

# JUSTICE DATA LAB: FAQ UPDATE



The following table lists and responds to some of the common criticisms or concerns about the Justice Data Lab. It is based on discussions throughout Autumn 2018. It complements MOJ's own FAQ document, which has more details about the methodology used and can be viewed [here](#).

For an introduction to what the Justice Data Lab is please visit this guide from Clinks:

<https://www.clinks.org/publication/what-justice-data-lab>

Concern	Response
<p>The Justice Data Lab only provides a single measure; the one-year reoffending rate for a cohort compared to a control group.</p>	<p>It is true that the JDL's headline measure is the one-year reoffending rate. This the data that is available—it's a key measure used in the justice system and is widely understood.</p> <p>However, since the launch of the JDL the team have added other measures; frequency of reoffending, time-to reoffending and total number of offences.</p> <p>Severity of reoffending is now included in the most recently published reports in terms of three court outcome levels based on legal criteria; indictable-only, triable-either-way and summary<sup>1</sup>.</p> <p>Most recently the Justice Data Lab team have also added outcomes related to employment, job retention and receipt of benefits.</p>
<p>'Reducing reoffending' is not the main concern of commissioners—particularly prisons.</p> <p>The immediate priority is violence reduction, Incentives and Earned Privileges (IEPs), adjudications and other behaviour improvements. The JDL doesn't help with this.</p>	<p>This is true—the JDL does not help organisations to measure short-term change.</p> <p>If we think in terms of NPC's <a href="#">five types of data</a>, the JDL helps us to measure long-term change (impact)—which is usually the most challenging type of data to collect. And, by providing profiles of programme participants, it also helps organisations to collect 'user' data.</p> <p>But organisations still need to find ways to measure short-term change (outcomes) as well as 'engagement' and 'feedback'. Hence, <b>it is best to see the JDL as complementary to other data collection activities rather than as replacement for them.</b></p>
<p>The results are too old / out of date / too old to be relevant.</p> <p>Charities and funders need data more quickly to check they are on the right track and report against funding / commissioning requirements.</p>	<p>This is a legitimate and an unavoidable criticism. There is naturally a lag in JDL results: it measures the one-year reoffending rate data which takes at least 18 months to go through the system. It is quite possible that organisations have moved on or changed their services in the intervening period.</p> <p>The counterargument is that this analysis is worth waiting for. Short of conducting a randomised control trial, there is no other way for</p>

<sup>1</sup> See [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/472535/proven-reoffending-definitions-measurement-Oct15.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/472535/proven-reoffending-definitions-measurement-Oct15.pdf) Page 33

Concern	Response
	<p>organisations to measure long-term change on a key impact measure like reoffending.</p> <p>It would help if funders and charities could see the value in the unique results that the JDL offers and learn to be patient.</p>
There is a long waiting list	The current waiting list is quite short. The perception that the JDL takes a long time is due to the natural time lag discussed above.
Reoffending is not our only impact, there are a range of others—including wellbeing, self-esteem, happiness.	<p>Yes, and it would be great to measure the impact on these as well.</p> <p>For now, we only have data on reoffending (and more recently employment). NPC is working on establishing the JDL approach in other areas like education and health.</p>
The JDL feeds a narrative that reoffending is all that matters, and charities should only be judged against this.	<p>We acknowledge this and have been keen to tackle this perception.</p> <p>As far as we can tell, the JDL has not contributed to this narrative.</p>
Reducing reoffending is the end of a long journey. Many organisations contribute at an earlier point in the process.	<p>Indeed, there seems to be increasing consensus in the justice system that the desistance process is a journey, and it should be legitimate for charities to argue that reducing reoffending is not their intended or likely impact and chose not to use the JDL—for example arts projects or light-touch advice. <b>But those organisations should be clear about what they do work towards instead.</b></p>
It will lead to league tables and competition between organisations.	<p>We have encouraged funders and commissioners to take note of JDL results, but not regard them as ‘proof’, one way or the other. The purpose of the JDL is to gradually increase our understanding—to help us make better decisions, not to judge organisations.</p> <p>We want to conduct more and more meta-analysis of the JDL results; to understand the common factors associated with programmes getting better or worse results. The long-term version is to understand what works for whom and under what circumstances.</p> <p>NPC will continue to reach out to funders and commissioners to communicate this message.</p>
Organisations can manipulate it by cherry-picking their preferred participants to get the best results.	<p>Theoretically yes, but we have seen no evidence of it.</p> <p>In applying to the data lab there is naturally a process of selecting which participants engaged / completed a programme and organisations often need to decide on a cut-off point. But this is legitimate; analysis will only make sense if participants have received a broadly similar service.</p> <p>There is also a counter-pressure on organisations; which is to increase the number of people they submit to the JDL to achieve a high sample size and increase the likelihood of a significant result. We think this is driving organisations’ approach rather than cherry picking.</p>
Results are not significant so don’t mean anything. We can’t do anything with them.	The JDL team are obliged to follow convention for reporting statistical significance, which means many results have been technically ‘non-significant’. This is appropriate for a formal government publication.

Concern	Response
	<p>But this does not mean that ‘non significant’ results are not interesting or not useful. They still give an upper and lower limit on the impact and valuable data about the profile of the service’s user group.</p> <p>Furthermore, many reports do contain significant results at other levels, for example reductions to frequency of reoffending or ‘time to’ reoffending. Also, organisations can resubmit when they have more data—which has worked for Working Chance and Safe Ground.</p> <p>More generally, there are arguments against the overuse of statistical significance testing,<sup>2</sup> which is based on an arbitrary dividing line. As such, we think it is acceptable to report an insignificant result with appropriate caveats.</p>
<p>Propensity Score Matching (PSM) process is ‘intangible’, mysterious, not trusted to identify the right control group.</p>	<p>The PSM process is widely used amongst statisticians, and across government. The JDL team have tested a range of models and published their methodology. The match will be done according to strict parameters and is as fair as possible.</p> <p>The detailed comparisons between treatment and control groups are published in the ‘standardised differences’ in the annex of each report.</p> <p>The JDL team have also been adding more and more data to the models—most significantly OASYS data on non-static risk factors and regional variables. Encouragingly, the addition of more data does not seem to change the results—which indicates that the original approach worked well.</p>
<p>Charities will feel encouraged to work with ‘easier to reach’ groups to get a better result out of the JDL.</p>	<p>This would not work as a strategy for getting a positive result because the control group would have an accordingly low rate of reoffending.</p> <p>For example, Working Chance<sup>3</sup>, which works with people close the labour market, found a fairly low rate of reoffending in their control group (but they still recorded a significant difference).</p>
<p>Harder-to-reach groups are excluded from analysis (drug users, sex offenders).</p>	<p>This was true at the beginning but is gradually changing and the JDL team can now run analysis of groups with substance misuse, mental health and housing problems.</p> <p>The initial reason was that the JDL team could not be confident in the results from these populations at the early stages but have now added more data to their models to make this possible.</p>
<p>Many programmes take place in a small number of prisons. Are institutional level factors taken into account?</p>	<p>This is legitimate criticism. MOJ have tried to form comparison groups from a single prison or set of prisons but found that they didn’t get enough matches to form a robust control group. Also, people commonly move prisons, and MOJ only knows the prison of release. And prisons can change in nature.</p> <p>If an intervention takes place on one, or a small number of prisons, this needs to be taken into account in the interpretation of the results.</p>

<sup>2</sup> <http://healthyinfluence.com/wordpress/wp-content/uploads/2015/04/Carver-SSD-1978.pdf>

<sup>3</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/328807/working-chance-report.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/328807/working-chance-report.pdf)

Concern	Response
Our organisation can't use it because we have worked with too few people.	Organisations do need to have data on 60 people minimum to apply to the JDL and the team will only run analysis on samples of over 30. This is unfortunate for smaller organisations, but the reality is that analysis of samples smaller than this would be particularly weak and unreliable.
There is a high level of attrition	<p>The JDL cannot usually run analysis on all the people that organisations send to them. The main reasons are; some people cannot be definitively identified, some are still serving sentences, and some cannot be definitively linked to particular sentences or release date.</p> <p>Generally, the JDL team err on the side of caution and exclude people from analysis if there are any concerns—which is the appropriate approach.</p>
Lots of our service users are recalled to prison, are these people included?	<p>This is a limitation to some analyses.</p> <p>People are included in an analysis regardless of subsequently being recalled, so they might spend some of the follow-up period back in prison if they are recalled – but is not treated as a reconviction so does not negatively affect the results.</p>
Our organisation runs lots of different programmes, it does not make sense to analyse them together.	We encourage people to analyse programmes separately. The downside is that this will reduce sample sizes and make significant results less likely. However, the JDL team might be willing to explore aggregate analysis if it is logical / makes sense.
A bad result is a punch in the stomach	<p>Undoubtedly. But it is better to know than not to know, and hopefully organisations can respond positively by trying to understand the reasons for the result and what, if anything, they can do to improve.</p> <p>Also, the JDL should not be an organisation's only source of evidence. They may have collected other data that is more supportive. The JDL is a piece of the jigsaw but does not clinch the argument one way or the other.</p>
Commissioners don't read the reports, don't act on the implications, are not convinced. Political pressure, hunches and personal contacts are more significant.	Unfortunately, true. But the more the JDL is used, the more it will be understood, and the more persuaded people will be. We have a long-term vision in which evidence plays a greater role in decisions and the JDL is an important step forward.
Interactions with MOJ have been a nightmare, this will be the same.	The JDL team are small group of people within analytical services and are unconnected with other services you may have come across / interacted with. There is a fairly clear application process and they will be willing to talk you through it and discuss any challenges / difficulties. They have received positive feedback from JDL users to date.
We have lots of other things on our plate and this will be too much hassle.	A lot depends on how good the organisation's record keeping has been. If all your client records are on paper at different sites it will be difficult. But if records are electronic and centralised it should be straightforward.

Concern	Response
Once we send the data in we will lose control. They will publish our results whatever happens.	<p>The JDL team are open to discussing the analysis as it progresses. They will share the results with you before they are published. Organisations have the opportunity to add their own text and interpretation to the published report.</p> <p>But, given the goal of improving knowledge, it is an important principle that all results are published, else it would be open to people hiding results they don't like.</p>
We cannot share our data with MOJ without service users' consent.	Not true. There is a legal mechanism to share data through the principle of 'legitimate use'. Many other organisations have used the Data Lab so there are plenty of precedents.