analysis for Crime Prevention: Opportunity Costs, Routine Savings and Crime Externalities., also Crawford (2007) Crime prevention and community safety.

¹² For example, in England and Wales the reoffending rate for offender cohorts between 2000-2007 fell by 4 percentage points (by 6.5% compared with the 2002 cohort), but increased very slightly (by 0.4 per cent) compared with the previous year's cohort. (Ministry of Justice Statistics Bulletin: Reoffending of adults: Results from the 2007 cohort England and Wales.) In Northern Ireland the reoffending rate for offender cohorts from 2000 to 2005 fell by 6.8 percentage points compared with predicted reconviction rates. (Northern Ireland Office (2008) Reconviction in Northern Ireland: Results from the 2005 cohort Research and Statistical Bulletin 8/2008). In Scotland the reconviction rate of convicted persons has been stable at approximately 45% since 2002-03, despite a steady increase in the number of convicted offenders in the system during the same period. (The Scottish Government Statistical Bulletin Crime and Justice Series: Reconviction Rates in Scotland: 2005-06 and 2006-07 Offender Cohorts.)

¹³ Scottish Government (2009) Fire Statistics Scotland 2007. The latest collated Scottish figures indicate that fire services attended nearly 46,000 fires in 2007, which represented a 9% decrease compared with the previous year. Meanwhile, the total number of fire deaths in Scotland in the same year was 59, a 13% increase on the previous year.

¹⁴For example, 59% of those participating in the large-scale longitudinal British Crime Survey in 2008/09 thought that the criminal justice system on the whole was fair, but a substantially lower proportion, 38% thought it to be effective. During the same period, victims of crime were satisfied with the way Scottish police handled the matter in 57% of incidents (2008/09 Scottish Crime and Justice Survey: First Findings).

- **Economic measures**, including, among others, the cost of crime, fires and other emergencies to society, the cost of running the justice sector, and the savings achieved by the prevention of incidents and the overall productivity of the sector. This aspect will be discussed below in more detail.

The cost of crime and incidents

The available information suggests that *the cost of the justice system only represents a fraction of the overall cost of crime and incidents*, which in turn also means that every crime or incident prevented or mitigated contributes to the reduction of the overall social burden and to the greater safety of society.

The most comprehensive estimate of the cost of crime is now fairly dated, and it relates to England and Wales only. The Home Office study argued that the total cost of crime in England and Wales in 1999/2000 was approximately £60 billion (on 1999 prices). By far the largest proportion of this cost, approximately half, was the physical and emotional impact of crime on those involved and only 17% was the cost of the criminal justice system. However, even this estimate was incomplete as it only included partial expense for a substantial number of potentially costly offence types such as drug trafficking and possession, fraud and motoring offences. A revised estimate concerning the cost of crime committed against individuals and households only (i.e. excluding corporate victims) asserted that the cost of this segment of criminality was over £36 billion in 2003/04 (calculated on 2003 prices), 20% of which was the cost of the criminal justice system.

A more recent estimate undertaken on behalf of the TaxPayers Alliance in England, Wales and Northern Ireland calculated that the total cost of these stood at approximately £15 billion in 2007, costing nearly £275 per person. However, this only covered recorded crime, and given that the majority of offences remain unreported, this is likely to be a moderate slice of the overall cost.¹⁵ Another partial and very cautious estimate put the amount of loss to fraud at nearly £14 billion per year in the UK (based on figures mainly relating to 2005). The figure only estimates loss, and does not include the cost of prevention, and of criminal justice interventions.¹⁶

The cost of fires and incidents is also high, both in social and economic terms. The insured cost of fire in the UK was estimated at a record high of £1.3 billion in 2008, a 16% increase on the previous year despite a similar fall in the number of fires during the same time. However, the total economic cost of fires is much higher. The available figures are partial and several years old (the latest is based on 2004 figures), covering England and Wales only. However, these estimates suggest that the total cost of fires in England and Wales was £7.04 billion, approximately a quarter of which was the cost of the fire service response.¹⁷

Productivity and spend in the Justice Sector

¹⁵ Only approximately 42% of incidents of comparable crime came to the attention of the police in 2008/09 according to the Scottish Crime and Justice Survey 2008/09.

¹⁶ Levi, M. et al. (2007) The Nature, Extent and Economic Impact of Fraud in the UK.

¹⁷ The figure includes the cost of attending false alarms, the number of which tends to be greater than the actual number of fires attended. Office of the Deputy Prime Minister (2006) The Economic Cost of Fire: Estimates for 2004 <http://www.communities.gov.uk/documents/fire/pdf/144524.pdf>

For the most part, justice sector services have traditionally been viewed as one of the core functions of the state, no matter whether the services are delivered by the public, private or third sector. Therefore, in terms of productivity, the services provided by the sector count as public services. Although devising productivity measures for the public sector has been seen as notoriously difficult, a programme of developing such productivity measures has begun following the Atkinson Review in 2005.

As regards the justice sector, the United Kingdom Centre for the Measurement of Government Activity (UKCeMGA) at the Office for National Statistics has devised and reported on two categories: one is Public Order and Safety (consisting of fire, courts, probation and prisons), where productivity is measured by input and output; and a separate Police category, where output is simply measured by input (productivity therefore will always be zero). The Police category was separated because it was thought to be hard to place a value on the services provided since no market transactions take place and, as discussed above, there is no robust data on non-crime incidents, for example as a result of police prevention work.

Although at present using admittedly unsophisticated measures¹⁸, ONS calculated that **productivity in Public Order and Safety between 1997-2007 fell to 83.4% of its 1997 level**, which means an annual average decrease of 1.8%, even though in 2006 and 2007 it actually increased compared with the previous year. The decrease in productivity in this particular area was much sharper than in public services across the board (3.4% decrease compared with 1997 levels, an average annual fall of 0.6%), no doubt due to higher levels of investment.

Regarding Police, the total current price input into Police Services in the UK was £16.6 billion. This figure included measures of labour, goods and services, and capital consumption. Labour cost was by far the largest component at 76%.¹⁹

Finally, alongside the on-going ONS work, it is still worth looking at state spending on justice for an indication of the fiscal value of the sector. The latest available figures suggest that in 2008-09 an estimated total of £33.9 billion was spent on public order and safety in the UK, approximately £2.5 billion more than in 2007-08.²⁰ According to HM Treasury's projection, public order and safety will amount to 5% of government spending in 2009-10.²¹

To surmise, there can be no doubt that the justice sector is resource-intensive and requires a large amount of labour input. However, despite the weaknesses in the available data, it is clear that the harm and cost caused by crime and incidents far surpass the cost of the justice sector, and for this reason the sector is well worth investing in.

Success and Challenges

¹⁸ For example, the number of court cases and number of prisoners were used as input measures, rather than measures resulting from following offenders', victims', witnesses' 'journeys' through the system. The disadvantages are obvious: if the number of court cases go down, for example because of simplified procedures or falling crime rates, this shows up as decreasing productivity, whereas an increase in the number of prisoners would seem to suggest increasing productivity. The decreasing fire productivity was explained by increased expenditure on new responsibilities for example mass decontamination which were not fully reflected in the output measure. These issues will be discussed again when considering potential measures of success in the sector.

¹⁹ Attempts at developing direct measures of labour also took the contribution of special constables into account, which is a step towards acknowledging the contribution of tens of thousands of volunteers in the justice sector. For example, in 2008 police forces included nearly 17,000 unpaid special constables in Great Britain (Skills for Justice estimate), and over 6,000 police support volunteers in England and Wales (National Policing Improvement Agency (2009). See Public Service Output, Input and Productivity: Measuring Police Input, UKCeMGA, June 2009.

²⁰ HM Treasury: Public Expenditure Statistical Analyses 2009 (June 2009).

²¹ HM Treasury: Latest Public Finances Databank 21 October 2009.

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. This is all the more so as justice has become a highly politicised subject, especially in the past two decades or so, when crime and justice has been one of the constant focal points of electoral campaigns, policy making and legislation. Nevertheless, the existing evidence suggests that *by and large employers in the sector successfully meet the demands placed upon them*²².

Despite some demonstrable achievements, some strands of the sector have faced major challenges of very different kinds over the past two decades, such as:

- **the need to increase diversity** among the workforce and take decisive action to eradicate racism²³, which required changes not only in recruitment practice and workforce training but in organisational culture
- highly traumatic **high-profile cases**, for example that of Michael Stone and Ian Huntley, which were influential in changing different aspects of organisational practice and training
- repeated **organisational shake-up**, for example the creation of the National Probation Service and then the National Offender Management Service in England and Wales, the creation of the Police Service Northern Ireland and the devolution of legislative powers to Scotland.

Compared with the early 1990s, service *providers in the sector have become far more diverse*, with significant private sector involvement, for example in the provision of custodial services, secure transportation (escort), electronic monitoring, forensic services and in the operation of custody suites in police stations. The involvement of third sector providers has also greatly increased, for example in supporting victims, survivors and witnesses of crime as well as prisoners and their families; providing housing, education, training, employment and other important services to offenders and ex-offenders across the board; and in the areas of crime reduction, community safety and substance misuse.

²² For example, 59% of those participating in the large-scale longitudinal British Crime Survey in 2008/09 thought that the criminal justice system on the whole was fair, and 38% thought it to be effective. For the Scottish Crime and Victimization Survey 2008/09 adults were asked how confident they were in their local police forces ability on six aspects of their work. In five out of six activities more adults were confident than not.

²³ Police and prison services have been subject to major enquiries such as the Macpherson Inquiry and the Zahid Mubarek Inquiry.

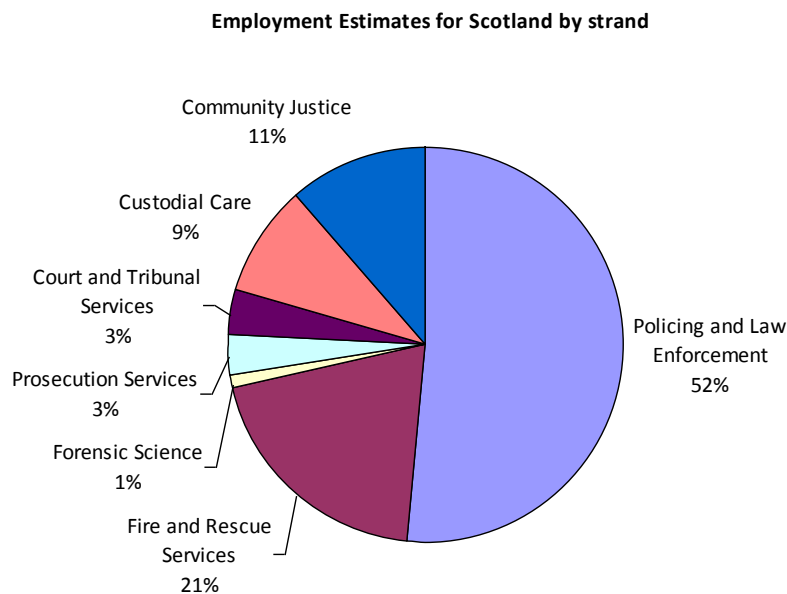
2.2 Employment in the sector

Employment estimates

*The sector employs over 56,000 people in Scotland, just over 2.2% of the total Scottish workforce*²⁴. Over half of them work in Policing and Law Enforcement (52%), the Community Justice and Custodial Care strands employ around one in ten of the workforce respectively, with employees from Fire and Rescue services, which became part of Skills for Justice's footprint in April 2009, accounting for over 1 in 5 of the justice sector workforce. (fig 2.1)

The sector also has a large volunteer workforce. Although no firm estimate exists regarding the number of volunteers in the justice sector, it is estimated that they number in the tens of thousands.²⁵ To illustrate the size of the contribution of third sector organisations to the justice sector throughout the UK, in 2007 the profile of an estimated 27% of voluntary organisations in England included criminal justice activities. This means approximately 4,700 organisations.²⁶ The majority of the volunteer workforce is represented in the Community Justice, Police and Law Enforcement and Custodial Care strands.

Figure 2.1 Employment Estimates for the Scotland Justice sector by strand



Source: Skills for Justice 2009

²⁴ Labour Force Survey 2008-09, Office for National Statistics. A word of caution: national data sources tend to underestimate the size of the workforce in the sector as some employer groups fall outside the Standard Industrial Classification (SIC) footprint of Skills for Justice. One such example is providers of Forensic Science services outside police forces. The size of the justice sector workforce of UK countries with a smaller working age tend to be also underestimated in national data sources due to the methodology used to draw up the estimates, one example of this is Northern Ireland.

²⁸ Some essential services such as those to victims, survivors and witnesses of crime rely to a great extent on volunteers, for example Victim Support in England and Wales had approximately 6,500 volunteers in 2008 (Victim Support England and Wales Annual Report & Accounts 2008, p. 16).

²⁶ Clark, J. (2007) Voluntary Sector Skills Survey, NCVO.

10% of all justice sector employees are based in Scotland with 83% in England, 5% in Wales and 2% in Northern Ireland. This is broadly similar to the distribution of the workforce in the whole economy. (table 2.1)

Table 2.1 Employment estimates by UK country in the justice sector

Country	Whole Economy	Justice Sector
Scotland	2,530,269	56,003
	9%	10%
England	24,563,146	482,764
	84%	83%
Wales	1,323,234	27,220
	5%	5%
Northern Ireland	752,865	13,374
	3%	2%
<i>Total UK</i>	29,169,514	579,361

Source: Labour Force Survey 2008-09, percentages have been rounded.

The profile of the workforce

Gender

The workforce of the sector in Scotland consists of 61% males and 39% females. This means that the proportion of females is seven per cent lower than in the economy as a whole. (table 2.2)

Table 2.2 Employment estimates by gender by UK country

	Whole Economy	Justice Sector				
		UK	Scotland	England	Wales	Northern Ireland
Male	15,677,718	345,681	34,322	287,018	15,983	8,360
	54%	60%	61%	59%	59%	63%
Female	13,491,796	233,680	21,682	195,746	11,237	5,014
	46%	40%	39%	41%	41%	37%
Total	29,169,514	579,361	56,004	482,764	27,220	13,374

Source: Labour Force Survey 2008-09, percentages have been rounded.

This distribution varies relatively little between UK nations. The proportion of female workers is very slightly larger in Wales and England, and three percentage points lower in Northern Ireland. However, significant differences exist across the justice sector in Scotland. For example, only a quarter of all employees in custodial care are female, whereas in prosecutions, 70% of all staff are female and almost 2/3rds of staff are female in courts and tribunals.²⁷

²⁷ Figures collated by Skills for Justice (2007-08), <http://www.skillsforjustice-lmimatrix.com>

Ethnicity

Only two per cent of the workforce in Scotland is from minority ethnic backgrounds in the sector, which is 7 percentage points lower than their share in the whole UK economy. (table 2.3)

Table 2.3 Employment estimates by ethnicity by UK country

	Whole Economy	Justice Sector				
		UK	Scotland	England	Wales	Northern Ireland
White	26,512,154 91%	546,414 94%	55,100 98%	451,319 93%	26,622 98%	13,374 100%
Asian	1,282,920 4%	14,233 2%	254 0%	13,862 3%	117 0%	* -
Black	603,852 2%	9,976 2%	402 1%	9,434 2%	140 1%	* -
Mixed/Other	761,943 3%	8,738 2%	248 0%	8,149 2%	342 1%	* -
Total minority ethnic	2,648,714 9%	32,947 6%	903 2%	31,445 7%	598 2%	* <1%
Total	29,160,869	579,361	56,003	482,764	27,220	*

Source: Labour Force Survey 2008-09, percentages have been rounded.

Across Scotland, the Policing and Law Enforcement and the Custodial Care strands are the least ethnically diverse (both approximately 1%)²⁸ however, 21% of all employees in Courts & Tribunals are from an ethnic minority background.

²⁸ Labour Force Survey and Skills for Justice, *ibid.*

Age distribution

The age profile of the workforce in Scotland shows that the sector employs a lower proportion of workers at either end of the age spectrum (under 25 and over 55, respectively) than the whole economy and the overall UK justice sector.

Younger and older workers make up only 16% of the justice sector in Scotland compared to 31% in the whole economy, 21% in the UK justice sector, 21% in England, 24% in Wales and 23% in Northern Ireland. (table 2.4)

Table 2.4 Employment estimates by age by UK country

	Whole Economy	Justice Sector				
		UK	Scotland	England	Wales	Northern Ireland
16 – 24	4,023,096 14%	45,661 8%	3,216 6%	39,121 8%	2,520 9%	804 6%
25 – 34	6,267,064 21%	140,762 24%	12,599 22%	119,111 25%	7,078 26%	1,974 15%
35 – 44	7,388,433 25%	173,749 30%	18,728 33%	144,261 30%	6,926 25%	3,834 29%
45 – 54	6,615,683 23%	146,547 25%	15,887 28%	119,445 25%	6,750 25%	4,467 33%
55 +	4,875,239 17%	72,643 13%	5,572 10%	60,826 13%	3,949 15%	2,295 17%
Total	29,169,515	579,362	56,002	482,764	27,223	13,374

Source: Labour Force Survey 2008-09, percentages have been rounded.

The low % of 16-24 year olds reflects the minimum age requirement of 18 for most roles, and the tendency of the sector to look for candidates with life experience. Many join the large-number roles (e.g. police and prison officers) as a second or third major job role.

The highest proportion of the workforce in the sector in Scotland (33%) is aged between 35-44 years, which is higher than their representation in the whole economy (25%) and the UK justice sector (30%). Altogether, at least half of the workforce in each UK country is aged between 35-54, and over 60% in Scotland and Northern Ireland.

At the other end of the spectrum, the sector employs fewer older workers (aged 55 or over) due to lower retirement age requirements traditionally common across large parts of the workforce (including police officers and firefighters); however, their proportion has begun to increase at UK-level since 2006.

Occupational breakdown

Figures confirm that the associate professional and technical major group dominates the occupational profile of the sector across Scotland (54%) and the UK justice sectors as a whole (53%) (table 2.5). This Standard Occupational Classification (SOC) major group's share in the whole economy is just 15%. This

divergence is due to the fact that the largest workforce groups in the justice sector, mainly those in lower ranks who work at the 'front line'²⁹, are all currently classified as part of this group.

Table 2.5 The occupational profile of the workforce by SOC Major group by UK country

	Whole Economy	Justice Sector				
		UK	Scotland	England	Wales	Northern Ireland
Managers & senior officials	4,539,191	54,197	4,971	43,784	3,349	2,093
	16%	9%	9%	9%	12%	16%
Professional occupations	3,811,654	52,978	2,611	46,734	3,104	528
	13%	9%	5%	10%	11%	4%
Associate professional & technical	4,263,801	309,066	30,362	258,970	13,304	6,430
	15%	53%	54%	54%	49%	48%
Administrative & secretarial	3,321,451	96,631	10,149	78,572	4,147	3,763
	11%	17%	18%	16%	15%	28%
Skilled trade	3,159,157	10,633	1,389	8,272	859	113
	11%	2%	2%	2%	3%	1%
Personal service occupations	2,457,967	9,899	1,659	7,752	406	83
	8%	2%	3%	2%	1%	1%
Sales & customer	2,223,361	4,983	724	3,403	611	245
	8%	1%	1%	1%	2%	2%
Process, plant & machine operatives	2,030,821	1,686	418	1,268	0	0
	7%	0%	1%	0%	0%	0%
Elementary	3,334,119	39,082	3,721	33,803	1,440	119
	11%	7%	7%	7%	5%	1%
Total	29,141,522	579,155	56,004	482,558	27,220	13,374

Source: Labour Force Survey 2008-09, percentages have been rounded.

The high proportion of associate professional and technical occupations present in the justice workforce is associated with a lower share of managers and professionals on the one hand, and those below the administrative and secretarial group on the other. In Scotland, only 9% of the sector's workforce is employed as a manager and a further 5% as a professional. This is lower than the rest of the UK justice sector (14% in Scotland as opposed to 18% in the UK justice sector. It is lower than England (19%), Wales (23%

²⁹ For example police officers at sergeant rank and below, prison service officers below principal officer rank, and fire service officers at leading fire officer rank and below.

and Northern Ireland (20%). This is due, to a large extent, to the type of public services provided by the sector; workers in other groups within the justice sector, such as skilled trades, personal services, sales and customer service, process, plant and machine operatives as well as elementary occupations represent just 14% of the workforce in total, which is only a fraction compared with the 45% in the whole economy.

The differences which exist between Scotland and the other UK countries are probably due to variations in organisational structures and job roles.

Employment status

The overwhelming majority of the justice sector workforce in Scotland are employees (100%) and on a permanent contract (99%), and the majority work in full time jobs (88%). Compared with the whole economy, both self-employment and part-time working is much less common. (table 2.6)

Table 2.6 The employment status of the workforce by UK country (%)

	Whole economy	Justice Sector				
		UK	Scotland	England	Wales	Northern Ireland
Employed	87%	98%	100%	98%	100%	99%
<i>Permanent</i>	95%	98%	99%	98%	95%	98%
<i>Temporary</i>	5%	2%	1%	2%	5%	2%
Self-employed	13%	2%	0%	2%	0%	1%
Full-time	74%	86%	88%	86%	85%	89%
Part-time	26%	14%	12%	14%	15%	11%

Source: Labour Force Survey 2008-09, percentages have been rounded.

Employers in the sector

The majority of the workforce is employed by large employers: 83% of the employees in the sector in Great Britain work in organisations with 50+ staff.³⁰ Most of the employers in the largest strand, Policing and Law Enforcement, are police forces employing over 200 people, and the pattern is similar in the Custodial Care strand. At the opposite end of the spectrum, Community Justice services are provided by a number of large employers, such as local probation services and also by many small, mainly third sector, organisations in establishments with less than 10 workers.

Most of the workforce is employed by the public sector, but as already indicated, private sector employers are also significant and are increasing in some strands. Private sector employment is most widespread in the Custodial Care strand (at least a quarter of the UK workforce) and in the Forensic Science strand (approximately a third).³¹

³⁰ Annual Business Inquiry 2007. The breakdown includes employers in the Fire and Rescue strand.

³¹ Based on figures collected by Skills for Justice 2009, <http://www.skillsforjustice-lmimatrix.com>. A considerable proportion of the workforce figures could not be disaggregated to UK country level, therefore no country-level estimates are provided here.

Third sector employers are most prevalent in Community Justice but their presence is also significant in the Children and Young People's workforce and Custodial Care.³² A large proportion of third sector organisations work across a variety of activities.

Employment trends

Compared with 2002 levels, total employment in the sector across Scotland by 2008 had grown by 33%, this compares to 34% in the UK, 53% in Wales, 31% in England and 100% in Northern Ireland.³³ The level of year-by-year growth varied, but workforce growth well outstripped that in the whole economy in most years³⁴.

The distribution of the workforce by major occupational group across the UK during this time remained relatively stable, the only consistent change appears to be that **the proportion of managers and senior officials as well as that of professionals has grown at a considerably higher rate** than the rest (compared with 2002-levels, by 60 and 65%, respectively). Recent research has also identified a tendency within parts of the sector for the number of lower grade staff with lower level sector-specific qualifications and skills to increase faster than more highly qualified staff. In some strands this still did not result in a reduction in workloads.³⁵

Labour turnover in the sector is not high in comparison with other sectors, and vacancies represent a much lower proportion of employment than across the whole economy. Labour turnover and vacancy rates manifest in different occupational groups and service providers differently. In 2008 in the UK public sector as a whole, which encompasses the largest proportion of the workforce, the overall turnover rate was lower than average, whereas in the private and voluntary sectors this rate was slightly higher.³⁶

In the largest strands of the sector there is no lack of applicants for positions.³⁷ The highest proportion of vacancies in the justice sector in 2007 was in administrative and secretarial occupations.³⁸

³² National data sources, such as the LFS tend to underestimate the proportion of staff working for charities and other voluntary organisations. For example, according to LFS figures for October-December 2008, not more than 2,000 staff worked for such organisations in Skills for Justice's footprint.

³³ Labour Force Survey 2002-2008 (based on calculations in the UKCES Almanac): the total workforce increased from 376,050 to 501,360 during this period. This reflects Skills for Justice's footprint before Fire and Rescue Services joined in 2009. LFS trend data suggests that in fire service activities there has been no increase in total UK employment estimates compared with 2002 figures: numbers varied from year to year from 2003 onwards but remained under 2002 levels before reaching it again in 2008, when it stood at an estimated 64,177 (Update of Working Futures for Skills for Justice 2010).

³⁴ The total volume of employment grew by approximately 4% by 2008, compared with 2002 figures (data source as above).

³⁵ Garside and Groombridge (2008) showed that in England and Wales between 2001-2007 approximately the same number of police community support officers (PCSOs) were recruited as attested police officers (around 13,500) during this period. Whilst the number of recorded offences per frontline staff decreased, the decrease was much steeper when PCSOs were included in the calculation. Meanwhile, in probation, the frontline staff per offender ratio remained nearly level only because of the large increase in the number of lower-grade probation services officers. Prisons (both public and privately run) saw both an overall cut in resources in real terms, and an increase in the prisoner per prison officer ratio during the same period.

³⁶ Chartered Institute of Personnel and Development: Recruitment Retention Survey 2009. The turnover rate was 15.7% across the board compared with 12.6% in the public sector, and 16.8 and 16.4% in the private and voluntary/community sectors, respectively. Skills for Justice's own research in 2009 among third sector employers confirmed this trend regarding paid staff: the turnover in the previous 12 months was 16%, but for volunteers 20%. (Skills in the justice sector: A survey of third sector employers 2009, Skills for Justice).

³⁷ For example, of the total of nearly 48,000 applicants who wished to join the Fire and Rescue Services in England in 2008/09 only 7.6% was successful. The proportion of staff leaving the service during the same period was 7.7%. (Communities and Local Government (2009) Fire and Rescue Service Operational Statistics Bulletin 2008/09.)

³⁸ According to the National Employer Skills Survey (NESS) 2007 vacant positions represented only 1% of employment in the sector, compared with 3% across the whole economy. 55% of vacancies were in the administrative and secretarial major SOC group. The data covers England only, and does not incorporate Fire and Rescue Services.

2.3 What drives skills demand?

Fresh research carried out for Skills for Justice by the Institute for Employment Studies (IES)³⁹ towards the end of 2009 identified the key drivers of change in the sector together with its skills implications. The research concluded that when identifying key drivers of change using the customary PESTEL analytical framework, the specific position of the justice sector, and in particular, the close and intermingled relationship of justice functions with the state itself is a central consideration. Factors such as legislation and the regulatory powers of the state are inextricably part of the justice sector's closer, 'transactional', context, whereas these factors are mostly part of the wider environment for other sectors. Further, the importance of domestic political drivers of change reflects the sector's dependency on a single 'customer' – government – through whose policies and priorities many of the wider societal, economic and technological drivers are translated. By extension, key drivers of change in the justice sector, and the scenarios derived from them, are UK-centric and government-centric.

The IES study confirmed that justice sector employers and stakeholders considered those drivers of change most influential which clustered around the **domestic policy agenda** and **the internal trends of the UK public sector**. In comparison, commercial pressures such as developments in world markets that loom large in many other sectors, although clearly influential, are mostly of indirect and secondary importance in comparison. Nonetheless, it is also worth considering how global trends might relate to justice developments in the UK.

In the Scottish justice sector specifically, **changes to criminal justice legislation and regulation** is a key driver (in particular Licensing Bill, Disclosure and Vulnerable Witnesses Act). Other issues that are more UK-wide albeit with distinctive Scottish contexts are: **more value for money and doing more for less, accountability and targets, multi-agency work** and **justice sector skills** (cross-cutting and common skills requirements) are key factors in driving changes to skills requirements. This convergence of priorities is striking given the extent of devolution of justice powers to Scotland.

There are nonetheless Scotland-specific aspects to these trends. Until recently, public spending – and therefore public services – has increased rapidly in Scotland (from an already high base). Any application of the Barnett formula to overall cuts in expenditure will therefore mark a sharp reversal of funding trends, although it remains to be seen whether Income Tax varying powers might be invoked to cushion the effect on services. Funding pressures, the focus group felt, would impact on staffing and result in non-replacement of staff and increasingly less hierarchical structures within organisations. It would also lead to staff working longer hours and the introduction of technologies that impact on work/life balance. The Scottish Government has also committed to reducing the prison population which includes using community disposals as a way of diverting low level offenders away from custodial sentences.

³⁹ Institute for Employment Studies (2009) Skills Priorities and Scenarios in the justice sector, unpublished report. The research incorporated desk research, consultation with Skills for Justice, as well as focus groups and individual interviews with sector employers and stakeholders. A more detailed consideration of emerging skills needs will follow in section 4 of this report.

In 2008, the Scottish Government published their proposals for safer communities; 'Protecting Scotland's Communities: Fair, Fast and Flexible Justice'⁴⁰ which outlined plans to deliver '**Immediate, Visible, Effective, High Quality, Flexible and Relevant** justice.' This involves a commitment to:

- provide a modern prison estate in which to **detain serious offenders who present the greatest threat to public safety.**
- **enhance** public protection by providing **a new, flexible but tough sentence management regime** for offenders for whom custody will still be the right and only option.
- **produce better case information** that travels with the offender.
- **deliver effective solutions to the problem of persistent but minor offenders** whilst building community confidence in our handling of less serious offenders.
- **ensure appropriate and effective interventions for young people who offend**, whether in the Children's Hearings System or the justice system, their needs should be met and communities protected.
- **create greater speed and efficiency** in the system
- **enhance public confidence in the criminal justice system** through clarity in sentencing, investment in local reparative and rehabilitative services and visible offender payback.
- **promote safer communities** through efficient case handling as well as effective sentence management for offenders both in prison and in the community.
- **engage local people** in the development, delivery and monitoring of community projects.
- **engender a collective commitment from all the agencies** to work together to ensure that organisational boundaries never become barriers to justice.

Global drivers of change

i) Trends in internationalisation

International governance and co-operation affects certain areas such as European arrest warrants, some judicial and policing co-operation and wider co-operation on other security matters. It is possible that some of these policy trends towards greater co-operation may cease or slow down in the medium term in a changed electoral landscape, although it is difficult to envisage a new UK government targeting European co-operation in these areas for renegotiation. It is also unlikely that the justice sector will be particularly affected in the next few years by the **indirect impact** of internationalisation on Scotland and the wider UK. Some areas of the justice sector have had to adapt to the rapid influx of migrants since May 2004 but it is now a past trend and unlikely to be repeated in the near future.

ii) Changes in regulation

The degree and type of regulation has a direct impact on the justice sector, which is tasked with implementing and enforcing a large amount of legislation. Indeed, the justice sector itself is the target of a certain proportion of regulation. However, it is not

⁴⁰ Protecting Scotland's Communities: Fair, Fast and Flexible Justice, Scottish Government, December 2008

straightforward to relate the amount of regulation in society to impacts on the justice sector. For instance, some low regulation societies (such as the USA) may actually

make far more intensive use of the institutions of justice to deal with the frictions between individuals and organisations than a far more regulated society (such as Denmark). For this reason, the degree of regulation is not a useful driver for understanding the justice sector and instead it is necessary to have a more detailed view of the sector's objectives and how the sector is organised.

iii) Demography and changing identities

The demography of Scotland and the UK as a whole is changing, with an **ageing society** coinciding with a situation where population growth is sustained to a greater extent than ever before by immigration (and immigrants' children). These are drivers that the justice sector has considered largely in relation to their impact on the actual and desired composition of the **justice sector workforce**. There is also some limited consideration of the skills required to **deal with certain categories of people**.

The sector, however, is **still to engage with changing identities** and the possibility that younger, more diverse, sections of the population, growing up in the information age, may be more detached from the institutions of justice. The globalisation of values and possibility of adopting multiple, transient identities through, for example, virtual communities and ICT, may change identity formation processes. Specifically, it may threaten the traditional pattern of formation of a single identity while growing up that survives throughout adult life, and uniform, shared conceptions and standards of justice. It may also expose vulnerable individuals to **extremist viewpoints** which may be destabilising for communities and nations.

UK domestic drivers of change

i) Policy and legislative trends

The justice sector is subject to, and is accustomed to rapid policy evolution and legislative change, leading to institutional reorganisations, legislative change affecting both the public (large numbers of new offences) and the sector itself (such as the Data Protection Act, equalities legislation and, imminently, the review of the Police and Criminal Evidence Act). The outcome of the **2010 general elections** will largely determine the political and legislative agenda for the justice sector for the coming years.

National politics also impact on the justice sector as a result of **policies on public spending** (and how sharply it is adjusted), **public sector employment** (including pensions) and **skills** (in terms of the future of existing funding channels such as Apprenticeships and Skillseekers).⁴¹

Many justice sector activities in the UK are regulated and controlled through increasingly formalised **performance targets and indicators** and associated accountability

⁴¹ Skillseekers is a vocational training programme for young people. A Modern Apprenticeship is a progression option beyond Skillseekers It is aimed at those aged 16 or above and capable of achieving a vocational qualification (VQ) at Level 2 or above. Learn Direct Scotland website: <http://www.lds4b.com/>

mechanisms. Current trends in this area include Comprehensive Area Assessments⁴² (in England) and Single Outcome Agreements (in Scotland).

In Scotland a number of recent and imminent changes to legislation are likely to impact on skills and training priorities, for example the Licensing Bill, Disclosure +, Vulnerable Witness and the Equality Bill. Cumulatively, these may create an additional burden on the sector in Scotland. Some of the legislation would also mean significant changes to the way practitioners operate, such as understanding and applying the new disclosure requirements.

National politics also impact on the justice sector as a result of *policies on public spending* (and how sharply it is adjusted), **public sector employment** (including pensions) and **skills** (in terms of the future of existing funding channels such as Apprenticeships and national initiatives such as Train to Gain in England, or Skillseekers in Scotland).

Many justice sector activities are regulated and controlled by Government through increasingly formalised *performance targets and indicators* and associated accountability mechanisms⁴³. Current trends in this area include Comprehensive Area Assessments⁴⁴ (in England) and Single Outcome Agreements (in Scotland). Given the stated intention of both the Conservative Party and the Liberal Democrats to **increase local democratic accountability and control** (at least in policing), there is a possibility that these arrangements will be subject to considerable change in the future.

Potential skills implications for the sector

- Depending on future priority areas for policy, more staff with in-depth skills are likely to be required in certain areas (for example in dealing with knife crime), and more generally to engage with communities in new ways and work with new procedures. However, at this point these skill needs cannot be identified with any certainty.
- Ongoing need for performance management skills to deal with performance targets/indicators/accountability, which may also need to be refreshed/adapted to changing accountability structures (e.g. reporting to lay people as well as professionals).
- Media and PR training to help manage bad news and communicate success stories, thus protecting the reputation of and recruitment into Scottish justice sector careers.
- Rationalisation and better implementation of the wide array of leadership and management skills interventions that are currently available (and indeed needed).
- A continued focus on the individual competence and operational skills of front-line staff.

⁴² Audit Commission et al. (2009) Comprehensive Area Assessment: A guide to the new framework.

⁴³ Skills for Justice (2005), Skills Foresight report: skills needs in England and Wales, and

on policing in particular: Cockroft T. and Beattie I. (2009) 'Shifting cultures: managerialism and the rise of "performance".'

⁴⁴ Audit Commission et al. (2009) Comprehensive Area Assessment: A guide to the new framework.

ii) Economic circumstances

Achieving efficiencies is a trend across much of the public sector and Justice is no exception. Cost cutting programmes already under way This trend is happening in Scotland as well as in nations throughout the UK. Cost cutting programmes already under way include the £1 billion Performance and Efficiency Programme within the Ministry of Justice⁴⁵ while the Scottish Government have an Efficiency Programme with a target to achieve a total of £1.6 billion in cash-releasing efficiencies between 2008-2011.⁴⁶ As the main political parties begin to plan to reduce the deficit, the anticipation among justice sector employers and stakeholders is that many services' **budgets will face a freeze or further reductions**. Whether these cuts and pressures apply evenly across the sector or fall disproportionately on certain areas remains to be known. As in the wider public sector, the employment impacts of cuts to the justice sector are likely to affect the regions and nations of the UK differently⁴⁷.

Economic circumstances can also drive work volumes in the justice sector. Historically, recessions have been associated with increases in **acquisitive crime**.⁴⁸ Areas that remain depressed for longer periods can often suffer from increased substance misuse.

Conversely, economic growth can sometimes be associated with greater amounts of violent crime and disorder, with more young people with money to spend meeting in city centres on Friday and Saturday nights.

Sector employers and stakeholders have identified that, in addition to reducing services, reduced budgets will have consequences for the sector's **capacity to change**. On the one hand, efficiency drives have already led to a certain amount of capability being out-sourced by moving towards **more private and third sector involvement**, which is likely to continue. On the other, if recruitment freezes exacerbate the already ageing profile of the workforce in certain key occupations, vital changes in organisational culture could be delayed, especially as regards **engaging more effectively with young people**⁴⁹. This could affect relationships with young people both as service users and as part of the future workforce.

Potential skills implications for the sector

- impact on staffing with reduction or freeze in recruiting due to the economic climate, complemented by management and leadership skills to manage downsizing and respond to shifts in demand for services
- possibility of flatter hierarchies within organisations reducing prospects for career progression and skills development
- devolving responsibility down to lower grades with insufficient training or skills
- a higher volume of skills/training in the private and third sectors to reflect their increasing involvement in service provision
- a need to maintain and update the skills and knowledge of older workers

⁴⁵ NOMS (2009) National Offender Management Service Report and Accounts 2008/09.

⁴⁶ Scottish Government (2009). Efficiency Delivery Plans 2008-2011
<http://www.scotland.gov.uk/Publications/2009/11/EDPNovember2009>

⁴⁷ Larkin K. (2009), Public sector cities: trouble ahead, London: Centre for Cities.

⁴⁸ Reiner, R (2007) *Political economy, crime and criminal justice*. Oxford: Oxford University Press.

⁴⁹ Skills for Justice (2009) 10th England Cross Sector Forum, 30 June.

iii) Social and demographic trends

Demographic and social concerns affect the justice sector in Scotland in several ways:

- the Scottish justice sector itself – like the justice sector workforce -, is **an ageing workforce** (an impact that could be exacerbated by recruitment freezes). This is associated with a range of **management and skills challenges** within justice sector organisations, such as managing the careers and re-skilling of individuals to reflect their developing needs.
- in its work, the Scottish justice sector will interface with **increasing numbers of older victims, witnesses, offenders serving sentences in prison and in the community**, as well as with other members of the **public**, and it will need to continue to be responsive to their needs
- as already mentioned, this will be mirrored by an ageing justice sector workforce's need to **continue to engage with young people** and to deal with any increase in delinquency
- rurality across the country which creates issues for staff covering wide geographical areas include travel time, local area knowledge, isolation and ways of working. All this set against a perceived 'metropolitan' agenda
- finally, an ageing society potentially also faces the risk of **cultural disconnection** and even **conflict between young and old**, with potentially far reaching implications for the work of the justice sector.

A number of **longstanding and emerging trends and societal circumstances** have had a formative influence on the justice sector in a variety of ways. One of the most significant of these influences is that they have driven the need for closer integration of the work of justice sector agencies with other partners and stakeholders both within the sector and outside of it (including interactions with, amongst others, health, social work and housing services). Some of these trends are:

- the increasing level of concern with the prevalence of **mental health** problems within society. One instance of this within the justice sector is the recent examination of alternatives to prison for people with certain conditions, explored recently in the Bradley Review⁵⁰
- an active debate about continuing high levels of harms from **drugs, alcohol and substance misuse**, and the best means of addressing these
- criminality and victimisation within **harder to reach segments of society** where additional outreach and engagement by the justice sector may be required
- higher profile, more complex problems related to **serious organised crime and terrorism**.

With each of these trends, the impact on the justice sector is a combination of the underlying social trend, the political priority accorded to the issue, and the manner in which the justice sector is required to respond. The future political priority accorded to

⁵⁰ Bradley Rt Hon (2009) The Bradley Report: Lord Bradley's review of people with mental health problems or learning disabilities in the criminal justice system.

these underlying issues is as yet unknown, as is the type of justice policy response to them.

Potential skills implications for the sector

- Expertise in working with specific categories of people who may present specific challenges or require specialist knowledge. This involves skills at two levels:
 - specialists who are trained work with certain groups (e.g. youth engagement, substance abuse, outreach with people vulnerable to extremism),
 - a certain level of skills and general awareness among the wider justice workforce to be better equipped to work with specific groups (such as older people and those with mental health problems), and to be able to assess issues in order to know when to refer matters to specialists.
- Rurality affects staff recruitment and retention leading to a relatively static workforce with little opportunity for internal progression. This may result in organisations might experience a healthy level of attrition and refresh in workforce skills.

iv) Inter-agency working

Ensuring all parts of the justice sector work together, and with outside partners, more effectively was established as a **top ongoing priority** in consultations with sector employers and stakeholders in October and November 2009. To some extent, this trend represents strategies driven by some of the trends already described. The two main underlying reasons for a continued need for effective inter-agency working are that **effective responses** to many of the social and demographic trends outlined above cannot be delivered by any justice sector service or specialism in isolation. Secondly, **efficiency drives** and the prospect of funding cuts also encourage this approach as a means of de-duplicating effort and sharing expertise and overheads.

Inter-agency working is, however, also a driver of change in its own right. It is a widespread trend also driven by Government, which individual justice sector organisations cannot ignore. The on-going drive for closer inter-agency working manifests itself in numerous ways that were highlighted as important and ongoing trends by sector employers and stakeholders, such as:

- **information and data sharing** across agencies (notwithstanding legal restrictions⁵¹)
- sharing **experience and knowledge** across parts of the system
- upgrading and improving **information systems** to support closer co-operation, especially in the interest of public safety (such as between police and probation services⁵², or among emergency services), but also in a range of other areas such as Youth Justice⁵³, and Courts⁵⁴

⁵¹ This is an area subject to change as the Communications Data Bill is designed to balance access to communications data with privacy, in the area of counter-terrorism.

⁵² See Guidance on multi-agency interoperability (NPIA 2009).

⁵³ For instance Wiring up Youth Justice Business Change Programme established by the Youth Justice Board for England and Wales (www.wiringupyouthjustice.info).

- working in closer **co-operation with the private and the third sectors**, especially as regards addressing the needs of victims

Potential skills implications for the sector

- good all round communications skills
- technical/operational skills (IT)
- knowledge and appreciation of the work of colleagues in the wider justice sector and beyond
- developing frontline staff awareness of, and sensitivity towards, particular groups and issues such as working victims and witnesses with mental health problems and/or learning disabilities, or other specific agendas such as violence against women and terrorism
- research skills to know where to find relevant information
- resourcefulness and an ability to act on own initiative
- to the extent that integration is supported by technology, it should be a priority for all staff to be brought up to proficiency in the systems used across agencies
- possibilities of greater resource and skills sharing across the sector (e.g. using HR more efficiently)
- Potential to increase knowledge of funding streams and adopted a more joined-up approach to accessing funding.

v) Other organisational and technological issues

As large public sector employers, many justice sector organisations face a range of trends related to **industrial relations**. Most recently, the Criminal Justice and Immigration Act 2008 has, for instance, removed the **right** of prison officers **to take strike action**. More importantly, the **fast pace of change in the content of many jobs** within the sector led some employee representatives to voice concerns about the need for greater definition, clarity and support for certain staff, many of whom may have many years of experience in working in the sector. In future years, if the pace of change is maintained in conjunction with pay freezes and potentially staff cuts, the industrial relations climate within the sector could become a concern.

The justice sector has over recent years been at the centre of the public sector's **workforce modernisation agenda**. This has led, most visibly, to the creation of new 'para-professional' staff categories such as police community support officers. In conjunction with this trend, there is a widespread feeling among sector employers and stakeholders that justice sector organisations (many of which are hierarchical organisations) are increasingly **devolving responsibilities to the lowest possible levels** largely driven by economic considerations.

2010 will see progress towards the enactment and implementation of the **Equality Bill** applying to England, Wales and Scotland (there is separate legislation in Northern Ireland). This proposed legislation seeks to extend legal protection currently afforded on

⁵⁴ The Coroners and Justice Bill "aims to deliver more effective, transparent and responsive justice and coroner services for victims, witnesses, bereaved families and the wider public" (www.commonleader.gov.uk/output/page2655.asp, [accessed 19 January 2010]).

grounds of gender, disability and race, to include sexuality, age and religion and belief under a **single public sector equality duty**. Public sector employers with 150+ staff, and private and third sector employers with 250+ staff, will be required to publish gender pay gap information and disability and ethnicity employment rates annually. The Bill also seeks to **extend positive action measures** enabling employers to make workforces more representative, which is potentially important in relation to the justice sector's diversity agenda. This would allow employers to use positive action to recruit, develop and bring into management individuals with non-traditional backgrounds.

The emergence of revolutionary new technologies, such as DNA profiling in 1984, is difficult to predict and remains to some degree an unknowable part of the future. It is nonetheless plausible that practitioners will continue **adopting existing and improving technologies at a rapid rate**. The ten years to 2010 saw a large increase in the use of technologies such as CCTV, DNA evidence gathering and database-facilitated checks and investigations. One area of interest is **evidence and communication in digital form through the stages of the justice process**. It is to be expected that over the next ten years, practitioners will again need to keep abreast of developments in techniques and equipment.

Potential skills implications for the sector

- the fast pace of change requires frequent refresher/update/CPD training to keep staff up to date
- devolved responsibilities mean self-management, management and leadership as well as decision-making skills further down the ranks
- positive action measures could lead to specific schemes to invest in the recruitment and development of staff (involving a whole range of skills) from groups under-represented across the sector and at senior and management grades
- practitioners in the sector will need to continue to keep abreast of developments in techniques and equipment.

vi) Environmental concerns

Environmental change may have a disproportionately large impact on the work of the Fire and Rescue Services through the frequency and severity of extreme weather events. Of particular concern is the need for **capacity to respond rapidly** to large scale flooding.

In other areas of the justice sector, the effects of environmental concerns are likely to be focused in relatively few areas. Justice sector organisations within the public sector have faced **sustainability targets** since 2006/7, with the ambition now to become carbon neutral by 2012 and to cut emissions from the office based estate by 30 per cent by 2020⁵⁵.

⁵⁵ Defra: Sustainable operations on the Government estate, www.defra.gov.uk/sustainable/government/gov/estates/ [Accessed 30 November 2009]

Potential skills implications for the sector

- increased risks of events such as large scale flooding requires a continued need for Fire and Rescue staff (including retained firefighters) to be able to operate rescue equipment and vehicles, assess and minimise risks, organise evacuations etc.
- capacity building may require the acquisition of experience (e.g. through joint exercises/simulations with other emergency and support services) as much as standard training
- capacity within command/control/co-ordination functions is also vitally important
- as regards sustainability targets, realistically most organisations are likely to seek outside support from energy efficiency specialists rather than build considerable in-house expertise.

3. Recent trends in demand for skills and current skill needs

Looking at the highest level of qualifications of the workforce is a helpful starting point when making an assessment of current skills levels. Recent figures suggest that the proportion of *the justice sector workforce in Scotland with the highest level of qualifications (NQF Level 4 or above) is the same as that of the whole economy and 1% less than that of the justice sector as a whole.* At the same time, *the proportion of workers in Scotland is lower at the opposite end of the scale,* with below Level 2 qualifications at 20%, compared with 30% in the whole economy and 21% in the overall UK justice sector. (table 3.1).

In recent years, however, the qualifications landscape has been changing, following the general UK trend of increasing qualifications levels among the workforce. Younger people in the sector are also likely to have higher qualifications (at least in the 25-34 age group) than older workers.

Table 3.1. Highest level of qualification among Justice sector employees in the UK (%)

	Whole economy	Justice Sector				
		UK	Scotland	England	Wales	Northern Ireland
NQF Level 4 and above	33%	34%	36%	33%	47%	47%
NQF Level 3	16%	21%	22%	21%	13%	16%
Trade Apprenticeships	5%	3%	6%	3%	0%	7%
NQF Level 2	16%	21%	16%	21%	23%	17%
Below NQF Level 2	13%	14%	11%	14%	12%	10%
Other qualifications	9%	4%	5%	4%	2%	1%
No qualifications	8%	3%	4%	3%	3%	2%

Source: Labour Force Survey April 2008-March 2009, the figures include Fire and Rescue Services.

The breakdown of qualifications across the sector broadly reflects prevalent recruitment and training practices, as well as the breakdown of the workforce by major occupational groups. The largest employers, such as police forces, do not have entry-level requirements of formal academic qualifications, even though applicants may already possess general educational or other qualifications up to and including Level 4. Sector employers tend to select and train candidates according to their own competence-based selection and training programmes.⁵⁶ This also means that the majority of the workforce in 'front line' occupations is recruited at entry level and is trained to acquire sector-

⁵⁶ For example in Scotland, new police officers attend for fifteen weeks' basic training an intensive course then receive "in-house" training for 12 months with individual police forces. <http://www.tulliallan.police.uk/www/intro.htm>

specific qualifications.⁵⁷ However, some limited evidence is available to suggest a higher success rate among those candidates wishing to gain entry who already have experience in the sector, for example as a volunteer or as a lower grade support staff⁵⁸.

Despite a *growing recognition for the need to develop diverse and accessible entry routes* across the sector, and to break down the 'silo' approach to recruitment, training and continued professional development, it continues to be the case that these **remain, for the most part, delivered separately** by justice sector strands,⁵⁹ much of it in-house, and much of it is unaccredited. This reduces the potential for developing a core of justice-related skills and the ability to transfer these skills from one part of the sector to the other, potentially leading to an inflexible and static workforce on the one hand, and duplication in training on the other, should a worker decide to transfer from one strand to another. However, within strands there are recent examples of making entry routes into certain professions more accessible to existing support staff, and of making learning and development generally more integrated across staff grades.⁶⁰

*The rate of hard to fill vacancies in the sector is considerably lower than across the board, and the number of those due to skills shortages is very modest.*⁶¹ Some shortages in the sector tend to concern specialised skills, and the numbers involved are small. For example, some recent evidence from employers suggests difficulties with recruiting qualified social workers **to work with young people** in young offender institutions and secure training centres. These shortages may reflect the wider trend of difficulties with the recruitment of social workers specialising in work with children and young people.⁶² Looking at the public sector as a whole the hard-to-fill vacancy and skill shortage rates were lower than in the private and voluntary sectors.

However, recent data from a Skills for Justice survey also indicates that among **third sector employers** in the justice sector the rate of **hard to fill paid vacancies** appears to be sizeable (27% of paid vacancies), particularly among those working with victims, survivors and witnesses of crime and in substance misuse work, and especially in **positions that require interaction with service users** and the possession of **specific skills** (such as advice workers, counsellors and community development workers). The primary reasons for these recruitment difficulties are lack of specific skills and lack of necessary experience. As regards **volunteers, leadership and management** positions

⁵⁷ The Skills for justice sector Skills Agreements for England, Wales, Scotland and Northern Ireland (all 2008) estimated that more than 85% of employers across the UK relied on in-house training for their staff.

⁵⁸ An example is the 12% higher success rate in passing the entrance assessment exercise suite among candidates wishing to enter a Home Office police force who had previous experience of serving as a police community support officer as opposed to those who had not. The success rate was also 8% higher among those with experience of serving as a special constable. (NPIA Examinations and Assessment, Police SEARCH Recruit Assessment Centre, Annual Results Report 2007/08.)

⁵⁹ See for example A Sector Skills Agreement for the justice sector, Scotland, Skills for Justice 2008.

⁶⁰ One such example in England and Wales is the Probation Qualifications Framework Review (Ministry of Justice National Offender Management Service 2009)

⁶¹ The Skills for Scotland 2008 suggested that whilst the proportion of hard to fill vacancies in Scotland (as a proportion of all vacancies) across the economy was 50%, with low hard-to-fill and skill shortage vacancy rates found in public administration and defence. Just over half of these vacancies were skills shortage vacancies (fewer than 300 vacancies in total). A general note on the availability of national data on vacancies, skills, and training: given the structure of the sector, establishment-based national employer skills surveys in Wales, Scotland and Northern Ireland tend not to produce valid sample sizes therefore sector-specific information for Skills for Justice is usually non-existent or is very limited. This is true in the case of the Wales skills survey (2005), the Scotland Employer Skills Survey (2008) as well as the Northern Ireland Skills Monitor (2008). However, given that the structure of the sector and employment patterns across the UK show many similarities, it is not unreasonable to draw some cautious conclusions from the available data as regards the UK justice sector as a whole.

⁶² Skills for Justice's submission to the Migration Advisory Committee second partial review of the government-approved shortage occupations list.

are reported to be the most difficult to fill, and also those that require **specialist skills** such as finance and IT. The main reasons for this seem to be simply lack of applicants and lack of experience.⁶³

*The extent of internal skills gaps across the Public Administration and Defence industry is lower to that in the workforce of the wider economy in Scotland*⁶⁴. For the Public administration & defence industry in Scotland, 5% of employees have a skills gap compared with 8% for Scotland as a whole; and is actually the industry – alongside construction – with the lowest proportion of skills gaps.

In terms of *the type of skills lacking*, the Skills in Scotland 2008 highlighted **technical and practical skills, customer handling skills, problem solving** and **office admin skills** as the main skill shortages from applicants across all sectors. As a proportion of all employees, hard-to-fill and skill shortage vacancies were most common among associate professionals.⁶⁵

In the course of the first stage of establishing **Sector Skills Agreements** in the four UK nations, an assessment was carried of the available evidence on skills needs in the sector. The main identified skills needs areas that cut across Scotland and the other three nations were:

- **Management and leadership skills** – although considerable investment had been made into training in this area, little evidence was found of long term evaluation of the impact of training, return on investment and value for money across the board, and there was little or no focus on contracting and procurement. In Scotland more emphasis has been placed on management than leadership training, and in more than one UK countries the extent to which management training addressed certain elements within management skills (such as financial, performance, quality and risk management, managing change) was thought to vary considerably between agencies.
- **Multi-agency working** - although this was seen as key to an effective and efficient justice sector, little evidence was found of specific training in this area other than at induction or probation level. Positive examples of investment in this type of training were identified in specific areas such as the management of sex offenders in Scotland and in child protection and other joint protocols in Northern Ireland.
- **IT and computing skills** - national Sector Skills assessments noted the importance of, and continuing investment in, this area within the sector
- **Equality, diversity and human rights** – the national assessment reports of England, Wales and Scotland dealt with this area of skill need in terms of race and diversity, and noted that most employers provided training at entry level but there was little evidence of a co-ordinated approach to refresher training, especially on the effects of changing legislation.⁶⁶

⁶³ Skills for Justice (2009) Skills in the justice sector: A survey of third sector employers 2009.

⁶⁴ 5% as opposed to 8% of employment across Scotland (Skills in Scotland 2008).

⁶⁵ Futureskills Scotland & Scottish Government (2009), Skills for Scotland 2008.

⁶⁶ Sector Skills Agreements for the justice sector in England, Wales, Scotland and Northern Ireland Skills for Justice (all 2008).

With the growing importance of **third sector providers** in the justice sector, ensuring that the workforce has the required skills is particularly relevant. Skills gaps are generally present to a **greater extent among volunteers**.

- **leadership and management skills** top the list of skills gaps both as regards staff and volunteers⁶⁷
- **specialist skills** for support roles such as HR and finance are skills gap areas for both groups⁶⁸
- as regards **specific skills** required to work with particular user groups the extent of skills gaps is greater among volunteers⁶⁹.

The most significant cause for skills gaps is lack of funding⁷⁰, and connected with this, lack of time to attend or complete training, although for volunteers not being in the role long enough is also a factor⁷¹.

In summary

- continuing the trend of recent years, **higher skills** are likely to be in demand, especially since the proportion of managers and senior officials as well as that of professionals has seen significant and sustained growth in recent years
- where no formal entry level qualifications requirements exist, it is important that there are **opportunities to gain experience** of working with the sector, for example as a volunteer
- the further integration and development of a **core set of key competencies** not only within the same occupation, but across different occupational grades and different strands of the justice sector is required to ensure flexibility within the workforce
- as sector-specific training continues to be highly specialised, **skills associated with multi-agency working** are of great and increasing importance
- internal **skills gaps** affect the sector to a greater extent than skills shortages, which it must continue to address: among others **leadership and management skills**, especially that of procurement and commissioning and change management, continues to be in high demand. It is also important to evaluate the long-term impact of the existing learning and development provision as well as share information and best practice regarding the emphasis placed on various elements within the training programmes by various employers. As well as **customer handling skills** provision, and continued attention needs to be paid to skills in **equality and diversity**, especially refresher training.
- skills in **the third sector workforce** will require much greater attention in the future both as regards paid staff and volunteers, ensuring that funding is available to address skills shortages and skills gaps in a number of skills areas

⁶⁷ A skills gap was identified by 10% and 19% of establishments, respectively. Skills in the justice sector, *ibid*.

⁶⁸ 10% and 17% of establishments identified skills gaps in this area, (Skills for Justice (2009) Skills in the justice sector: A survey of third sector employers 2009.*ibid*).

⁶⁹ 15% of establishments reported this, compared with 7% in respect of paid staff, *ibid*.

⁷⁰ Funding for learning and development at present is always included in only approximately a third of grants or service provision contracts with third sector organisations, and 'sometimes' in another third, *ibid*.

⁷¹ Lack of funding was pointed out by those employers identifying skills gaps in respect of 61% of paid staff and 55% of volunteers. Not being long enough in the role was identified by 51%, *ibid*.

ranging **across the skills spectrum** from key skills to leadership and management skills, as well as specialist and specific skills.

4. Anticipating what lies ahead

4.1 Projected workforce demand

The latest Working Futures forecast covering the entire working population of the UK was produced for the period 2007-2017 by the Institute for Employment Research (IER) at the University of Warwick, and was published by the UKCES in December 2008.⁷² This was at a time when the full scale of the impact of the worldwide financial crisis on the UK economy could not yet be foreseen, neither could the depth of the ensuing recession and the volume of subsequent job losses. The forecast was also drawn up before Fire and Rescue Services joined Skills for Justice's footprint. For these main reasons Skills for Justice commissioned IER to produce a set of **updated workforce projections** in January 2010⁷³, using the same Working Futures methodology but covering the period between 2010-2020. These projections are based on employment trends in the sector between 2000-2008 and on the latest available Cambridge Econometrics macroeconomic projections (from June/July 2009), but they also take further emerging economic trends into account.

A note on methodology: the Working Futures database is mainly based on employment figures from the Annual Business Inquiry (ABI) as it is thought to be more robust for the purpose of producing employment forecasts. The updated forecasts are therefore mainly based on this data. However, the ABI tends to underestimate the size of the justice sector workforce compared with the Labour Force Survey (LFS), and does not include self-employment information, nor any data for Northern Ireland. The structure of the workforce by SOC major groups also show a somewhat different picture based on this core data, in which the proportion of the 'associate professional and technical' major group is lower than that estimated by the LFS.⁷⁴ This means that projections based on the Working Futures database will also appear to be on the conservative side compared with the data presented in the rest of the report. However, the advantage of using Working Futures/ABI data is a robust and measured approach which, at the current time of fast-paced change, is deemed altogether sensible and useful.

The updated Working Futures forecast for Skills for Justice is based on an altogether more pessimistic economic forecast. This is justified by recent employment figures which suggest that **total UK employment has probably peaked in 2008** at around 31.5 million jobs. The forecast anticipates a decline to just under 30.5 million in 2012 before a gradual recovery begins. **2008 levels are expected to be achieved again only around 2019**. The updated forecast confirms that professional services and public administration and defence (where the great majority of Skills for Justice's footprint is) have not been immune from this impact and goes on to estimate that professional services are expected to follow **a similar path** to the general trend for all industries, but reaching

⁷² Wilson, R. A. *et al* (2008) Working Futures 2007-2017.

⁷³ Wilson, R. (2010) Update of Working Futures for Skills for Justice, Stage 2: Employment Projections.

⁷⁴ The ABI is a survey of businesses, focusing on workplaces and numbers of jobs. The LFS is a survey of households, therefore it provides information on people in employment and their place of residency (and includes self-employment). The data from these surveys are organised into categories based on standard classification systems. One of the standard systems used is the Standard Industrial Classification (SIC), and another is the Standard Occupational Classification (SOC). However the categories in these systems do not align neatly with Skills for Justice's *strands*. For this reason some of the data in this section is reported by activity based on SIC (2003) codes 75.23 (justice and judicial activities, which include, for example, the courts, tribunals and prosecutions strands and custodial care); 75.24 (public security and law and order activities, which incorporates the policing and law enforcement strand) and 75.25 (fire service activities). These three codes cover the majority of Skills for Justice's footprint discussed in this report.

2008 levels a little sooner. The prospect in **public administration** is expected to be more directly dependent on government policy and the state of public finances - key drivers already discussed in section 2.3 of this report in more detail.⁷⁵

Some forecast key figures and trends for employment in the UK justice sector between 2010-2020 are presented in Table 4.1 and can be summarised as follows:

- the forecast for the sector suggests an **overall decrease of approximately 5.8%** in employment levels between 2010-2020. This conservative estimate projects a decrease by nearly 27,000 jobs in total across the footprint
- the level of decrease in employment is expected to differ between the three main activities within the justice sector footprint: it is forecast to be the largest in fire service activities (-9.5%), followed by public security and law and order activities (-6.5%), and the smallest in justice and judicial activities (-3.5%)
- the proportion of the total justice workforce expected to **retire or leave the sector between 2010-2020 is just under a third (30.4%)**, creating a replacement demand of approximately 141,000 workers (which, again, is likely to be a conservative estimate)
- however, the overall proportion of **job openings** will be fewer, **approximately a quarter (24.6%)** during the same period, resulting in an overall fall in employment.

Table 4.1 Employment projections for the UK Justice sector 2010-2020

Justice Sector activity (by SIC code)	Employment estimates (thousands)		Trends in employment 2010-2020 (%)		
	2010	2020	Total change	Replacement demand	Job openings
75.23 Justice and judicial activities	126.87	122.46	-3.5%	31.0%	27.6%
75.24 Public security and law/order activities	285.33	267.90	-6.1%	30.2%	24.1%
75.25 Fire service activities	51.92	46.98	-9.5%	29.9%	20.4%
All activities above	464.12	437.34	-5.8%	30.4%	24.6%

Source: Update of Working Futures for Skills for Justice. Numbers and percentages have been rounded

The proportion of **females** employed in the sector is expected to **increase** in all three main activity areas, in public security and law and order activities the most (by approximately 2.7%). The number of females in the workforce is not forecast to decrease in absolute terms either, which means that it is likely that the expected fall will be seen mostly in the employment of men.

Table 4.2 provides further details of employment changes forecast in individual UK countries.

⁷⁵ See Wilson, R. (2010), *ibid.*

Table 4.2 Employment projections for the Justice sector by UK country 2010-2020

	Scotland			England			Wales			Northern Ireland*		
	Empl. est. (thousands)		Change %	Empl. est. (thousands)		Change %	Empl. est. (thousands)		Change %	Empl. est. (thousands)		Change %
	2010	2020		2010	2020		2010	2020		2010	2020	
75.23 Justice and judicial	14.19	14.09	-0.7	102.90	98.82	-4.0	6.91	6.77	-2.0	2.87	2.79	-2.8
75.24 Public security, L/O	26.12	25.33	-3.0	242.76	227.26	-6.4	11.64	10.81	-7.1	4.81	4.51	-6.3
75.25 Fire service	7.78	6.98	-10.3	39.24	35.54	-9.4	2.93	2.64	-9.9	1.96	1.82	-7.1
Total	48.10	46.40	-3.5	384.90	361.62	-6.1	21.48	20.22	-5.9	9.64	9.12	-5.4

Source: Update of Working Futures for Skills for Justice. Numbers and percentages have been rounded.

*Projections for Northern Ireland need to be treated with caution as the figures are low (and are likely to underestimate the size of the workforce).

The main trends in UK countries show that:

- a fall in justice sector employment is universally forecast in all four UK countries; and the patterns of change, notably the differing extent to which the three activity areas will be affected, are similar to the general trends across the UK justice sector
- the total **fall** in employment in the sector is projected to be **sharpest in England** at -6.1% and **smallest in Scotland** at -3.5%
- employment in the largest activity area, public security and law and order activities, is forecast to decline to the greatest extent in Wales (-7.1%).

Forecasts for some key occupations and occupational groups in the sector (for which data was available) suggest that some staff groups are more likely to be affected by the decrease of employment in the sector than others. Examples of forecasts for some key occupations can be found in Table 4.3.

- **administrative and secretarial jobs** are set to **decrease** significantly (alongside elementary occupations, not included in the table).
- **key occupations** in the sector employing large groups of the workforce are **not forecast to see a decrease**
- the number of manager-level jobs (such as senior police, prison and fire officers) is expected also to rise, alongside some professional level occupations.

Table 4.3 Employment projections for the Justice sector for some occupations 2010-2020

	Employment estimates	Projected change by 2020	
	2010 (thousands)	(thousands)	%
Police officers (inspectors & above)	16.4	2.2	14.0%
Senior officers (fire, amb, prison et al)*	16.5	2.3	13.9%
Probation officers	13.1	1.8	13.7%
Police officers (sergeant and below)	209.5	22.8	10.9%
Fire serv. officers (leading off. & below)	45.2	4.9	10.8%
Prison serv. officers (below princ. off.)	52.6	5.7	10.8%
Admin & secretarial occupations	96.4	-13.8	-14.3%

Source: Update of Working Futures for Skills for Justice. Numbers and percentages have been rounded.

*This occupational group includes senior ambulance officers who are not part of Skills for Justice's footprint.

To summarise, given the recent economic downturn unprecedented for decades, forecasting employment numbers for the medium term is complex and the risk of error is high. However, it is highly likely that employment in the justice sector at UK level and in individual UK countries will see a moderate decrease over the next ten years. Nevertheless, demand for staff with **higher-level skills** is expected to remain at least constant, and there will be a continued need for skills at **medium level** in key occupations where high proportions of the workforce are found.

Within the overall picture, the occupations that are likely to be more in demand and those that are less will, to a considerable extent, depend on the direction that justice policy takes over the next few years. This state of play puts increased emphasis on the importance of the scenarios set out in the next section.

4.2 Scenarios and strategies for the Justice Sector for the next 5-10 years

As part of a recent study carried out by the Institute for Employment Studies for Skills for Justice⁷⁶, a small number of alternative scenarios were constructed for the justice sector in Scotland and across the whole of the UK for the forthcoming 5-10 years, together with their implications for future strategies and likely skill demands.

The scenarios were built using an inductive method, based on the key drivers of change identified as part of the research process (discussed in detail in section 2.3 of the present report). This was followed by a process of testing and applying them with the active participation of sector employers and stakeholders. This resulted in a number of strategies and major skills implications *associated with* each scenario. As the scenarios took a range of material emerging from justice sector strands across the UK, as well as UK nations, into account, they remain at a high-level with broad strategic options and skills implications.

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 from the present, and how it might be shaped.

In contrast with some forecasts, scenarios can more readily encompass potentially high-impact but uncertain factors. In respect of *degrees* of impact and uncertainty, a few key factors are reflected in all three scenarios below:

- Factors with **high impact, but which** affect the sector **in a highly uncertain way**, such as trends within the justice sector towards **inter-agency working** and other public management initiatives, as well as **external political change** and the future priority given to competing policy areas such as economy, employment and welfare. These are the main factors that differentiate between the scenarios.
- The **high-impact, highly predictable factor** that runs through all three scenarios is that the sector will come under **considerable financial strain** in the years following the current recession; however its magnitude is not yet certain.
- The existence of clear **links between the trends and drivers** affecting the sector is a third important cross-cutting factor which affect the drivers of change and scenarios differently. For instance, cost cutting can be a driver for inter-agency working, and for devolving responsibilities to more junior staff, who will increasingly need to work across agencies, which creates potential skills needs.

It is important to remember that none of these scenarios predict the future: the future will doubtless contain some features from all three scenarios and other influences besides which are not yet known, or have not been recognised as part of the research which lead to the scenarios. It is also worth considering that, given the devolution of justice powers to Scotland (and potentially also Northern Ireland), there is a possibility that different areas of the UK experience different scenarios, or experience common scenarios to differing extents.

⁷⁶ Institute for Employment Studies (2009) Skills Priorities and Scenarios in the justice sector.

Scenario 1: Joined up justice

Under the joined-up justice scenario, there is continued commitment amongst major justice sector players to improve processes and outcomes by working across organisational and professional boundaries. Skills for Justice and local Criminal Justice Boards take a leadership role in driving this integration. In a benign political climate, Justice is mostly out of the limelight and policies are influenced by evidence and expert opinion, enhancing the role of experts and a wide range of strategic level bodies such as the National Offender Management Service and the National Policing Improvement Agency. The watchword is **effectiveness**. The slow and halting economic recovery means that budgets are tight, but limited, short term funds are available to support selected strategic priorities.

Learning and workforce development: in this scenario some individuals thrive and are able to keep up with new demands and vocationally re-engaged by the increased scope to take a holistic approach to the members of the public they serve. Managing those who do not thrive is a key challenge.

Existing training budgets are scrutinised and reprioritised for remodelling and training parts of the workforce, with a focus on those areas where key objectives require working co-operatively across traditional boundaries. A mix of training and recruitment of higher-skilled staff is used to upskill roles where the degree of autonomy is increased. A balance of specialists and generalists is still required across the sector.

Some strategies associated with this scenario:

- **Mapping the ‘journeys’ of offenders, victims and possibly also witnesses** would serve to highlight areas where better co-ordination and co-operation is required to provide a seamless experience for service users. These ‘journey maps’ could then be related to the skills and responsibilities expected in different justice sector roles.
- **Improving knowledge management and sharing best practice** to make a joined up strategy effective in practice, which would provide better opportunities to many staff to tackle a range of entrenched societal problems more holistically.
- In order to retain political support and investment in the joined-up approach with its focus on prevention and long term outcomes, the sector will need to successfully **measure the effectiveness of the preventive function of the sector and demonstrate long term value**.
- Each organisation would be required to take on shared responsibility for **promoting cultural change and tackling ‘silo mentalities’**. This will mean, over time, integration of services and the development of new multidisciplinary roles, which could be fostered by **developing clear entry routes and opportunities for lateral career progression**⁷⁷. Ultimately, such cross-sector careers could lead to the **creation of cross-sector leaders**.

Some skills implications associated with this scenario:

⁷⁷This is a topic already under active consideration within Skills for Justice, particularly in relation to entry routes. Among the options being developed or under consideration are: Justice apprenticeships, 14-19 diplomas, additional engagement with schools and more volunteering and secondments. See Skills for Justice (2009), *10th England Cross Sector Forum*, 30 June: *Macro environment drivers for the justice sector in England: the skills implications and how to respond*

- expertise in **cross-agency knowledge** and understanding, especially among generalists
- **effective communication** and collaborative working between different functions
- **process improvement skills** throughout the workforce to ensure better information flow and co-ordination between agencies
- new and better forms of **leadership** throughout the ranks, especially in parts of the sector traditionally characterised by rules and hierarchy
- for some staff, **managing and leading other professionals** outside their own area of expertise.

Scenario 2: Essential justice

Under the essential justice scenario, public and private frugality combine to limit the sector's strategic options. Politics is dominated by the pressing need to reduce the national debt and economic recovery is slow. In a bid to save frontline services, large swathes of the justice sector 'superstructure', including executive agencies, are cut back in a 'bonfire of the Quangos'. The watchword is **economy**. Desirable but non-essential projects are scrapped. Essential projects are ranked and hard choices have to be made.

As regards learning and workforce development, organisations in this scenario seek to devolve some duties down to cheaper staff groups, and therefore many staff will need the ability to assume more autonomy. This will require a degree of capacity building in these staff groups, possibly some limited recruitment of graduates. Organisations will reduce support staff functions and look for ways to increase duties and caseloads for operational staff.

Training is cut sharply, and what remains is the bare minimum – in some high profile cases, less – needed for ensuring effective operational continuity.

Some strategies associated with this scenario:

- Identifying core activities and convincing decision-makers of their affordability will require a strategy **of demonstrating the business case for critical activities**.
- In order to make existing activities more affordable, there will be a drive to **devolve many managerial, decision-making and supervisory responsibilities** down to the most junior and cheapest staff categories possible.
- In order to make greater use of cheaper staff resources, there will be efforts to further **develop para-professional qualifications** with appropriate knowledge and practical skills content.
- Meanwhile senior managers will **pursue non-contentious improvements** as far as is possible (and affordable) in areas that are often out of the limelight.
- Benefits may come from **co-operating better across geographical boundaries**, especially in sharing certain specialised functions and back-office support. Mergers of neighbouring services will be considered but will only go ahead if cash-flow benefits arise very quickly.

Some skills implications associated with this scenario:

- a degree of **capacity building** in lower ranks, in particular, to have many staff with the ability to assume more **autonomy**

- **enhanced leadership skills for self-management and the management of other staff with more autonomous responsibilities**
- for more staff to develop skills in performing **risk assessments** and applying judgment to **formulate proportionate responses** at their own initiative
- greater **cost-consciousness and commercial acumen, including improved procurement and commissioning skills** for finance and operational managers in order to get things done well but cheaply, whilst keeping the risk of adverse consequences to a minimum
- **communication skills** for justice sector leaders and spokespeople to explain to staff and the public the level of service possible, and to be able to handle the aftermath of the higher number of errors.

Scenario 3: Traditional justice

Under the traditional justice scenario, effectiveness and economy remain important but are overshadowed by a major change in public priorities. Shifting political and social trends related to real and perceived social degeneration in localities worst hit by the recession lead to mounting and eventually irresistible pressure to make the justice system more punitive. While the economy remains weak and public spending overall is reduced, spending on Justice is maintained. The Justice system 'superstructure' remains in place but loses influence and assumes a more responsive role. The watchword is **toughness**. Many current activities, including cost-effective initiatives which have received positive rigorous evaluations, are dismissed for being 'too soft'.

The learning and workforce development implications of this scenario are: staffing levels are likely to be boosted and reprofiled, with a focus on the most visible categories that have public resonance such as police officers and forensic investigators. Other staff groups such as special constables and retained duty firefighters could potentially increase in number.

Training budgets remain stable but are refocussed on new priorities. Media training will be much in demand from senior managers.

Some strategies associated with this scenario:

- **Transferring effort and resources to frontline operations** and finding ways to **build operational capacity**. This will include developing existing staff as well as **reorienting HR** for a greater focus on selection of recruits according to core operational criteria.
- Upgrading **HR and management monitoring systems** to keep a closer eye on operational effectiveness and to mitigate any trends towards unprofessional conduct that could be exacerbated by the 'get tough' political rhetoric of crime fighting.

Some skills implications associated with this scenario:

- **reduced demand for 'soft' skills** such as communication, engagement etc., and **less skills development around human rights, equality, and diversity**,

although to some extent this could be compensated by an increased need for these skills in the third sector

- greater focus on **operational and technical skills** (such as driving, lethal and non-lethal weaponry, use of firefighting equipment etc.).
- re-equipping parts of the sector will require skills in **procurement and commissioning**
- **similar** skills needs among **specific staff groups** such as special constables and retained duty firefighters
- **greater political awareness and public-facing presentational skills** for sector leaders (selling success, explaining setbacks, heading off impracticable or undesirable proposals).

In summary

Given the anticipated squeeze on employers' budgets and the slight fall projected in total employment in the sector over the next 5-10 years, as well as the healthy supply of new applicants and comparatively low labour turnover rate in most parts of the sector, **skills supply is likely to meet the demand for skills in the medium term**. Despite this, skills gaps and occasional skills shortages are likely to occur, which, considering the expected increase in demand for services, will be more important than ever to respond to through joint action by the sector, governments and the skills system.

The three alternative scenarios for the justice sector discussed in this section paint three distinct potential paths for the future, which will require the sector to consider adopting alternative strategies and concentrate on particular skill sets accordingly. However, it seems that there is a common core of strategies and skills implications that run through all three, but with a different emphasis and priority depending on the particular scenario. Section 5 of the present report will review these strategic actions and their skills implications, together with recent progress made by Skills for Justice in these areas and further action required.

5. Geographies

One of the determinant characteristics of employment in the justice sector is that the majority of the workforce is employed by large organisations, and skills developments as well as drivers for change tend to be affected predominantly by the domestic policy agenda and internal trends within the UK public sector. The combined effect of these factors is a relatively low level of geographical variation within the sector. The emerging high level research findings support the view that the main workforce and skills issues, priorities and challenges are similar between different geographical areas of the UK. However, more fine-grained differences between UK countries and English regions (as well as justice sector strands) do exist, both in terms of the characteristics of the workforce and major drivers of change. A few of these differences are highlighted below:

As regards workforce characteristics, one obvious feature is that England employs the great majority of the workforce, but it also employs a higher proportion of minority ethnic and female staff than other UK countries. Some notable differences also exist between English regions. Compared with the distribution of the general workforce across English regions, London has a higher than average proportion of justice sector workers than other regions, and a much higher than average proportion of minority ethnic staff. The concentration of minority ethnic workers in the sector is unusually high in the London region, over 60%. There are also more females, and a somewhat higher proportion of young people working in the sector in London than in other regions. The proportion of managers, senior officials and professionals is also greater here, and so is the proportion of those with the highest level of qualification among the regions.

The main drivers of change impacting on future skills demand are common across the UK. The justice sector in the UK nations, however, is also affected by a small number of specific drivers, such as the pending devolution of policing and justice functions to the Northern Ireland Assembly, the implementation of the Welsh Language Act, complexities due to the rurality of Wales, and the volume of recent and imminent changes to legislation which impacts heavily on the work of the justice sector in Scotland. In England one of the specific drivers is recent organisational change and large-scale efficiency programmes in the sector. Meanwhile, the justice sector will also need to prepare for the 2012 London Olympics, which will require substantial resources, most notably in policing.

Similar to the overall UK justice sector employment forecast for the next 10 years, a moderate degree of fall in employment can be expected in the sector, but among individual UK countries the fall is projected to be sharpest in England, and smallest in Scotland. The decrease is expected to be steeper in some of the English regions such as Yorkshire and the Humber and the East of England, whilst London and the North West are likely to see fewer job losses.

6. Key skills priorities in need of action in Scotland and the UK

The drivers of change, workforce projections and scenarios presented in this report are based on brand new research. Skills for Justice is therefore still in the process of fully considering the implications of these in terms of strategies, associated skills needs, and further actions required (and of whom), which will be incorporated in its forthcoming business plans. However, the following section outlines some areas where the research findings indicate that likely skills action will be required – generally across the UK and where applicable, specifically in Scotland - and enlists examples of recent progress already accomplished in these areas by Skills for Justice and other parties. The account of recent progress to a large extent reflects the action plans drawn up as a result of the Sector Skills Agreements in 2007/08, which confirms that some of the skills needs in the sector are on-going and responding to them requires sustained joint effort

Strategic action	Sector skills needs	Recent progress (SfJ)	Further action required
<p>Mapping the ‘journeys’ of offenders, victims and possibly also witnesses</p> <ul style="list-style-type: none"> to highlight areas for better co-ordination and co-operation to provide a seamless experience for service users. to map these across to the roles and skills requirements in different justice sector roles 	<ul style="list-style-type: none"> Expertise in working with specific categories of people who may present specific challenges or require specialist knowledge (at specialist and generalist levels) Positive action measures could lead to specific schemes to invest in the recruitment and development of staff (involving a whole range of skills) from groups under-represented across the sector and at senior and management grades Process improvement skills 	<ul style="list-style-type: none"> Development of strategic partnership with key bodies re. Mental Health in Justice Developing influence on policy in respect of planning for solutions in Mental Health skills development across Justice Support secured for use of Action Learning sets and facilitator training through the Joining up Justice programme and Women and Work programme (with employers and Government) Development of an Occupational Map based on the ‘journey mapping’ approach 	<ul style="list-style-type: none"> Continue support for Women and Work agenda (Government and employers) Ensure fair access to, and support for, funding in Apprenticeships across all age groups (Government) Secure funding for targeted support to address diversity through use of Apprenticeships (SfJ and Government) Use IAG effectively to attract more young people to the sector (SfJ and employers) Simplify the support mechanisms that help SSCs and employers address associated issues such as diversity and accredited entry routes e.g. Apprenticeships (Government)

Strategic action	Sector skills needs	Recent progress (SfJ)	Further action required
		<ul style="list-style-type: none"> • Collaborative Leadership Programme (case study of a young offender and his path through the system at the core of the programme) • In progress: based on research with employers, development of a range of products and services to help employers increase workforce diversity, e.g. support for employers with pre-entry programmes for under-represented groups; bid for funding to increase diversity through Apprenticeships; ESF bid in Wales to develop underrepresented employee groups; bid to develop Women and Work 'sister' project in NI • Development of a NOS-based equality and diversity training programme (values, behaviours, benefits of a diverse workforce), designed to be delivered in-house or jointly by organisations across the sector in Scotland (SfJ with employers) • In development: e-learning materials to support the 	<ul style="list-style-type: none"> • Support for innovative pre entry and CPD schemes that enable equality of opportunity in entry and advancement for those from under-represented groups (employers and Government) • Identification of an Equality Impact Assessment tool enabling to assess the impact of E&D on all products and services (SfJ) • Ensure that third sector organisations have access to sufficient funding in order to provide the necessary skills to staff and volunteers (SfJ, employers, Government) • Secure mandate and support for role in driving research, development and implementation of solutions as part of a common approach to Mental Health across sector workforce skills development (SfJ, employers, Government) • Research and development of common approach to addressing needs of those with mental health/learning disability issues either in or at risk of entering the criminal justice system (SfJ with employers)

Strategic action	Sector skills needs	Recent progress (SfJ)	Further action required
<p>Improve knowledge management and share best practice to ensure that ‘joined up’ also means effective</p>	<ul style="list-style-type: none"> • Good all round communications skills • Knowledge and appreciation of the work of colleagues in the wider justice sector and beyond • Research skills to know where to find relevant information • Resourcefulness and an ability to act on own initiative • Proficiency in the IT systems used across agencies 	<p>cross-sector equality and diversity training programme developed by SfJ in Scotland</p> <ul style="list-style-type: none"> • Joining up Justice pilot programme run successfully in the SE of England (with employers and the RDA) • Secured support and funding for NOS and a qualification in strategic problem solving for use by Crime and Disorder Reduction Partnerships (with employers through Government) in England • Inter-agency information sharing training course developed and piloted in Scotland • Accredited ICT awards being offered and committed to by employers via TtG Joint Investment Frameworks (employers) 	<ul style="list-style-type: none"> • Secure mandate and support for strategic programme of work that enables effective collaborative leadership and delivery in key multi agency functions e.g. management of prolific offenders (SfJ with employers and Government) • Ensure that funding remains available to meet employer demand through Train to Gain (Government)
<p>Promote cultural change and tackle ‘silo mentalities’ across organisations at all levels</p>	<ul style="list-style-type: none"> • expertise in cross-agency knowledge and understanding, especially among generalists • effective communication and collaborative working between different functions • Management and leadership skills, 	<ul style="list-style-type: none"> • Collaborative leadership programme • Inter-agency information sharing training course developed and piloted in Scotland (SfJ with employers) • Management and Leadership Action 	<ul style="list-style-type: none"> • Continue to build on and develop programmes already underway. • Disseminate research and devise further action (SfJ with employers and Government)

Strategic action	Sector skills needs	Recent progress (SfJ)	Further action required
	particularly for managing professionals outside area of own expertise	Learning Set programme delivered	
Develop clear entry routes and opportunities to increase lateral career progression across the sector	<ul style="list-style-type: none"> • expertise in cross-agency knowledge and understanding, especially among generalists • effective communication and collaborative working between different functions • Management and leadership skills, particularly for managing professionals outside area of own expertise 	<ul style="list-style-type: none"> • Development of new Apprenticeship frameworks for significant elements of the workforce (with employers) • Development of 14-19 Diplomas • Development of IAG strategy and on-going development of career pathways and LMI • Increased use of recognised qualifications through Train to Gain Compact and Joint Investment Frameworks (with employers and Government) • Bite-size qualifications to enable flexible accredited career development (e.g. Development Awards have been scoped and created for a number of identified skills sets across the sector (SfJ with employers); Unit translation, credit and levelling work for QCF recognition of smaller awards ongoing. (SfJ); SQS refresh programme 	<ul style="list-style-type: none"> • Employers willing to share their experiences of using Apprenticeships (employers) • Further work to integrate new Diplomas and IAG offer with employer entry routes and workforce requirements. (SfJ with employers and Government) • Ensure that funding remains available to meet employer demand through Train to Gain (Government) • Work with employers and careers services to promote sector as employer of choice to all parts of the community (SfJ) • Recognition of the value of Diplomas for entry to further and higher education (Government, FE, HE)

Strategic action	Sector skills needs	Recent progress (SfJ)	Further action required
		<p>picking up adoption of smaller awards across the sector (SfJ and employers)</p> <ul style="list-style-type: none"> • Development of Management and leadership programmes (details below) 	
<p>Promote better leadership and the creation of cross-sector leaders who could challenge entrenched strand-focused perspectives</p>	<ul style="list-style-type: none"> • expertise in cross-agency knowledge and understanding, especially among generalists • greater cost-consciousness and commercial acumen • improved procurement and commissioning skills across the sector (and an understanding of developmental commissioning) at national and local level to maintain standards and secure effective and sustainable delivery • process improvement skills throughout the workforce to ensure better information flow and co-ordination between agencies • new and better forms of leadership at all levels, especially in parts of the sector traditionally characterised by rules and 	<ul style="list-style-type: none"> • Developed skills and capacity in Management and Leadership (M&L) • L2 and L3 M&L awards are being taken up across the sector via Train to Gain Compact (employers) • M&L Action Learning Set programme delivered (for example via Women and Work) (SfJ with employers) • Collaborative Leadership programme 	<ul style="list-style-type: none"> • Research and strategy development re M&L to determine a coherent offer for the sector in response to employer needs (SfJ with employers) • develop commissioning skills across the sector (SfJ with employers and Government) • Continue support for Women and Work agenda (Government and employers) • Action Learning Sets • Managing justice sector Services qualification framework • Improving the LMI Base

Strategic action	Sector skills needs	Recent progress (SfJ)	Further action required
	<ul style="list-style-type: none"> hierarchy for some staff, managing and leading other professionals outside their own area of expertise Public relations skills 		
Further develop para-professional qualifications with appropriate knowledge and practical skills content to enhance use of cheaper staffing resources	<ul style="list-style-type: none"> Appropriate para-professional qualifications 	<ul style="list-style-type: none"> Assessment verification: A1 and V1 capacity building opportunities available via specific Compact flexibility (SfJ and Government) Integrated qualifications framework for probation services in England and Wales (including the Probation Service Officer grade) Police Community Support Officers 	<ul style="list-style-type: none"> Assessment verification: A1 and V1 capacity building opportunities available via specific Compact flexibility (SfJ and Government) Secure mandate to develop further qualifications in areas required by the sector (SfJ with employers and Government)
Devolve many managerial, decision-making and supervisory responsibilities as part of the drive for affordability	<ul style="list-style-type: none"> Self-management, management and leadership as well as decision-making skills further down the ranks Resourcefulness and an ability to act on own initiative The ability to carry out risk assessments and to develop proportionate plans where risks are identified 		<ul style="list-style-type: none"> Monitor future trends, and if this course of action is taken by sector employers, Skills for Justice to extend its existing management and leadership programmes and devise further appropriate ones for the staff groups involved (SfJ and employers).
Improve HR and management	<ul style="list-style-type: none"> Ongoing need for 		<ul style="list-style-type: none"> Should this course of action be

Strategic action	Sector skills needs	Recent progress (SfJ)	Further action required
<p>monitoring systems for monitoring operational effectiveness and professional standards</p>	<p>performance management skills to deal with performance targets/indicators/accountability, which may also need to be refreshed/adapted to changing accountability structures (e.g. reporting to lay people as well as professionals).</p>		<p>taken by employers, Skills for Justice will provide support with skills implications as required.</p>
<p>Measure/quantify the impact of prevention activities to demonstrate long term value</p>			<ul style="list-style-type: none"> Disseminate research (SfJ) and devise further action if required (SfJ with employers and possibly Government)
<p>Demonstrate the business case for critical activities in order to preserve funding for critically important functions/areas</p>			<ul style="list-style-type: none"> Disseminate research (SfJ) and devise further action if required (SfJ with employers and possibly Government)
<p>Promote better co-operation across geographical boundaries especially as regards sharing certain specialised functions and back-office support</p>			<ul style="list-style-type: none"> Disseminate research (SfJ) and devise further action if required (SfJ with employers and possibly Government)
<p>Continue to pursue ('non-contentious') service improvements as far as possible and affordable</p>			<ul style="list-style-type: none"> Disseminate research (SfJ) and devise further action if required (SfJ with employers and possibly Government)
<p>Shifting effort and resource to operations in order to build capacity</p>			<ul style="list-style-type: none"> Should this course of action be taken by employers, Skills for Justice will provide support with skills implications as required.

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Glossary of Abbreviations

ABI	Annual Business Inquiry
ASHE	Annual Survey of Hours and Earnings
CJINI	Criminal Justice Inspection Northern Ireland
CPD	Continuing Professional Development
CYP	Children and Young People
DEL Northern Ireland	Department for Employment and Learning
E&D	Equality and Diversity
ESF	European Social Fund
FE	Further Education
HE	Higher Education
IAG	Information, Advice and Guidance
ICF	Integrated Competency Framework
IES	Institute for Employment Studies
IPDS	Integrated Personal Development System
LFS	Labour Force Survey
LMI	Labour Market Intelligence/Information
MLAs	Members of the Legislative Assembly (NI)
M&L	Management and Leadership
NESS	National Employer Skills Survey
NIO	Northern Ireland Office
NOMS	National Offender Management Service
NOS	National Occupational Standards
NPIA	National Policing Improvement Agency
NQF	National Qualifications Framework
ONS	Office for National Statistics
PESTEL	Political, Economic, Social, Technical, Environmental and Legislative (analytical framework)
QCF	Qualifications and Credit Framework
RDA	Regional Development Agency
SfJ	Skills for Justice
SIC	Standard Industrial Classification
SOC	Standard Occupational Classification
SQS	Sector Qualification Strategy
SSA	Sector Skills Agreement
SSCs	Sector Skills Councils
TtG	Train to Gain
VSW	Victim, Survivors and Witnesses
WAG	Welsh Assembly Government
UKCeMGA	UK Centre for the Measurement of Government Activity
UKCES	UK Commission for Employment and Skills



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