

# **UNLOCKING OFFENDING DATA**

How access to offending data could help charities improve outcomes for offenders

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Foreword by Kathleen Cravero of the Oak Foundation

## Acknowledgements

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# FOREWORD

Oak Foundation often asks charities to demonstrate the lasting change they have brought about in people's lives. Their impact might be helping someone who has been sleeping rough to secure stable housing, or supporting someone to give up a life of crime. Unfortunately, charities often struggle to capture and demonstrate this type of impact. As a funder, we often feel that charities are doing a good job, but lack the hard data to prove it. NPC is seeking to change this.

In this report, NPC finds that providing better access to offending data through a 'Justice Data Lab' would have huge benefits. The government's recent introduction of payment by results contracts means charities are under renewed pressure to prove their impact on things like reoffending. But the lab would not just be about payment by results—it would have three other major benefits for charities:

- It would help charities to prove their impact on reoffending, by showing how their users' offending behaviour changes over time, and assessing whether reductions in offending were due to the charity's support;
- It would help charities to improve their impact, for instance by identifying groups that continue to reoffend in spite of support, and may need more attention; and
- It would help charities to identify what works, by analysing the impact different services have on offending to identify which is most effective at reducing reoffending. In an era where government cuts to services are commonplace, the potential benefits of knowing what works are significant.

If the Justice Data Lab proves a success, the concept could be adopted by other government departments in the UK and abroad. This could mean providing access to data in areas such as drug use, mental health, and housing, where there is a real need to improve our knowledge of what works.

Establishing a Justice Data Lab will be complex and certainly will not happen overnight. However, we are heartened by the commitment of the Ministry of Justice and the contributions of the charities that have been involved so far. We also appreciate the tenacity of NPC in supporting the Ministry of Justice to take this challenging work forward. We are optimistic that the Justice Data Lab can be turned from concept into reality, bringing us one step nearer to the long term transformation in data sharing and improving services that we all want to see.

Kathleen Cravero

President

Oak Foundation

# EXECUTIVE SUMMARY

Reoffending is one of the biggest challenges facing Britain today. A prisoner released from a UK prison has a one in two chance of being reconvicted within a year,<sup>1</sup> which partly accounts for the doubling in the UK prison population over the past twenty years to over 85,000.<sup>2,3</sup> Every offence causes damage to the victims of crime, but also to offenders and their families. The overall cost of crime to UK society is estimated at £64bn per year.<sup>4</sup>

Government, charities and social enterprises can help address this challenge by providing offenders with the right support to reduce their chances of reoffending. But these providers, commissioners and policymakers need to understand what works. The wrong support can have a neutral or even negative effect. For example, Scared Straight programmes were popular in the US until a review showed they can actually increase youth offending. To be clear about what works to reduce reoffending—and avoid decisions based on instinct or anecdote—those working in criminal justice need access to evidence about which approaches are successful.

To build this evidence base, these groups need to be able to access data on reoffending for the people they work with. At present, it is too difficult for charities to access this data. We surveyed 236 criminal justice charities about their experiences for this report. Around half had tried to access offending data from government, but only a fifth were successful every time. Four in five found the process of accessing data hard some or all of the time.

These difficulties accessing offending data have significant consequences. Charities form an important part of the criminal justice landscape, providing vital services to reduce reoffending. Many measure the impact of their work on soft outcomes (like confidence) but struggle to access the right data to know whether they really reduce reoffending. This is particularly true of small charities that lack the time or resources to apply to government for the information they need. With government increasingly commissioning services based on outcomes, small charities that can't prove their impact on reoffending rates risk missing out. By excluding these charities, we may lose some very effective ways of reducing reoffending. Without better access to data, resources will continue to be spent on support for offenders that may not be the best way to reduce their chances of reoffending.

Most charities want to tackle this problem head on. Our survey found that most would welcome easy access to high quality offending data at low cost. This data could be provided through a national system for accessing offending data: a Justice Data Lab. Public service providers (including charities and social enterprises) would supply the details of offenders they have worked with to a team of government data analysts, who would then return the reoffending rate of that group—enabling providers to see whether they had reduced reoffending, without compromising data protection. More than eight in ten of the charities we surveyed felt the Justice Data Lab would be extremely or very useful. They also anticipated benefits including improving services, reporting impact to commissioners, and winning payment-by-results contracts.

We want the Ministry of Justice to create a Justice Data Lab to improve access to data on reoffending. We don't underestimate the technical and legal challenges involved, but similar systems, like the HMRC Datalab,<sup>5</sup> show that these can be overcome. The greater challenges for the Justice Data Lab are usability and sustainability. It will need to be accessible, providing data in a form that is easy to interpret for both public service providers and commissioners, so these future users should be involved in its development from the start. And it will need to be sustainable, capable of surviving future shifts in government priorities, something which can best be achieved by asking users to contribute to its running costs.

We need to unlock offending data to help charities and other providers ensure they are using the best methods to tackle one of the UK's most pressing social problems. With reoffending stubbornly high, there is more pressure than ever to break the offending cycle. Tightening government budgets require proven approaches that guarantee value for money. This report shows charities have an appetite for offending data to help them understand and prove their impact. Given this context, the time is right to create the Justice Data Lab.

### **Data protection and security**

It is critical that the Justice Data Lab respects the laws governing the storage and use of data, including the Data Protection Act. Research conducted by NPC suggests that the Justice Data Lab could be developed to respect existing legislation, for example, through controls on the disclosure of personal offending records. We recommend the Lab is developed in close consultation with legal experts to ensure it rigorously applies the law.

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# 1. INTRODUCTION

## Reoffending today

A prisoner released from a UK prison has a one in two chance of being reconvicted within a year. The chances are even higher for those serving short sentences and prolific offenders.<sup>6</sup> This high reoffending rate is one reason why the UK prison population has almost doubled over the past twenty years to 85,697; although severer sentencing also plays a role.<sup>7,8</sup> Offending causes lasting damage not just to the victims of crime, but to offenders themselves and their families. This damage creates huge costs to individuals, businesses and the state—one estimate put the cost of offending to society at £64bn.<sup>9</sup> Indeed, UK criminal justice costs are higher as a percentage of GDP than those of the US or any other EU country.<sup>10</sup>

Current approaches to rehabilitation simply don't have enough impact on reoffending rates.<sup>11</sup> New, more effective approaches to rehabilitating offenders are needed. Central government knows this and is promoting new payment by results contracts that pay providers once they can prove they have reduced reoffending. Local prisons, probation trusts and councils (commissioners) are also taking steps to guarantee the rehabilitation programmes they fund are working, to ensure they get value for money. At a time of tightening public spending, value for money is more important than ever.<sup>12,13</sup>

## The need: better access to offending data

Our knowledge of what services are most effective at rehabilitating prisoners has improved in past decades. But there are still gaps, largely because it is still too difficult for providers of public services (including charities and social enterprises) to assess their impact on reoffending. We also know that commissioners struggle to identify the services that are proven to reduce reoffending—around three quarters of Youth Offending Team managers agree that the evidence about what works is thin.<sup>16</sup> This is partly because many reoffending studies are not easy to access, and those that are available are often hard to interpret. Enabling providers to demonstrate their impact on reoffending, and requiring them to share their results, would be a huge step forward. Whilst this report focuses on the requirements of charities and social enterprises, these challenges are also faced by companies providing public services.

### Box 1: How offending data can help identify what works

**What works: Education.** Returning to full-time education or employment prevents reoffending for young offenders. In one study, none of those who went into full-time education immediately after they were released were reconvicted, compared to a third of those who did not go straight into education.<sup>14</sup>

**What doesn't work: Scared Straight.** Scared straight programmes confront teenagers at risk of crime with the reality of the punishment they may face, by taking them into prisons to meet offenders. They have been popular in the US. Yet a systematic review of randomised controlled trials in the US concluded that such programmes could dramatically increase the odds of a young person offending by 70%.<sup>15</sup>

The government has signalled its intention to commission more services on the basis of outcomes. Charities and social enterprises will need to be able to prove their impact on reoffending to participate in this new world of outcome-based commissioning. At the heart of this new landscape is payment by results, where government provides some or all of the money for a contract on delivery of a specific outcome (eg, employment or reduced reoffending). David Cameron announced his intention for payment by results contracts to be spread across prisoner rehabilitation over the next three years; a message echoed by Chris Grayling, Secretary of State for Justice.<sup>17</sup> Only a handful of rehabilitation services are delivered as payment by results contracts at present, so we can expect a revolution in commissioning practice. Rolling out payment by results across the UK will throw up challenges, including measuring results. In these contracts, the main result is likely to be reduced reoffending.

*“By the end of 2015, I want to see payment by results spread right across rehabilitation. Of course, there will be some high-risk offenders for whom this is not appropriate but this approach should be the norm rather than the exception.”*

*David Cameron’s Rehabilitative Revolution speech, 22 October 2012*

Charities and social enterprises will benefit from robust evidence of their impact on offending: they will learn more about what works, and will be able to provide the data they need to participate in payment by results contracts. Most currently struggle to provide this evidence for two main reasons. First, they find it hard to collect long-term follow-up data from offenders themselves, often because offenders’ chaotic lives make it difficult to stay in touch. Second, when they do have offending data for their beneficiaries, many struggle to answer the question: ‘*did my service reduce reoffending for this group?*’

### **Box 2: The challenge of attribution**

When analysing outcomes data, charities often struggle to identify whether change observed (eg, reduced reoffending) is the result of their intervention, or whether it would have happened anyway. Being able to say definitively that it was your intervention that created a change is known as attribution. There are a variety of approaches to attribution. Robust approaches use a control or comparison group—a group of similar (or identical) individuals who did not receive support. The results of the intervention group (who received support) are then compared with the control group. Any changes in the intervention group that are not matched by changes in the control group are then assumed to be the result of the intervention, subject to statistical testing. National offending databases can be used to produce comparison groups using an approach called ‘matched control groups’. Without access to national offending data, charities have to create their own control group, which is typically costly, or do without, which is less robust.

Giving charities secure access to government offending data would be a big step towards solving some of the problems associated with impact measurement. It also fits neatly with the government’s open data agenda. Whilst there are ways of accessing data on offending at present, it is still much too difficult, as this report shows. Our findings suggest that a new process for accessing this data is needed.

**Box 3: Government's open data agenda**

The coalition government has been a strong proponent of making government data more easily available. Currently, the government's open data agenda has two main objectives: economic growth (through innovative use of data by companies); and transparency (in particular through access to public accounts).<sup>18</sup> So far, government has done little to use data for social good. Providing secure access to reoffending data is one way of shifting the focus of the open data agenda towards social good—by supporting public service commissioners and providers to improve services for offenders.

**The solution: a Justice Data Lab**

NPC exists to make charities and funders more successful in achieving their missions. One way we do this is by improving the way charities measure and report their impact, to enable them to understand how they make a difference and improve their work. Many charities struggle to access support around impact measurement, which can be expensive. NPC seeks out new ways to help all charities measure their impact to a high standard and at a low cost. A key step to achieving this is improving access to government data. In May 2011, NPC recommended that government make it easier for charities to access reoffending data.<sup>19</sup> In autumn 2011, we conducted a feasibility study, concluding that a national system for accessing data would be not only feasible, but incredibly useful for charities and commissioners. In December 2011, we began to discuss the concept with the Ministry of Justice.

NPC advocates a system that would enable providers of public services (including charities and social enterprises) to securely access offending data relating to their service users. We have given this system the working title of the Justice Data Lab. Our consultation with charities and social enterprises suggests that the Justice Data Lab should do two things: supply public service providers with the offending data they need to prove their impact; and improve evidence around what works to prevent reoffending. We have also developed three principles we think should underpin the Justice Data Lab, which we tested with charities and social enterprises through our survey (see sections 3, 4 and 5).

So what would the Justice Data Lab look like? We propose that providers of public services supply the details of individuals they have worked with to a team of data analysts, who would return the aggregate reoffending rate of that group. Accredited researchers would also have access (in a secure setting) to individuals' data to conduct more sophisticated analyses. Care would be taken to ensure individuals' right to privacy is not compromised by using the latest approaches to anonymising and storing data, and by vetting users.

**This report**

The Justice Data Lab is, as yet, just an idea. NPC hopes the Ministry of Justice will take it forward from an idea to a working system. This report provides evidence to support the Ministry of Justice to shape this system. It provides data on how many charities would use it and describes their requirements. The report is based on a survey of criminal justice charities that sought to answer the following key questions:

- Can charities access offending data today? Is a Justice Data Lab really needed? (Section 2)
- How much demand is there for a Justice Data Lab? (Section 3)
- What benefits would the Justice Data Lab provide? (Section 4)
- How do charities want the Justice Data Lab to work? (Section 5)

## Methodology

This report summarises the findings of an NPC survey of criminal justice charities and social enterprises (from now on referred to as 'charities' for simplicity). The survey was conducted in September 2013, and completed by 236 individuals from charities that work with offenders and their families. These individuals were all on the mailing list of Clinks, the UK umbrella body for criminal justice charities. The survey was carefully designed in consultation with Clinks, and tested with staff at representative criminal justice charities. The survey's response rate was relatively high, representing 18% of Clinks' membership, and 14% of all criminal justice charities that work primarily with offenders.<sup>20</sup> With a robust survey and a substantial sample we feel our findings provide a useful insight into the views of these charities.

However, respondents to this survey are not necessarily representative of all criminal justice charities. We know, for instance, that large charities are slightly over-represented and smaller ones slightly under-represented compared to the national average. We also know that access to data is a specialist topic, and suspect that charities that are already engaged in the topic were more likely to respond—this is called response bias. Given these limitations, we do not claim that these findings necessarily represent the views of all criminal justice charities.

## 2. ACCESS TO OFFENDING DATA TODAY

Before developing the Justice Data Lab, we must be sure that it is really needed. In our survey assessing the way charities currently access offending data, we found that:

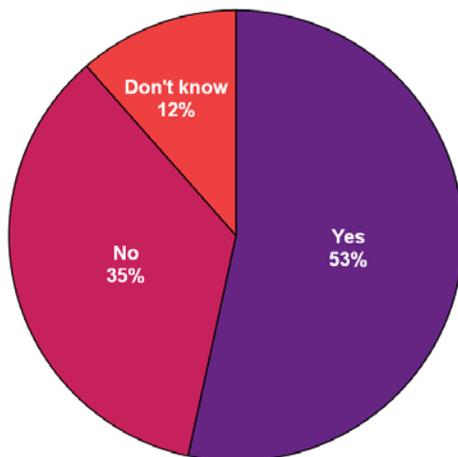
- Many charities try to access offending data, but many fail, and the vast majority find the process difficult.
- Charities access data through a variety of routes (including local prisons and local police forces), meaning the quality of data and rules on data protection are variable.

Based on these findings, NPC feels there is a strong case for producing a single, secure, user-friendly system like the Justice Data Lab.

### How many charities currently access offending data?

Over half of our survey respondents have tried to access offending data in the past. A significant proportion have demonstrated a real interest in understanding their impact on offending. Over a third of respondents have not attempted to access such data. However, we know that demand for this data is high (see section 3), suggesting that most of these individuals have not accessed data because of difficulties involved.

**Figure 1: Attempts to access offending data in the past**



Question: Has your organisation tried to access offending data about your beneficiaries at any point in the past?

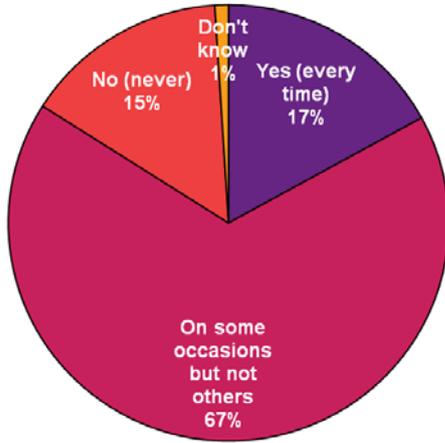
No = 236

### How easy is it to access offending data?

Fewer than one in five charities were successful in accessing offending data every time they tried (Figure 2). An even lower number—fewer than one in ten—said the process was always easy (Figure 3). This suggests there is plenty of room for improvement. A well-designed Justice Data Lab should be able to not only increase the proportion of charities accessing data, but make the process easier for them. In addition, the offending data

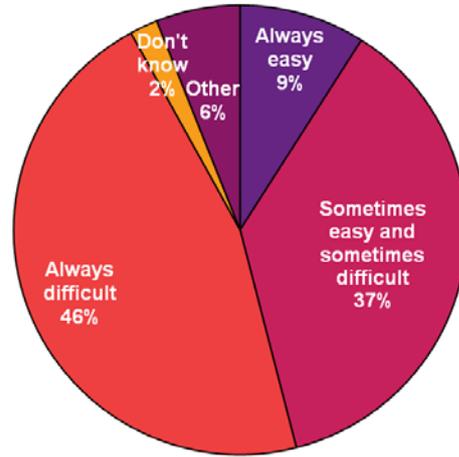
charities access varies in type and quality—so even those who *have* accessed data may not be able to provide a reliable picture of their impact on offending, or compare their results with other charities.

**Figure 2: Gained access to data**



Question: Did you gain access to this data?  
N = 126

**Figure 3: Experience of accessing data**

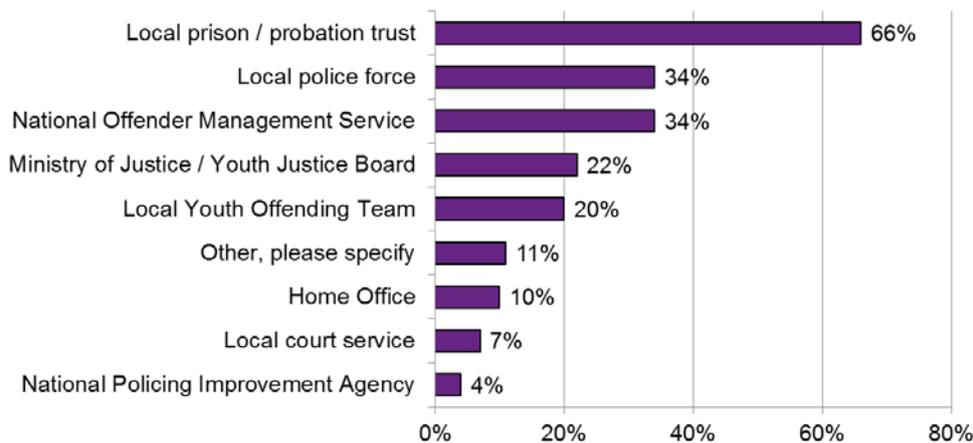


Question: What was your organisation's experience of accessing (or trying to access) this data?  
N = 124

## Where do charities currently access offending data?

Charities are accessing offending data from a number of national and local agencies (Figure 4). These agencies provide different types of data on everything from crime to convictions to prison release (see Appendix 2 for details). This means different charities' results cannot be easily compared—leaving commissioners with the tough task of identifying the most effective provider and policy-makers struggling to identify what works. In addition, none of these government agencies analyse the data, leaving charities with the complex task of analysing their impact on reoffending, an area where they need support (see Section 5).

**Figure 4: Government agencies charities approached for data**



Question: Which organisation did you apply to for this data? (Please select all that apply) No = 139

One worrying trend is that charities are most likely to access data from local agencies, which are not compelled to provide offending data. Comments from our survey show that local agencies can take arbitrary decisions about which organisations to supply with data, making them an unreliable source. Charities are least likely to approach the National Police Improvement Agency—arguably the most secure system for accessing offending data. These results strengthen the case for a secure, national data access system.

## Without offending data, how do charities measure impact?

Providers of public services (including charities and social enterprises) often struggle to measure their impact. There are many barriers holding them back—cost, lack of skills, or not knowing what or how to measure.<sup>21</sup>

Criminal justice charities and social enterprises are no different, as our survey shows:

- Only 27% of respondents carry out long-term follow up with offenders after they have stopped using their service;
- Only 15% have done studies with control groups and just 5% have done randomised control trials—both ways of checking the change observed is the result of the service, not other factors; and
- Most worryingly, 26% are doing no evaluation at all.

Comments show that many providers rely on soft outcomes (for example improved confidence) because they struggle to access data on hard outcomes like offending and employment. But they are not complacent—our survey shows that most want to raise their game, and be able to reliably test their impact on offending.

*“Re-offending is the outcome that we are all seeking to address. If we cannot access [the right data] we end up having to rely upon soft or proxy measures of re-offending. This is often then seen as the VCS failing to develop robust outcome measures!”*

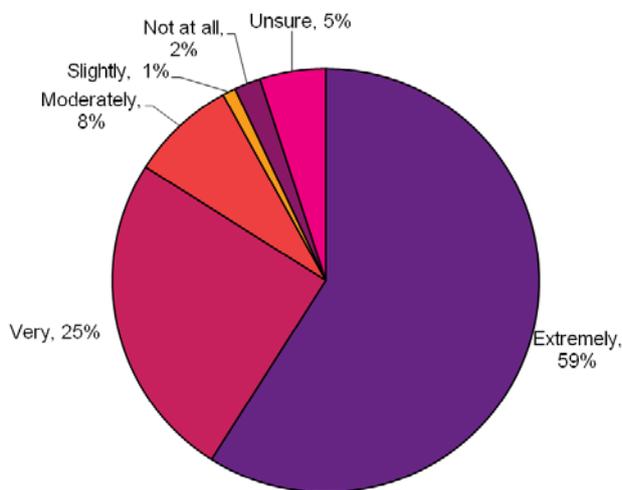
Charity survey respondent

### 3. DEMAND FOR OFFENDING DATA

#### How much demand is there for offending data?

We asked charities and social enterprises to tell us how useful they think a Justice Data Lab would be (see Figure 5 description). More than eight in ten say they feel it would be extremely or very useful. This high level of demand is unsurprising, given the increasing focus in the public and charity sectors on outcomes and results. Nonetheless it is a striking endorsement of the Justice Data Lab concept.

**Figure 5: Usefulness of a Justice Data Lab**



#### Survey description of the Justice Data Lab:

The proposed Justice Data Lab would involve public service providers (including non-profit organisations) supplying the details of individuals they have worked with to the Justice Statistics Analytical Services team at the Ministry of Justice, and this team providing back the aggregate reoffending rate of that group. Accredited researchers would also be given access (in a secure setting) to individual-level data to conduct more sophisticated analyses. Care would be taken to ensure these individuals' right to privacy is not compromised by using the latest approaches to anonymising and storing data, and by vetting users.

Question: How useful do you think this system would be to your organisation? N = 236

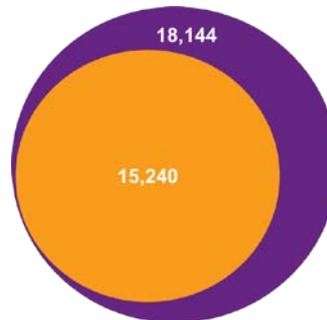
If we extrapolate our findings to cover all criminal justice charities, demand could be anything between 1,500 and 15,000 charities (Figure 6, Figure 7).<sup>22</sup> However, we suspect real demand is lower than this to account for response bias—we assume that our respondents are more likely than the average charity to be interested in the Justice Data Lab. We therefore estimate demand will be closer to 1,500 charities or less. These figures should be treated with caution: demand is not fixed and is influenced by supply. In other words, a well-known, accessible and user-friendly Justice Data Lab is likely to drive up demand, whilst one that is little-known, hard to access and difficult to use is likely to reduce demand.

Figure 6: Estimate of demand (low)



Population: third sector organisations for whom offenders, ex-offenders and their families make up **one of their main client groups**.

Figure 7: Estimate of demand (high)



Population: third sector organisations for whom offenders, ex-offenders and their families make up **one of their client groups**.

## How much would charities be willing to pay?

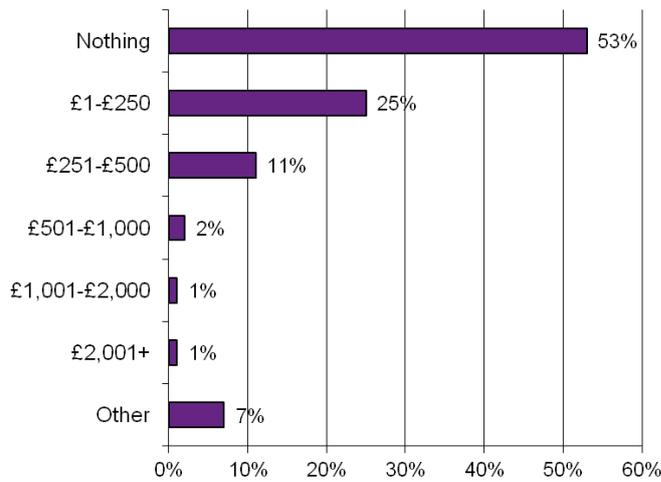
Two in five charities say they would be willing to pay something for access to the Justice Data Lab, though one in two say they would not be prepared to pay anything. Why are so few willing to pay? There are three likely explanations. First, some providers have a low level of willingness to pay for any kind of measurement and evaluation support. Around half our respondents have not paid for any support recently, roughly the same proportion as would be unwilling to pay for the Justice Data Lab. This low willingness to pay may be the result of their size—55% of our sample have an annual income under £500,000. A lack of core funding available for overheads may also be a factor. Secondly, there is an idea of fairness—that providers of public services should be given the same access to offending data as that given to public bodies, like probation trusts. Thirdly, some providers might have selected 'nothing' because it would be to their financial benefit if the Justice Data Lab was free. If this is the case, many of these charities may, in practice, be prepared to pay something.

Whatever the precise reasons for these results, charities are clearly very sensitive about price, and will be easily put off by a price they consider unaffordable. Therefore it is critical that the Justice Data Lab has different prices for different users so that the smallest charities are not excluded. The Justice Data Lab could vary prices either by organisational size, or by number of beneficiaries (see recommendations 3 and 4).

However, there is a clear case for charging clients for some or part of the cost of the Justice Data Lab service, as this would ensure:

- The client (charities and social enterprises) is empowered to demand a high quality service that meets their needs. This may not be easily satisfied by a free government service;
- The Justice Data Lab has the funding it needs to keep up with demand. A fully government-funded service may lack the resources to meet demand; and
- The long-term sustainability of the Justice Data Lab, helping to isolate it from shifting government priorities.

**Figure 8: Reasonable annual charge for access to the Justice Data Lab**



*“Ideally [we would pay] nothing, but... if we were better able to prove ... impact in terms of reducing the level of offending that would be invaluable...”*

**Charity survey respondent**

*“Cost should be related to the turnover of the organisation... the number of offenders they work with, and the degree to which they use the service.”*

**Charity survey respondent**

Question: How much do you think it would be reasonable to charge (per year) for organisations like yours to access this data? N = 220

## 4. BENEFITS OF ACCESS TO OFFENDING DATA

A Justice Data Lab would provide a secure system through which providers of public services could request the offending rates for groups of beneficiaries (see Introduction). Our findings suggest that the Justice Data Lab could bring about a long-term transformation in the way criminal justice charities, funders, commissioners and policy-makers work ,by:

- Helping charities to learn and improve their services, communicate their impact, and participate in payment by results contracts;
- Enabling funders and commissioners to use evidence of reduced reoffending to inform the design, procurement and monitoring of services; and
- Building our understanding of what works in reducing reoffending.

### Benefits for charities

The Justice Data Lab would provide charities with the data they need to assess whether their services have reduced reoffending. More than eight in ten charities would find this useful. But what benefits do charities think the Justice Data Lab would bring?

First, most think it could help improve the way their charity works. 89% of respondents believe a Justice Data Lab would help them learn how to improve their services for offenders; a benefit that London-based offending charity Only Connect suggests (see box 4). This is extremely positive—suggesting charities want to use reoffending data to refine their services and increase their impact. Four in five respondents also feel the data would enable them to communicate their impact to staff and trustees within their organisation.

**Figure 9: Why access to the system would be useful**



Question: Why would access to this system be useful to your organisation? N = 220

Second, the majority of respondents think the Justice Data Lab could help them improve the way they communicate their impact to funders, commissioners and prime contractors—all potential sources of funding. This

suggests that criminal justice charities see the Justice Data Lab as a critical way of attracting funding at a time when many face an uncertain future.<sup>23</sup> As the experience of The Prince's Trust shows, strong evidence of impact can certainly help charities in their dialogue with funders (Box 5).

Thirdly, roughly a third of respondents also feel the Justice Data Lab would help them win payment by results contracts, which require providers of public services to present robust evidence of their outcomes (see section 2). At present, charities struggle to secure payment by results contracts, often losing out to private companies.<sup>24</sup> Several charities comment that easy access to offending data (through the Justice Data Lab) is one way of helping charities compete for payment by results contracts. Social Finance has shown how critical access to offending data is when pursuing a payment by results contract (Box 6).

*“Given that funding is moving towards payment by results models in the criminal justice system, giving third sector orgs [sic] access to data in order to prove the efficacy of their intervention on re-offending is essential.”*

Charity survey respondent

#### **Box 4: Only Connect's access to local offending data**

Only Connect is an arts company and crime prevention charity that works with prisoners and ex-offenders. It has close relationships with its local Youth Offending Team and probation trust, which it uses to access information on the reoffending and previous convictions of those it works with. However, accessing data is not always easy. *‘Though we often get access to the data, we have constant experience of blockages, particularly for more serious offenders,’* explains Mat Ilic, Policy & Research Director.

Accessing data has helped Only Connect staff better understand their impact. Sonia Archer, Director of their Cubitt Street club for ex-offenders, has seen this first hand: *‘Having this data has allowed us to understand the needs of our members, which in turn allows us to provide a focused service. This helps with maintaining sustainable outcomes for their futures.’* NPC analysed this offending data for Only Connect in a 2011 report, *Unlocking Value*. This analysis used self-reported offending data which suggested that the charity reduced reoffending by half, a figure Only Connect has *‘used in our annual report and bids to funders,’* says Mat.

However, Mat admitted, he *‘would like to go one step beyond, to do a reconviction study along the Ministry of Justice's standards of evidence.’* Without the Justice Data Lab, it will be difficult for him to turn this aspiration into a reality

#### **Box 5: The Prince's Trust's access to offending data**

The Prince's Trust spent a year working with the National Police Improvement Agency (NPIA) developing and piloting a computer programme to enable them to access data from the Police National Computer on reoffending by 1,744 of the young people they work with.<sup>25</sup>

The analysis showed that these young people's offending behaviour fell by 35% on average after participating in one of The Prince's Trust's programmes. This finding has been useful, as Richard Chadwick, Deputy Director at the charity explains: *‘we have used it to assess the value of our impact to the state.’* The Prince's Trust has also used these findings *‘in funding opportunities to explain how successful our programmes are.’*

Though the charity has benefited from access to offending data, Richard has concerns about the robustness of the findings: *'I know that our cohorts are more likely to reduce reoffending anyway as they grow up, we didn't want to take credit for stuff that wasn't down to us.'* He would like to compare data for his young people to a control group to answer the question: *'how much of the change in reoffending can we claim is down to our programme?'*

Richard also found it hard to use the data to improve the Prince's Trust's services as *'it is at an aggregate level for our programmes and regions'* but does not dig any deeper into the offending rates of specific groups. Richard felt that *'analysis by different aspects of profile—like ethnicity and gender—for specific programmes would be useful,'* as it would *'help us target certain programmes to certain groups.'*

All in all, Richard thinks the Justice Data Lab is *'a great idea,'* and one that he *'would love the Prince's Trust to be a part of.'* His hope is that the Justice Data Lab provides the analysis to allow him to attribute change in offending behaviour back to the Prince's Trust, and learn from findings to improve the charity's programmes.

#### **Box 6: Social Finance's access to data for a Social Impact Bond**

In the Peterborough Social Impact Bond pilot, government funding is tied to the outcome of reduced reoffending for short-sentenced male prisoners leaving HMP Peterborough.<sup>26</sup> Social Finance is accessing reoffending data for prisoners involved in the pilot from the Police National Computer (PNC) so that it can target support more effectively. In addition Qinetiq and the University of Leicester will use PNC data when comparing reconviction rates of former Peterborough inmates to a matched control group to evaluate the programme.

Access to offending data was critical to allow Social Finance to develop a Social Impact Bond. It has been incredibly valuable. As Janette Powell, Director of the Peterborough pilot, puts it: *'we are analysing data to identify which of our clients have a higher propensity to reoffend... for example, does addressing housing or mental health problems appear to have an impact on reoffending?...it means we can target our interventions accordingly.'*

Janette is a great supporter of the concept of a Justice Data Lab. She feels it has the potential to create a more level playing field between large and small charities: *'at the moment, you have a hierarchy—there are those with the money to measure their impact, and small charities doing great work under the radar. [The Justice Data Lab] would allow small charities to prove themselves without huge amounts of money. It has the potential to turn that hierarchy upside down. You might find the small charities are having a bigger impact on reoffending.'*

She also feels the Justice Data Lab could encourage the scaling up of proven interventions. Reflecting on a recent trip to America, she comments that: *'they have Blueprints, which is...a real marketplace for proven interventions. The Justice Data Lab would help us start to build that kind of marketplace in the UK.'*

## Benefits for funders and commissioners

We anticipate that the Justice Data Lab would have three main benefits for funders and commissioners, at three stages of the commissioning cycle:

- The Justice Data Lab could be used to identify the approaches that work—which interventions are most effective at reducing reoffending. Funders and commissioners could use this information when selecting services to fund (see recommendation 11).
- More charities would have evidence of their historic impact on reoffending. This would enable commissioners and funders to target resources to charities that are most effective at reducing reoffending.
- The Justice Data Lab would enable funders and commissioners to track the impact their funding has had on reoffending, by asking charities to provide standard offending reports (see recommendation 7).

It is critical that the Justice Data Lab works for funders and commissioners, so we recommend they be consulted on its design (see recommendation 5). If the Justice Data Lab goes live, they could also be involved in a community of practice, where they could learn how to benefit from it, and suggest improvements (see recommendation 10).

## How would this improve knowledge of what works?

We still do not know enough about what works to reduce reoffending. In this context, the Justice Data Lab represents a huge opportunity. By bringing together data on the impact of hundreds of charities and social enterprises, the Justice Data Lab could become a repository of evidence around what works in reducing reoffending. A number of charities we surveyed share this vision. They show enthusiasm for contributing to this evidence base—by allowing staff at the Justice Data Lab to analyse the impact of their services on reoffending. But they also show interest in learning from the evidence base around what works. This would be a key feature of the system (see recommendation 11). However, using the Justice Data Lab as a repository of evidence for what works won't be easy.

*“This is an excellent concept... contributing to the body of data about what works with offenders.”*

Charity survey respondent

## Could the Justice Data Lab transform services for offenders?

Based on the survey and our own discussions with charities, we think that a Justice Data Lab has the potential to transform services for offenders—but this will be a slow transformation. If it were to open tomorrow, it would probably take several months for the Justice Data Lab to release its first batch of data on offending. Charities receiving data on reoffending might immediately identify areas for improvement in their services, but these might then take months or even years to implement. Funders and commissioners may have to wait some years before the majority of charities they fund can provide evidence of their track record in reducing reoffending. Even with the foundation of a Justice Data Lab, we would still be a number of years away from most commissioners being able to select providers on the basis of their impact on reoffending, and having access to substantial findings on approaches that work.

The Justice Data Lab won't change services for offenders overnight, and would probably only begin to deliver its full potential in five to ten years. This is the nature of evidence-based policymaking and commissioning—it is not a quick fix. It requires patience and long-term commitment. The challenge will be to maintain long-term support for the Justice Data Lab, in particular from government. We think it is important to insulate the Justice Data Lab from policy shifts, for instance by spinning it out into a dedicated social enterprise (see recommendation 9).

The concept of a Justice Data Lab seems to hold real potential. However, commissioners, charities and other prospective users will only support it if they find it useful. In the next section, we start to sketch out what a useful Justice Data Lab might look like.

## 5. MAKING THE NEW SYSTEM WORK

Most of the charities that responded to our survey endorse the concept of a Justice Data Lab. However, to deliver on its potential the Justice Data Lab needs to work in practice. This means meeting the needs of all its potential users—not just public service providers like charities, but also funders, commissioners, policymakers and academics. These users should all be closely involved in developing the Justice Data Lab.

NPC's particular focus is to ensure the Justice Data Lab meets charities' requirements. With regard to charities, our survey finds that:

- The Justice Data Lab is feasible, and most charities can provide the data needed to match their beneficiaries with national offending data.
- Charities want a system that is flexible, providing data that is robust, yet nuanced, and easy to interpret. They would also like the Justice Data Lab to be a repository for evidence about what works.
- A minority of charities have concerns about the Justice Data Lab, including its effect on their relationship with beneficiaries, which would be best addressed through good, user-led design and communications.

### Is the Justice Data Lab feasible?

In autumn 2011, NPC completed a short feasibility study exploring the potential for a national offending data access system like the Justice Data Lab. We concluded that such a system is feasible, because:

- Individual charities already access offending data on a small scale. This shows that it is possible to match lists of charities' beneficiaries with national offending databases, and then assess charities' impact on reoffending (see case studies in section 4).
- Recent data access initiatives show that it is possible to build a large-scale national data access system. Several research data centres have been developed to give academics access to sensitive data on individuals for research, whilst minimising the risk of misuse. Examples include the ONS Virtual Microdata Laboratory, the HMRC Datalab, and the Secure Data Service. These suggest that it would be possible to provide many organisations with access to sensitive statutory data in a way that is low-cost, secure and legal.

Our survey further supported the idea that the Justice Data Lab would be practically feasible:

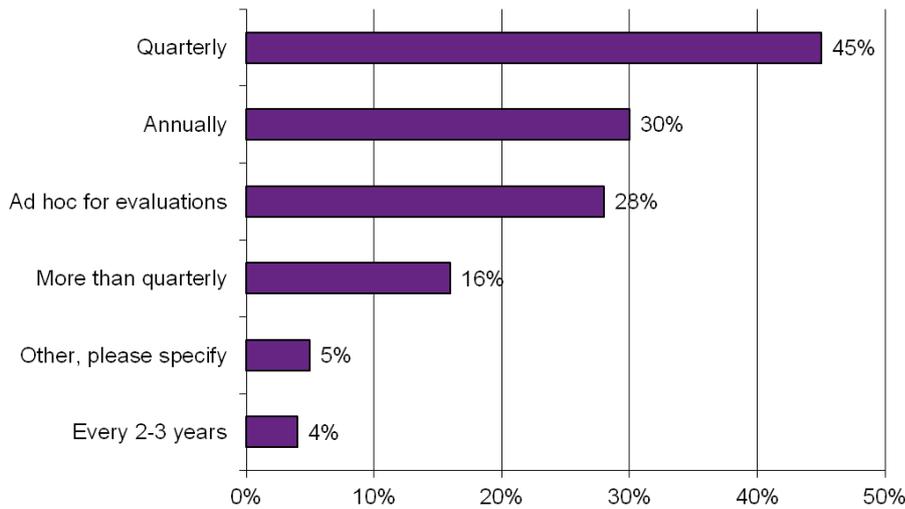
- Most charities could provide key data needed to match their beneficiaries with offending records.<sup>27</sup>
- 87% of charities say they would be happy to ask their beneficiaries to access their offending data.<sup>28</sup>

### What do charities want from the Justice Data Lab?

#### Flexible access

Charities say they would want to access the Justice Data Lab at a variety of frequencies—some regularly (for monitoring) and some ad hoc (for one-off evaluations). This suggests that the Justice Data Lab should combine a contract service paid for by subscription with a pay as you go service paid for by one-off payments (see recommendation 4).

**Figure 10: Desired frequency of access to data**



Question: How often do you think your organisation would want to access this offending data? N = 220

### Robust but nuanced

Several charities comment on the importance of the Justice Data Lab being robust. Several feel that the ability to report impact on reoffending using a standard national dataset would carry weight with funders and commissioners. However, the data provided must also be nuanced (see recommendation 6). For many offenders, committing fewer crimes or less serious crimes represents huge progress. Several charities feel the Justice Data Lab should provide data on the frequency and severity of crimes, not simply a binary measure (whether or not someone has offended).

*“It would be important to have... data about the nature and frequency of previous and subsequent offences... if a person had previously committed a number of serious crimes, but following an intervention, was then arrested for shoplifting, we should be able to distinguish between those two situations.”*

Charity survey respondent

### Easy to interpret

Charity staff often do not have the time or skills to analyse the outcomes data they collect. Our survey suggests they would like the Justice Data Lab to provide standard analysis to help them answer two key questions (see recommendation 2).

Question	Type of analysis	Charities rating this 'essential'	Charities rating this 'useful'
What impact has my charity's work had on the reoffending rates of our beneficiaries?	<b>Pre-post:</b> Analysis of offending histories of beneficiaries over several years, both before and after the charity worked with them.	<b>57%</b>	<b>41%</b>
	<b>Control group:</b> Comparison with reoffending rates of other offenders.	<b>54%</b>	<b>42%</b>
Can we improve our services? Are there groups we could support better?	<b>Analysis by profile:</b> Breakdowns by different aspects of profile (eg, age, gender).	<b>58%</b>	<b>41%</b>

Question: Please rate how useful it would be to have the following types of analysis conducted on the reoffending data of your beneficiaries. N = 220; 219; 219.

*“It is always difficult to show that it was your involvement that made the difference or contributed so anything that drills down into that would be useful.”*

Charity survey respondent

A number of charities also said they would like the Justice Data Lab to become a repository of evidence for what works (see recommendation 11). This will be a complex task, but the Justice Data Lab could draw inspiration from existing approaches.

### Box 7: Two models for identifying what works

The Justice Data Lab could use the following models to disseminate evidence of promising and proven interventions to charities, funders, commissioners and policy-makers:

- **Promising: Meta-analysis** is a statistical technique for combining findings from independent studies. This could be used in the Justice Data Lab to analyse the reoffending rates of people who received similar services, such as mentoring, from a range of charities. Charities submitting data would need to ‘tag’ the type of service an offender had received. This presents challenges to charities who may not share definitions of service types. However, this sort of analysis could help identify promising interventions that could then be evaluated more robustly.
- **Proven: Clearinghouses** are online databases of evidence-based programmes, which list programmes (for example, Cognitive Behaviour Therapy), describing how they are delivered, and the outcomes they achieve.<sup>29</sup> To identify proven interventions, the Ministry of Justice could enable people to conduct robust evaluations (using a control group) of well-defined programmes. This could not be done for all charities submitting data, and promising interventions would need to be cherry picked for this more rigorous analysis.

## Why are a minority of charities still reluctant?

A minority of charities surveyed were either unsure that the Justice Data Lab would be useful (5%), or felt it would not be useful (2%). This group expressed a range of concerns:

- 38% (N = 6 individuals) were afraid it would affect their relationship with beneficiaries;
- 25% (N = 4) felt they lacked the capacity or skills to analyse or use the data;
- 19% (N = 3) had legal concerns; and
- 19% (N = 3) had data security concerns.

The fact that so few charities are concerned is very encouraging. However, their concerns should not be ignored. The relationship between frontline staff and beneficiaries is a critical factor in the success of many interventions. This is particularly true with offenders who may lack trust in people in positions of authority.<sup>30</sup> For this reason, some criminal justice charities may be particularly wary of access to offending data negatively affecting relationships with offenders.

Most of the concerns raised can be addressed through good, user-led design and clear, sensitive communications. To ensure charities’ views are taken on board, we recommend the Ministry of Justice forms a Justice Data Lab Charity Advisory Panel to consult on the design and early implementation of the Justice Data Lab (Recommendation 5).

## 6. RECOMMENDATIONS AND FINAL REFLECTIONS

### Recommendations

We recommend that the Ministry of Justice develops a Justice Data Lab. We suggest that this Justice Data Lab is built on the following principles:

- **Accessible and useful:** The Justice Data Lab should be appropriate and user-friendly for charities and social enterprises of all sizes. This means no charity or social enterprise should be excluded from accessing the Justice Data Lab either because the cost is prohibitive or the data is too complex to interpret. To ensure the Justice Data Lab is accessible and useful, we suggest involving users closely in its development.
- **Robust but realistic:** Our hope is that data provided by the Justice Data Lab becomes the industry standard in the criminal justice sector. To achieve this the Justice Data Lab needs to be robust and reliable. But it also needs to be realistic in its demands on charities: pragmatism is required to ensure high standards do not exclude the smallest organisations.
- **Sustainable:** To deliver long-term improvements in the use of evidence in the criminal justice sector, the Justice Data Lab needs to be sustainable. We suggest the government considers a range of options for achieving sustainability, including spinning the Justice Data Lab out as a social enterprise.

Our full recommendations, based on our survey findings, are overleaf.

Principle	Recommendation
<b>Accessible and useful</b>	1. <b>Data should be made available to charities and social enterprises of all sizes.</b> This is critical to ensure widespread uptake of the Justice Data Lab. Even charities with a very small sample size should be provided with data.
	2. <b>The Justice Data Lab should conduct key analyses as standard</b> to enable charities to assess the difference they have made (eg, through a control group), and to identify which groups they help most, and which they could potentially help more (eg, by breaking down offending rates by age group or ethnicity).
	3. <b>If charging is introduced, variable pricing should be provided</b> to ensure cost is not a barrier to access, even for the smallest charities. Guidance should be published to encourage commissioners and funders to build the cost of accessing the Justice Data Lab into contracts and grants.
	4. <b>Both contract and pay as you go services should be available</b> so the Justice Data Lab can be used both for routine outcomes monitoring and one-off evaluations.
	5. <b>Form a Justice Data Lab Charity Advisory Panel</b> , bringing a cross-section of criminal justice charities and social enterprises to advise on the development and early implementation of the Justice Data Lab. Form similar groups for commissioners, funders, policymakers, and academics.
<b>Robust but realistic</b>	6. <b>Ensure the data is robust yet nuanced.</b> The Justice Data Lab should use the latest approaches to data matching and the most complete government offending data sets. However, it should also use a nuanced offending measure that includes frequency and severity of offences, not simply a binary offending measure.
	7. <b>Produce high quality standard reports</b> that aim to become the standard impact reporting method for public service providers (including charities).
	8. <b>Develop two or three standards of evidence</b> that convey the strength of the data (eg, sample size, statistical significance). These should accommodate all types of organisations, from a small charity with a small sample size seeking basic outcomes data, to a large charity looking to conduct a randomized control trial.
<b>Sustainable</b>	9. <b>Ensure the Justice Data Lab can be insulated from policy changes</b> , for instance, by spinning it out into a dedicated social enterprise with a sustainable business plan.
	10. <b>Build a Justice Data Lab Community of Practice</b> where users of the Justice Data Lab can come together to learn from one another and suggest ways to improve the Justice Data Lab. This community should bring together charities and other public service providers, funders, commissioners, policymakers and academics.
	11. <b>Build a library of what works into the Justice Data Lab</b> , listing interventions that are proven to reduce reoffending, and those that seem promising. If appropriate, link the Justice Data Lab with an existing 'clearinghouse' for proven interventions.

## Final reflections

*“Investigate what’s working and clone it.”*

Dan and Chip Heath<sup>31</sup>

The UK government faces a difficult challenge: addressing pressing and intractable social needs, like rehabilitating offenders, with shrinking resources. The response from some in the coalition government has been to encourage public agencies to direct their resources towards services that are proven to tackle social problems. In short, to investigate what’s working and clone it.

A growing number of policymakers, commissioners, and public service providers are making concerted efforts to find out what works in order to replicate it. They are at the frontier of a new movement towards more evidence-based policymaking and commissioning. Much like frontiersman of the past, they lack a body of knowledge for how to get by in an unknown and hostile territory. A Justice Data Lab offers an invaluable tool to help them make the best decisions. If successful, it could become a repository of promising and proven interventions, which can then be adopted by organisations providing services to offenders.

*‘Investigate what’s working and clone it’* could be a mantra for the ideas underpinning data labs. If it works well, the Justice Data Lab model could be copied by other Whitehall departments and even governments around the world. It could become, in the words of Dan and Chip Heath, a ‘bright spot’—a small example of good practice that can help tackle the big challenge of using government data for social good.

A Justice Data Lab has the potential to transform the way evidence informs policy and practice in criminal justice. But what does it tell us about the changing role of government, and the future of public services? Is central government’s role now just to equip commissioners and public service providers to deliver services that have the greatest impact—becoming a facilitator state, supporting and informing, rather than dictating to, the frontline? What does the idea of a Justice Data Lab tell us about data access? Is opening up data in this way a sign that the data revolution is coming to government, democratising access to data so even the smallest charities can understand their impact? Only time will tell.

What is clear is that most charities and social enterprises would welcome the foundation of a Justice Data Lab. Given its transformative potential, there is every reason to support its creation.

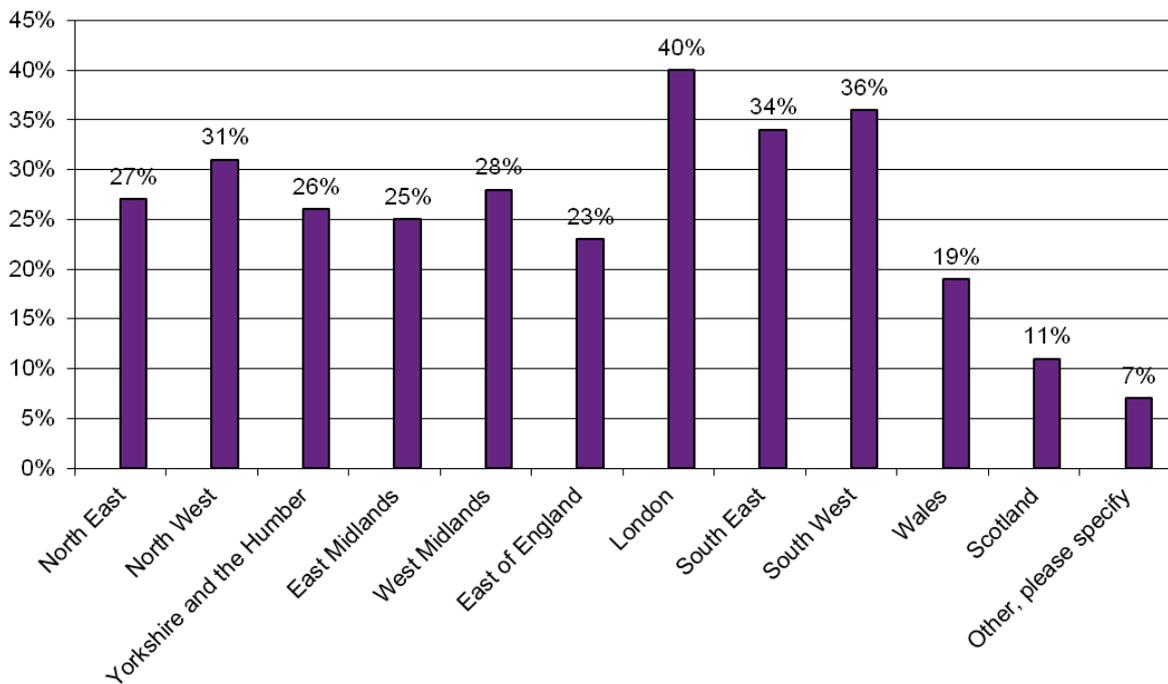
## APPENDIX 2: METHODOLOGY AND SAMPLE

### Overview of methodology



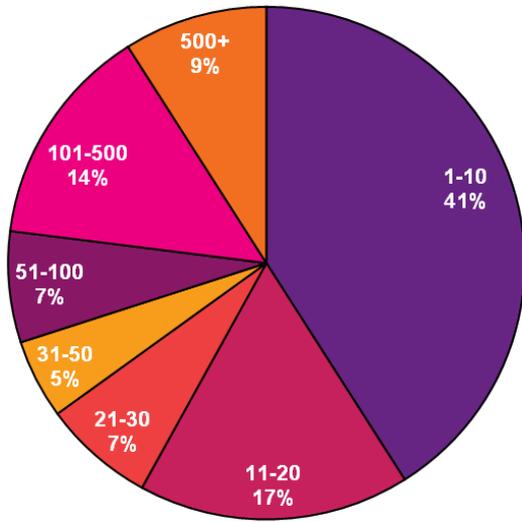
### Survey sample

#### Location of respondents



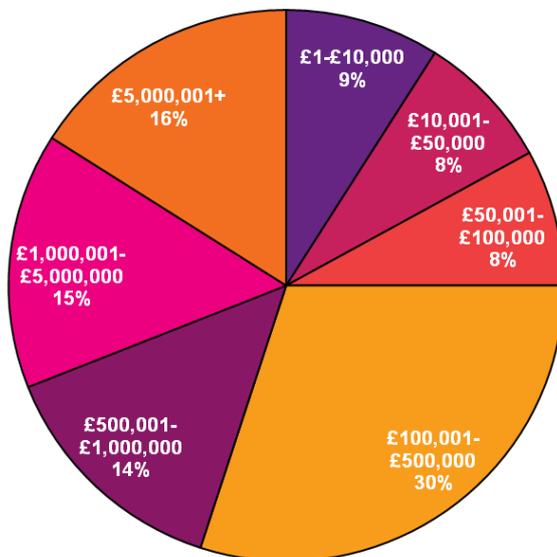
Question: Where does your organisation operate? (select all UK regions that apply) N = 236

### Number of staff per organisation



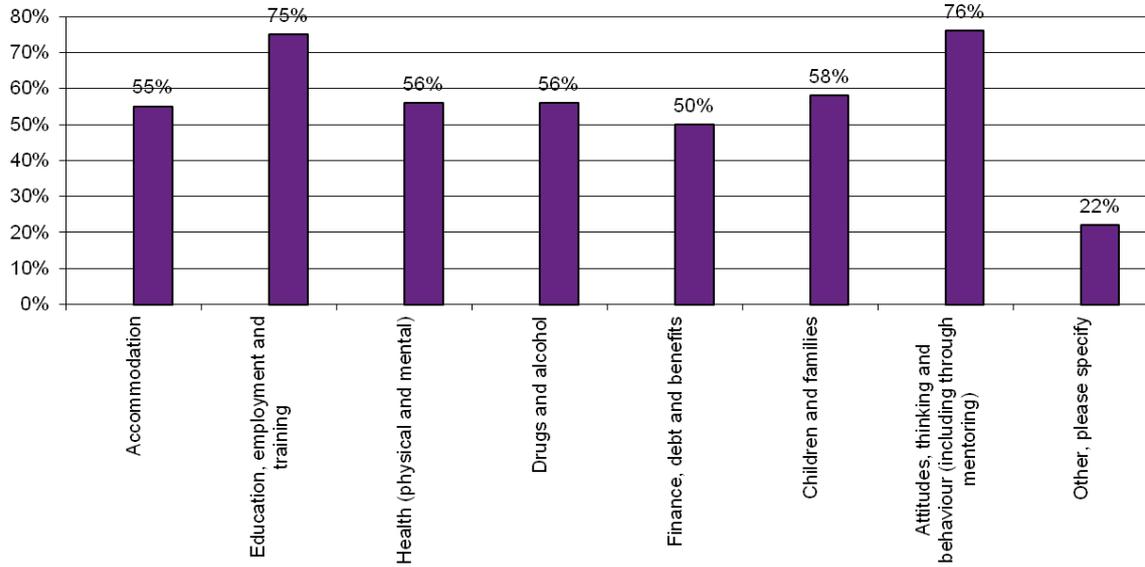
Question: How many staff are employed by your organisation? (select one option) N = 236

### Annual income



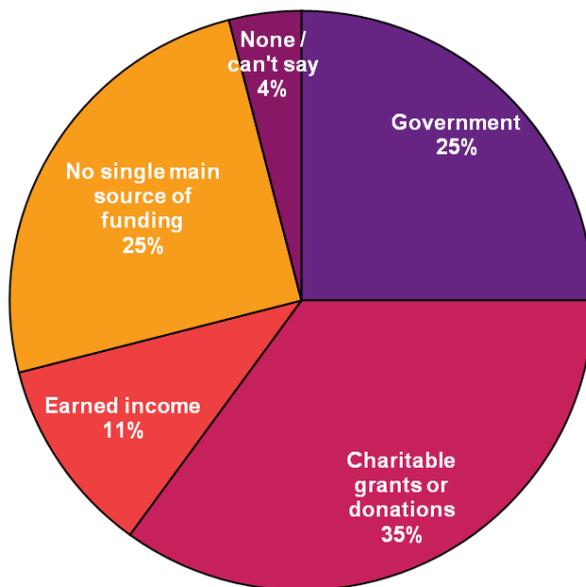
Question: What was your organisation's turnover in the last financial year? N = 236

### Issues addressed



Question: What issues does your organisation help offenders to address? (Please select all that apply) N = 236

### Main source of funding



Question: What is your organisation's main source of funding? (Please select one option) N = 236

## APPENDIX 2: CURRENT ROUTES TO OFFENDING DATA

### Current routes to access offending data

Source	Data access process	Type of data	Quality of data	Analysis conducted as standard
Police Force Crime Records	Application to local force	Crime	Rich and live (fully up to date)	None
National Offender Management Service data	No central access, local access via prison or probation trust.	Prison & probation indicators	Rich but not fully live	None
Ministry of Justice	Confidentiality agreements	Crime and court convictions	Rich but not fully live	None
Youth Offending Team data	Local relationships	Police, courts, prison, probation	Rich but not fully live	None
Home Office (Police National Computer)	Lengthy, stringent process.	Crime and convictions	Rich and live	None
Courts Data	Freedom of Information request	Convictions	Rich and live	None

Source: NPC feasibility study (unpublished)

# REFERENCES

<sup>1</sup> For those serving sentences of less than 12 months this increases to 56.8%, an increase of 2.6 percentage points from 2000. For those who have served more than 11 previous custodial sentences the rate of reoffending rises to 67%. Prison Reform Trust (June 2012) *Bromley briefings prison factfile*.

<sup>2</sup> Ministry of Justice (2012) *Population and capacity briefing for 22 June 2012*. Ministry of Justice.

<sup>3</sup> Between 2001 and 2011, the prison population in England and Wales grew by 19,650 or 30%. A rise in the number of people sentenced to immediate custody accounts for 65% of the increase. Prison Reform Trust (June 2012) *Bromley Briefings Prison Factfile*.

<sup>4</sup> Home office (2005) *The economic and social costs of crime*.

<sup>5</sup> <http://www.hmrc.gov.uk/datalab/>

<sup>6</sup> Prison Reform Trust (June 2012) *Bromley briefings prison factfile*.

<sup>7</sup> Ministry of Justice (2012) *Population and capacity briefing for 22 June 2012*. Ministry of Justice.

<sup>8</sup> Prison Reform Trust (June 2012) *Bromley briefings prison factfile*.

<sup>9</sup> We use £64bn for the total cost of crime, derived from National Audit Office (2010) *The youth justice system in England and Wales: Reducing offending by young people*. This updates the widely accepted Home Office (2000) cost of crime (£60bn) to 2010 by adjusting upwards for inflation, and down for reduction in crime levels to arrive at a range of £50bn–£64bn.

<sup>10</sup> Prison Reform Trust (June 2012) *Bromley briefings prison factfile*.

<sup>11</sup> 60% of short sentence offenders re-offend within a year. National Audit Office (March 2010) *Managing offenders on short custodial sentences*.

<sup>12</sup> Joy, I. (2010) *Preparing for cuts: How funders should support charities in a world of government cuts and changing funding structures*. New Philanthropy Capital.

<sup>13</sup> BBC website, <http://www.bbc.co.uk/news/uk-politics-11579979>

<sup>14</sup> Audit Commission (2004) *Youth Justice 2004: A review of the reformed youth justice system*.

<sup>15</sup> Petrosino, A., Turpin Petrosino, C. and Beulher, J. (2003) *Scared straight and other juvenile awareness programmes for preventing juvenile delinquency: a systematic review of randomised experimental evidence*. The Annals of the American Academy of Political and Social Science, 589 (1): p.41-61.

<sup>16</sup> The National Audit Office (2010) *The Youth Justice System in England and Wales: Reducing offending by young people*. Ministry of Justice.

<sup>17</sup> <http://www.justice.gov.uk/news/features/rehabilitation-revolution-next-steps-announced>

<sup>18</sup> Cabinet Office (June 2012) *Open ata White Paper: Unleashing the potential*.

<sup>19</sup> Nevill, C., & Lumley, T. (2011) *Impact measurement in the youth justice sector*.

<sup>20</sup> 236 is 14% of 1,744 third sector organisations who identified offenders, ex-offenders and their families as one of their main client groups in Third Sector Research Centre (2008) *National Survey of Third Sector Organisations*.

<sup>21</sup> Pritchard, D., Ni Ogain, E., & Lumley, T. (2012) *Making an impact*. New Philanthropy Capital.

<sup>22</sup> These estimates are based on the findings of: Third Sector Research Centre (2008) *National Survey of Third Sector Organisations*. 1,465 is 84% of the 1,744 charities and social enterprises that said 'offenders, ex-offenders and their families is one of our main client groups.' 15,420 is 84% of the 18,144 charities and social enterprises that said 'offenders, ex-offenders and their families are one of our client groups.'

<sup>23</sup> Red Ochre for Clinks (2012) *When the dust settles*.

<sup>24</sup> For example, all but one of the Work Programme contracts went to private companies.

<sup>25</sup> Chadwick, R. (2009) *Summary of Prince's Trust work with the National Policing Improvement Agency (NPIA) on measuring young people's offending rates*. The Prince's Trust.

<sup>26</sup> Social Finance and Ministry of Justice (2010) *Press release: Minister launches social impact bond pilot*.

<sup>27</sup> Around nine in ten could provide their name, gender, and date of birth. Over two-thirds could provide their address and the name of their prison or probation trust. Over half could provide prison leaving data and prison number.

<sup>28</sup> However, of these, 26% said they would only ask if certain conditions were met.

<sup>29</sup> For more on Clearinghouses see Little, M. and Sodha, S. (2012) *Dartington social research unit*. NESTA.

<sup>30</sup> Stephenson, H., Giller H. and Brown, S. (2009) *Effective Practice in Youth Justice*. Willan Publishing.

<sup>31</sup> Heath, D. and Heath, C. (2010) *Switch: How to change things when change is hard*.

## TRANSFORMING THE CHARITY SECTOR

NPC occupies a unique position at the nexus between charities and funders, helping them achieve the greatest impact. We are driven by the values and mission of the charity sector, to which we bring the rigour, clarity and analysis needed to better achieve the outcomes we all seek. We also share the motivations and passion of funders, to which we bring our expertise, experience and track record of success.

**Increasing the impact of charities:** NPC exists to make charities and social enterprises more successful in achieving their missions. Through rigorous analysis, practical advice and innovative thinking, we make charities' money and energy go further, and help them to achieve the greatest impact.

**Increasing the impact of funders:** We share the passion funders have for helping charities and changing people's lives. We understand their motivations and their objectives, and we know that giving is more rewarding if it achieves the greatest impact it can.

**Strengthening the partnership between charities and funders:** Our mission is also to bring the two sides of the funding equation together, improving understanding and enhancing their combined impact.