# Data First: User Representation Panel Terms of Reference

## Background

Data First is an ambitious data-linking programme led by the Ministry of Justice (MoJ) and funded by ADR UK (Administrative Data Research UK), who in turn are funded by the Economic & Social Research Council (ESRC).

Data First aims to unlock the potential of the wealth of data already created by MoJ, by linking administrative datasets from across the justice system and beyond, and enabling accredited researchers in government and academia to access deidentified, research-ready datasets in an ethical and responsible way. The project will also enhance the linking of justice data with other government departments.

By working in partnership with academics to facilitate research in the justice space, the project looks to create a sustainable body of knowledge on justice system users, their interactions across the family, civil and criminal courts, and their needs, pathways and outcomes across a range of public services. This will provide evidence to underpin the development of government policies and drive real progress in tackling social and justice problems.

## The importance of public acceptability

ADR UK is dedicated to working in partnership with the public, and aims to ensure that its work is carried out in an ethical and responsible way that reflects public views. It is important that research is built upon a clear understanding of the experiences, interests and concerns of those it hopes to benefit.

Public engagement provides a key way of maintaining transparency. It is crucial to ADR UK that engagement with the public is a meaningful and mutually beneficial dialogue.

A clear understanding of the public's interests and concerns in relation to how administrative data is used for research is important to maintaining public trust in Data First. Public engagement is an essential means of understanding wider viewpoints as part of the consideration of ethical issues at each stage of the project.

Engaging with justice system users directly, as well as with partners who have substantial experience of working with, and on behalf of them will develop our understanding of user's perceptions and experiences. This will provide insight on user attitudes towards using administrative data for research, as well as surfacing any concerns they may have and how the project can address them. Moreover, it can develop our understanding of what further evidence is needed to improve experiences and justice outcomes and maximise the impact of the research that Data First facilitates.

## User Representation Panel

To facilitate the views of justice system users we have established a user representation panel. This panel will comprise representatives from criminal, civil and family justice organisations that work with, and on behalf of, system users (such as defendants, prisoners, claimants in civil disputes, or parties to family law cases) to reflect the range of users included within the project scope. Each panel member will be expected to sit within the subgroup related to their relevant justice system area.

This model fits well with ADR UK's overall public engagement plan, which involves engaging with the sub-sectors of society that each of our projects hopes to benefit. The user representation panel will aim to ensure the interests of relevant justice system user groups are represented in a manageable and constructive fashion.

## Panel subgroups

The nature of the datasets to be shared under Data First means some data will only be of relevance and interest to certain members of the overall panel. As such, three separate 'subgroups' to represent the criminal, civil and family justice system jurisdictions will be set up to support the Panel. These will consist of a minimum of four members each, and report separately to the Data First team. The subgroups' aims will be similar to those of the panel, but their focus will be narrowed to aspects or topics of Data First that relate to their specific area of expertise.

## Aims of the User Representation Panel & subgroups

1. To develop our understanding of the perceptions and experiences of justice system users and ensure their needs and interests are reflected and protected throughout the Data First project.

2. To provide advice on ethical implications for justice system users of decisions made regarding research and data throughout the project.

3. To provide assessments of potential research projects (either specific research applications or theoretical use-cases) to ensure projects are ethically sound and have the potential to improve the experience and outcomes of justice system users.

4. To advise on how to appropriately engage with and recruit justice system users for them to participate directly in public engagement activities.

5. To raise awareness of the Data First project across their justice system networks.

## Expectations & ways of working

The Data First project team will:

- Provide a clear specification of roles and responsibilities for the panel/subgroup members.

- Arrange meetings/events for the panel and/or subgroup when their input and expertise would prove valuable to the project.

- Circulate meeting/event minutes and agreed actions as a record of decisions.

- Maintain ongoing communication with the panel and its subgroups outside of the coordinated meetings and events, keeping members informed of progress and key decisions that have been made, and allowing room for feedback.

We expect the user representation panel and subgroup members to:

- Attend arranged meetings and relevant Data First events whenever possible and maintain ongoing communication with the team. Accessibility for events and meetings will be prioritised with an option to meet virtually if physical attendance is not possible.

- Represent interests of justice system users by drawing from their professional experience and through facilitating direct engagement with user groups. Provide objective and expert advice to address issues or queries in relation to Data First overall, or in the development of research projects related to Data First.

- Work alongside the Data First team to raise awareness of the project.

## Meeting frequency

The expectation is that the panel will meet a minimum of three times a year, once for an introduction session, and then review meetings at six and 12 months. Members will also be encouraged to take forward other activities where possible, in line with the scope of the panel.

The panel's subgroups will be expected to meet in accordance with the requirements of the project and the meeting's relevance to group members. In 2020/21 the criminal justice subgroup will be most active as project milestones based on criminal courts, prisons and probation data are planned.

## Membership requirements

Membership for both the panel and subgroups will be for 12 months, from September 2020 to September 2021. Members will then be asked to renew their interest for the following year, with a review of the membership structure by MoJ and ADR UK before possible renewal for the following 12 months.

# Remuneration

Panel members will be offered remuneration for their time at a rate of £170 per day (£85 per half-day) when in session, plus any travel and subsistence costs occurred.

Subgroup members will be offered remuneration for their time if their participation in the subgroup goes beyond the expectations of their day-to-day role or the expected ways of working set out in these Terms of Reference.

## Conflicts of interest

Both panel and subgroup members will be asked to declare any financial and/or other interests that could be seen to create a conflict of interest as a member of these bodies, as soon as they arise.