

Strengthening the evidence base for assuring trustworthiness of government.

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Sections of presentation

- 1. Thirty years of an evolving political context of the production and application of evidence for policy, delivery and accountability in public services.**
- 2. An opportunistic contemporary test of what evidence is expected in order to demonstrate trustworthiness to the public. [distillation of the five Oranga Tamariki reviews]**
- 3. The weakness of disparity ratios in assessing proportionality**
- 4. A challenge to received wisdom from a re-examination of seventy years of the imprisonment of Maori males. – A small tribute to Florence Nightingale (cohorts, standardisation)**

Alternative organisational forms for a public service

- **Capability** – expertise and experience valued, research invested in, common information standards, expertise in networked core, quality assurance critical, accountability demonstrated, public interest.
DSIR, MWD
- **Function** – contractual, regulations, spot markets for resources, [including planning, strategic thinking, research, communications] goals set by minister performance objectives. Change dramatic [reset, restructure, refocus], imprecise phrases [wellbeing, spirit of service, abundance of caution]

Scope of evidence for public legitimacy

Type of Evidence	Focus of Evidence
<p><i>Public legitimacy and proportionality of science and research that shapes practice</i></p>	<ul style="list-style-type: none"> • Validation of science and evidence behind practice • Monitoring proportionality and other Treaty and international obligations • Treaty of Waitangi • UN Conv. on the Rights of the Child • UN Dec. on the Rights of Indigenous Peoples
<p><i>Context</i></p>	<ul style="list-style-type: none"> • Monitor effectiveness, proportionality of outcomes and NZ relevance of evidence system, especially Maori
<p><i>Operational assurance</i></p>	<ul style="list-style-type: none"> • Assurance of compliance with obligations of NZ Laws • Vindication of system capability for integrated outcomes/ process (incl reintegration) across multi-agency sectors • Capacity to manage process variability/ instability • Assurance of proportionality of surveillance, screening and selection practices

Aspects of Proportionality

Forms of tests of proportionality in the justice sector?

Basis of Assessment

Tests of proportionality which are founded in human rights usually need the findings of judicial-type inquiry of treatments. They assess qualitatively:

- the treatment imposed excessive burdens on the individual it affected
- a law or practice provides scope for discrimination
- the treatment damages the reintegration of the individual

*Judgement by
judicial or quasi-
judicial body*

Tests of proportionality at a group or societal require qualitative assessment of the extent to which the treatment of several individuals in the same group has consequences for others in the group to which they belong:

- the treatment of individuals in a group reaches a scale that it leads to additional harm to the wider group (family, whanau, cohort) or has resulted in intergenerational harms

*Qualitative
assessment of
Population group/
cultural thresholds*

The comparative magnitude and persistence of discrimination between cultures or groups within institutions can be quantified in a simple way by well-known ratios:

- **Disparity ratio** (comparison with the majority group)
- **Disproportionality ratio** (comparison with the population as a whole)

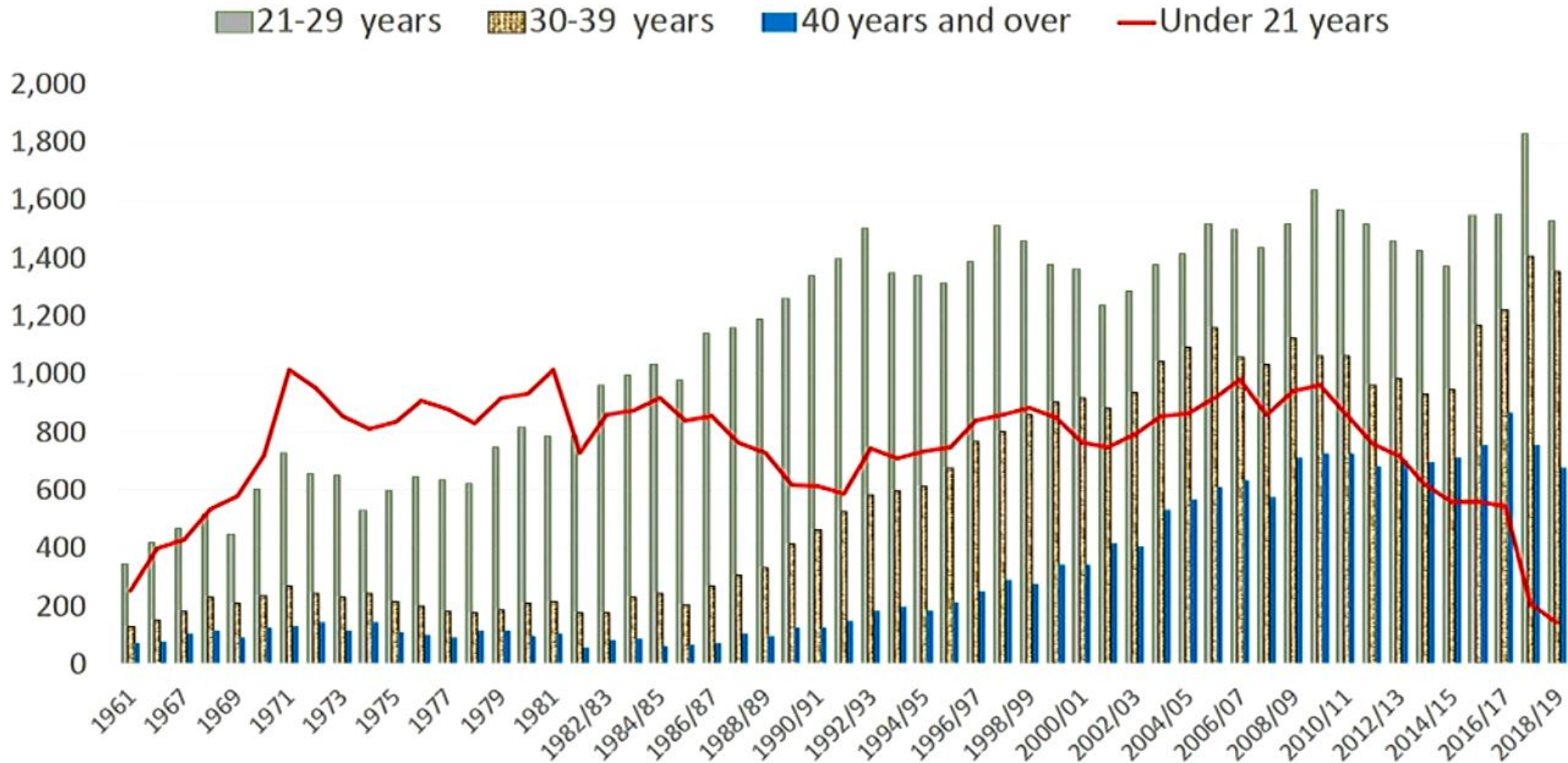
*Arithmetic
calculation*

Proportionality measures can demonstrate the scale of discrimination, by applying demographic methods to derive absolute measures of excess that reflect differences across the age distribution in the prevalence of a treatment between two groups.

- The scale of the impact of discrimination can be analysed in detail for any treatment by standardization of the population of interest (e.g. Maori) to the age and sex specific treatment rates of the majority group (or other base), and so deriving a treatment "excess"

*Measures from
demographic
analysis
(standardisation)*

Number of Maori Males imprisoned by age group 1961 - 2019



Reference year: Changes in classifications affect how the mix of sources are connected

Maori male prisoners received per 100000 in age group 1952-2020

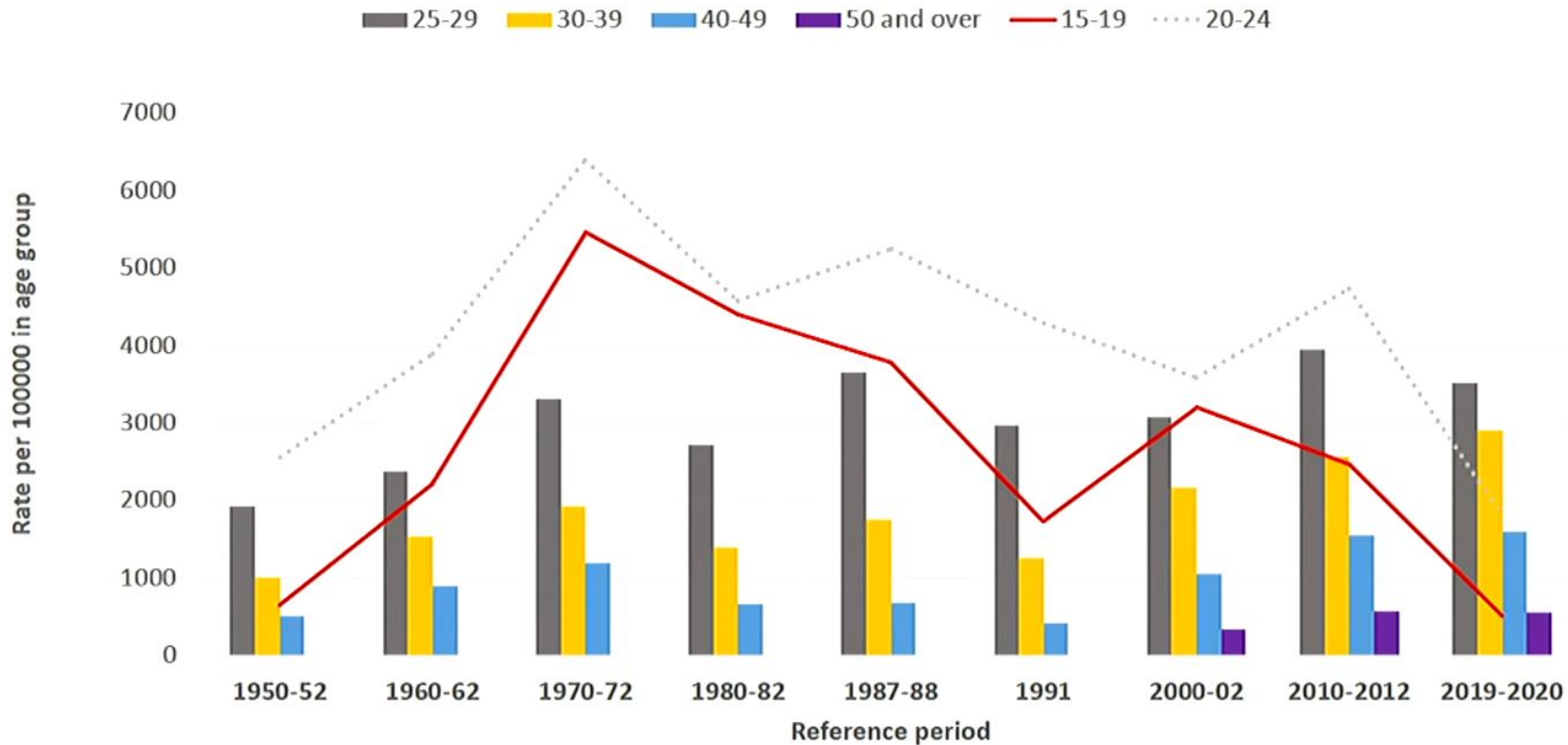


CHART: Children's Court Appearances 1945 - 1974

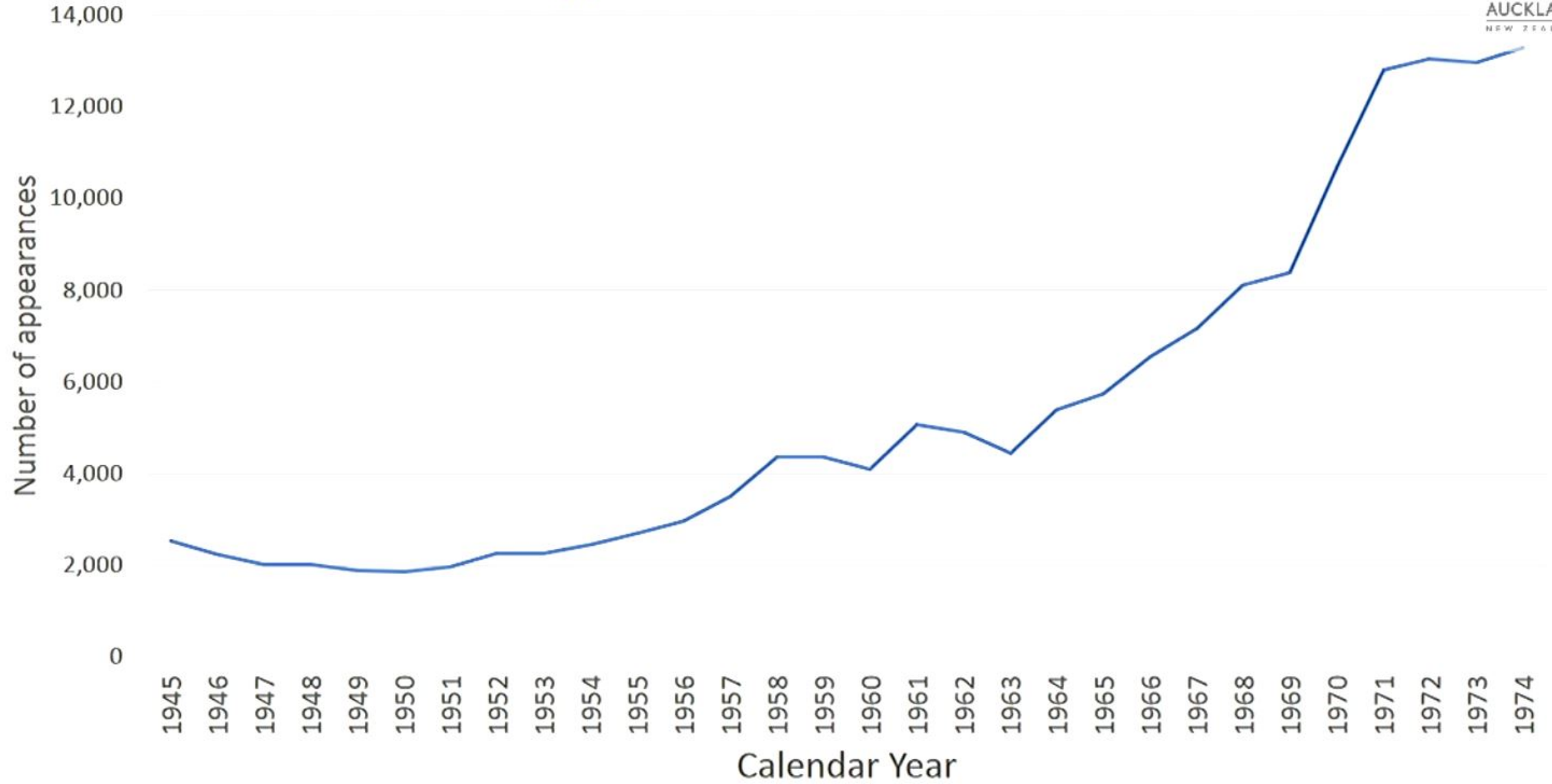
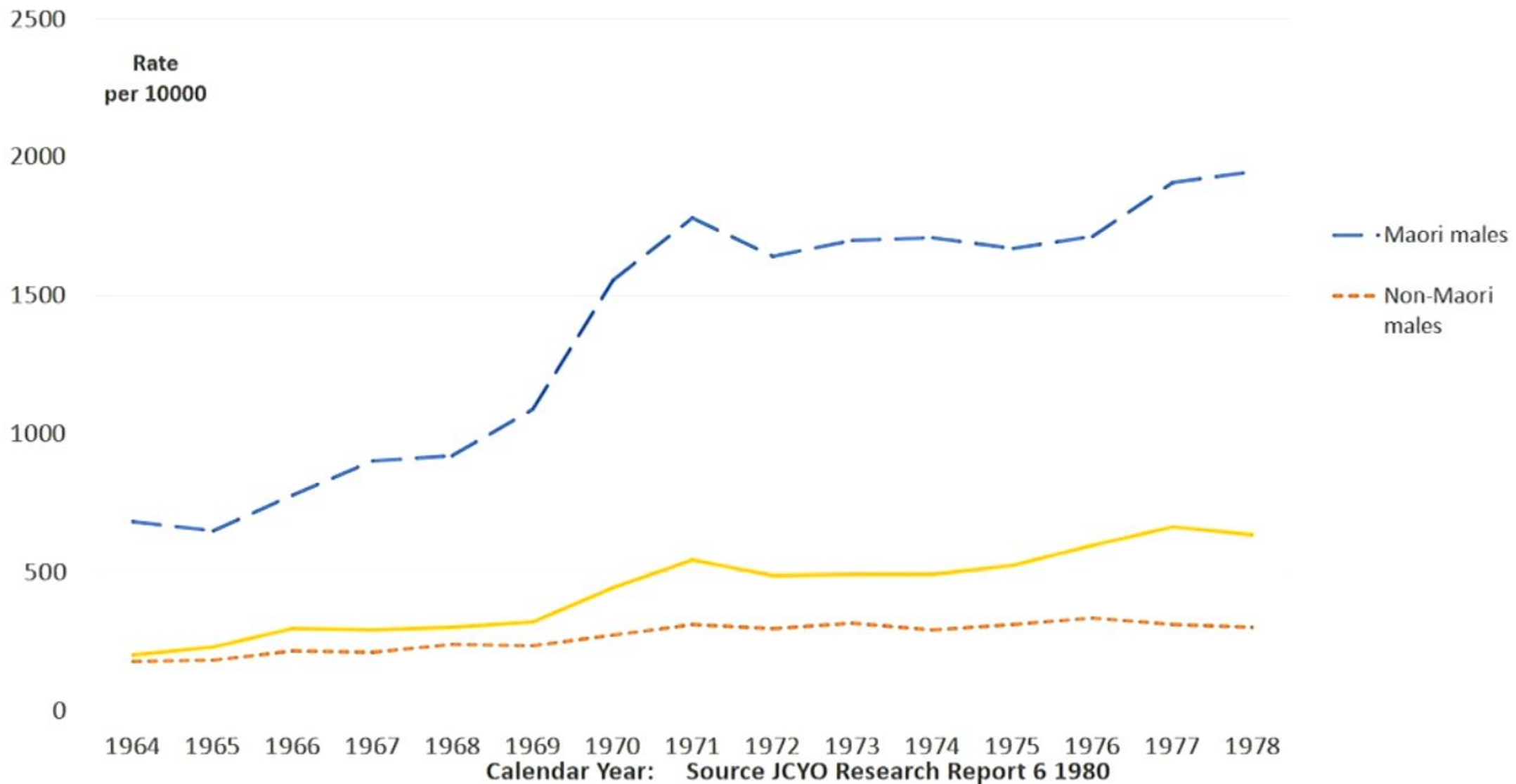
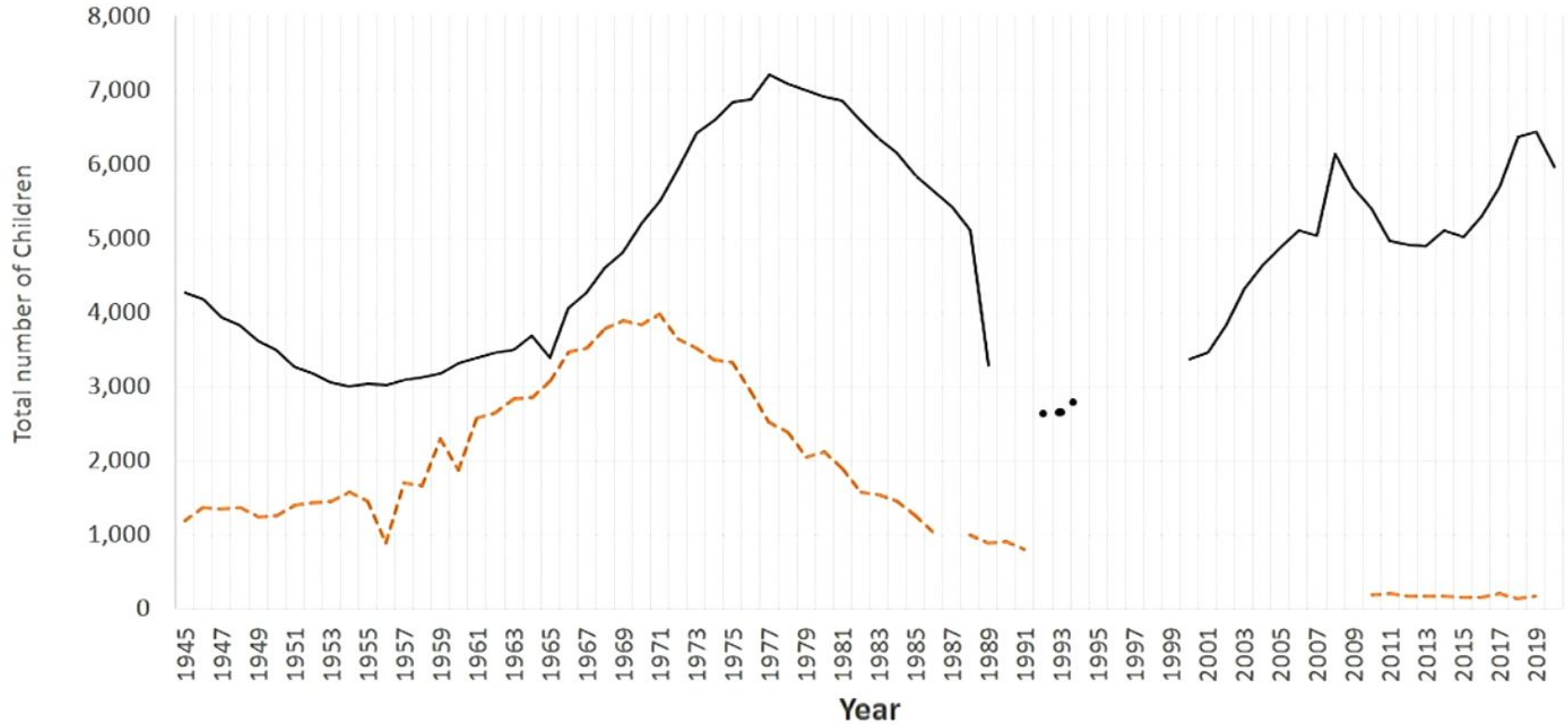


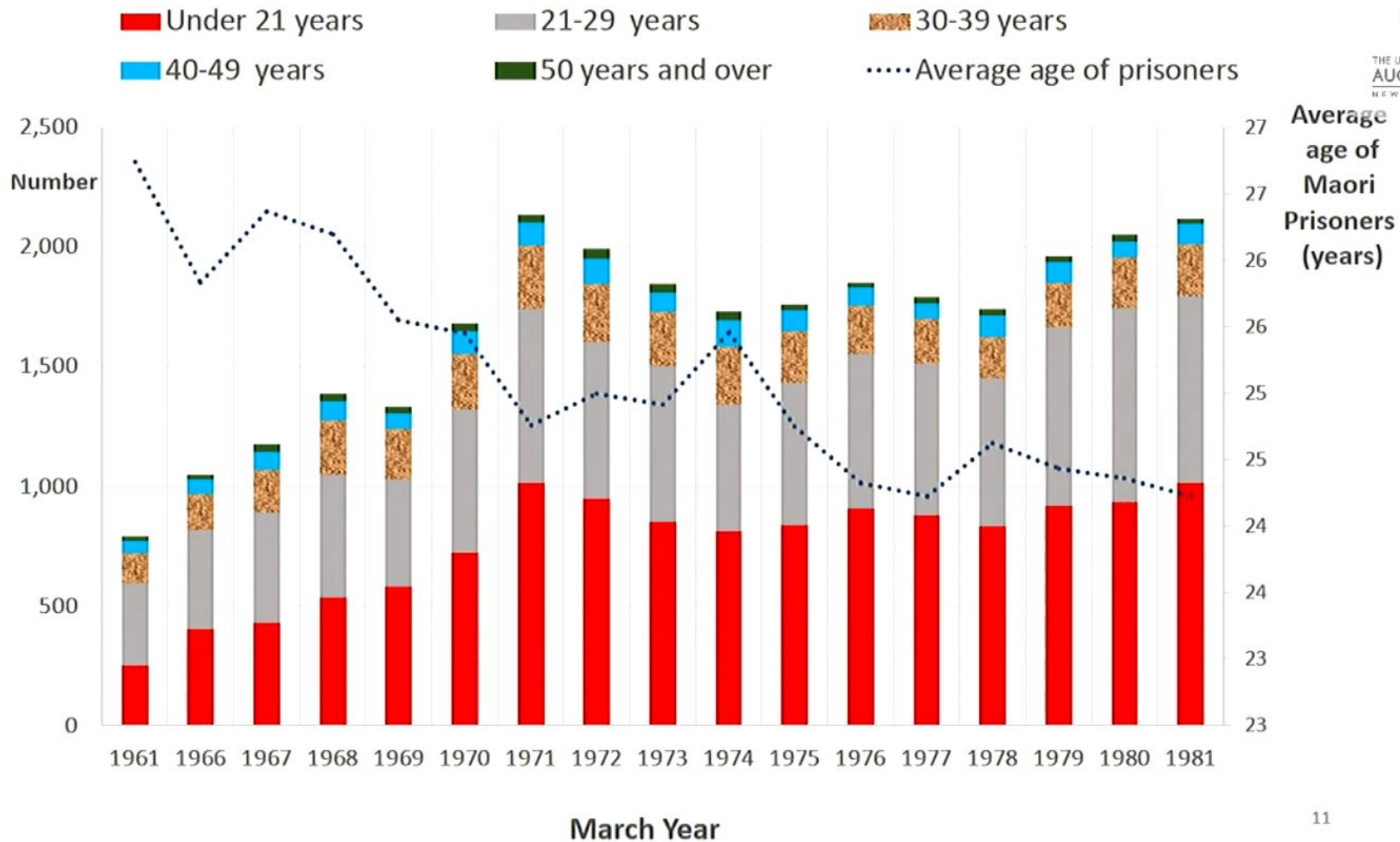
CHART: Rates of appearance before official bodies for juvenile offending aged 10-16 years (per 10000 in age group)



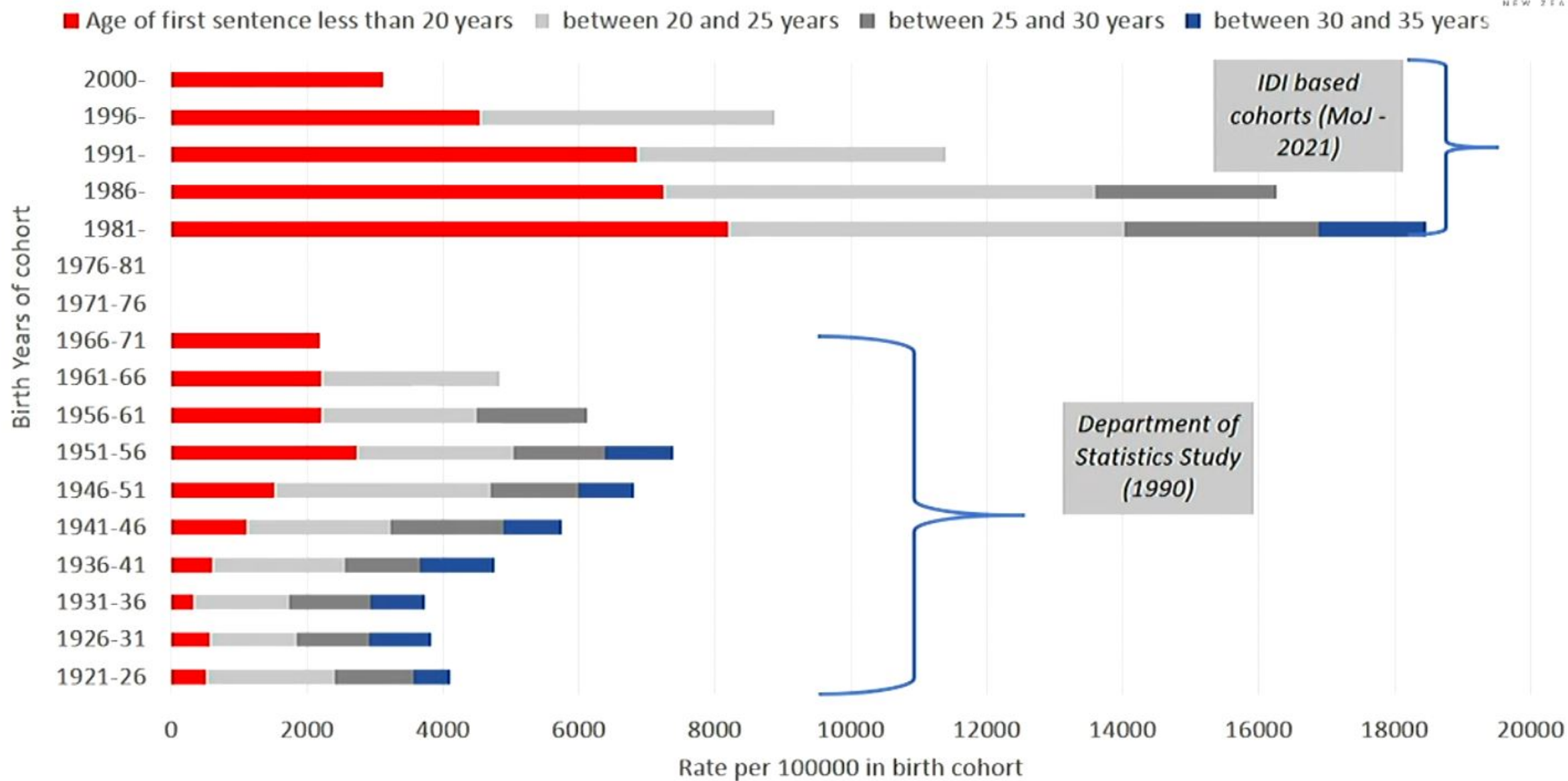
Annual total: State Wards (Children in state care and custody) and Adoptions

— State Wards - - - Adoptions

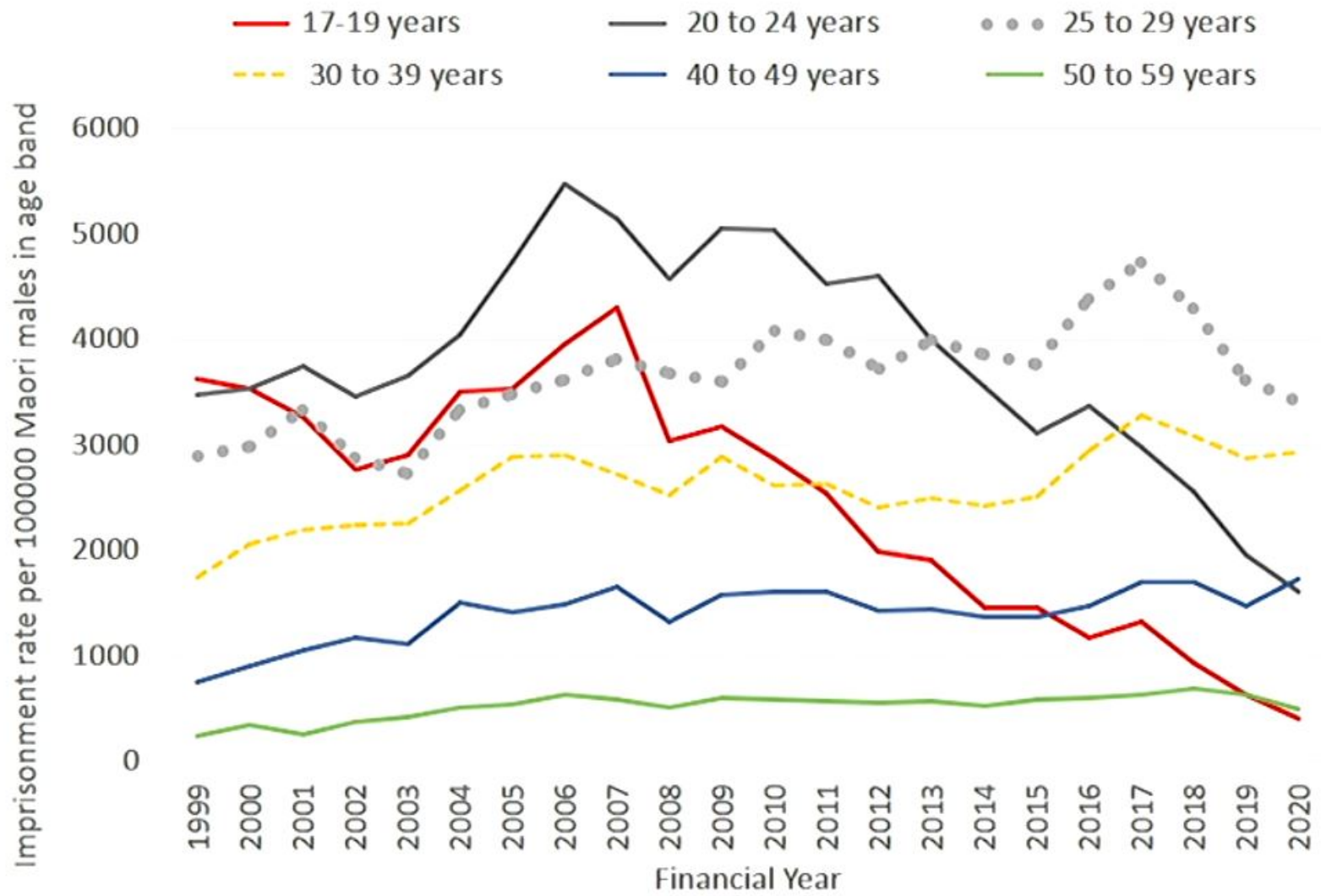


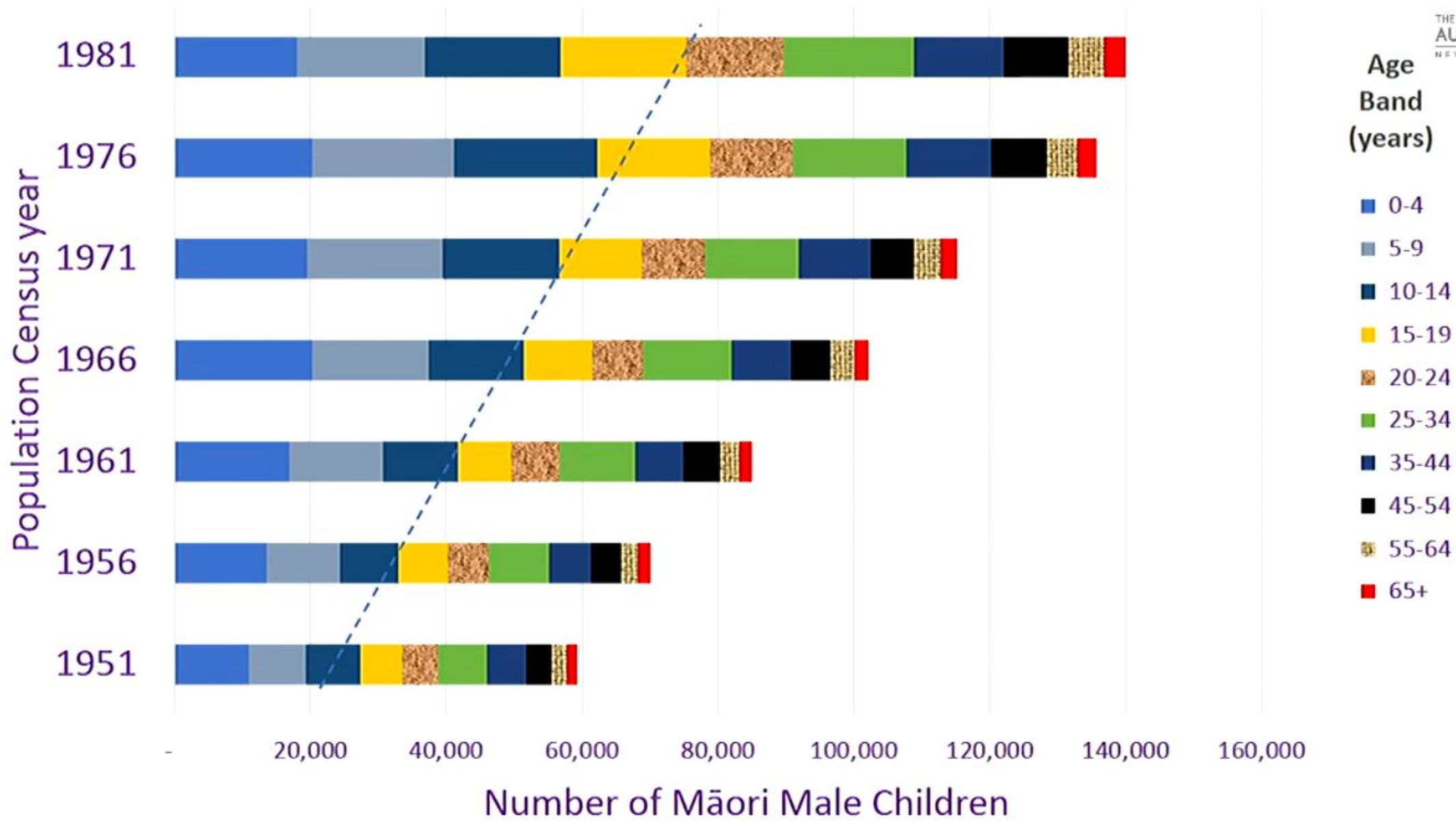


Rate per 100000 Maori males in stated birth cohort receiving first sentenced at stated age for cohorts born between 1921 to 2000

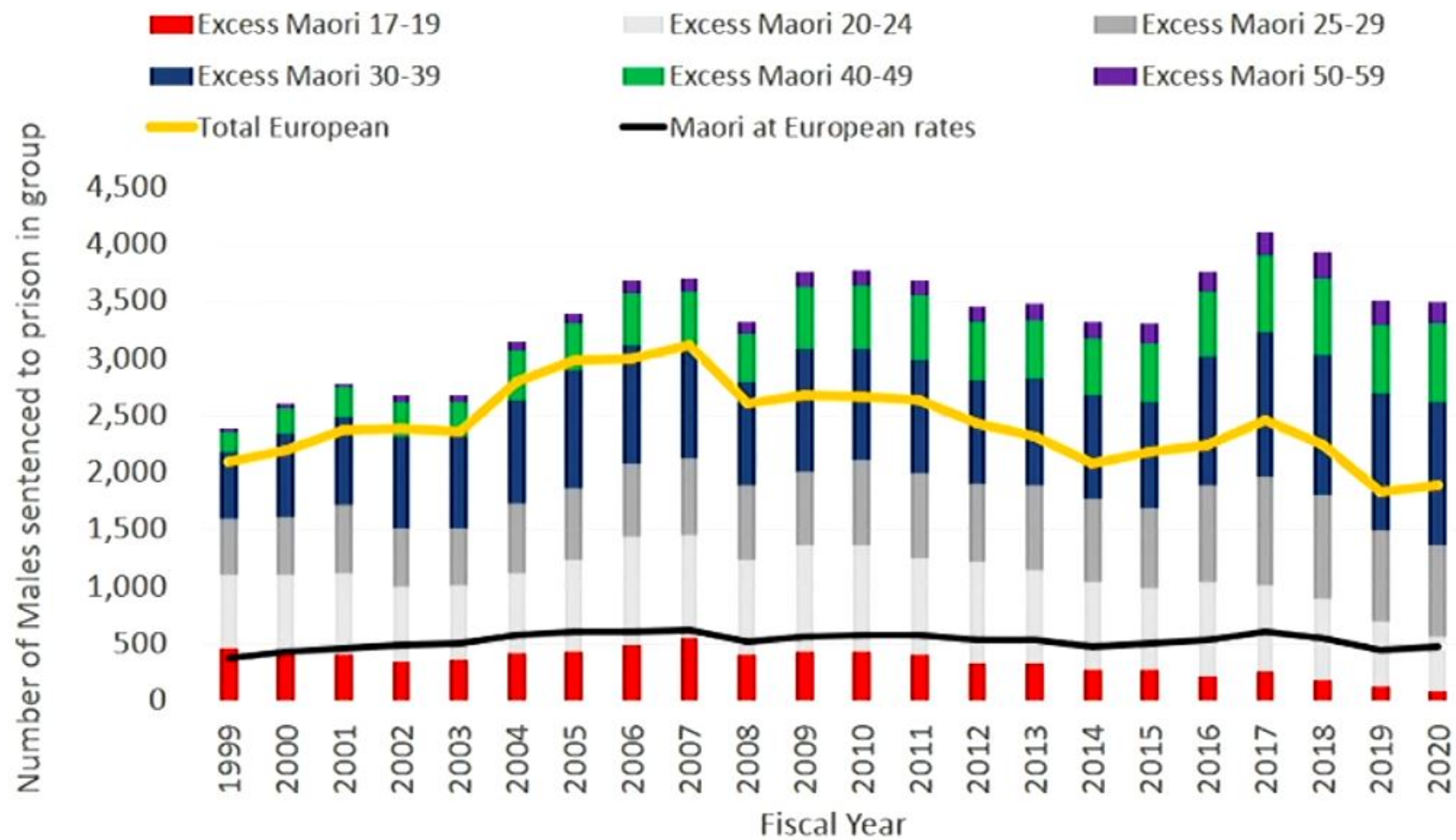


Maori males: Incidence of imprisonment by age group

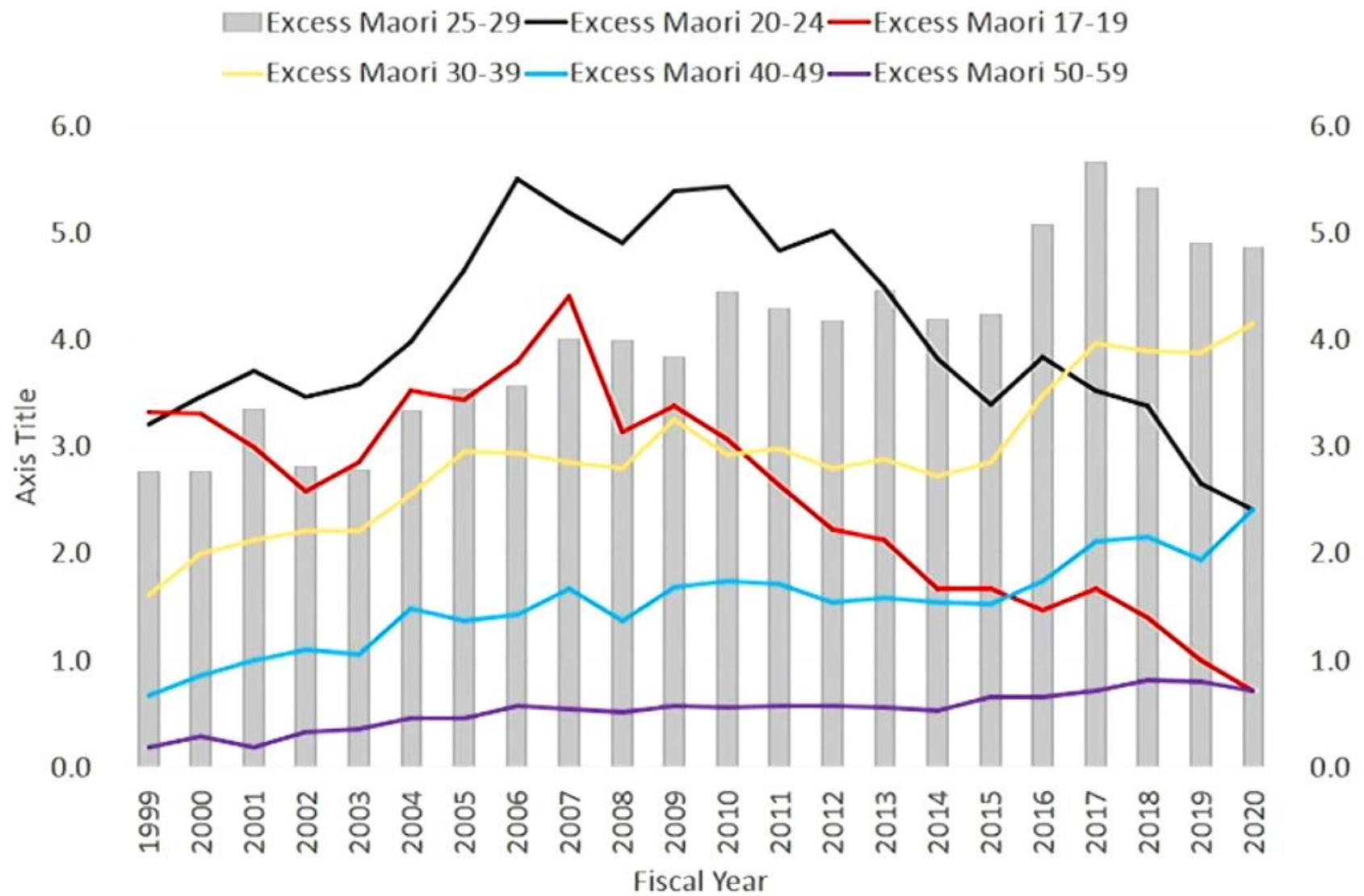




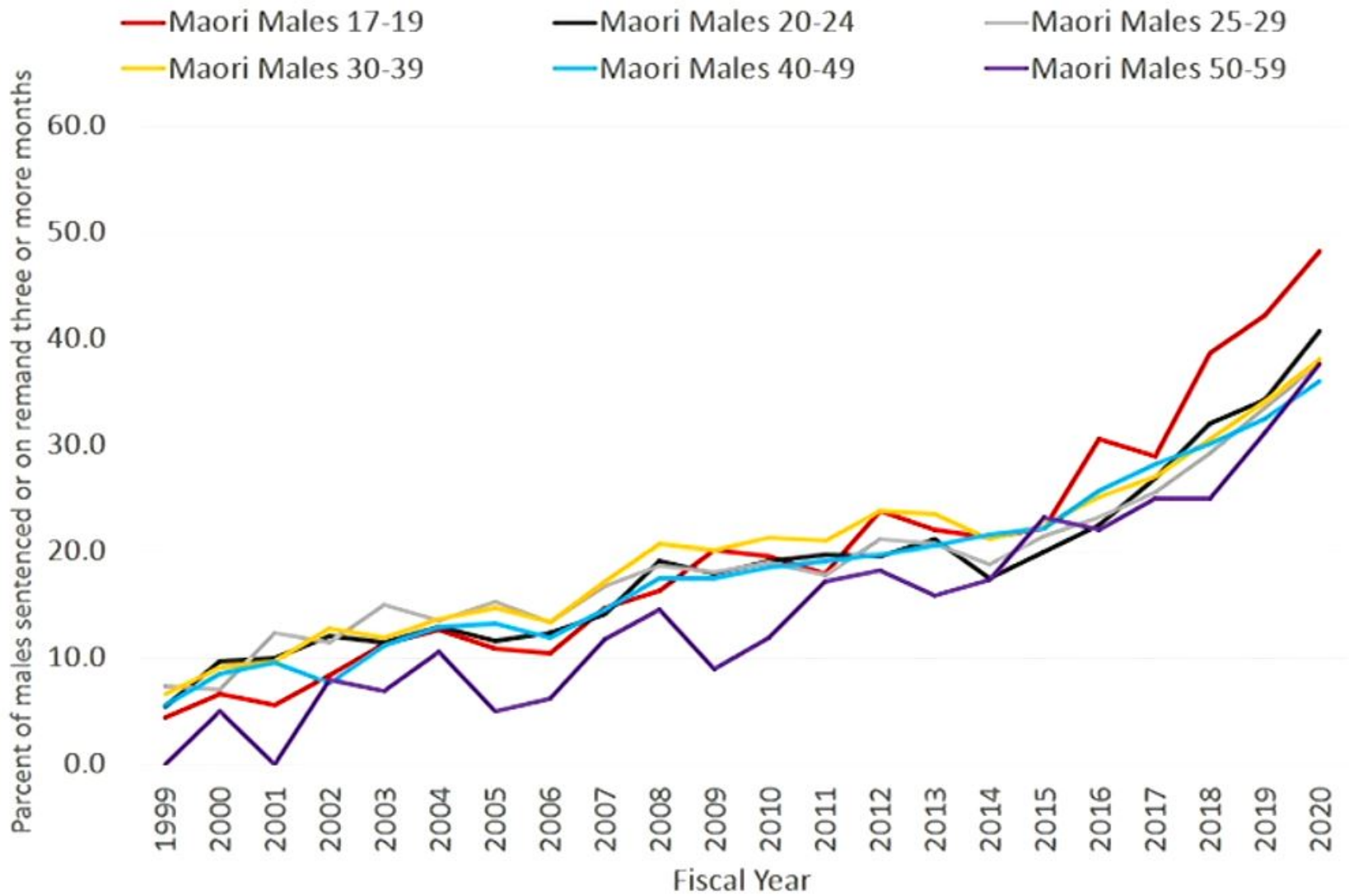
Sentenced Prisoner Population - analysis of Maori excess by age group 1999-2020



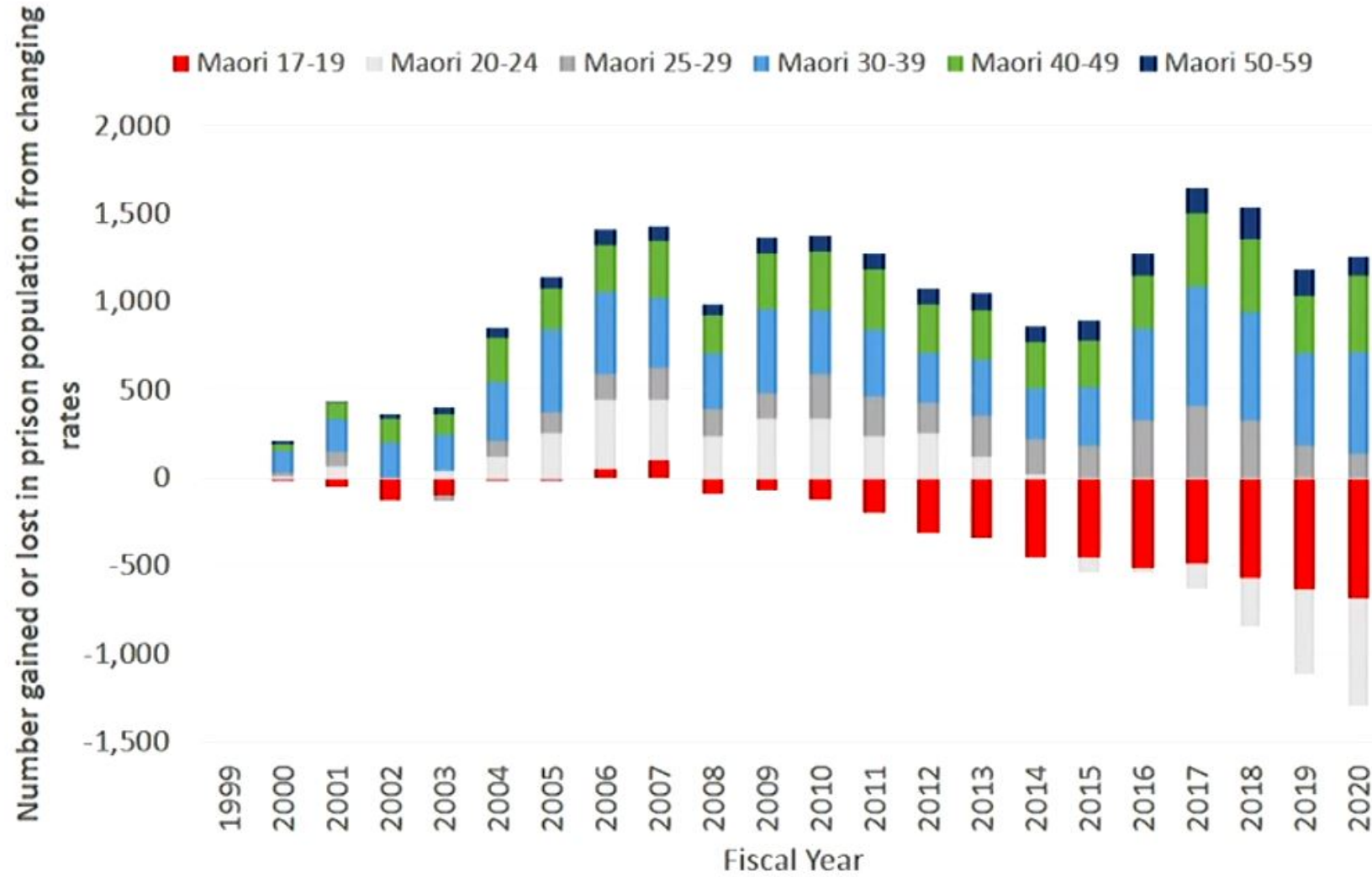
Excess Maori male prisoners as share of age group



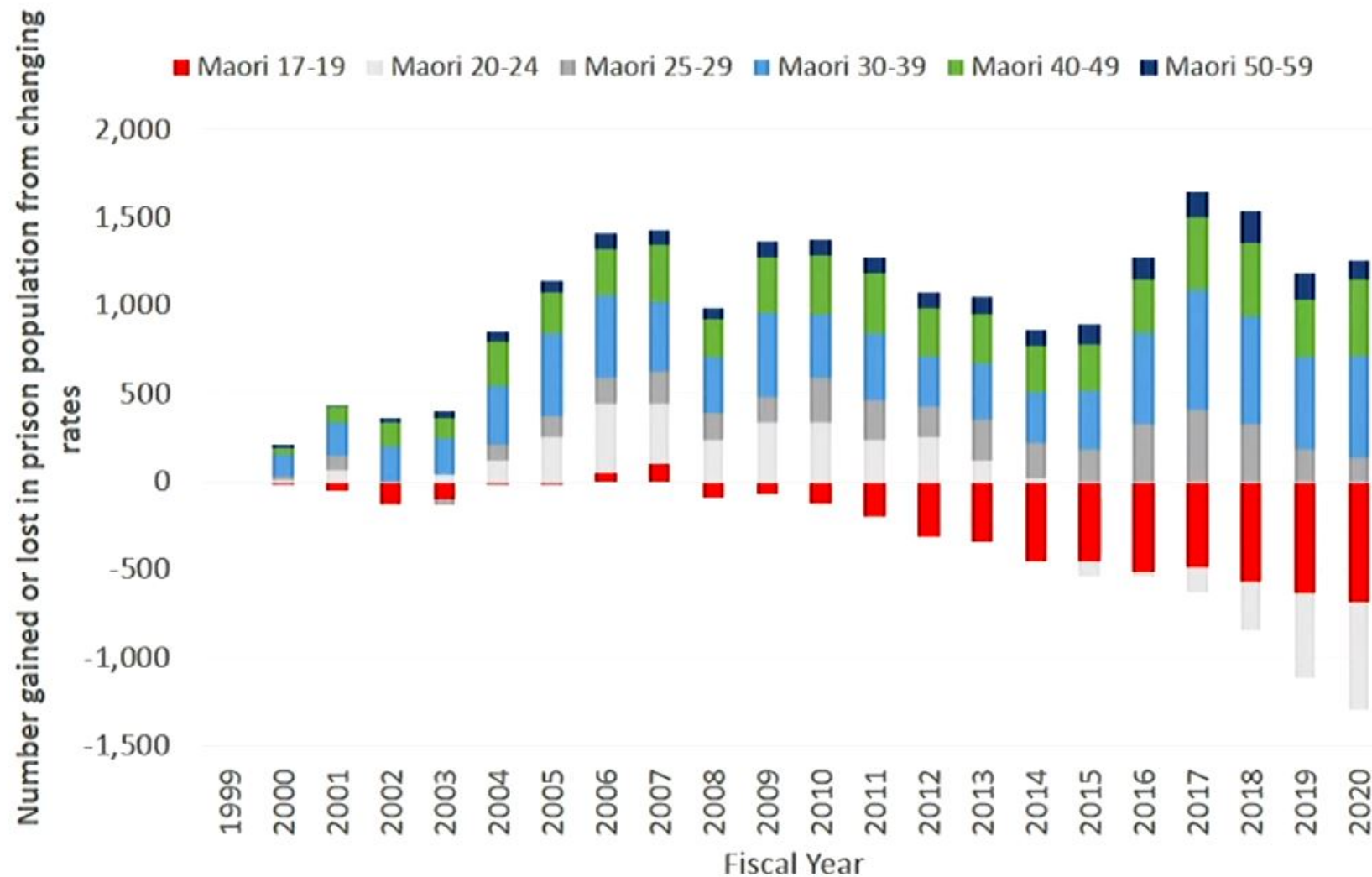
Maori males on remand for three or more months as share of sentenced plus long term remand prisoners



Sentenced prisoner excess gains/losses from changing prison rates after 1999: Maori males



Sentenced prisoner excess gains/losses from changing prison rates after 1999: Maori males



A spotlight on the path of Maori imprisonment up to the present

- Generational prospects, policy extremes and institutional adaption
- The fragmented nature of the Māori evidence base
- Proportionality tests and discrimination
- The force and momentum of Maori demographic dynamism