

Third sector participation in criminal justice: implications for research & evaluation



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Previous seminars

Big Society, Rehabilitation Revolution, PbR....

- What will NOMS commissioning look like?
- The future of TSOs
- Will there be more money (efficiency) or less (profit taken not reinvested)?

This session

- What is ‘Third sector’?
- How does statutory CJS differ?
- The implications for research and evaluation of these differences
- A case study
- Possible futures

Third Sector Organisations

NAO definition—Not public or private sector

Voluntary and community organisations

Traditionally three qualities:

- independent of government
- ‘value-driven’ – social goals rather than profit
- Reinvest surpluses to support goals (‘not-for-personal-profit’).



NAO

- Understanding needs of service users & communities
- Closeness to the people CJS needs/wants to contact
- A voice for marginalised groups
- Delivers outcomes that the CJS cannot
- Potential innovation in developing solutions
- Flexibility in delivering services – individualised

Additionally

- Gov money supports a service not an organisation
- Holistic?

CJS statutory organisations

- Legal limits on powers & responsibilities
- Balance competing interests (victim/suspect/public)
- Budget constraints/Fighting off extra demands
 - Prioritisation and targets
 - Cases not people

NAO (2011) 3 requirements:

- Efficiency and financial transparency
- cost-effective delivery
- Decisions based on **reliable, comprehensive & comparable** information

The implications

	TSO	Statutory CJS
Aims	Support people	Exit cases from system (ideally never to return)
Organisation/ relationships	Collaborative Partnerships	Hierarchy Contracts
Delivery	Individualised/local Developed in-house Knowledge of best practice variable	Formal processes (limits on discretion)
Data	Narrative Numeric unique to organisation	Aggregate, numeric, nationally defined
Impact	Stories	Outputs & Outcomes Historic trends

When world's collide – a case study

Intended to show

Evaluation issues were not simply technical but reflect differences in aspiration, approach, expertise

Case Study

- ‘National Demonstration Project’ to stop women offending and divert from CJS
- 3 Yrs national funding from MoJ
- Delivered under contract by 3 TSOs

National funder (NOMS)

1. diverting women 'at risk' of offending from offending
2. Diverting women 'offenders' from reoffending
3. Diverting from prosecution and custody

Issues

No definition of 'at risk' or 'offender'

Requirement that 75% of referrals = 'offenders'
(because of Aim 3 & statutory responsibilities)

Local TSOs

1. Help socially excluded women with multiple problems (including offending & CJS involvement) to improve their lives
2. To put women in charge of change

Issues

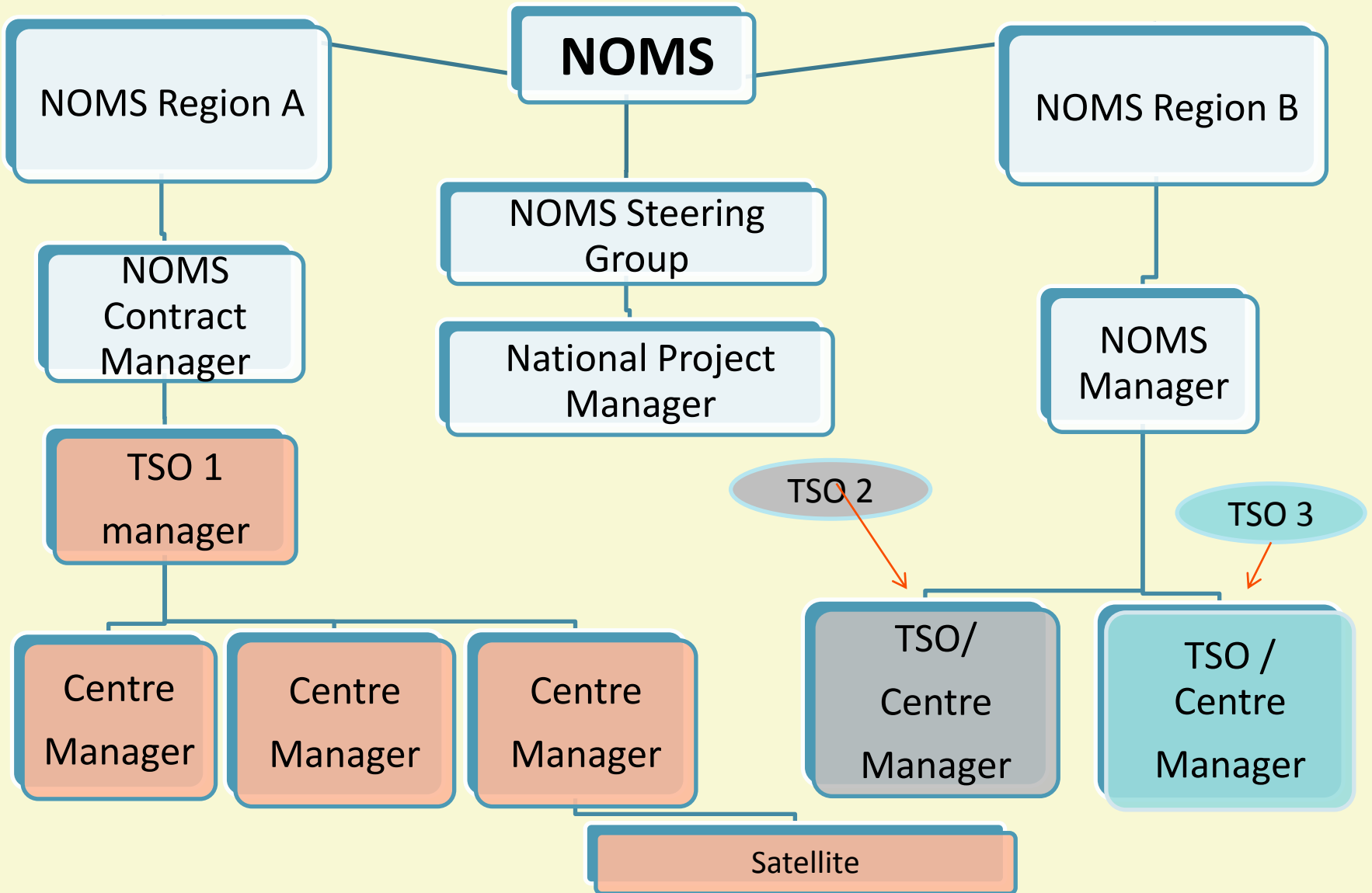
Definition of 'at risk' = 2 or more problems (flexible) & risk could be offending/self-harm/ harm to others

Definition of 'offender' varied (from case to case)

Evaluators identified 6 groups not 2

1. 'At risk' of self-harm or being victimised, with no documented history of offending
2. 'At risk' of self-harm or being victimised, with a documented history of offending
3. 'At risk' of offending, with no documented history of offending
4. 'At risk' of offending, with a documented history of offending
5. 'Current' offenders with no documented criminal history
6. 'Current' offenders with a documented criminal history

NB 'Current' does not necessarily mean convicted



Delivery - Similarities

- Women only space
- ‘One stop shop’
- Broadly covered NOMS Pathways
- Holistic support/Multi-agency provision
- Empowering and enabling culture
- Practical and emotional support

Delivery –some of the differences

- Background of TSOs (housing vs drugs)
- Services available locally & gaps to fill
- Quality & extent of existing contacts
- History & location of Centres
- Potential clientele (e.g. ethnicity & homelessness)
- Attitude to exiting cases

Data – national requirement

1. diverting women ‘at risk’ from offending
2. diverting women ‘offenders’ from reoffending
3. diverting from prosecution and custody
4. Numbers helped

Issues

- Projects went live before evaluators involved
- No in-house evaluation expertise
- No outcome data specified at outset
- No agreed measures of problems, outcomes (or distance travelled)
- **No ‘counterfactual’**

Data – local availability

Three different approaches

TSO 3 kept Excel logs

- Names duplicated – might be duplicates, genuine re-referrals (or both)
- Periodically the fields for first and last names were switched
- Dates of birth entered inconsistently (e.g. 10/09/07, 10/9/07, or 10/09/2007)

TSO 2 kept (mainly) good paper records

- We were able to construct some common fields

Data – local availability

TSO1 comprehensive case management database

Initial audit:

- 824 cases clearly ‘assessed’
- 53 records where "depression" under ‘Physical problems’ but not ‘Mental Health’
- 53 records relate to 37 unique clients.
- Searched for ‘depres’ under ‘Physical Medication’ identified 35 additional service users
- Names of various antidepressant medications are listed in several other free-text fields in other cases

Final analysis of local data (Jolliffe et al, 2011: iii)

	TSO1	TSO2	TSO3
Referred	1464	871	1121
% Assessed	63%	45%	89%
% Needs (of Assessed)	89%	99%	108%
% Support (of Needs)	44%	45%	51%

- TSO3 usually only recorded referral if assessed
- Workers did not record support they gave routinely
- Could not aggregate needs & support data across centres

Impact

MoJ (Jolliffe, et al., 2011)

- *35% reoffended vs 36% in matched comparison of 'women referred to a centre with a recent criminal conviction' (ie only 2/ 6 potential groups)*
- Sentencers said it rarely led to diversion from custody

TSO 1

- 3% reoffended
- 15 diverted from custody

Hedderman et al (2011)

- Importance of service users perspectives
- Dangers of evaluating using poor & inappropriate quantitative data

Implications for research and evaluation

Commissioners

- Still require **reliable, comprehensive & comparable** information
- Specify outcome measures in relation to agreed objectives at outset
- National lessons from local delivery requires radically different approach to commissioning evaluation
- Who pays of evaluating innovation?

TSOs

- Aim to be partner in, not subject to, evaluation
- Able to give ‘informed consent’ to targets?
- Multi-agency delivery – who holds outcome data?
- PbyR
 - Scale of outcomes vs size of TSOs
 - Alter values or stop providing?
 - PbyR have research expertise & resources (cherry pick easily achieved/most measurable outcomes)
- TSO ‘Umbrella groups’ to agree objectives & measures, enabling appropriate comparability

Researchers and Evaluators

- Advising commissioners on suitability and practicality of measures
- Advising TSOs and/or private companies on suitability and practicality of measures
- Mechanisms to ensure independence?
- Will access increase (more interest in results) or reduce (more concerned about negative findings)?
- Who controls access?
- Reduced opportunities to assess innovation?
- Publication – ‘commercial in confidence’?