



ESRC Seminar Series
'The Third Sector in Criminal Justice'

Seminar Five – 24th February 2012

'Researching Third Sector Organisations'
Contribution to the Criminal Justice System'

Keele University

Report

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Programme

- 9.15-9.45 Registration and refreshments
- 9.45-10.00 Welcome and introduction to the fifth seminar
Mary Corcoran (Keele University)
- 10.00-11.30 **Third sector participation in criminal justice: implications for research**
Carol Hedderman (University of Leicester)
- 11.30-1.00 **Researching the voluntary sector in criminal justice: lessons and insights**
Jennifer Hill (Partnership Development Initiative Scotland)
Rosie Meek (Third Sector Research Centre, University of Southampton)
- 1.00-1.45 Lunch
- 1.45 – 2.30 **The research role(s): contributions, barriers and limitations**
Anthea Hucklesby (University of Leeds)
Polly Radcliffe (Institute for Criminal Policy Research)
- 2.30-4.00 **The research relationship to policy and practice: some critical perspectives**
Rochelle Gold (West Yorkshire Probation Trust)
Roger Grimshaw (Centre for Crime and Justice Studies)
- 4.00 Close

Introduction

The fifth of six ESRC seminar in the series, on the theme of '**researching third sector organisations' contribution to the criminal justice system**', was held at Keele University on the 24th February 2012. The focus of the day was on the state of research on third sector organisations in criminal justice, their distinctive contribution and achievements, the benefits and unintended problems associated with the drive towards greater evaluation of services and gaps in knowledge and areas where more research is needed. The event was attended by representatives from voluntary organisations, statutory bodies, academics based at Universities and research institutes and research students.

Summary of content

The day's discussions focused on the current state of research on the third sector in criminal justice. It deliberated on approaches and methodologies, their weaknesses and strengths, the politics of conducting research for funding purposes and whether and/or how research in this area is facilitated or constrained, including an examination of factors shaping relationships between researchers, projects and funders. It was acknowledged that the third sector has a unique and valuable contribution to make to criminal justice, but that many assertions about its efficacy are not substantiated by robust or verifiable research. The latter problem reflects the major gaps in research and knowledge about organisations, their practices and relationships with service users. Similarly, it was argued that the emphasis on narrow 'outcome' based measures create a preference for quantitative data-gathering and reductive analysis. The paucity of qualitative or 'below-the-radar' research in the field reflects the particular challenges of conducting research arising from organisational gate-keeping and the wide variation in the quantity and quality of data generated by such a diverse sector. The discussion concluded that there is a real need for robust and genuinely independent research in this field, which uses a variety of methodologies and generates critical reflection as well as evaluating practice.

Researching the voluntary sector in criminal justice: lessons and implications

The third sector is said to have distinctive characteristics which make it an attractive partner from a policy and statutory agency perspective namely: it is 'independent' (although this is waning); has a supplementary role in statutory criminal justice work (although they are increasingly assuming 'core' roles); and is innovative and flexible. However, the sector has limited understanding of the constraints under which statutory commissioners or partners operate leading to misunderstandings about 'obstructionism' on the part of the statutory sector. These constraints include *inter alia* legal responsibilities, the need to balance the interests of offenders, victims and the public; and budgetary considerations. There is also a potential mismatch between commissioners' expectations in terms of research and what Third Sector Organisations (TSOs) are able to deliver. Officially there is a preference for statistical and quantitative data which is 'reliable, comprehensive and comparable' (National Audit Office, 2011). Commissioners' require aggregate numbers to compare across different organisations.

By contrast, research conducted by and for TSOs tends to focus on process evaluations of single projects or discrete programmes. The mismatch is exemplified by the ways in which statutory agencies and commissioners prioritise the measurement of 'risks' and 'reoffending', while TSOs tend to focus on offenders' personal circumstances and/or progression through projects/initiatives. There are also differences between the sectors in how they classify 'offenders' and those 'at risk' of offending.

Evaluation is a relatively new experience for many TSOs. As a consequence, data-gathering is inconsistent and/or of variable quality across the sector. Small organisations particularly may lack the necessary knowledge, skills and resources to gather data. Many organisations collect data for case management purposes which cannot easily be translated into data useful for research or to measure outcomes and using inappropriate data to measure outcomes has dangers. Moreover, statistical data may demonstrate outcomes but not their context. Finally, evaluative research often does not include a control sample so that there is no 'counterfactual' with which to compare outcomes.

The discussion considered the confusion amongst service providers about what might count as a 'result' and what data would convince commissioners to fund the work of TSOs. It was noted that many TSOs lack the skills and resources required to measure, evidence and promote their practice and that future funding regimes would mean that they are likely to be required to do this element of their work using their own resources. It was agreed that there was a gap between what TSOs want to do and what they can afford to do. Umbrella organisations have a role to play in educating and assisting TSOs to provide robust research evidence. Questions were raised about whether the 'audit society' with its regulatory agendas has closed off critique and critical reflection on practice because it pursues quantifiable, outcome-based data.

The research relationship: benefits and challenges

The independence of research was a key theme. It was suggested that there is not a strong tradition of independent research in the third sector. TSOs often eagerly pursue internal research projects or partnerships with outside researchers but there are large variations in the quality and reliability of the outputs. It was acknowledged that researchers and organisations often have to compromise between robustness and quality on the one hand and timescales and resources on the other hand. Too often, the research approach is shaped by expectations that research will validate the 'success' of organisations' work. Consequently, disjunctures may arise between TSO and academics and researchers expectations of the role and outcomes of research. Academics often play the role of 'critical friend' in third sector setting but this can compromise their independence.

In terms of operationalising research, it was acknowledged that ethical requirements are not always made explicit or put into practice in a timely manner. For example, fundamental procedures such as gaining participants' informed consent or permission to share or use data from partner agencies is not always secured at the outset of a research project. Ensuring that research is conducted in an appropriate and rigorous

way is important to ensure robust and ethical research but TSOs have little understanding of the requirements and may be frustrated by required procedures. Too often TSOs do not have clear data-sharing or data recording protocols. Data gathering is often inconsistent where inputs are not always recorded consistently so that it is not clear what work contributes to an 'impact'. TSOs are also required to evaluate specific initiatives too early during the implementation stage resulting in inconclusive results. Sample sizes may be too small to draw any valid conclusions particularly because many initiatives provide individualised interventions to small number of people.

With regards to the variable quality of research, some speakers also highlighted difficulties when trying to accurately quantify the work of the sector and discussed the dangers of presenting results based on poor quantitative data. For example, research or evaluations often commence when services have already 'gone live', or, just as problematically, Trustees may release results prematurely, reinforcing the existing impression that inaccurate results are being claimed by the sector. Researchers also have to deal with inconsistent recording, miscounting of activities and duplications within service records. The danger is that services are then judged on their ability, or inability, to record data rather than on the services they provide. The issues are heighten when evaluating projects with multiple partners from different backgrounds, working practices and operational contexts which makes it difficult to measure their respective contributions.

Concluding deliberations

Delegates were concerned about the 'politicisation' of the research agenda, i.e. that the objectives and focus of research are increasingly prescribed by commissioners, leading to a shift from evidence-based policy to policy-based 'evidence'. As a result of the demand for an evidence-base which establishes clear 'outcomes', quantitative approaches are being privileged over other methodologies. There was some reflection on the use of the word 'result' in the criminal justice context, which it was suggested, refers to outcomes in terms of reconviction rather than other, sometimes less quantifiable outputs such compliance, engagement and value added. Particular concerns were raised in relation to Payment by Results and the requirements for evidence which demonstrates reoffending outcomes based on a simple binary measure. The binary measure may provide one measure of success in terms of short term reductions in re-offending but it sidelines other important outcomes such 'distance travelled' by service users and those related to housing and employment and so on. It is unlikely, therefore, to capture the whole range of outputs and outcomes of the services provided leaving much of the work of TSOs unaccounted for.

It was argued that despite the narrow definitions of success preferred by commissioners, future research should evaluate the work of TSOs and specific interventions as a whole and encompass both process and outcome studies. These would encompass qualitative research which focus on personal narratives, service user perspectives and case studies as well as the quantification of outcomes. However, it was also acknowledged that case studies of individual's experiences often reflected exceptional success rather than the general experience of service users and

consequently do not provide robust research evidence when used alone. Despite agreed concerns, it was also acknowledged that case studies are able to illuminate service users' experiences, contextualising the work done whilst not proving the efficacy of schemes.

The day concluded by acknowledging the need for more research. The evidence provided has the capacity to inform positive change in the sector including how sectors and organisations could collaborate or organise collectively more effectively, the development of model frameworks and toolkits and guidance for staff delivering services in multi-agency partnerships. Whether TSOs are always receptive to research findings and recommendations was questioned.

Reference

Audit Commission (2011) *Improving coding, costing and commissioning: Annual report on the Payment by Results data assurance programme 2010/11*, London: Audit Commission available at <http://www.audit-commission.gov.uk/nationalstudies/health/pbr/pbr2011/pages/pbr2011.aspx>