



SIU SPECIAL
INVESTIGATIONS UNIT

UES UNITÉ
DES ENQUÊTES SPÉCIALES

Independent Investigations - Community Confidence • Enquêtes indépendantes - Confiance de la collectivité

Performance Measurement and Civilian Oversight:

What are we trying to do and how do we know if we're doing it?

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Introduction

Who are we?

Where do we come from?

Why are we here?

Performance measurement and civilian oversight

SIU web site: www.siu.on.ca



Opening Remarks

Performance Measurement

Why important?

- Era of results-based planning, budgeting and reporting

accountability / “bang for the buck”

- Public trust and confidence in the work of civilian oversight

revitalizes our mandates

*supports decision-making, drives change to achieve results,
learn for improvement*

makes our work easier



Opening Remarks

Performance Measurement

The Danger?

- **Tool for self-promotion / self-serving**

poor performance deserves to be exposed

- **Unintended consequences**

if get it wrong, may end up promoting poor performance



Opening Remarks

The Challenge

How should civilian oversight agencies measure their performance to demonstrate in a clear and convincing fashion the value of the work they do?



Opening Remarks

The SIU Mission

➤ Dissatisfaction with current program of performance measurement

➤ Review

➤ Consultations

experts / academics

organized groups from the policing and non-policing worlds

interested individuals

CACOLE

surveys

consensus on best-practice and information sharing



Opening Remarks

The Theme

- There are more questions than answers
- The difficulties
- Some suggestions



Outline

1. What is the Special Investigations Unit?
2. What is performance measurement?
3. What should be measured?
4. How should it be measured?
5. Open discussion



The SIU

What is the SIU?

In existence since 1990, the Special Investigations Unit is a key part of the framework of police oversight in Ontario

- Arm's length agency of the AG
- Non-police investigators
- Investigate serious injury / death in cases involving the police
- Director decides whether to lay criminal charges
- Director reports results of investigations to AG
- If charges laid, referred to CA for prosecution



Performance Measurement

What is performance measurement?

Vera Institute of Justice, “Measuring Progress toward Safety and Justice: A Global Guide to the design of Performance Indicators across the Justice Sector”

www.vera.org/indicators

For our purposes, *performance measurement* is the systematic analysis of the impact of the efforts of our offices in relation to the goals we are trying to achieve

the key question performance measurement aims to answer is whether those efforts are moving us closer or away from the objectives of civilian oversight

Performance measurement is an integral part of performance management



Performance Measurement

What is performance measurement?

Before implementing a program of performance measurement, need to know what we want to measure

The questions, what we want to measure and how we measure it, are inherently linked

- Cannot select measures or “indicators” unless know the objective
e.g., the number of investigations conducted (indicator) does not tell us anything about whether our staffs are reflective of the cultural makeup of the communities we serve (objective)
- Conversely, the possible objectives we might consider are necessarily circumscribed by that which can be measured. This is particularly true of qualitative / intangible notions that do not admit of quantitative measure, *e.g., “justice” as an objective*



Performance Measurement

What is performance measurement?

The key to performance measurement then is the selection of appropriate objectives and indicators



Performance Measurement

What is performance measurement?

Some Definitions

“Indicator”

A measure that helps answer the question of how much, or whether, progress is being made toward a certain objective



Performance Measurement

What is performance measurement?

Some Definitions

Three types of “objectives”

1. Policy

overarching societal goals, such as, reducing the levels of violence

2. Institutional

intermediate societal objective at the level of institutions, such as increasing the number of criminal convictions

3. Activity

the daily operations employed by institutions to fulfill their objectives, such as how many investigators dispatched to a scene



Objectives

What should be measured?

A Design Strategy

Some considerations

- What is it ultimately that civilian oversight hopes to achieve?
- That is, what is the “policy” or “strategic” objective?
- Clear, attainable objectives
 - managing expectations*
 - do not set yourself up (or down) for failure*
 - dangers of aiming too high and too low*
- Capable of being measured



Objectives

What should be measured?

A Design Strategy

Some approaches

- Foundational legislation
 - statement of purposes / objectives*
 - preamble*
- Case law pronouncements



Objectives

What should be measured?

A Design Strategy

Some approaches

- Extrinsic evidence of purposes
 - analogous to the judicial interpretive exercise*
 - legislative framework*
 - legislative and public hearings*
 - media*
 - official reports / recommendations*
 - similar offices similarly situated*



Objectives

What should be measured?

A Design Strategy

Some approaches

- Extrinsic evidence of purposes
 - pith and substance of mandate*
 - narrow v broad jurisdiction*
 - penal / criminal v remedial / administrative*
 - proactive v reactive*
 - nature of remedies / sanctions*
 - mixed mandate*



Objectives

What should be measured?

A Design Strategy

Some approaches

- Public / stakeholders consultations

the value of consensus

the challenges

managing expectations

feedback from within



Objectives

What should be measured?

A Design Strategy

Some approaches

- The scientific method: *reasoned speculation to develop hypothesis which is then subjected to continuous systematic testing (variables/control samples/effects) and peer review*

In the context of civilian oversight and performance measurement, becomes:

“increase in the number of criminal convictions (the ‘variable’) relating to charges laid by oversight bodies increases (the ‘reasoned speculation’) the public’s confidence in the work of the oversight body (the ‘effect’)”



Objectives

What should be measured?

A Design Strategy

Some approaches

- The scientific method

the difficulties

the physical / hard sciences v the social sciences

an area of expertise

implications

the importance of reasoned speculation

provides a guide to questions of measurement

importance of obtaining expert assistance



Objectives

What should be measured?

Some Possible Objectives

1. Contributing to a just society

Strength

- “It’s justice, stupid”

by definition, this is ultimately what we’re about

if we fail here, we’ve failed everywhere



Objectives

What should be measured?

Some Possible Objectives

1. Contributing to a just society

Weakness

- Definitional

what is it and how do we know it's there?

"I can't tell you what it is, but I know it when I see it"

- Not directly measurable

- Attainable? Too remote?



Objectives

What should be measured?

Some Possible Objectives

2. **Contributing to a society that is safe, secure and democratic.**

Strength

- Societal consensus
- Susceptible to measurement



Objectives

What should be measured?

Some Possible Objectives

2. **Contributing to a society that is safe, secure and democratic.**

Weakness

- Definitional
- Susceptible to accurate measurement?
- Attainable? Too remote?



Objectives

What should be measured?

Some Possible Objectives

3. Contributing to a society that is governed by the rule of law

Strength

- Societal consensus
- Susceptible to measurement
- Good fit for oversight bodies with narrow / penal / criminal jurisdictions

the SIU's primary objective – “One Law”



Objectives

What should be measured?

Some Possible Objectives

3. Contributing to a society that is governed by the rule of law

Weakness

- Definitional
- Susceptible to measurement?
- Attainable? Too remote?
- Not responsive to broader and legitimate public expectations
- Uneasy fit for oversight bodies with broad / remedial / proactive / compensatory mandates



Objectives

What should be measured?

Some Possible Objectives

4. Contributing to public confidence in the police / law enforcement

Strength

- Widely promoted and accepted
 - democratic imperative*
 - contributes to more effective police work*
 - deters vigilantism*
- Susceptible to accurate measurement
- Good fit for oversight bodies with broader / remedial / proactive / compensatory mandates
- Recognizes the importance of perception as it relates to confidence in our public institutions



Objectives

What should be measured?

Some Possible Objectives

4. Contributing to public confidence in the police / law enforcement

Weakness

- Uneasy fit for oversight bodies with narrow / penal / criminal mandates
- Potentially overemphasizes perception at the expense of reality



Objectives

What should be measured?

Some Possible Objectives

5. Contributing to better policing

Strength

- Societal consensus
- Susceptible to measurement
- Good fit for oversight bodies with broad / remedial / proactive / compensatory mandates



Objectives

What should be measured?

Some Possible Objectives

5. Contributing to better policing

Weakness

- Uneasy fit for oversight bodies with narrow / penal / criminal jurisdictions
- Definitional
- Susceptible to measurement?



Objectives

What should be measured?

Some Possible Objectives

6. Contributing to public confidence in civilian oversight

Strength

- Susceptible to accurate measurement
- Attainable
- Recognizes the importance of perception as it relates to confidence in our public institutions



Objectives

What should be measured?

Some Possible Objectives

6. Contributing to public confidence in civilian oversight

Weakness

- Potentially overemphasizes perception at the expense of reality
- Civilian oversight as an end rather than a means

distracts from primary mission



Objectives

What should be measured?

Some Possible Objectives

7. **Conducting our operations in a fair, thorough, efficient and effective manner.**

Strength

- Susceptible to accurate measurement
- Attainable



Objectives

What should be measured?

Some Possible Objectives

7. **Conducting our operations in a fair, thorough, efficient and effective manner.**

Weakness

- Civilian oversight as an end rather than a means
- Lose sight of our primary mission



Indicators

How should it be measured?

A Design Strategy

Some considerations

- Simplest solutions are often the best
- A basket of indicators is ideal

problem of interpretive ambiguity

difficulty of isolating causes



Indicators

How should it be measured?

A Design Strategy

Eight principles for developing indicators:

- Validity
- Balance
- Sensitivity
- Equality
- Motivation
- Practicality
- Clarity
- Ownership



Indicators

How should it be measured?

Various data sources for indicators

- Administrative databases
- Business records (reliable and cost effective)
- Surveys
 - can capture valuable qualitative information*
 - can target particular audience*
- Narrative reports
- Legislation



Indicators

How should it be measured?

Converting data into indicators

- Indicators can present data in different forms (eg ranks, proportions)
- Indicators must be capable of reflecting change over short periods
- Disaggregating data important from perspective of access to justice and equality
- Choose units for indicators that are easily understood by widest possible audience



Open Discussion

What do you think?

What has been your experience?

Please remember to complete and submit your surveys?

Merci / Thank you