

## Proceedings

**Data collection and data sharing: Moving forward on the justice system response to intimate partner violence**

**Canadian Observatory on the Justice System Response to Intimate Partner Violence**

**May 27, 2010**

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## EXECUTIVE SUMMARY

The Canadian observatory on the justice system response to intimate partner violence (Canadian observatory) is an international network of researchers, practitioners and policy-makers from Canada, Australia, United Kingdom, and United States. The key objectives of the Canadian observatory are to: develop and maintain a research network emphasizing bilingual dialogue and in-depth research on the justice system response to intimate partner violence; create standardized data sets on justice responses to intimate partner violence; and, develop forums for the dissemination of research results. Through an array of activities, the work of the network is to improve the criminal and civil justice responses to the problem of intimate partner violence, and to reduce the consequences for victims and society; to encourage coordinated efforts and help establish effective justice system responses; and to address current issues in the justice system as they apply to intimate partner violence. These proceedings are the result of a workshop among Canadian observatory members and federal and provincial/territorial governments as part of the dialogue activities of the network. The purpose of this component is to raise awareness about the importance of sharing data on the justice system's response to intimate partner violence.

On May, 27, 2010, the Canadian observatory held a one-day workshop in Ottawa to bring together university researchers and federal, provincial, and territorial governments. The workshop was sponsored by the Canadian observatory and the Social Sciences and Humanities Research Council. The goal of the workshop was to engage government researchers and policy makers in the work of the Canadian observatory to further collaborations and dialogue about research and justice responses to intimate partner violence and to move forward on data collection and data sharing. The objectives of the workshop were to: strengthen partnerships between governments and the Canadian observatory; explore data collection and data sharing challenges; and, articulate a role for the federal government in the Canadian observatory. The format of the workshop included an array of individual and shared presentations and small group and plenary discussions that focused on two broad themes:

- Strengthening collaboration between governments and the Canadian observatory;
- Moving forward with data sharing strategies.

Workshop participants provided examples reflecting a continuum of partnerships between academics and governments from formal to informal, while pointing to the benefits of collaboration including increased dialogue on the topic of the justice response to intimate partner violence and resources in order to carry out critical research on the issue. While stressing the importance of both informal and formal relationships, participants highlighted the need to move to more formal and institutionalized arrangements in order to better address some of the challenges of informal partnerships and to facilitate consistency in the research relationship through such changes as the status of individuals and governing policies affecting the flow of information. As stated during the workshop, "because government trusts the academic researcher with whom they have had a long term relationship they may not worry about formalizing the partnership" and this may cause problems in terms of information sharing. Formal relationships can better facilitate long term working partnerships including data collection and data sharing activities, help address resource issues, and help to establish a more efficient process for gaining access to data when the local context changes.

Participants provided suggestions to forge stronger partnerships which include a strategic dissemination plan that uses “plain language” and provides clarification about identified issues, e.g., what kind of information will the Canadian observatory collect, how the information will be used, who will have access, and what kinds of measures will be put in place to address legal concerns. Participants also identified six roadblocks and an accompanying strategy for formalizing partnerships. **Roadblock:** Limited resources for research/data collection both at the level of government and the Canadian observatory. **Strategy:** Draw on informal relationships between governments and the Canadian observatory as a vehicle for discussions about the usefulness of academic research for policy makers and development of collaborative research goals (i.e., formulate research questions that are relevant to governments bring governments into the developmental stage of research rather than data collection). A second resource suggestion centered on capacity (i.e., extending and strengthening the partnership in smaller jurisdictions where there may not be sufficient research capacity, training on data collection and analysis).

**Roadblock:** Access to information and the challenge of meeting the needs of privacy legislation, differing legislation across jurisdictions, and possible legislation changes. **Strategy:** Build stronger relationships around a program of research, dialogue with the highest levels of governments to facilitate more formalized information request for information procedures. A second suggestion highlighted confidentiality protections and the need to address them by building into the partnership a dialogue about legislation and the implications of legislative change for both researchers and governments. **Roadblock:** Variability in the data collection practices of researchers, both academic and government, across provinces and territories and the challenges variability poses to comparability. **Strategy:** Clarify proposed undertaking and the contextual issues relating to data comparability. Provide succinct and clear explanations of key research concepts, what constitutes a data bank, who has access, and how security issues will be addressed. Engage in cross-jurisdictional discussions about data comparability, data collection methods, the social and structural contexts of the different courts, and how to address each of these issues within the context of our collective research goals. **Roadblock:** Jurisdictional differences. **Strategy:** Because the size of a jurisdiction impacts governments’ ability to work more formally, pursue the substantive involvement of key stakeholders and extend partnerships to those not currently in the loop. Articulate the role of the Canadian observatory in bringing governments up-to-date by providing relevant information about the purpose of data collection and data warehouse, relevance of funding, and the contribution to be made to current data collection methods. Work through the challenges of sharing data if data collection strategies differ. **Roadblock:** Underlying principles, specifically the articulation of the meanings and rationale behind data collection and data sharing concepts and practices. **Strategy:** Increase the awareness of Canadian observatory and provide a clear and concise rationale for data collection and sharing. **Roadblock:** Tensions between academic and government research such as assumptions about the link between research and policy making, publication issues, impact of political climate on research, and varying commitments to ongoing research. **Strategy:** Greater collaboration between academic researchers and governments researchers on three topics: how to work through strategic issues, how to push particular agendas forward given a certain political climate and how do we address the (political) barriers together.

Responses from workshop participants to the question about what needs to happen in order to facilitate sharing data between governments and the Canadian observatory centered on three

themes: information exchange; data sharing; and building and sustaining relationships through networking. Themes and accompanying strategies include:

**Information exchange:** Considered a key component to moving forward and a precursor to a formal agreement, workshop participants suggested the development of a strategy of information exchange between the Canadian observatory and governments could help to address some the security and privacy concerns of governments. **Strategy:** Facilitate discussions between governments and Canadian observatory to identify common research questions and explore related issues such as jurisdictional definitions and comparison issues; facilitate discussions among stakeholders about data collection, data collection practices, how to adapt different measures of success; Provide a clear research agenda with research goals, timelines, purpose of collecting data, who the researchers are, and how data will be used by the Canadian observatory; clarify benefits and expected investments; and develop data collection, storage, and sharing protocols. **Data sharing:** Participants suggested further discussion around the issues of data sharing as a second key component to consider in moving forward. **Strategy:** Provide clear rationale for data sharing and examples of research agreements. Explain the database – meaning, contents, timeframe, and how it will be utilized. Create a pilot study to illustrate what can be created under the Canadian observatory and how it can benefit and be used by provinces and territories. Work with privacy officers to identify and dispel myths. Develop a common protocol that all Canadian observatory members sign on to for data security and preservation. Explore what kind of data is currently available and identify gaps. Formalize data sharing process, building models for data sharing from the bottom up. **Networking and relationship building:** Participants suggested further networking and relationship building as a third component in moving forward. **Strategy:** Provide opportunities to continue the dialogue and include others who may be an entry point to data. Further engage the federal government – as experts on confidentiality, as a resource for framing issues for funding applications, and as a liaison between departments that might be provide resources. Further build relationships with governments. Base the rationale for partnership on collaboration and collaborative research with mutual usefulness to Canadian observatory and governments. Acknowledge the stakeholder investments in research in terms of time and resources allocated to projects.

In summary, workshop participants were enthusiastic about possibilities to strengthen relationships and in moving forward with data collection and data sharing between governments and the Canadian observatory. When asked to recommend a first step, they reiterated the need to continue networking between the Canadian observatory and federal, provincial and territorial, to strengthen the relationship through the development of formal partnerships with agreements, and to provide opportunities to address jurisdictional differences in policy and data collection. Thus participants recommend a multi-pronged first step strategy that incorporates: (1) data collection which builds on a clearly articulated research objective with specific attention to data needs; (2) data sharing with the appropriate mechanism to assure confidentiality and security of information if disclosed; (3) strengthened partnerships based on the needs of the partners and which addresses the variety of jurisdictional issues of researchers; and (4) build on, strengthen and develop multi-level relationships and create a dialogue process to respond to research- and jurisdictional – related issues.

## SETTING THE CONTEXT

### **Background**

The criminal justice response to the widespread problem of intimate partner violence has delivered improved outcomes in terms of safety for victims and holding offenders accountable. Still victims continue to face difficulties in the justice system, impeding their participation and, therefore, weakening the justice system's usefulness as a resource for their protection. The Canadian observatory on the justice system's response to intimate partner violence (Canadian observatory) is an international network of researchers, practitioners and policy-makers from across many disciplines. The Canadian observatory supports inter-jurisdictional analysis on the justice system's response to intimate partner violence, with a particular focus on justice processing of intimate partner violence thus strengthening policies and strategies toward the reduction and, ultimately, the elimination of intimate partner violence.

On May 27, 2010, the Canadian observatory held a workshop at the Lord Elgin Hotel in Ottawa to bring together Canadian observatory members and federal/provincial/territorial governments to further discussion on:

- Partnerships between governments and the Canadian observatory on the justice system response to intimate partner violence;
- Data collection and sharing between the Provincial/Territorial governments and the Canadian observatory;
- The federal government's role in partnership, data collection, and facilitating the process of data sharing.

The workshop was undertaken as part of the Canadian observatory activities. In 2007, the Canadian observatory received funding from the Social Science and Humanities Research Council to establish a research network on the justice system response to intimate partner violence. The network is comprised of academics, government and community partners from across Canada as well as international partners in Australia, United Kingdom, and United States. The key objectives of the Canadian observatory are to: (1) develop and maintain a research network emphasizing bilingual dialogue and in-depth research on the justice system response to intimate partner violence; (2) create standardized data sets on the justice system response to intimate partner violence, including specialized responses (police, prosecutions, sentencing) and civil legislation; and, (3) develop regional, national and international forums for dissemination of research results. The work of the Canadian observatory is to improve the criminal and civil justice responses to the problem of intimate partner violence, and to reduce the consequences for victims and society; to encourage coordinated efforts and help establish effective justice system responses; and to address current issues in the justice system as they apply to intimate partner violence.

Expected benefits of the Canadian observatory for stakeholders include:

- Timely and accurate data to effect clear and consistent policies in useful formats for practitioners and policy makers;

- High-quality methods to integrate information from police, courts, treatment programs, probation and victim services into the data collection process;
- Evidence-based responses to questions related to: the use of sentencing options such as programs for improving offender accountability and victim safety; the impacts of community context on the reduction of partner violence; and directing limited government resources in promising directions;
- Enhanced understandings of how diverse justice system responses operate;
- Information on what constitutes effective justice response (including policing, offender accountability, victim safety, resource allocation, and policy development);
- Feasibility studies on adopting common systems for the collection of data on justice responses, creating comparable data sets, and comparative analysis across jurisdictions;
- Methods for improving data collection instruments;
- Information on the effects of justice system policies and practices and determine promising practices.

The Canadian observatory is comprised of various teams responsible for specific activities of the network. Since 2007, the network teams have been involved in a number of activities, including:

- Developing and piloting a standardized grid for data collection on offenders entering in the justice system in Australia, Canada, United Kingdom and the United States;
- Establishing research agreements with provincial/territorial governments for data collection on offenders entering in the justice system in Canada;
- Developing an instrument to collect information on victims entering in the justice system;
- Engaging dialogue with provincial, territorial, and federal governments;
- Preparing an annotated bibliography of existing research in the field of justice responses to intimate partner violence;
- Compiling existing government policies in terms of justice responses to intimate partner violence. (See reports on Canadian observatory website [www.unb.ca/observ](http://www.unb.ca/observ) for fuller description of activities)

This workshop falls under the activities to engage in dialogue with provincial, territorial, and federal governments. It will help to raise awareness about the importance of sharing data on intimate partner violence between governments and the Canadian observatory. The workshop will continue the dialogue efforts of the Canadian observatory and engage in a broader dialogue with people from across the country. This document summarizes the proceedings and outcomes of the workshop.

## **Where the Canadian observatory is going**

### **Creation of a data warehouse**

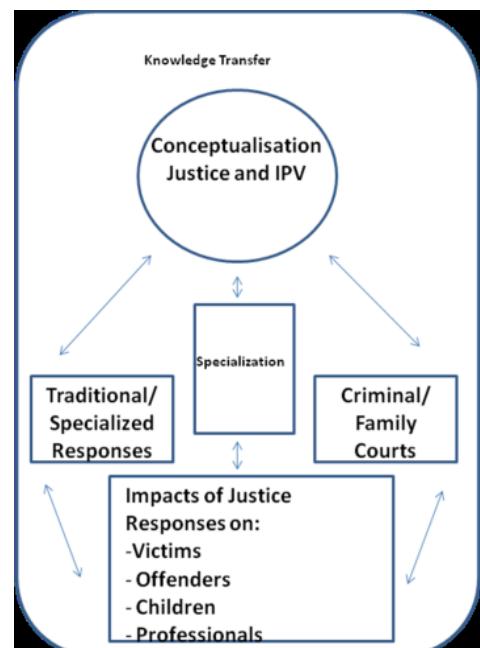
The Canadian observatory is creating a national data warehouse for storing and sharing research data on the justice system's response to intimate partner violence. At the moment the focus is on collecting and storing data on offenders who are entering into the justice system.

## Program of research

The Canadian observatory has developed a program of research to respond to the question: What is the impact of the justice system's response on the issue of intimate partner violence? The aim of the research is a multi-country (Canada, Australia, United Kingdom, and USA) analysis of justice responses to intimate partner violence. Three commonalities allow for an effective comparison and explain our choices: 1. each has moved toward specialization; 2. they share a legal grounding in common law; and, 3. they reflect similar comparison data sets. Our hypothesis is that such a comparison can assist in a comprehensive analysis of justice responses and help policy makers, researchers, and service providers identify promising practices.

The program of research is comprised of six objectives including five project-specific objectives and one overarching objective of knowledge transfer: Objective 1. Conceptualizing justice and its application to intimate partner violence; Objective 2. Examining the impact of justice system responses on victims; Objective 3. Examining the impact of justice system responses on offenders; Objective 4. Examining the impact of justice system responses on children; Objective 5. Examining the impact of justice system responses on professionals; Objective 6. Transferring knowledge throughout the research program toward the uptake of new knowledge by stakeholders. To meet the objectives, the research team will examine the impact of traditional and specialized justice responses, the processes involved in determining effectiveness of specialized versus traditional processes, and the interaction between criminal and civil courts, especially family courts.

The research program looks at the meaning and impact of justice responses to intimate partner violence on victims, offenders, children, government and non-government personnel. Our rationale is to provide stakeholders and policy makers (courts, government, correction, probation, victim services) with an enhanced understanding of the diverse range of justice responses that currently operate to identify the critical ingredients of "success" while also remaining cognizant of context and variation in success, and provide data on what constitutes effective justice responses including policing, offender accountability, victim safety, case management, resource allocation, and policy development.



## FORGING PARTNERSHIPS BETWEEN GOVERNMENTS & ACADEMICS

Engaging in dialogue with provincial, territorial, and federal governments is a key activity of the Canadian observatory. The purpose of this component is to better understand the obstacles to data collection faced by researchers, to reflect on the importance of sharing data on intimate partner violence, and to better understand the effects of justice system policies and practices and determine promising practices.

The work on this component of the Canadian observatory has been very exciting. Some Canadian observatory members have long established relationships with their government counterparts and feel that these relationships have helped them to facilitate further dialogue around the initiatives of the Canadian observatory. Others have established relatively new relationships but are also hopeful that greater dialogue will emerge out of shared goals as they relate to justice responses to intimate partner violence. Overall, team members feel their efforts have been highly successful and feel confident about the relationship. A few examples tell this story well. A template of a research agreement for sharing data between provincial/territorial governments and the Canadian observatory was developed and agreements have been signed between the Canadian observatory and two provincial/territorial governments; strong working relationships have been established between provincial/territorial governments and members of the Canadian observatory; workshops and symposiums on the justice system response to intimate partner violence have brought together academics, community experts, and federal/provincial/territorial governments. Yet given these successes, members feel that more work is required on the part of the Canadian observatory in order to establish effective partnerships with governments on the issue of the justice system response to intimate partner violence.

To illustrate university-government partnerships, presentations were made by Canadian observatory members and government counterparts on their history of working together in partnership, how their partnership evolved with particular emphasis on successes and challenges of university-government collaborations, and suggestions for overcoming roadblocks to working together.

The main issues identified are summarized below.

### **What has been done in terms of forging a partnership within the Canadian observatory?**

In terms of forging partnerships with the Canadian observatory, four key themes emerged: existing relationships, determining appropriate points of collaboration, building on shared understandings, and establishing trust and confidence in the process.

Strong partnerships emerge out of existing relationships that provide a solid basis for networking. While some partnerships are forged at a provincial level, others are fashioned more on a local level, i.e., at a local level of government. Long term partnerships, evolution, and change over time are key issues to be considered in strengthening relationships. Also significant to a solid relationship is the shared understanding that research is critical for good policy. Key to developing these strong partnerships is the establishment of trust and confidence in the work that

could be accomplished together. For example, some members of the Canadian observatory are currently developing informal academic and government partnerships to facilitate the work of the Canadian observatory out of an existing relationship. This networking activity has contributed to an increase in dialogue between different people. Others have developed “affiliation agreements” that reflect the research process and responds to issues such as: access to data, publications and dissemination information, and identifying who does what and when.

### **How has the partnership evolved?**

Informal partnerships have helped to build confidence through small project-focused initiatives and have resulted in a steady progression through informal into formal relationships. Specifically, the evolution of partnerships is the result of working through various stages of collaboration, e.g., some began collaborating through a project-based research initiatives focusing on the needs of both researchers and policymakers. In one case, key to the evolution of the partnership is an informal “affiliation agreement” between parties. This bottom up approach can help to provide a good basis with which to approach a larger jurisdiction. Collaborations may begin informally with both parties’ interest in topic of the justice response to intimate partner violence and further evolved with a project-based initiative. The strategy can result in the signing of formal research agreement between the university and the provincial government.

### **Successes and challenges to forging a partnership between governments and academics on the work of the Canadian observatory**

Successes and challenges to forging a partnership between governments and academics on the work of the Canadian observatory are both complex and sometimes contradictory. Successes to forging partnerships among the sectors include: increased dialogue on the topic among different sectors, and the increase in resources for research. However, what may be perceived as a success in one partnership may be perceived as a challenge in another. For example, while dialogue among the sectors is playing a huge role in helping to forge partnerships, communication challenges between governments and the Canadian observatory still exist. A strategic dissemination plan may help people to “stay in the loop” and the use “plain language” may help to address the language issues between academics and policy makers. Language issues may be present roadblocks to moving forward, i.e., some language flags legal issues for government lawyers, e.g., academic use of the language “sharing” versus a government discourse of “disclosure”. Clarification about certain issues such as what kind of information will be collected, how the information will be used, who will have access, and what kinds of measures will be put in place to address legal concerns could also help to strengthen partnerships.

Building strong partnerships take time and resource issues may be compounded by this unavoidable issue. As some workshop participants stated “Relationship building takes time. Informal relationships are affected from unforeseen circumstances such as changes in responsibilities and retirements thus there is a need to institutionalize the network and partnerships”.

### **How has the partnership overcome roadblocks to working together?**

Two strategies for moving forward have emerged out of current informal partnerships that can help in overcoming roadblocks to working together. One strategy focuses on the sustainability and pragmatism of a formal agreement. A formal agreement is a means to help maintain partnerships between sectors particularly given the likelihood of changes in personnel and shifting political climates. The establishment of a formal agreement strengthens long term commitments to data collection.

Another strategy is a clearly articulated rationale, one that both addresses issues of data collection and expresses in a more narrative form the relevance of the research for the targeted audience and provides information that makes the research applicable to stakeholders contexts, e.g., helpful information could include social return on investment items a) cost b) long term benefits/savings.

### **Summary**

There is a continuum of partnership from informal to formal. Formal relationships, once they are established through building trust, can better facilitate long term working partnerships. Partnerships provide benefits to all. For academics, partnership with government provides access to data. For governments, partnership provides access to scholarship. For both academics and governments, partnership helps to resolve some of the resource and funding issues. Suggestions for overcoming existing challenges:

- clearly stated objectives;
- recognition that timeframes may be delayed;
- appreciate how ethical concerns (e.g., confidentiality) shape stakeholder's issues;
- build on the cost effectiveness of partnerships;
- keep the dialogue active.

## STRENGTHENING PARTNERSHIPS

Drawing on the above, the first goal of the workshop was to discuss and make concrete suggestions for strengthening partnerships among governments and academics. To accomplish this goal, the larger group was organized into small groups according to region. Federal government representatives also comprised a small group. A set of questions were provided to guide group discussions.

The main issues identified are summarized below.

**What type of partnership currently exists between university and government researchers? Formal? Informal? Information sharing? Policy consultation?**

The “range of relationships among government agencies, government researchers, and academic researchers depend on the department, project, and political climate”. Relationships among members of the Canadian observatory and their government counterparts vary from formal to informal relationships, consist of differing degrees of formality and informality, utilize networking and information sharing to bridge partnerships, and some have evolved to more formal and institutionalized arrangements. Building quality “relationships take time.”

Some Canadian observatory members and their government counterparts have already partnered across the sectors in various ways including: information sharing among, policy consultation, and evaluation. Each of these was principally connected to more informal partnerships. Most relationships started informally. Though informal partnerships are more the norm, there is recognition on the part of both academics and governments for the need of more formal arrangements; “informal relationships tend to end when the contract ends”. However, some informal partnerships have existed for years and thus have accomplished the critical work of building trusting relationship. As stated at the workshop, “the lengthy relationship has helped to dispel fears of working together.”

An important benefit of partnership is the ability of governments to draw on academics for much needed research to inform policy decisions and as external evaluators of programs and initiatives such as those that have been conducted on domestic violence courts. There is information sharing once data is collected – e.g. academics share the results of analysis with government

Informal relationships enable partners to build trust which is critical in moving forward to more formal agreements. They can provide the means for the different parties to address fears, e.g., some academic researchers may fear that government officers may not fully appreciate the need for research and the longitudinal data needs of researchers. Informal relationships can help to address research issues such as the requirement of academic researchers, e.g., submitting formal ethics applications to their university that safeguard privacy and confidentiality of information.

A challenge to informal relationships is a fear that “because government trusts the academic researcher with whom they have had a long term relationship they may not worry about formalizing the partnership”. A fear from an academic perspective is that relationships may be

tied to specific research projects that ultimately conclude. Both academics and governments fear what will happen to information once the timeline of an agreement has passed.

More formal partnerships consist of research agreements. While the range of research agreements is broad, in scope they are often “project specific and project driven … one-of-a-kind formal agreements”. There is no such thing as a “blanket” agreement – but more often a project specific agreement, e.g., some members have conducted evaluations that have had formal agreements attached to them – for the purpose of obtaining access to information.

The benefit of more formal relationships is the creation of consistency in the research relationship through changes in the status of individuals and governing policies affecting the flow of information. Formal relationships can help access resources. They can help address data access, funding and resource issues. Formal relationships may also help to establish a more efficient process for gaining access to data when the local context changes (e.g., legislation, resources). Strengthening partnerships might help to facilitate access to government policy and policy consultation processes. However, consultation between academics and government are largely shaped by time constraints required to formalize the relationship.

A challenge to more formal partnerships is that the process of formalizing a relationship between academics and governments can be lengthy, particularly in terms of working through legislation changes and legislation concerns. For some the lengthy process can become a roadblock to accessing information because the timeline of the partner may be shorter than for that for the agreement. This may be especially cumbersome when working across respective jurisdictions, e.g., privacy concerns/clauses. An academic concern in terms of formalizing relationships is the resources to seek legal advice on research agreements – “Do academics need lawyers”? In spite of the challenges, formal relationships are considered more effective because they are institutionalized (e.g., can still be harnessed when specific people leave their positions).

### **How do you envision working with the Canadian observatory?**

Working with the Canadian observatory can provide partners with access to “a tremendous repository of information” and “learning from information sharing on data collection topics such as confidentiality, and using data carefully and safely.” The work of the Canadian observatory provides an opportunity for moving forward with data collection on the justice system’s response to intimate partner violence, exploring new research questions, increasing the research capacity of both academics and governments including expanding the research parameters beyond the criminal justice interventions, and providing an important link to governments with up-to-date research.

The kinds of work governments envision themselves taking on with the Canadian observatory may include: a role of “interpreter”, i.e., someone who can interpret the data base to the needs of academics, e.g., what data is available, what can be made available, what can be provided to the Canadian observatory, and facilitate access and aggregate data. Suggestions from an academic perspective include: negotiating agreements between the university and government and facilitating data accessing between government and Canadian observatory.

Possible challenges for governments in moving the collaboration forward include: being able to see academic manuscripts prior to publication to clear up any misconceptions; “feeling removed from the work of the Canadian observatory” even after having done some work with members; limitations placed by governments on data-sharing, e.g., what can be shared, what can be published. A challenge for academics is how to merge the different ways that academics are collecting data.

### **What might be roadblocks to be overcome?**

Identified roadblocks are grouped into six themes: resources, access to information, data collection practices, jurisdictional differences, underlying principles, and tensions between academic and government research.

#### **Resources**

Limited resources for the continuation of research can be a roadblock to successful partnerships, specifically, reduced funding for and the value placed on research, and thus how to sustain relationships between governments and academic researchers. While government people may voice support for research, applications for funding may suffer in terms of priority of resources to evaluate governments’ own programs. There may also be differing agendas among universities and government ministries. Resource concerns are related to capacity, for example, i) in smaller jurisdictions, there may be only one academic conducting research on the topic and ii) the vulnerability of the informal relationship to changes in staff.

#### **Access to information**

Another roadblock is the challenge of meeting the needs of legislation and possible legislation changes. Different privacy legislation and thus different confidentiality issues across the provinces/territories and if legislation changes bringing changes in approval of disclosure of information can all complicate and lengthen a negotiating process. Informal partnerships may also act as a roadblock to accessing information.

#### **Data collection practices**

Data collection practices vary across jurisdictions for both academics and governments. The varying practices of researchers create a roadblock to comparability, specifically to the extraction and dissemination of research findings. Connected to this are issues of relating to context and access to data, e.g., data which is available in one province/territory may not be available in another and access to the various types of data may not be available in all jurisdictions. For governments, internal challenges create roadblocks to comparable data collection practices, e.g., the current systems of data collection may not be compatible across government departments and there may not be an agreement between government departments about information sharing; not all ministries have access to all data, e.g. police data not available to everyone in government. Strengthening these partnerships necessitate long term agreements. Another roadblock to current data collection is the variability in data collection by provinces and territories, e.g., what may be available in one province may not be available in another. However, work is being done to try and pull together the different data from across the regions. The questions are: If we want to have consistent data to track, what can we do to institutionalize it? Will a long-term agreement strengthen a partnership?

A closely related issue posing a roadblock to comparable data collection practices is the variability in how researchers and policy makers across jurisdictions conceptualize or define the problem of intimate partner violence, e.g., terms such as violence conjugale, intimate partner violence, and domestic violence mean different things complicating the issue and challenging the possibility for comparability.

### **Jurisdictional differences**

Efforts to formalize partnerships will encounter roadblocks related to jurisdictional differences in the provinces and territories. The size of the jurisdiction affects governments' ability to work more formally. In smaller jurisdictions the size may contribute to the relative ease of moving toward formal partnerships. In larger jurisdictions, the variety of agencies may not have a partnership or informal relationships in place to access information.

### **Underlying principles**

Underlying principles, such as the articulation of the meanings and rationale behind concepts and practices may act as a roadblock. Academic concepts and terms may differ significantly from those used by governments and may need clarification including "database", "use of data", and "security". Different levels of understanding of the value of information, how it can be used to inform the work of government can also function as a roadblock to successful partnership. A related theme is access to academic research and dissemination solely in academic journals is not necessarily accessible to government researchers or to the public.

### **Tensions between academic and government research**

Tensions between academic and government research can function as roadblocks: problematic assumptions about the link between research and policy making; government researchers cannot publish independently, while academics often rely on publications; political climate can influence the direction of government research; government researchers sometimes feel as if their "hands are tied" by policy, formal guidelines (e.g., for data collection); funding limitations (e.g., difficult to attend national conferences); size of government – many different departments have components with a stake in intimate partner violence; and the difficulty of sustaining government commitment to ongoing research on a given issue, or different pieces of a particular issue.

### **Do you have some suggestions for overcoming the identified roadblocks and strengthening collaboration?**

Suggestions for overcoming the roadblocks to strengthening collaboration are grouped according to the themes identified in the previous section: resources, access to information, data collection practices, jurisdictional differences, underlying principles, and tensions between academic and government research.

### **Resources**

Building informal relationships between governments and the Canadian observatory may be helpful to address current funding for data collection. Discussions about how academic research can be translated into policy could be facilitated by Canadian observatory members and

government policy researchers. Both sectors could collaborate in the development of specific research questions, i.e., develop collaborative research objectives that are useful and practical to governments. There is also a need to strengthen research capacities by extending the partnership in smaller jurisdictions where there may not be sufficient research capacity and in places where training on data collection and analysis may be helpful.

### **Access to information**

Overcoming roadblocks to accessing information can include building stronger relationships around a program of research. It was suggested that the Canadian observatory open dialogue with the highest levels of governments and formalize information request procedures; formulate research questions that are relevant to governments and make the relevance clear; and bring governments into the developmental stage of research rather than data collection. Secondly, confidentiality protections and the need to address them by building into the partnership a dialogue about legislation and the implications of legislative change for both researchers and governments could also help to facilitate access to information.

### **Data collection practices**

Suggestions for overcoming roadblocks to data collection and data collection practices centered on two primary issues: clarification of proposed undertaking and issues relating to data comparability. To address issues relating to the proposal, concretizing the language, specifically, providing succinct and clear definitions of key concepts including domestic violence and intimate partner violence and what constitutes a data bank, who has access to it, and how security issues will be addressed. Suggested questions for developing parameters: Who will have access to the data bank? What are the access arrangements? Is there a timeline? How are security issues resolved? What are the benefits and challenges of one-year versus multi-year research agreements?

The second suggestion for overcoming roadblocks to data collection focuses on jurisdictional differences in justice responses (e.g., different court structures). Discussion about data comparability, data collection methods, the social and structural contexts of the different courts, and how to address each of these issues within the context of our collective research goals would be helpful. Dialogue among members at both the national and international levels to discuss contextual issues related to data collection and the development of a database, e.g., rationale for data collection and various philosophies influencing analysis of the data once collected, jurisdiction context issues and the impact on data collection and analysis will further the members' understanding of various contextual issues. As one person stated "we march to different drums". Such a process will help to generate research questions and define concepts e.g., "effective" or "success" more concretely and produce a piece that identifies the differences and commonalities across our pursuits of justice response goals. Specific questions include: How do provinces/territories implement justice policies?

### **Jurisdictional differences**

Pursuing the substantive involvement of key stakeholders and extending partnerships were key suggestions to address jurisdictional differences as a roadblock. Building solid relationships between the Canadian observatory and governments will play a role by providing relevant information about the purpose of data collection and data warehouse, relevance of funding, and

the contribution to be made to current data collection methods. Overcoming jurisdictional differences from an academic perspective include working through the challenges of sharing data if data collection strategies differ, e.g., the Canadian observatory proposes collecting data around incidents while some researchers collect data around the offender. Because jurisdictions are different sizes, the network will need to adopt diverse strategies for collecting data in order to capture contextual differences, e.g., it may be impossible to collect data on all offenders in a large jurisdiction which may mean the development of a strategy for selecting a smaller region.

### **Underlying principles**

Increasing the awareness of Canadian observatory and bring more governments to the table may help to address roadblocks relating to differing underlying principles. Providing governments with a clear and concise rationale for the work of the Canadian observatory would be helpful. As someone stated, “Make it real, tell the story, people are interested in the methodology – this must be boiled down into a three page briefing notes”.

### **Tensions between academic and government research**

To facilitate greater collaboration between academic researchers and governments researchers, three issues were identified: how to work through strategic issues, how to push particular agendas forward given a certain political climate, and how do we address the (political) barriers together. A second suggestion focused on the availability of existing academic research and suggested providing government access to up-to-date research, e.g., annotated bibliographies of academic research.

Overall, workshop participants reiterated the need for informal networks across sectors and provinces/territories and for more formal partnerships through agreements to address differences by “strategic engagement between academics and governments” and building “engagement models” based on region. Suggestions for overcoming roadblocks to moving from informal to formal relationships among academics and governments: Develop a strategy to move from the “informal” to the “formal” partnerships, e.g., short term – informal; medium term - formalizing the existing informal arrangements; and long-term – the data should be flowing into a central agency.

## **Forging Data Sharing Partnerships (Research Agreements)**

The creation of a national data warehouse for storing and sharing research data on the justice system's response to intimate partner violence is a goal of the Canadian observatory. To facilitate the collection of data for storing purposes first requires a signed research agreement between the Canadian observatory, site researchers, and the provincial/territorial government where data will be collected for deposit into the data warehouse. At the time of this meeting, two research agreements had been signed. The following describes this process by identifying potential barriers and how they were overcome, drawing attention to strategies that were identified by the reviewers of these first two agreements for their satisfactory resolution.

### **BARRIERS TO NEGOTIATING A RESEARCH AGREEMENT**

#### **Privacy legislation and protection of publication rights**

Confidentiality issues, privacy protections, and disclosure of confidential information drew immediate concerns and fears. For example, university-based reviewers of the research agreement noted a disjunction between the needs of privacy legislation and the protection of publication rights of faculty and students to publically defend a thesis. Government-based reviewers expressed concern that the research agreement provides insufficient protection of personal information (e.g., password protected emails vs. encryption and removal of data from secure research site). A related issue is the privacy afforded to those who come into contact with the justice system and identified concerns such as lack of recognition of solicitor-client privilege and use of identifying information particularly in relation to individuals who live within small communities; however that community may be defined. Overall, a research agreement means different things depending on the perspective, but willing people can and do negotiate the differing perspectives on points of agreement and rewording to balance intents. One of the strengths of the differing perspectives is that technicalities that may be overlooked (e.g., termination clause) by one group stand a better chance of being identified by the other and thus addressed.

#### **Expiration of agreement and impact on data**

Government reviewers expressed concern with the lack of provisions for collected data once the agreement had expired, i.e., would the data be destroyed after use? From an academic perspective "destruction of data defeats the purpose of longitudinal research thus agreements should include a provision that data will be preserved in a protected place." Similarly, the lack of a termination clause (timeline) and therefore what happens to the data once the contract has terminated was a concern that all signing parties needed to address in order to move forward in formalizing agreements.

#### **Language**

Language was an expressed concern to moving forward with the research agreements. For example, differences between government and academic researchers' use of terminology such as "sharing" data versus "disclosure" of data and the importance of recognizing technical components.

## **Copyright**

Concerns about copyright and how the understandings of copyright differ between researchers and government surfaced.

## **STRATEGIES KEY TO NEGOTIATING A RESEARCH AGREEMENT**

Areas of inconsistency with the initial document were easily remedied among the signing parties. While not mutually exclusive those governments and the universities who have signed research agreements identified sector specific strategies that they consider key to negotiating a research agreement for sharing data.

General strategies considered key to negotiating a research agreement for sharing data:

- Building on existing relationships. Previous working relationships between Canadian observatory members and governments helped to lay the foundation for pursuing such a historical step of signing a research agreement for data sharing. Since the agreements were signed, accessing data at the source has progressed smoothly, an effect as well of existing research interests of the government.
- Consultation to expedite access to supplementary data sources. The researchers also identified data gaps in the collection of information from the Court files including details of offence (e.g., witness, weapons, evidence, reason for stay); details about victims; and prior police contact. To respond to the gaps, the researchers negotiated access to various data sets (e.g., victim services, adult probation). Considered a successful collaboration, two key details facilitated the overall success: a research-oriented government department and a well articulated mutual need for research data. Challenges included time constraints of government staff to collect data and a high turnover of staff in the jurisdiction raised issues of consistency in data collection, and the immense range of variables identified important by the Canadian observatory.
- Privacy. To respect the government's need for privacy of information, once the research data was collected, the data was stripped of identifiers and sent to the Canadian observatory to be included in the data warehouse.
- Context and background to the project. Not all parties to the research agreement will have the context or background to the project. A suggested strategy for addressing the context of the agreement could be a brief to accompany the agreement, what information that the signing parties may need to better understand the research, the various components of the contract, and legal issues. Such a brief could also function as reference for those who may be new to the file. A strategy to address the retrieval of data needs could include a provision that addresses access to various source files.

Strategies considered key to negotiating a research agreement for sharing data from a government perspective:

- Compliance of research agreements with jurisdiction-specific legislation, including privacy provisions.
- Measures to ensure confidential information remains confidential need to be articulated clearly, including provisions relating to the non-removal of data from identified research site, encryption and removal of personal identifiers.

Strategies considered key to negotiating a research agreement for sharing data from a university perspective:

- Universities and government bodies may have competing points of view that need to be recognized.
- Once this is recognized a key strategy for moving toward a research agreement that satisfies the needs of both parties includes compromise – from identifying the substantive issues to prioritize to approaching the research agreement with the intention of collaboration.
- Early recognition that a research agreement may be a “middle-ground product”, i.e., neither party will get everything they want from the agreement but both would have the most pertinent issues identified and addressed in the research agreement.

## Moving Forward With Data Sharing Strategies

Small group discussions on the topic of strengthening partnership centered on two questions:

What needs to happen in order to facilitate sharing data between the Canadian observatory and governments?

What would be recommended as a first step?

The main issues identified are summarized below.

**What needs to happen in order to facilitate sharing data between governments and the Canadian observatory?**

Responses to the question about what needs to happen in order to facilitate sharing data between governments and the Canadian observatory centered on three themes: information exchange; data sharing; and building and sustaining relationships through networking.

### Information exchange

Exchanging information is a key component to moving forward. More specifically, a concerted effort at information exchange could help to address some the security and privacy concerns of governments.

Considered a precursor to an agreement, suggestions for what needs to be done to facilitate an information exchange strategy include:

- Bring government and academic partners together to discuss research. Questions could include: What are we trying to answer? What is the goal? What are the common questions we want to address? What research ethics need to be considered and why?;
- Facilitate discussions about data collection, data collection practices, how to adapt different measures of success, e.g., program completion, victim experience, court time, recidivism, and policy development, to the needs of the project, and rationale behind the variables;
- Provide a clear research agenda with research goals, timelines, purpose of collecting data, who the researchers are, and a rationale for how data will be used by the Canadian observatory;
- Hold discussions about differing jurisdictional definitions and comparison challenges;
- Tailor research goals to reflect needs of both government and academic researchers;
- Clarify level of stakeholder investment and benefits to stakeholders;
- Develop clear methods to maintain anonymous data;
- Develop a set of protocols on data security and back-up and share with all Canadian observatory members.

## **Data sharing**

Further discussion around the issues of data sharing is a second key component to consider in moving forward. In terms of access to a research agreement template, the process could involve making “a few standardized agreements available to stakeholders that include some of the ideals of the parties.” Assuring the signing parties that concerns are addressed (e.g., an agreement would be easier to negotiate if right from the start, signing parties know that identifying information does not appear) and providing the data collection instruments (variable list and code book) “that exactly defines the data sought” would be helpful.

Suggestions for what needs to be done to facilitate a data sharing strategy include:

- Canadian observatory needs to provide a clear rationale for collecting data from different jurisdictions;
- Provide clarity about agreements – what kind of data will be shared and how much;
- Explain why it is essential to develop a database;
- Explain the database – what data will be available for sharing – why is it meaningful – what is the timeframe for data storing – for what purposes will the database be used;
- Work with privacy officers to identify and dispel myths;
- Develop a common protocol that all Canadian observatory members sign on to for data security and preservation;
- Explore what kind of data is available, the variables that are already used (i.e., some federal departments don’t have a lot of data, or have strict standards about how it can be disclosed);
- Local relationships change (staff change and process changes); need to formalize data sharing process;
- Build a data sharing model from the bottom up;
- Increase the number of opportunities to involve governments in meetings.

## **Networking and relationship building**

Further networking and relationship building is a third component to consider in moving forward, for example, extending the range of relationships outward from the workshop to those who may facilitate access to data and other critical resources. As explained by a workshop participant this is a “window of opportunity to make use of – now would be a good time to introduce templates for research”.

Suggestions for what needs to be done to facilitate a data sharing strategy include:

- Continue meetings between academics and government representatives, and perhaps include other partners like the police, court administrators – those who may be an entry point to the data;
- Further engage the federal government – as experts on confidentiality, as a resource for framing issues for funding applications, and as a liaison between departments that might be provide resources;
- Further consult with governments as to the best representatives;
- Seek meetings with top levels across provinces/territories to introduce the Canadian observatory on broader level before asking for access to data;

- Provincial/territorial invitations for relationships need to go to the top and specific research requests should enter at assistance deputy minister level;
- Base partnership on collaboration and collaborative research with mutual usefulness to academics and governments;
- The process to access data has become highly structured. Thus the Canadian observatory needs to work with governments from the beginning to clarify research methods and motives;
- A key relationship issue is acknowledging the stakeholder investments in research in terms of time and resources allocated to projects.

### **What would be recommended as a first step?**

Recommendations for a first step varied depending on the perspective about what needs to be done to facilitate sharing data between governments and the Canadian observatory. Therefore, these proceedings recommend a multi-pronged first step strategy that incorporates issues relating data collection, data sharing and disclosures, partnership, and dialogue.

#### **Data collection**

- Clearly articulate the research objective of the Canadian observatory with specific attention to data needs;
- Identify data that is currently collected by governments and generate a dialogue about data, e.g., quality of data and data sources;
- Identify mutually beneficial questions that data collection and sharing will help to answer;
- Conduct pilot studies in provinces and territories;
- Explain why the Canadian observatory believes it is important to establish a national data base.

#### **Data sharing**

- Develop the appropriate mechanism to assure confidentiality and security of information if disclosed;
- Widely circulate a report from the May 27, 2010 meeting as a first step in data sharing;
- Explore possible venues for a new data storage/access site (e.g., CCJS model).

#### **Partnership**

- Further develop partnerships according to the current needs of the partners. Some jurisdictions are establishing a relationship – with information needs relating to the database and gains to be made through partnerships. Others have well established collaborations and need to formalize through agreements in order to move forward;
- Provide a clear explanation of the Canadian observatory, e.g., what the name means, what the goals of Canadian observatory are, research objectives, benefits of membership, funding issues, networking goals;
- Strengthen the relationship between Canadian observatory and provincial/territorial governments;
- Strengthen the networking and partnerships of the various jurisdictions.

**Dialogue**

- Build on, strengthen and develop multi-level relationships and create a dialogue process to respond to issues: identify questions that are mutually beneficial, develop a plan of action on questions, set up meetings between Canadian observatory and governments and provide solid rationale for resource usage, e.g., provide policy direction, track court system, better evaluation data;
- Foster connections made at this meeting so that they extend beyond today and keep all partners aware of the Canadian observatory's activities e.g., ensure wide membership of e-news, circulate brochures and continue to broaden the partnership base;
- Continue to meet and explain what we are doing, sharing where we are at, we need to continue to negotiate with governments so they can be involved in the Canadian observatory;
- Emphasize the international component of the Canadian observatory, i.e., it would be useful to share what has been done elsewhere.

**CLOSING REMARKS (PLENARY)**

Carmen Gill, Director of the Canadian observatory on the justice system's response to intimate partner violence, closed the workshop with comments about the importance of partnerships and collaborative research processes. The executive committee of the Canadian observatory will be informed of the suggestions made at the meeting for moving forward. Carmen Gill extended an invitation to continue the dialogue begun at this meeting at the larger Canadian observatory meeting in November 2010. In closing she thanked everyone for the valuable insights and contributions to the ongoing networking of the Canadian observatory.