



Norfolk's Police and Crime Commissioner (PCC) response to inspections published by His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS)

Section 55 of the Police Act 1996 (as amended by section 37 of the Policing and Crime Act 2017) requires local policing bodies to respond and publish comments on all inspection reports pertaining to your force within 56 days of report publication.

Inspection Title:

Criminal Justice Joint Inspection, Efficiency spotlight report: The impact of recruitment and retention on the criminal justice system.

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[2024-02-09-Joint-Efficiency-Spotlight-Report-1.pdf \(justiceinspectors.gov.uk\)](https://www.justiceinspectors.gov.uk/2024-02-09-Joint-Efficiency-Spotlight-Report-1.pdf)

Section 55 Response Deadline:

11 April 2024

Key Findings

The Criminal Justice Joint Inspection, efficiency spotlight report on the impact of recruitment and retention on the criminal justice system focuses on recruitment and retention in the agencies that were inspected. The inspectorates draw on evidence from inspection activity conducted by each of their individual inspectorates, both jointly and singularly, of those inspected: the police, the Crown Prosecution Service (CPS), the Probation and Youth Offending Services and the Prison Service.

The inspectorates found that while the Police uplift programme (PUP) target was achieved, the scale of such rapid recruitment has risks. The programme increased the number of police officers, but the attrition rate is high in the early years of service. The issue of recruiting the right people and encouraging and supporting them to stay in the service therefore needs to be addressed. The reasons for officers leaving needs to be better

understood and interventions put in place earlier. Forces need to prioritise workforce retention. Furthermore, the lack of detectives is a persistent and long-standing issue. His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) have made recommendations to address this, however, the problem remains.

In 2019, the Government announced that the CPS would be allocated £85 million of additional funding over a two-year period to recruit new prosecutors, paralegal staff and caseworkers in response to plans to recruit 20,000 additional police officers. The CPS set itself a target to recruit an additional 390 prosecutors. In 2020-21 the CPS externally recruited 376 legal staff.

His Majesty's CPS Inspectorate's (HMCPIS) series of area inspections (inspections of the 14 geographical areas of the CPS) throughout 2021 and 2022 highlighted the impact of the pandemic on staff movement with most areas reporting high turnover during and after the pandemic. While there was significant recruitment, many areas experienced a loss of experienced prosecutors. New recruits largely joined magistrates' courts teams leading to movement and rotation of more experienced prosecutors to deal with the more complex Crown Court and rape and serious sexual offence cases.

Since the start of probation inspections in 2021, the inspectorate has continued to see staff shortages across practitioner grades. This has negatively impacted on the delivery of a high-quality service for people on probation. The majority (69%) of probation services inspected in the most recent cycle (July 2021 to August 2023) have been rated as either 'requires improvement' or 'inadequate' against the inspectorate's staffing standard. Across inspections of probation services since 2021, there have been consistent themes around staffing including high vacancy levels, high sickness and resignation rates, poor management oversight, unmanageable workloads, vetting delays and challenges around the return from remote working.

Prisons experienced acute staffing challenges, with a devastating effect on the delivery of good outcomes for prisoners. Inspectors found far too many prisons continuing to operate greatly reduced regimes in the last year. This meant that prisoners remained locked in their cells for long periods of time without the purposeful activity that would support a successful reintegration back into society at the end of their sentences. Insufficient officer numbers have been a primary reason given by prisons for the lack of regime, but other reasons have included, industrial relations, overcrowding and poor delivery by prison education providers. The staffing challenge was not confined to frontline officers but extended across all services, including health, education, and offender management. Despite many prisoners being desperate to get into workshops or education, insufficient staffing, combined with over-complicated and slow allocation processes meant that they remained in their cells, leaving teachers and tutors in almost empty classes and workshops.

The police, the CPS and the Probation Service have all successfully recruited over the past two years and seen a resultant increase in staff in post. The prison service has also recruited but less successfully; the difficulties in recruitment broadly attributable to the current employment climate and market forces, but evidence from inspections also indicated other

factors, including a negative prison culture, lack of management support and unmet expectations about the nature of prison work.

On 31 March 2023, Police workforce data showed 233,832 full time equivalent (FTE) police workers (including officers, staff, designated officers i.e. Police Community Support Officers, investigating officers, detention officers and escort officers) were employed by the 43 territorial forces in England and Wales. This was an increase of 3.8% (8,603) on the previous year. The highest number of paid police workers on record in England and Wales was in 2010, where the number was 244,497. Of these police workers, the 2023 data showed 147,430 FTE police officers (149,566 in headcount terms), a 5.1% increase from 140,228 officers in 2022. This is the highest number of officers, on both an FTE and headcount basis, since comparable records began (in the year ending March 2003) and is 3,661 FTEs (2.5%) higher than the previous peak of 143,769 FTE in March 2009. Furthermore, the results of a survey conducted by the PUP for the first year's cohort show that fewer than 80% of officers thought their job as a police officer had met or exceeded their expectations. The sheer scale of recruitment has also heightened the potential that people unsuited to policing may join the service.

The CPS has continued to recruit and has seen an increase in full time equivalent (FTE) legal posts of 3% in 2022-23 which equates to 90 FTE. While the CPS's resourcing model indicates the CPS areas require 5,701, they report that they are only able to afford 5,325 which is 92% of what is required due to funding issues (the affordability figure for last year was 98%).

The latest required staffing level is 6,780 FTE for Probation Officers, with 4,650 Probation Officers in post as of 30 September 2023, meaning that there is an overall shortfall of 2,129 Probation Officers. 1,514 trainee probation officers were recruited in 2022-23 which could help to address this shortfall if attrition rates remain steady.

The prison service has also recruited but there remains an issue over retention, leading to staff shortages. The latest HMPPS data shows that there were 22,426 FTE prison officers (bands 3-5) in June 2023. While this is an increase of 3% compared with the previous year. The rate of prison officers leaving is now at 13.4%. This leaves the prison service with a more inexperienced pool of prison officers. In March 2018, 51% of prison officers had at least ten years' experience. This has fallen each year since to a low of 30% in June 2023.

The inspectorates found that staffing pressures in court custody had significant implications for the effective and safe operation of the judicial system. The inflated remand population and considerable court backlog contributed to the high volume of work for escort and custody providers who are now operating at a higher level than pre-pandemic. Staffing shortages had adversely impacted outcomes for detainees, generally in the delivery to court for hearings and again at onward transfer to prison, if required once cases were concluded.

In some organisations the inspectorates found that, high turnover of staff has led to high levels of inexperience in the difficult and pressured environment that is the CJS. This is a common thread running through all those inspected. Inevitably this affects the efficiency of

the service that can be delivered because induction, training, mentoring and support all draw from existing resource. More experienced police officers, prosecutors and probation practitioners can also be left shouldering a disproportionately complex caseload.

The report highlights data which shows that 9,192 FTE police officers left police forces in England and Wales in 2023 (excluding transfers). This is an increase of 1,075 FTE or 13.2% on the previous year. According to the National Police Chiefs' Council the most common reason for leaving the service is due to normal retirement, which consistently makes up around 60% of all leavers. Voluntary resignation is the second most common reason, making up around a third of leavers in the most recent years.

Recommendations

There are no recommendations made.

Areas for Improvement

There are no areas for improvement made.

Chief Constable response to report and any Recommendations/Areas for Improvement

This Criminal Justice Joint Inspection (CJJI) efficiency spotlight report focusses on recruitment and retention in the Police, Crown Prosecution Service (CPS), Probation and Youth Offending Services, and the Prison Service. The joint report draws on evidence from inspection activity that had already been conducted by the individual inspectorates for each agency, which in the case of the police is His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS).

Recommendations and Areas for Improvement (AFI) have already been made in the HMICFRS reports from which the CJJI have drawn from for this spotlight report, and the Constabulary has already provided the Police and Crime Commissioner for Norfolk with a response under Section 55 of the Police Act 1996 where required. This spotlight report has not resulted in any new recommendations or AFIs.

The report recognises that an effective and efficient Criminal Justice Service relies on each of the organisations that contributes to it having staff with the requisite skills, experience, capability, and capacity to deliver their roles and functions within the wider system.

The report findings include cross-cutting themes that are impacting on all the above agencies, these themes being recruitment, workforce retention, workforce experience and workloads, and the impact that this has on staff, and the impact of staff shortages in other criminal justice services including the independent criminal Bar.

From a police perspective the report comments on the impact of the national Police Uplift Programme (PUP) which resulted in more than 20,000 police officers being recruited in a three-year period up to 31st March 2023, recognising that such rapid recruitment has risks in terms of recruiting the right people and retaining them, with high attrition rates in the early years of services being seen nationally. In this regard the report sets out that the police service needs to address the issue of recruiting the right people and encouraging and supporting them to stay in the police service and concludes that the reasons for officers leaving needs to be better understood, and that workforce retention should be prioritised, with the need for better data and recording.

The report outlines that a common thread running through all the agencies inspected is high levels of workforce inexperience due to significant recent recruitment, which inevitably affects the efficiency of the service delivered. It also highlights that the sheer scale of recruitment has heightened the potential that people unsuited to policing may join the service.

Within the report there are two key areas where CJJI urge further focus, the first being that all agencies should invest more in understanding why staff leave and should use this information to inform recruitment and retention approaches. The second key area being that all agencies should regularly review caseloads, capacity, capability, and productivity to ensure there is adequate supervision and support for their staff.

The Constabulary has already recognised and implemented responses to many of the issues that have been highlighted in this report.

Activity that has been undertaken to support and develop newer members of our workforce includes the introduction of Community Support Units which provide better support for Student Officers in the first year of their service, and the implementation of a new 'Team Inspector' resourcing model to improve visible supervision and support for police officers working in frontline roles. We have introduced District Crime Units across the county which have improved investigation standards and reduced caseloads for SNT-Patrol officers. We have also delivered a comprehensive programme of training under Operation Investigate to improve investigative standards. In addition, the Constabulary has invested in Continuous Professional Development and Leadership programmes, wellbeing and welfare support service provision, and a significant estates modernisation programme which is improving the working environment that many of our officers and staff operate in. This activity supports our retention strategy, the delivery of which is a key priority for our People Directorate who continue to develop our approaches to understanding the reasons why people leave the organisation and what more can be done to retain staff who might be considering leaving in appropriate cases.

This focus extends to our Joint Justice Services Department, where staff have the closest interface with other criminal justice agencies to deliver crucial services to support victims and witnesses. Specific work is being undertaken in this command to address the key themes identified in this report. This includes a review of the workforce to assess service levels and experience, more detailed assessment of sickness levels and reasons, and an examination of exit interview information to understand why people leave the department and facilitate improved retention. A further workstream to assess workloads is also being progressed. There is a great deal of activity ongoing in this arena to ensure we are taking a proactive approach to the resourcing challenges that we face.

The Constabulary welcomes this efficiency spotlight report and the recognition that it brings for the common challenges that criminal justice agencies are facing in relation to recruitment and retention, and the impact that this has on the efficiency of the Criminal Justice Service and effectiveness of the service delivery.

PCC response to report and any Recommendations/Areas for Improvement

I welcome this Criminal Justice Joint Inspection report on 'The impact of recruitment and retention on the criminal justice system'.

My Chief Constable is very aware of the need for, and is working on, the retention of officers. I note and endorse his response to this report.

Retention is important to rebuild the depth of experience needed across policing and the wider criminal justice system. The loss of experience was an unintended and unhelpful consequence of both the government's Austerity Programme and, in the police's case, pension rules. However, the restoration of numbers, which has been done at pace since 2019, now results in a lack of experience. For example, c.40% of Norfolk's police officers now have less than three years' experience. The replacement of lost experience would depend on the ability to retain officers so that they can acquire experience. That retention would depend on many factors many of which, such as the current and constant negative political and media narrative, are external to the criminal justice sector yet need to be addressed.

We should also consider the need to retain police staff, who provide a number of functions within the criminal justice system, not least of which is victim support. Under the current government the focus has been on restoring the numbers of police officers. This has resulted in a loss of balance between officers and staff. This has also meant that police staff tend to become more vulnerable when financial efficiencies have to be found. There is thus a need to consider the workforce as a whole and not focus on police officers at the expense of police staff whose roles are often just as important.

For Office Use Only:

- Response forwarded to the Chief Constable.
- Response forwarded to the Norfolk Police and Crime Panel.
- Response published on the OPCCN website.