

RE-INVENTING CRIMINAL JUSTICE:

THE SEVENTH NATIONAL SYMPOSIUM

FINAL REPORT

Fairmont Queen Elizabeth
Montréal, Québec

January 23/ 24, 2015

The Seventh National Re-Inventing Criminal Justice Symposium

Montreal, January 23-24th 2015

Using performance measures to improve the Criminal Justice System

Symposium Chair: The Honourable Raymond Wyant, Manitoba Provincial Court

Symposium Facilitator: Mr. George M. Thomson, Senior Director, International Programs, National Judicial Institute.

On 23 and 24 January 2015, 86 leaders of the criminal justice system met in Montreal for the seventh in a series of unique opportunities for police, corrections, defence counsel, prosecutors, judges, and government officials from across the country to meet and discuss issues relating to the criminal justice system. The primary purpose of these symposia is to “reinvent” the system by bringing together influential justice system participants and informed outside observers to share, off the record, candid perspectives on and solutions to the challenges of fashioning a responsive, accessible and accountable criminal justice system.

Every year, the Symposium focuses on a different aspect of reinventing and improving the criminal justice system. This year’s theme was the important question of the use of various forms of systematic measurement to assess how the system is doing in general, to identify the need for reforms, to measure the impact of new initiatives, and to test new ideas and solutions. This topic cuts across many of the themes the Symposium has discussed over the last several years. In the 2014 Symposium in Ottawa, one of the recommendations directed at enhancing public confidence in the justices system was the creation of a framework of meaningful performance measures on which to evaluate the system.

The use of empirical data has already transformed many aspects of the justice system. Information-driven decision-making produces the best use of available resources, improves efficiency and promotes “evidence-based programming.” While these developments have improved the performance of various components of the criminal justice system, there has been limited focus on monitoring the system as a whole. Moreover, the performance of the system should be measured against identified goals or preferred outcomes, perhaps such as access to justice, fairness, just results, protection of the public, and maintenance of public confidence. Performance measurement provides those responsible for the effective functioning of the criminal justice system, be they legal practitioners, judges, police or

legislators, with a valuable tool to assess the vital signs of the system in which they operate.

Some observers argue that, over the last two decades or so, we have gone through a “measurement revolution” in the fields of governance, justice, and the rule of law - something akin to the phenomenal transformations that took place in the fields of economics and public health one hundred years ago.¹ Nonetheless, despite improvement, the field of justice still lags behind health and economics.

Technology makes it possible to digitalize, store, analyze and use administrative and other data on a very large scale and at fairly low cost. Some of this data has been used to improve policing strategies, to improve court scheduling, to assign caseloads, to develop sophisticated risk assessment tools, to facilitate parole decision making, to measure cost efficiency, and even to increase the overall accountability and transparency of the justice system. It is fair to say, however, that we have not fully put this enormous capacity to the service of criminal justice reforms.

Measuring is key to reinventing justice. Justice and rule of law indicators are useful tools to evaluate performance, draw attention to issues, establish benchmarks, monitor progress, and evaluate the impact of interventions or reforms. Indicators, together with other monitoring and evaluation mechanisms, are essential to providing feedback² to policy makers and reformers. When made public, these indicators may contribute to the greater transparency and public accountability of the justice system. Measurement requires us to be specific about evidence of success. Whether we are reforming the system or seeking to protect the integrity of its key elements, a focus on performance requires us to be explicit about what a healthy system looks like to the observer.

In countries all over the world, including Canada, data gathering systems have been developed to monitor aspects of the justice system, its significant components, and in some cases, the system as a whole. Some of these initiatives have been more successful than others and we can learn from both the successes and the challenges experienced.

¹ Botero, J. C, Martinez, J, Ponce, A, and C. S. Pratt (2012). “The Rule of Law Measurement Revolution: Complementarity Between Official Statistics, Qualitative Assessment and Quantitative Indicators of the Rule of Law”, in Botero, J. C., et al. (Eds.), *Innovations in Rule of Law*, The Hague Institute for Internationalisation of Law and the World Justice Project, pp. 8-11, p. 8.

² Feedback is a process through which information is collected, packaged and communicated so as to serve as a basis for learning, experimenting and decision-making within a system. Robust justice indicators are capable of generating a virtuous feedback loop that will support organizational change and reforms in a complex system such as the criminal justice system.

Purpose of the symposium

During the 2014 Symposium, participants articulated the link between the issue of performance measurement and that of public confidence in the criminal justice system. Attendees deplored the lack of performance measures in the justice field and agreed that, in order to increase public confidence, performance measures should be developed and made public.

The 2014 Symposium recommended that:

“The CJS should develop and implement understandable and meaningful performance measures. Senior leaders in the CJS should collectively discuss and agree on meaningful performance measures relating to the system as a whole and each aspect of it. The CJS will require a collaborative exercise to identify system goals and appropriate indices of performance, adjusted for different parts of the system and different communities. The public should have a voice in determining what will be measured and reported on. Once the goals and indices of performance are agreed upon, there should be collaborative cross-system commitment to meeting them. This should include peer review and mentoring as a component of evaluating performance. To increase public confidence, the results of performance audits should be made publicly available in an easily understandable form.” (Recommendation #4).

In preparation for the 2015 Symposium, short background papers³ were distributed to the participants. There were some brief presentations from academics, and panel presentations of the experience in a number of jurisdictions across Canada, and in various sectors of the criminal justice system, of creating and using indicators of performance. As well, participants spent some time reviewing and discussing some examples of possible indicators in a simulation exercise that was designed so that

³ Yvon Dandurand and Alison MacPhail - Using Indicators to Help Improve the Justice System (*English & French*); André Solecki and Kyle Coady, Research and Statistics Division, Department of Justice Canada - Performance Measurement within the Criminal Justice System (*English & French*); Todd Foglesong - The Rule of Law in Ordinary Action: Filing Legal Advice in Lagos State (Nigeria) (*English*)

participants could consider how the use of indicators might assist them in assessing the overall performance of the system.

Participants discussed the creation and use of performance indicators both in their respective sectors (police, defence bar/legal aid, prosecutors, courts and government) and in cross-sectoral groups.

This report contains some references to the discussion papers, but primarily summarizes the presentations and discussions held during the plenary sessions of the Symposium.

Despite the recognition that the use of performance measures in the justice system is still one that invites some controversy, the overwhelming view of the Symposium was that the development of a comprehensive performance measurement framework with appropriate indicators is critical to effectively manage the justice system, to guide resource allocation within sectors, among sectors and among different government priorities, and to provide critical information to the public about what the justice system aspires to do and how well it is meeting its goals.

There are many examples of using performance measurement in the justice system across Canada, and the discussions at the Symposium highlighted the diversity of approaches. There was a clear recognition that there is no single “right way” to approach performance measurement in the justice system or even “right performance measures”. Panellists were frank about their experiences and highlighted the mistakes they made and the lessons they learned from their experience. A common theme was that the process of identifying indicators, agreeing on how they should be measured, agreeing on strategies to influence the measures and then understanding and using the results was often more important than the actual choice of indicators.

Some of the key comments on the different approaches included:

Police

Police services probably have the most experience with performance measurement of any justice sector in Canada. Police routinely track crime rates, arrest rates, clearance rates, use of force, financial accountability, as well as public satisfaction with the service’s performance. This is true for community policing as well. However it can be difficult to set national targets or take a national approach, as they found in the United Kingdom, because of different crime problems in different parts of the country.

To address the question of how to ensure public confidence in the data, in some communities, for example Calgary, it is the Police Board that commissions the surveys on public attitudes rather than the police service itself. Many police

services also do internal surveys to understand the views and attitudes of police members. Public perception of policing is generally seen as a cornerstone in any police performance measurement system - qualitative measures such as this are as important as quantitative.

Other police departments have identified high quality professional service to the community as a key goal in their business plans, often with a large number of measures. However it has been found that having a large number of measures can be overwhelming, and that there is merit in choosing a few key measures, for example, aiming for a substantial decrease in serious or major complaints about the police, which provide significant information about the quality of service.

It is also critical to properly interpret the results of the measures. For example, an increase in minor complaints about police behaviour may actually be an indication that people think it is worthwhile complaining, and that the police service is responsive, rather than an indication of an increasing problem.

Police are increasingly sharing information in the interests of transparency and public accountability, and are taking advantage of social media platforms.

Corrections

Corrections has the advantage of good statistical information collected consistently over many years, and relatively comparable across jurisdictions. The Corrections and Conditional Release Statistical Overview is published annually by Public Safety Canada. Provincial and Territorial governments also collect corrections related performance data. Information collected, definitions used and public access to the data vary by jurisdiction. Common definitions and data collection protocols together with enhanced public reporting would assist in Canadians gaining a better understanding of how well their correctional services are working. For example, a shared understanding of recidivism based upon a common definition would allow for both a national round up and comparison of performance across jurisdictions

The Correctional Service of Canada produces an annual Departmental Performance Report and Report on Plans and Priorities, which provides expenditure and performance information on numerous aspects of correctional operations, including security, custody, health services, correctional interventions, and community release.

Prosecution

Some examples of the kinds of measures that prosecution services report on publicly include timeliness (for example the median time to trial), as well as public

views about whether trials are fair and impartial, and feelings of public safety. Measures used for internal management purposes include things such as clearance rates and cases per prosecutor. The possible use of conviction rates as a measure was controversial. On the one hand, it is not the job of a prosecutor to secure a conviction at all costs. On the other hand, looking at the conviction rates of individual prosecutors may provide management with important information about prosecutor performance. For example, is a particular prosecutor proceeding with all cases, regardless of the likelihood of a successful prosecution, or conversely, is another prosecutor settling everything rather than risking a trial, even on an important issue? It was suggested that this information would be very useful for the management of the prosecution system, although others were concerned that it could lead to the promotion of a “conviction above all else” culture.

Courts

Ontario’s “Justice on Target” initiative was implemented to address concerns (substantiated in the province’s administrative data) that cases were taking increasingly longer to complete and requiring more court appearances to do so.

A province-wide target was set by the Attorney General, that there should be an overall reduction of 30% in the number of appearances, and a 30% reduction in the time to complete a case. However the strategy to achieve the identified target was left to individual court locations, recognizing that the circumstances of each court location, and potential solutions, might be different.

The judiciary took the lead in a number of locations, and all parts of the justice system were involved, from police through court services, prosecution, defence bar, legal aid and corrections. Their role was to identify the problems they faced in their location as well as to find appropriate solutions to deal more quickly with less complex cases in order to free up more resources available to manage the most serious and complex cases. There was a commitment to use data to measure progress, which was in itself a culture shift for the justice system.

A system to measure and report progress towards these targets was developed. The progress is reported publicly on the Ministry of the Attorney General website.⁴ Data was communicated regularly to participants. Provincial level data was provided quarterly while site-specific data was provided bi-monthly so that participants could see the impact of their own efforts.

While there was an appreciation of the usefulness of data to understand operations, there was concern that a provincial target was not sufficiently sensitive to local variation, so eventually (after many years) the target was re-framed in terms of

⁴ See: <http://www.attorneygeneral.jus.gov.on.ca/english/jot/achievements.asp>

achieving, or making progress towards, completing a specific percentage of cases within a target timeframe, taking into account case complexity. Thus the target was re-framed to recognize the different circumstances – and achievements – of different locations.⁵

Effective strategies included:

- Local leadership teams of criminal justice stakeholders that met regularly to discuss ways to improve criminal case processing in their court location;
- Regular review of data;
- Support from a team of experts;
- An understanding and sharing of best practices;
- Governance tables with representation from all justice participants to foster collaboration and shared accountability;
- Strong leadership from the judiciary, as well as champions in each stakeholder group;
- Collaboration to develop solutions; and
- A small pool of additional resources to support Crown-led initiatives.

Quebec stressed the importance of ensuring that the measures reflect what you are concerned about. For example, courtroom or judge sitting hours are only a partial measure of judicial work, and don't take into account critical aspects of the work, such as mediation, which can significantly shorten long trials. Time to disposition and numbers of appearances may be an adequate measure of timeliness for many matters, and have assisted in achieving substantial reductions in appearances. However they do not take into account the particular process in problem-solving courts where frequent appearances and on-going supervision by the court in certain cases are a deliberate strategy to increase compliance and rehabilitation for targeted offenders.

Defence/legal aid

Legal aid plans in Canada have generally implemented measurement schemes to assist in maximizing legal assistance within very limited resources. Ontario has used data to assist in management decisions with respect to the use of staff counsel, contract counsel or certificates; the provision of different levels of service, for example, summary legal advice over the phone vs face-to-face assistance or full representation; and the use of block fees rather than an hourly tariff. Measuring trends over time is important to document the continued need for service, and the

⁵ Ministry of Attorney General of Ontario. *Benchmarks for Effective Criminal Courts*. <http://www.attorneygeneral.jus.gov.on.ca/english/jot/benchmarks.asp>

growing gap between poverty levels and eligibility, which is critical to meet government expectations around the proper use of public funds and support budget requests. Client satisfaction surveys are conducted regularly.

The defence bar stressed the importance of measuring the experience of the most vulnerable accused, for example Aboriginal people, and unrepresented accused. They support the concern expressed elsewhere about whether indicators such as the number of adjournments are sufficiently sensitive to the variety of circumstances, for example, where adjournments permit options for a non-custodial disposition to be fully explored, or for a case to be resolved outside of the justice system.

A system-wide approach

To address concerns that British Columbia's performance measurement approaches were inadequate (too limited in scope, not consistent over time, unrelated to any strategy for reform of the justice system, and not used in any systematic way), legislation was enacted in 2013, creating a structure for strategic planning and performance measurement for the entire justice and public safety sector.

The key elements of a strategic vision of the justice system were agreed to through a process of consultation with internal and external stakeholders from all parts of the justice system. Indicators developed to date are in relation to:

- *Fairness* (Rates of self representation, timely resolution of cases, rates of overrepresentation of Aboriginal people at all stages of the justice process), and
- *Protection of people* (Reconviction rates (adult, youth and repeat offenders), and road safety – high risk driving, fatalities and serious injuries).

Indicators have not yet been developed for the other two identified core values of *Sustainability* and *Public Confidence*. The process has been slow because of the challenge of reaching agreement on how to measure workload (and changes in workload) in different parts of the system in order to inform indicators of sustainability, as well as the need to reach beyond operational data for information about public confidence, for example through public surveys, which requires additional expenditures.

Other areas of performance to be addressed include measures of the way the justice system treats the most vulnerable, including victims of violence and people with mental illness, as well as exploring questions of the quality of representation and incidents of miscarriages of justice.

See: *The Justice Reform and Transparency Act (2013)*

http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/13007

Challenges have included reconciling a number of different and competing priorities. There is agreement that efficiency and effectiveness indicators, for which there are available administrative data, are necessary parts of any reform agenda. However it has been important to ensure that the availability of data does not determine the choice of indicators. For example, although some of the data required to measure fairness and access may currently be unavailable and require surveys at additional cost, these are also key values of the justice system, and must be included in a comprehensive performance measurement scheme. Other difficulties included determining how best to capture the current workload of the system.

Critical Success Factors for Performance Measurement

It was generally agreed that the design and use of indicators to support performance measurement of the justice system is an essential task that all justice system participants should address. It was recognized that the process of developing indicators is valuable for a variety of reasons, including identifying the important questions, shaping possible solutions and building relationships among justice system participants.

Collaboration

Collaboration in deciding on the values and outcomes that should be associated with a well-functioning justice system and in deciding what measures should be collected and for what purpose is an important way of getting buy-in, both to the chosen indicators and to the process of measurement. This “bottom up” approach is critical. The process should ideally involve more than a closed group of justice system participants, and include those from outside the justice system whose mandate intersects with the justice system, in particular health and social services, as well as members of the public.

The process can raise more questions than find answers, but it may be that the key value of developing a performance measurement framework is the development of trust among the participants and sparking a discussion among the different justice sectors, or among the leaders within a specific sector. Ideally that dialogue would be transparent and engage a wide range of stakeholders, rather than being held behind closed doors. It is also important to ensure that the right decision-makers are at the table in order for consultations to be productive.

In determining what should be measured, it is important to recognize that the criminal justice system is not uni-dimensional. The public expects that the criminal

justice system should promote public safety, be fair and transparent, that everyone should have equal access to the system, and that the system should be efficient and effective. Although different justice sectors or indeed stakeholders may have differing priorities among those goals - for example government may be particularly concerned with efficiency, while the defence bar may be more concerned with fairness and non government agencies and legal aid may give priority to equal access - a good performance measurement system needs to be able to capture all of these elements.

Embracing performance measurement presents a significant opportunity, even though there are risks and challenges, to overcome some of the traditional divisions in the justice system and to identify common issues and concerns among the various sectors. While there are important concerns about independence, both institutional and individual, it was recognized that the system is more interdependent and interconnected than we sometimes acknowledge, not just among the different justice sectors, but also between the justice system and other related systems, particularly health and social services. Some of the things that we typically characterize as sector goals are really not within the control of any one sector. For example, recidivism is not just the responsibility of corrections – the other justice sectors play a part, but the role of mental health and housing services may also be fundamental. Similarly, timeliness of disposition is not just within the control of the judiciary, but requires all sectors to play a part.

Transparency

Performance measurement was recognized as a means of making the system more transparent and inspiring public confidence. Transparency is essential but it is important to think carefully about how best to present and explain the information to the public. There is a real risk that flawed performance measurement could actually erode public confidence.

Transparency is important not just externally, but also internally, to staff. Communication of the data and the interpretation of data need to be shared broadly. There has to be feedback to the local level so that people can see what is happening in their location, and use the data to improve practices, as well as to debunk anecdotal bias. But as well, staff can question the data and data gathering practices. Active involvement of staff in this way is critical to the credibility of data and performance indicators in the system, since if people do not believe the data, they will not be motivated to make improvements.

Available and Reliable Data from Multiple Sources

While it was recognized that there are many legitimate concerns with data quality, reliability and validity, data from all sectors is essential for a comprehensive and

meaningful performance measurement system. Data from multiple sources, both within and outside the justice system, can help us to understand the interdependencies between different parts of the system, and between the justice system and other sectors such as health and social services. Participants were committed to sharing data for the purpose of performance measurement, while, at the same time, identifying data that should be used for internal purposes only (e.g. individual performance data). Protocols or agreements can define ownership and what information will be gathered and shared so that participants can feel comfortable with sharing data. It was noted, however, that while the system acts as if it will always be able to control access to data, this may not continue to be true.

One way of overcoming suspicion about the data that is gathered is by partnering with key external bodies, for example oversight bodies such as police boards.

Data should be seen as supporting questioning and encouraging discussion about what other information is needed. Data is essential for a variety of purposes (public accountability, evaluation of programs, resource allocation). Sharing of information across different sectors, e.g., health, justice, and education, is vitally important. Information external to particular sectors can be important, for example, local crime trends and information about police practices can be extremely useful to prosecution services.

Comparison across jurisdictions was considered to be relevant but problematic. There are clearly different practices in different jurisdictions, but at the same time there are expectations of similar treatment.

It was noted that Canada has a good foundation in terms of the routine and regular collection of a variety of administrative data from policing, courts, legal aid and corrections, which is provided to the Canadian Centre for Justice Statistics (CCJS) and published regularly, as well as victimization surveys which are conducted every five years as part of the General Social Survey. This permits some interprovincial comparisons as well as detailed information by province. New priorities for the CCJS include better information about re-contact with the justice system, as well as creating data linkages among justice, health and social services. CCJS can play an important role in building trust in the indicators and creating a credible performance measurement system.

Challenges

Resistance

A significant issue for the comprehensive use of performance measurement in the justice system is the resistance in some sectors or parts of sectors. However, it was suggested that this needs to be confronted.

Resistance to performance measurement may simply be a general resistance to change within the system or the organization, with vested interests in maintaining the status quo. There may also be legitimate concerns about hidden agendas behind the whole exercise. It was suggested during the Symposium that performance measurement is always about power. However there is also often real concern about being held accountable for outcomes that may not be in the control of a particular sector of the justice system, or indeed, even the justice system as a whole. There is a general tendency to prefer to be measured on effort rather than results, or outcomes.

At the same time, the public – and government – is more concerned about whether the system is actually achieving its fundamental objectives.

Resistance can also be because of a concern about what is measured. For example, the defence bar has concerns that government is too concerned with efficiency, to the detriment of the objectives of fairness and access to justice – so the resistance is not to performance measurement per se, but more to the choice of what is being measured.

Choosing the Right Measures

There are many questions to answer – What exactly is it that you are measuring and why do you want to measure it? How will the measures be linked to the overall goals of the justice system? How will the measures be determined and who will be responsible for the actual measurement? Will the performance measurement scheme affect resource allocation and the incentive structure, and if so, how?

It was recognized that once you start thinking about all of the things that are important in a fair and effective justice system, it is tempting to try to measure everything. This can lead to having too many measures and too complex a performance measurement system, which creates a real risk of people being overwhelmed by too much data. It may be preferable to have fewer indicators with a better understanding of what they mean.

At the same time, there needs to be a recognition of the risks associated with attempting to draw conclusions from too few indicators, and to see the importance of drilling down to get more information in order to substantiate or refute initial perceptions and looking at measures over time. Using only one or two measures can lead to simplistic conclusions, including drawing erroneous conclusions about cause and effect.

A number of barriers to implementing performance measurement were identified. These include a mistrust of the data quality underlying some measures; a lack of trust of the other players, and even competition for scarce resources; a concern that

there might be a hidden agenda which might have adverse consequences to some sectors.

Data Quality and Limitations

A concern was raised that data may not capture all relevant groups – for example, is the experience of Aboriginal people or other disadvantaged groups adequately captured?

Participants cautioned that the data can show trends but will not usually provide answers about the causes of the changes.

Concern was expressed about the validity of data. It was suggested that ideally data should be independently collected and analysed. On the other hand, the most common data source is administrative data collected routinely for management purposes. One way to address this conflict is to ensure that administrative data is publicly available, so that it can be assessed.

Risks include choosing self-serving data, the manipulation of data to achieve desired results, and the risk that what is being measured creates inappropriate incentives.

While surveys may be the only way of getting information about key objectives of the justice system, in particular public confidence, there was concern about the impact of recent events on public perceptions. It is important to think carefully about how information is presented to the public and how questions are framed. As well, the scope of surveys was questioned – who do they reach and who do they leave out? A person's perceptions of the justice system will be affected by whether or not they have direct experience with the system, so it is important to know who is being surveyed.

Important reforms can be misinterpreted in performance measurement systems. For example, while delay for non-substantive reasons is of concern, the longer time to disposition in problem solving courts is intentional, in order to encourage compliance with treatment, this may not be captured in a simple indicator of time to disposition.

There may be apparent agreement on the outcomes but this can mask the fact that the outcomes may be understood differently.

In selecting indicators, it is important to be aware of the potential for “gaming” the system. There are two different areas of concern. One is that measures will be selected which are “safe” from the position of the system, and can be relied upon never to provide uncomfortable or critical information. The other is that measures are selected in good faith, but the numbers are easily manipulated, without reflecting any substantive change. For example, an initiative to reduce the amount

of crime might look successful if police start recording minor events differently – it may look as though crime has dropped but there has been no change in actual criminal behaviour or impact on the community. One way to address this is to use data from a variety of sources, for example, police data, prosecution service data and self-reported data from victimization surveys.

The trend towards linking performance measures to resource allocation, budgeting and the overall reward structure of our justice institutions can itself tend to create perverse incentives and behaviours, which some argue is the inevitable by-product of target-based performance measurement and management. It was suggested that we must be careful to incentivize the right programs and activities. In the worst cases, trying to create rigorous measurements and measurable outcomes may ironically lead to a decrease in performance.

It was also noted that collecting and releasing data can create workload challenges (e.g., additional disclosure requests for data).

Guiding Principles and Lessons Learned

Although the discussion was far-ranging, there appeared to be consensus around a number of propositions that might be useful to jurisdictions in their efforts to implement effective performance measurement initiatives. These include:

- Be sure everyone is clear about the purpose or purposes of the measurement exercise. It is important to acknowledge that the exercise may serve more than one purpose. The dialogue – and culture change - facilitated by the process of developing performance measures, and later when there are some findings, can sometimes be more important than the measurement itself.
- There is room in a good measurement system to measure different outcomes that are valued by different people.
- Keep it simple - you don't have to measure everything. The level of complexity and specificity of the measures must be determined in relation to the kind of changes to be measured: incremental, procedural, or transformational.
- Understand exactly how the proposed measurement system is to be linked to the management of performance and to performance enhancement objectives.
- Be careful about how decisions are made about what is to be measured, including who makes these decisions, on what basis, and through what process.

- Think about how the system will react to measurement. All performance measures have their limitations and may invite perverse and unintended consequences. It is important to select measures carefully so that it is less likely that they can be gamed.
- As well, be careful about who is doing the measurement (think about: independence, verification of the integrity of the data, data audit). Is someone responsible and accountable for measurement?
- Measuring change over time is often a crucial part of the exercise, but the system is itself constantly changing and one often has to improve the measurement instruments to keep pace with changes.
- A very useful perspective is one where “justice indicators” are seen mainly as a way to monitor how the system is performing under changing circumstances, facing new challenges, and responding or not to our efforts to improve it. It is most helpful if performance indicators are used as an indication of the “health” of the system, and are not used for purposes of imposing negative consequences.
- Performance measurement must ideally drive the development over time of a capacity to measure, rather than allowing current capacity to determine the choice of indicators. It is important not to be limited by the ready availability of operational data. Well-designed surveys provide critical information about some of the most important aspects of the system.