



## Participant satisfaction with Youth Justice Conferencing

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**Aims:** To evaluate offender and victim satisfaction with New South Wales (NSW) Youth Justice Conferences (YJCs) immediately after conference participation and to re-assess victim satisfaction 4 months after the conference date.

**Method:** A self-report survey designed to assess satisfaction with YJCs was completed by 263 offenders and 141 victims immediately following their participation in a NSW YJC. Additionally, 96 victims also participated in a phone-based survey 4 months after the conference.

**Results:** When asked immediately following the conference, more than 85 per cent of offenders and victims reported being 'satisfied' or 'very satisfied' with most aspects of the conference. High levels of satisfaction with conferencing were also reported by victims 4 months after the conference. For some measures, however, the percentage of victims who were 'satisfied' or 'very satisfied' was not as high at the 4-month follow-up, as it was in the baseline survey. The aspect of conferencing that victims at the 4-month follow-up reported the least satisfaction with was the lack of feedback they received from conference staff about the offender's completion of the outcome plan. Fewer than half of the victims were 'satisfied' or 'very satisfied' with this part of the conference.

**Conclusion:** The results of this study suggest that offender and victim satisfaction is high immediately following a YJC. Even 4 months after a YJC, victim satisfaction with most aspects of conferencing remains high. Satisfaction levels may be increased still further if, at some point prior to the end of the statutory time-period for completing the plan, victims were provided with feedback about the offender's progress towards completing the outcome plan. Further research also needs to be conducted comparing victim satisfaction following a conference with victim satisfaction following a court appearance.

**Keywords:** Youth Justice Conference, satisfaction, survey, follow-up, victim, offender

### INTRODUCTION

Youth Justice Conferences (YJCs) were established in NSW through the *Young Offenders Act 1997* as one alternative among a hierarchy of sanctions designed to divert young offenders from the court system. Children can be referred to a YJC by a specialist police youth officer, a court or by the Director of Public Prosecutions. A full description of the legislative scheme for YJCs under the provisions of the *Young Offenders Act* is provided in Trimboli (2000) and, for the most part, is still current. Since 2000, however, some changes to the management and operation of the scheme have been implemented. One of those changes was to the entity which assumes responsibility for the scheme. The YJC Directorate, which was responsible for the overall operation of YJCs in NSW since the inception of the scheme, was abolished in 2007 and now lies with the three Regional Directors of Juvenile Justice (JJ).

The legislatively-defined purpose of a YJC is to make decisions and determine an outcome plan regarding the child who is the subject of the conference (*Young Offenders Act 1997*, Part 5, Division 1, Section 34 (2)). Typically participants at a YJC include the young offender, the victim, their respective support people (e.g. family members, lawyers, representatives from organisations that work with children), specialist police youth officers (or other police officers) and the conference convenor.<sup>1</sup> The key discussion points of a conference include the offence and its consequences for the victim, acceptance of responsibility by the offender for his/her behaviour, and any course of action which can be undertaken by the offender to encourage law-abiding behaviour in the future and to address the victim's needs including any reparations. Any tasks that the child agrees to undertake at the conference are written into an outcome plan, which is signed by both the child and any victim who is present at the conference and has agreed to the contents of the plan.<sup>2</sup>

Conferencing draws from the principles of restorative justice (RJ) which, as a broad concept, embodies a range of practices aimed at repairing the harm caused by a crime (Daly & Hayes, 2001). Unlike more traditional criminal justice proceedings, one of the key elements of RJ practice is victim participation. Indeed, it is explicitly stated in Section 34 (3d & 3e) of the Young Offenders Act 1997 that in reaching decisions at a conference 'the need to empower families and victims...' and 'the need to make reparation to any victim' are principles which must be considered.

It is not surprising, therefore, that in addition to examining offender satisfaction, considerable effort has been spent investigating victim satisfaction with the conferencing process. Although there is no strong evidence that victims are more satisfied when their case is dealt with in a conference rather than by a court (see review by Weatherburn & Macadam, 2013; Gal & Moyal, 2011), it is quite clear that when victims are asked soon after a conference, the overwhelming majority report high levels of satisfaction with the conference process (e.g. Trimboli, 2000; Campbell et al., 2005; Poulson & Elton, 2002). Most studies, however, have not conducted any systematic long-term follow-up to re-assess levels of victim satisfaction. It is therefore not clear whether the high levels of victim satisfaction reported soon after a conference are sustained over time.

The majority of studies which have attempted to examine victim satisfaction weeks, months or years after the conclusion of a RJ conference have been undertaken in New Zealand or Australia (but in states other than NSW). These studies are reviewed below. Data on offender satisfaction with conference proceedings, if collected in these studies, are also summarised. It is noteworthy that despite the huge variance in the practice of conferencing, the studies reviewed below from the late 1990s and early 2000s, examined participant satisfaction for similar types of conferencing schemes to the one used in NSW. That is, offenders were children, the conferences sourced their convenors from the community (as opposed to police run conferences) and they are based on or evolved from the New Zealand Family Group Conferencing model.

One of the first studies to conduct a long term follow-up of participant satisfaction with conferencing came from Queensland, Australia (Palk, Hayes, & Prenzler, 1998). Young offenders ( $n = 113$ ) and victims ( $n = 90$ ) in the first interview, conducted at the conclusion of the conference, reported high levels of satisfaction. Of all offenders and victims who were interviewed, more than 96 per cent said they were satisfied with conference agreements, more than 98 per cent said the conference was fair, and more than 98 per cent said they would recommend conferencing to other persons in a similar position. The follow-up interview was conducted two to four months following the conference and satisfaction levels were still very high among both offenders ( $n = 54$ ) and victims ( $n = 64$ ). All young offenders

and 92 per cent of victims were happy with the conference agreement, all offenders and 94 per cent of victims said the conference was fair, and all offenders and 97 per cent of victims said they would recommend conferencing to other persons in a similar situation. A limitation of this study, however, was that the participants who were followed up were not the same as the participants who were interviewed at baseline. It was not possible, therefore, to report differences (or lack of differences) for participants between the two time-points.

Research in South Australia (Daly et al., 1998) also examined offender and victim perspectives at two distinct time-points; the first approximately one month after the conference and the second a year later. The sample was restricted to cases of violent and serious property offences committed by juveniles. Nevertheless both offenders and victims reported high levels of procedural justice as they felt they were treated fairly and with respect throughout the process. The authors also concluded that most victims at the 1-year follow-up were satisfied with how their case was handled and said that the conference was worthwhile (Daly & Hayes, 2001).

Maxwell and her colleagues (2004) interviewed offenders and victims participating in conferences in New Zealand immediately after the conclusion of the conference and then contacted victims again four to eight weeks later. Offenders ( $n = 105$ ) who completed the baseline interview were generally positive in their evaluation of conferencing. For example, 84 per cent reported that they were treated fairly at the conference and agreed that the people at the conference showed that they cared for the offender despite what the offender had done. Of the 58 victims who participated in the baseline interview, 87 per cent reported that they were satisfied with the information they received in preparation for the conference and 84 per cent said they received this information 'in good time' (p. 154). Moreover, 71 per cent of the victims who were interviewed at the conclusion of the conference reported that their needs were met by the conferencing process. No quantitative findings from the follow-up interview were reported by the authors although the presentation of a selection of participants qualitative responses provides a sense of the factors which potentially influence satisfaction over the longer term. Most of the qualitative responses reported by Maxwell et al. (2004), focus on what happened (or did not happen) after the conference. That is, whether or not the tasks (e.g. apology, reparations, community service) that the offender agreed to in the conference were completed and whether the victim was informed about its completion. For example, one victim was reported as saying 'I haven't received any apology letter. I didn't think they were genuine in the apology in the family group conference and this just confirms it' (p. 163). Conversely, another victim was reported as saying 'things are going good. He has changed himself. He completed the plan and has grown out of what he was doing' (p.163).

More recently, several studies have been conducted in New Zealand and the United Kingdom which report similarly high levels of offender and victim satisfaction in the months following their experience of RJ. However, most offenders who attended the conferences in these studies were adults (e.g. Triggs, 2005; Paulin, Kingi, & Lash, 2005; Paulin, Kingi, Huirama, & Lash, 2005; Kingi, Paulin, & Porima, 2008; Shapland et al., 2007; Ministry of Justice, 2011); half of the studies interviewed only small numbers of conference participants (i.e. 21 victims or fewer); and the time between conference and interview also varied considerably across participants.

## THE CURRENT STUDY

The research reviewed above on sustained satisfaction with conferencing includes studies with inconsistent lengths of follow-up (e.g. Paulin, Kingi, & Lash, 2005; Paulin et al., 2005; Kingi, Paulin, & Porima, 2008, Ministry of Justice, 2011) and studies with limited reporting of follow-up data (e.g. Maxwell et al., 2004). Furthermore, many have focused on victim satisfaction with conferences involving adult offenders (e.g. Triggs, 2005; Shapland, 2007). It is difficult, therefore, to generalise the findings of this research to YJCs in the NSW context.

For this reason, we undertook a study to measure the level of satisfaction of NSW YJC participants (offenders and direct victims) with YJC proceedings and the outcome plan. The victims of interest for the current study were 'direct' victims. We defined a direct victim as a person who was directly affected by the offence. This included persons who had an offence committed against them, their property or their small business but did not include persons representing the interests of a major company or government department. A self-report survey of victims and offenders was completed immediately following the conference. A follow-up telephone interview was conducted with victims 4 months after the conference date to re-assess victim satisfaction. A 4-month follow-up was chosen because previous research indicated that the majority of outcome plans were completed within this time-frame (Taussig, 2012).

## METHOD

### DATA COLLECTION METHODOLOGY

The NSW Bureau of Crime Statistics and Research (BOCSAR) provided survey packages to each of the 18 JJ YJC Assistant Managers located across NSW. It was requested that the survey packages be forwarded to conference convenors for all conferences with a referral date between 1<sup>st</sup> March 2012 and 31<sup>st</sup> May 2012. Convenors informed offenders and victims about the study, requested their participation, and distributed the surveys to consenting participants.

Convenors were provided with specific instructions regarding the survey to read aloud to participants (a) during the pre-conference discussions, (b) immediately prior to the conference and (c) at the conclusion of the conference before distributing the surveys. Convenors informed offenders and victims of the purpose of the research, what was required of them and invited them to participate in the study. The convenors were then asked to provide each of the consenting participants with the survey, a sealable envelope, and to direct the participant to complete and return the survey to the convenor in the sealed envelope. The sealed envelope ensured confidentiality of responses. Instructions were provided to convenors on how to assist participants who were vision impaired, had reading or writing difficulties, or required an interpreter.

Convenors were also asked to complete an Evaluation Response Sheet. The Evaluation Response Sheet requested information on the number and role of participants (victim, offender, victim representative, offender support person, etc) who attended the conference, the role of any participants who declined their invitation to attend the conference, the number of victims and offenders who accepted a survey, the number of victims and offenders who required help in completing the survey, and any reasons provided for refusing to complete the survey.

Convenors were instructed to mail the completed surveys and the Evaluation Response Sheet back to BOCSAR using a reply-paid envelope.

Data at the 4-month follow-up were collected via telephone surveys which each took approximately 20 minutes to complete and were conducted by BOCSAR staff. Upon conclusion of the follow-up interview, victims were provided with a \$50 supermarket voucher to compensate them for their time. Only victims who provided consent in the baseline survey to participate in the 4-month follow-up were contacted. Seventy per cent of follow-up surveys were completed within 2 weeks of the scheduled 4-month post-conference interview date; 85 per cent of surveys were completed within 5 months of the conference; 95 per cent were completed within 6 months of the conference; the remaining five per cent were completed within 9 months of the conference.

### RESPONSE RATES

Over the 3 month period from the 1<sup>st</sup> March 2012 until the 31<sup>st</sup> May 2012, 367<sup>3</sup> NSW children were referred to a total of 342 conferences. The BOCSAR office received completed surveys from 224 offenders and 117 victims across 226 conferences. That is, there was an offender and/or victim response for 66% of all conferences with referral dates within the specified time-period. This data is presented separately for each of the three JJ regions in Table A1 of the Appendix. It is important to note, however, that although every conference had at least one offender in attendance (some conferences had multiple offenders

in attendance), not all conferences had a victim in attendance. Information regarding offender and victim attendance at conferences was only provided for the 250 conferences for which convenors completed and returned the Evaluation Response Sheet. For 64 of those 250 conferences, convenors reported that at least one victim declined their invitation to attend the conference. For 80 of those 250 conferences, the convenor reported that there was no record of any victim attending or being invited to attend the conference (this could occur for conferences which were scheduled for 'victimless' offences such as carrying a small amount of a prohibited drug). The complete data from the Evaluation Response Sheet about the type and number of participants who attended conferences, and those who were invited to attend but declined, is presented in Tables A2 and A3 of the Appendix.

With a completed survey being received by an offender and/or victim for 226 of the 342 conferences in the referral window, that left 116 conferences for which no offender or victim surveys were returned. There were several reasons why no offender or victim surveys were returned for these 116 conferences. For 20 of those 116 conferences, the offender declined to participate in the survey (and no victim attended). For nine of those 116 conferences both the offender and the victim declined to participate in the survey. Other reasons why no offender or victim surveys were returned included: clerical error by assistant managers or conference convenors resulting in the conference participants not having the opportunity to complete the survey ( $n = 64$ ), especially emotional or lengthy conferences for which the convenor considered it was not appropriate to administer the survey ( $n = 6$ ), loss of surveys through the postal service ( $n = 7$ ) and delay in conference scheduling ( $n = 10$ ).

It should be noted here that, due to clerical errors, 35 conferences outside of the specified referral window (1<sup>st</sup> March 2012 to 31<sup>st</sup> May 2012) were also allocated a survey package by YJC assistant managers and/or their staff. All but one of these additional conferences had referral dates in January or February 2012 and were conducted between February and June 2012. The survey data collected for these additional 35 conferences are included in the results section of this report. It should also be noted that the 35 conferences which had referral dates outside the specified referral window were similar to the conferences which had referral dates within the specified time-frame based on the type of offence for which the child had been referred and the JJ YJC region in which conference was conducted.

Including both conferences within the referral window and the additional 35 conferences whose referral date was outside of the specified window, a total 263 offenders and 141 victims completed the survey immediately following the conference. Of the 141 victims who completed the survey immediately following the conference, 117 victims provided consent to participate in

the follow-up interview. Three of these victims changed their mind about participating in the follow-up interview and, despite repeated attempts to make contact with the remaining 114 victims via email and telephone, 18 victims were unable to be contacted. Therefore, a total of 96 victims (68% of all those who participated in the baseline survey) completed the follow-up interview 4 months after the conference.

## SAMPLE

Descriptive statistics on the characteristics of the sample of offenders ( $n = 263$ ) and victims ( $n = 141$ ) who participated in the baseline survey are presented in Appendix Table A4. The majority of offenders were male (73%). In contrast, there was a similar percentage of male (52%) and female (48%) victims.

The age of offenders at the time of the conference ranged from 11 to 19 years<sup>4</sup>, with a mean age of 15 years and 8 months and a standard deviation of 1 year and 4 months. Although 13 per cent of victims were also children, the mean age of victims was 39 years with a standard deviation of 15 years and 3 months. The youngest victim was 13 years old and the oldest victim was 79 years old.

Australia was the country of birth for most offenders (91%) and victims (90%). A total of 28 per cent of offenders and 11 per cent of victims identified themselves as being of Aboriginal or Torres Strait Islander origin.

## SURVEY INSTRUMENTS

The complete set of items included in the surveys is provided in the Supplementary Appendix. Note that three separate surveys were designed; one for the offender (completed at the conclusion of the conference); one for the victim at the baseline time-point (i.e. completed at the conclusion of the conference); and, one for the victim at follow-up (i.e. completed 4 months after the conclusion of the conference).

Questions from BOCSAR's previous YJC survey (Trimboli, 2000) and surveys conducted in other Australian jurisdictions were used to help inform the development of the current surveys (e.g. Daly, 2001; Daly et al., 1998). For most questions, participants responded with either a 'yes' or 'no' answer or on a 4-point Likert scale. At least one question in each of the surveys, however, provided participants with the opportunity for an open-ended answer.

The baseline surveys for offenders and victims contained many common questions on various aspects of the conference and the participant's experience. Both offenders and victims (at baseline) were asked about the factors that motivated them to attend the conference as well as their satisfaction with and perceived fairness of the conference. Offenders and victims were also asked about what happened during the pre-conference



preparation, the conference proceedings, and formulation of the outcome plan. The baseline survey also included questions on overall satisfaction with the conference and how well the case was handled.

In addition to the common questions asked of offenders and victims, some questions in the baseline surveys were specific to the role of the participant. For example, only victims (who are entitled but not required by law to participate) were asked about how pressured they felt to attend the conference.

The follow-up interview repeated the questions regarding fairness of the conference and outcome plan, as well as questions on victim's satisfaction with the time it took for the conference to be held and their overall satisfaction with the conference process. Several other questions were specific to the follow-up interview. These included questions about whether the offender had apologised for what they had done, if yes, the perceived sincerity of the offender's apology, the specific tasks which were agreed to in the outcome plan, the satisfaction with the offender having to complete the agreed tasks, and whether or not the victim had been contacted regarding the completion of the outcome plan.

## STATISTICAL ANALYSIS

Descriptive statistics have been utilised to report on respondent's answers to the survey questions. For questions which were asked of both offenders and victims, significant differences between offender and victim responses were detected with chi-square analyses. For questions which were asked of victims in both the baseline survey and 4-month follow-up, significant differences between the two time-points were detected by McNemar tests. It is important to note that the McNemar test only tested the difference in ratings for victims who provided answers in both the baseline and follow-up surveys. Therefore, when a McNemar test has been conducted, only data for the subgroup of baseline victims who also participated in the follow-up survey are provided in the text of this report. The tables in this report, however, provide data for all victims who provided responses (regardless of whether or not a participant provided an answer for a specific question at one time-point but not the other).

## RESULTS

### FACTORS WHICH MOTIVATED CONFERENCE ATTENDANCE

As shown in Table 1, when offenders were considering whether or not to attend the conference, the opportunity to inform others at the conference that the behaviour would not happen again was a motivating factor in 95 per cent of cases. The opportunity to apologise to the victim was a motivating factor for 88 per cent of offenders. In addition, 77 per cent of offenders were

motivated to attend the conference because of the opportunity to describe in their own words what happened and 70 per cent were motivated to make up for the offence by doing some work or paying some money.

Table 2 shows that when victims were considering whether or not to attend the conference, the opportunity to tell the offender how they were impacted by the offence was a motivating factor for 93 per cent of cases. The opportunity to hear the offender's account of what happened, have the offender apologise for what he/she did, and get the offender's assurance it would not happen again were motivating factors for more than 82 per cent of victims. Only 21 per cent of victims reported the opportunity to receive financial compensation as a motivating factor when deciding to attend the conference.

**Table 1. Factors which motivated offenders to attend the conference (n = 263)**

	Yes		No	
	n	%	n	%
Let the others at the conference know the behaviour won't happen again <sup>a</sup>	247	95.4	12	4.6
Apologise to the victim <sup>b</sup>	221	88.4	29	11.6
Describe in own words what happened <sup>c</sup>	191	77.0	57	23.0
Make up for the offence by doing some work or paying money <sup>d</sup>	180	70.0	77	30.0

<sup>a</sup> Four offenders did not answer this question.

<sup>b</sup> Thirteen offenders did not answer this question.

<sup>c</sup> Fifteen offenders did not answer this question.

<sup>d</sup> Six offenders did not answer this question.

**Table 2. Factors which motivated victims (baseline) to attend the conference (n = 141)**

	Yes		No	
	n	%	n	%
Tell the offender the impact of the offence on you <sup>a</sup>	130	92.9	10	7.1
Hear the offender's account/description of what happened <sup>a</sup>	123	87.9	17	12.1
Have the offender apologise for what he/she did <sup>b</sup>	120	87.0	18	13.0
Get the offender's assurance that it won't happen again <sup>c</sup>	113	82.5	24	17.5
Receive financial compensation from the offender <sup>b</sup>	29	21.0	109	79.0

<sup>a</sup> One victim did not answer this question.

<sup>b</sup> Three victims did not answer this question.

<sup>c</sup> Four victims did not answer this question.

**Table 3. Offender ratings of the pre-conference preparations (n = 263)**

	Rating	n	%
How satisfied were you with the amount of notice provided about when the conference was to be held? <sup>a</sup>	Not at all satisfied/satisfied a little	17	6.5
	Satisfied/very satisfied	243	93.5
How much did the convenor tell you about what would happen at the conference? <sup>b</sup>	Nothing/a little	4	1.5
	Quite a bit/a lot	257	98.5
How much did the convenor tell you about what was expected of you at the conference? <sup>b</sup>	Nothing/a little	14	5.4
	Quite a bit/a lot	247	94.6
How much did the convenor tell you about the possible tasks included in the outcome plan? <sup>b</sup>	Nothing/a little	17	6.5
	Quite a bit/a lot	244	93.5
How satisfied are you with the time it took for the conference to be held? <sup>c</sup>	Not at all satisfied/satisfied a little	32	12.6
	Satisfied/very satisfied	222	87.4

<sup>a</sup> Three offenders did not answer this question.<sup>b</sup> Two offenders did not answer this question.<sup>c</sup> Nine offenders did not answer this question.**Table 4. Victim (baseline) ratings of the pre-conference preparations (n = 141)**

	Rating	n	%
How satisfied were you with the amount of notice provided about when the conference was to be held?	Not at all satisfied/satisfied a little	6	4.3
	Satisfied/very satisfied	135	95.7
How much did the convenor tell you about what would happen at the conference?	Nothing/a little	2	1.4
	Quite a bit/a lot	139	98.6
How much did the convenor tell you about what was expected of you at the conference?	Nothing/a little	4	2.8
	Quite a bit/a lot	137	97.2
How much did the convenor tell you about the possible tasks included in the outcome plan? <sup>a</sup>	Nothing/a little	8	5.7
	Quite a bit/a lot	132	94.3
How much pressure did the convenor place on you to attend the conference?	No pressure at all	99	70.2
	Some pressure	25	17.7
	Quite a bit of pressure	12	8.5
	A lot of pressure	5	3.5

<sup>a</sup> One victim did not answer this question.

## OFFENDER AND VICTIM SATISFACTION WITH CONFERENCING

### Pre-conference preparation

As Table 3 shows, most offenders were 'satisfied' or 'very satisfied' with the amount of notice they were provided about when the conference was to be held (94%) and the time it took for the conference to be held (87%). In addition, most offenders reported that they had received 'quite a bit' or 'a lot' of information about what would happen at the conference (99%), what was expected of them at the conference (95%) and the possible outcome tasks that may be included in the outcome plan (94%).

As shown in Table 4, when asked immediately following the conference, 96 per cent of victims were 'satisfied' or 'very satisfied' with the amount of notice provided about when the conference was to be held. In addition, nearly all victims reported that they were told 'quite a bit' or 'a lot' about what would happen at the conference (99%), what was expected of them at the conference (97%), and the possible tasks that may be included in the outcome plan (94%). Table 4 also shows that 70 per cent of victims felt 'no pressure at all' to attend the conference. Although it is not compulsory for victims to attend conferences, almost 30 per cent of victims felt 'some', 'quite a bit' or even 'a lot' of pressure to attend.

Although the results are not shown in Table 4, most victims were also satisfied with the time it took for the conference to be held. Moreover, a McNemar test, which only tested for differences in the 96 victims who completed both baseline and follow-up surveys, showed that the percentage of victims at baseline (91% of the 96 victims) who reported they were 'satisfied' or 'very satisfied' with the time it took for the conference to be held did not differ significantly from the percentage who were 'satisfied' or 'very satisfied' at the 4-month follow-up (83% of the 96 victims).

The 17 per cent of victims who, at the 4-month follow-up, reported they were 'not

**Table 5. Offender ratings of the conference proceedings (n = 263)**

	Rating	n	%
How easy was it to understand what was going on at the conference? <sup>a</sup>	Very difficult/difficult	12	4.7
	Easy/very easy	246	95.3
Overall with how much respect were you treated by others at the conference? <sup>b</sup>	No respect at all /some respect	17	6.6
	Quite a bit of respect /a lot of respect	240	93.4
How fair was the conference on the offender? <sup>c</sup>	Very unfair/unfair	6	2.3
	Fair/very fair	253	97.7
How fair was the conference on the victim? <sup>d</sup>	Very unfair/unfair	4	1.8
	Fair/very fair	221	98.2

<sup>a</sup> Five offenders did not answer this question.

<sup>b</sup> Six offenders did not answer this question.

<sup>c</sup> Four offenders did not answer this question.

<sup>d</sup> Thirty-eight offenders did not answer this question (33 of these offenders participated in conferences for which no victim attended).

**Table 6. Victim (baseline) ratings of the conference proceedings (n = 141)**

	Rating	n	%
How easy was it to understand what was going on at the conference? <sup>a</sup>	Very difficult/difficult	2	1.4
	Easy/very easy	138	98.6
Overall with how much respect were you treated by others at the conference? <sup>b</sup>	No respect at all /some respect	5	3.6
	Quite a bit of respect /a lot of respect	134	96.4
How satisfied were you with the opportunity you got during the conference to explain the impact of the offence on you?	Not at all satisfied/satisfied a little	3	2.1
	Satisfied/very satisfied	138	97.9

<sup>a</sup> One victim did not answer this question.

<sup>b</sup> Two victims did not answer this question.

**Table 7. Victim (baseline (n = 141) and follow-up (n = 96)) ratings of conference fairness**

	Rating	Baseline		Follow-up	
		n	%	n	%
How fair was the conference on the offender?	Very unfair/unfair	1	0.7	1	1.0
	Fair/very fair	140	99.3	95	99.0
How fair was the conference on the victim? <sup>a</sup>	Very unfair/unfair	5	3.6	8	8.3
	Fair/very fair	135	96.4	88	91.7

<sup>a</sup> One victim did not answer this question at baseline.

at all satisfied' or only 'satisfied a little' with the time it took for the conference to be held, were asked 'why' they reported these lower levels of satisfaction. Of the 16 victims who were 'not at all satisfied' or 'satisfied a little', 14 explained that it took too long after the offence before the conference was held.

### Conference proceedings

As shown in Table 5, most offenders reported that it was 'easy' or 'very easy' to understand what was going on at the conference (95%) and thought that they were treated with 'quite a bit' or 'a lot' of respect (93%). In addition, 98 per cent of offenders reported that the conference was 'fair' or 'very fair' on the victim and when asked 'how fair was the conference on you?', 98 per cent said 'fair' or 'very fair'.

Table 6 shows that most victims at baseline also reported that it was 'easy' or 'very easy' to understand what was going on at the conference (99%) and said that they were treated with 'quite a bit' or 'a lot' of respect (96%). In addition, 98 per cent of victims reported that they were 'satisfied' or 'very satisfied' with the opportunity they were given during the conference to explain the impact of the offence.

As shown in Table 7, most victims also rated the conference as being fair on the participants. When asked immediately following the conference, 99 per cent of victims reported that the conference was 'fair' or 'very fair' on the offender and 96 per cent of victims reported that the conference was 'fair' or 'very fair' on themselves, the victim. Ratings in the follow-up interview did not differ significantly from baseline.

### Offender apologies (inclusive of apologies provided either as part of or separate to the outcome plan)

Although the data are not presented in a table, 89 per cent of victims who were interviewed at follow-up (n = 85) received at least one apology from the offender. For more than two-thirds of cases, these apologies were verbal apologies which happened at the conference. For the

remaining cases, the apologies were a combination of written and/or verbal apologies which happened either before, during (either as part of the outcome plan or separately within the conference) or after the conference. Furthermore, when victims were asked about the sincerity of the apologies, only 53 per cent of victims judged the apologies to be 'sincere' or 'very sincere'.

**Table 8. Offender ratings of the outcome plan (n = 263)**

	Rating	n	%
How satisfied were you with the outcome plan? <sup>a</sup>	Not at all satisfied/satisfied a little	14	5.8
	Satisfied/very satisfied	228	94.2
How fair was the outcome plan on the offender? <sup>b</sup>	Very unfair/unfair	6	2.5
	Fair/very fair	237	97.5
How fair was the outcome plan on the victim? <sup>c</sup>	Very unfair/unfair	3	1.3
	Fair/very fair	222	98.7

<sup>a</sup> Twenty-one offenders did not answer this question.

<sup>b</sup> Twenty offenders did not answer this question.

<sup>c</sup> Thirty-eight offenders did not answer this question (33 of these offenders participated in conferences for which no victim attended).

**Table 9. Victim (baseline) ratings of the outcome plan (n = 141)**

	Rating	n	%
How satisfied were you with the outcome plan? <sup>a</sup>	Not at all satisfied/satisfied a little	19	14.0
	Satisfied/very satisfied	117	86.0
In deciding the outcome plan, to what extent do you think that the conference participants considered the impact of the offence on you? <sup>b</sup>	Did not consider the impact at all/considered the impact a little	22	16.7
	Considered the impact a fair bit/considered the impact a lot	110	83.3

<sup>a</sup> Five victims did not answer this question.

<sup>b</sup> Nine victims did not answer this question.

## Outcome plan

As shown in Table 8, 94 per cent of offenders were 'satisfied' or 'very satisfied' with the outcome plan. Most offenders also rated the outcome plan as 'fair' or 'very fair' on the victim (99%), and when asked 'how fair was the outcome plan on you?', 98% of offenders said 'fair' or 'very fair'.

Table 9 shows that a high proportion (86%) of victims at baseline were also 'satisfied' or 'very satisfied' with the outcome plan but a chi-squared test showed that this was a significantly smaller proportion compared to offenders (94%,  $\chi^2 = 7.32$ ,  $df = 1$ ,  $p = .007$ ). Eighty-three per cent of victims reported that the impact of the offence was considered 'a fair bit' or 'a lot' when deciding the outcome plan.

As shown in Table 10, the frequency with which specific tasks were included in the outcome plan varied considerably. For the 96 victims who were interviewed at follow-up, the most common tasks to be included in the outcome plan were a behavioural program (n = 71), a verbal (n = 59) or written apology (n = 43) and community service (n = 31). Less common tasks included a specific job or 'work' which the offender was to complete for the victim (n = 18), financial compensation (n = 12), and a gift in kind (n = 4). Moreover, the percentage of victims at the follow-up interview who were 'satisfied' or 'very satisfied' with the tasks in the outcome plan varied according to the specific task. For victims who reported that a verbal apology was provided, 63 per cent were 'satisfied' or 'very satisfied' and for those

**Table 10. Victim satisfaction with the tasks in the outcome plan 4 months after the conference (n = 96)**

	Verbal apology		Written apology		Behavioural program		Community service		Work for the victim		Financial compensation		Gift in kind		Other	
	n	%	n	%	n	%	n	%	n	%	n	%	n	%	n	%
Not at all satisfied/satisfied a little	22	37.3	13	30.2	18	25.4	7	22.6	7	38.9	3	25.0	1	25.0	2	18.2
Satisfied/very satisfied	37	62.7	30	69.8	53	74.6	24	77.4	11	61.1	9	75.0	3	75.0	9	81.8
Total	59	100.0	43	100.0	71	100.0	31	100.0	18	100.0	12	100.0	4	100.0	11	100.0

Note. Only victims who confirmed a specific task was included in the outcome plan provided a satisfaction rating. For approximately 90 per cent of conferences, the outcome plan consisted of more than one task.



**Table 11. Victim (baseline (n = 141) and follow-up (n = 96)) ratings of the fairness of the outcome plan**

	Rating	Baseline		Follow-up	
		n	%	n	%
How fair was the outcome plan on the offender? <sup>a</sup>	Very unfair/unfair	2	1.5	5	5.2
	Fair/very fair	134	98.5	91	94.8
How fair was the outcome plan on the victim? <sup>b</sup>	Very unfair/unfair	12	8.9	18	19.1
	Fair/very fair	123	91.1	76	80.9

<sup>a</sup> Five victims did not answer this question at baseline.

<sup>b</sup> Six victims did not answer this question at baseline and one victim did not answer at follow-up.

**Table 12. Victim (follow-up) ratings of the outcome plan (n = 96)**

	Rating	n	%
How important was it to you for the young person to complete the outcome plan?	Not at all important /a little important	10	10.4
	Important /very important	86	89.6
Have the conference convenor or other conferencing staff informed you if the outcome plan has been completed? <sup>a</sup>	No	52	55.9
	Yes	41	44.1
Overall, how satisfied are you with the amount of information you received from the conferencing staff about the completion of the outcome plan? <sup>b</sup>	Not at all satisfied /satisfied a little	49	51.6
	Satisfied /very satisfied	46	48.4

<sup>a</sup> Three victims did not answer this question.

<sup>b</sup> One victim did not answer this question.

victims who reported that a written apology was provided in the outcome plan, 70 per cent were 'satisfied' or 'very satisfied'. For victims who reported that a behavioural program, community service, financial compensation, or a gift in kind formed part of the outcome plan, approximately 75 per cent were 'satisfied' or 'very satisfied' with that task being set. For the victims who reported that the outcome plan included some kind of 'work' that the offender had to perform for the victim, 61 per cent were 'satisfied' or 'very satisfied' with that task being set. Nine of the 11 participants who reported that the outcome plan consisted of a task coded as 'other' were 'satisfied' or 'very satisfied' with that task being set. Outcome tasks coded as 'other' included the offender participating in an exercise course, searching for a job, writing about the offence as a form of reflection on the incident, participating in educational courses, and the offender being banned from the premises which were damaged by the offender.

As shown in Table 11, most victims reported at baseline (99%) and at the follow-up (95%) that the outcome plan was 'fair' or 'very fair' on the offender. When victims were asked in the baseline survey 'how fair was the outcome plan on you?', a high

proportion (91%) said 'fair' or 'very fair' but this was a smaller proportion compared with the offender's ratings of the fairness of the outcome plan on the victim (99%,  $\chi^2 = 12.06$ ,  $df = 1$ ,  $p = .001$ ). Moreover, a McNemar test, which only tested for differences in the 90 victims who completed the question in both the baseline and follow-up surveys, showed that the percentage of victims who rated the outcome plan as 'fair' or 'very fair' on the victim was less at follow-up (80% of the 90 victims) than it was at baseline (90% of the 90 victims,  $\chi^2 = 5.33$ ,  $df = 1$ ,  $p = .039$ ).

Table 12 shows that when asked at the 4-month follow-up, 90 per cent of victims said it was 'important' or 'very important' that the young person complete the outcome plan. Despite this, fewer than half of the victims reported having been informed about whether the outcome plan had been completed. Moreover, fewer than half of the victims interviewed 4 months after the conference were 'satisfied' or 'very satisfied' with the amount of information they received from conferencing staff about the completion of the outcome plan.

Of the 49 (52%) victims who said they were 'not at all satisfied' or only 'satisfied a little', 36 said the reason for their low satisfaction rating was that they hadn't received any information from the conferencing staff after the conference.

### Overall experience and satisfaction

As shown in Table 13, 94 per cent of offenders were 'satisfied' or 'very satisfied' with how their case was handled and 85 per cent offenders said they would recommend a YJC to others in a similar situation.

Victims also reported high levels of satisfaction with how the case was handled (see Table 14). A McNemar test, however, which only tested for differences in the 95 victims who answered the question in both the baseline and follow-up survey, showed that significantly fewer victims at follow-up (73% of the 95 victims) than at baseline (86% of the 95 victims) reported being 'satisfied' or 'very satisfied' with how the case was handled ( $\chi^2 = 8.89$ ,  $df = 1$ ,  $p = .004$ ).

A McNemar test was also conducted on the data from the 94 victims who responded at both time-points as to whether or not they would recommend conferencing to others. Significantly less victims at follow-up (87% of the 94 victims) than at baseline

**Table 13. Offender satisfaction with YJCs (n = 263)**

	Rating	n	%
How satisfied were you with how this case was handled? <sup>a</sup>	Not at all satisfied/satisfied a little	16	6.3
	Satisfied/very satisfied	236	93.7
Would you recommend YJCs to others? <sup>b</sup>	No	37	15.0
	Yes	209	85.0

<sup>a</sup> Eleven offenders did not answer this question.

<sup>b</sup> Seventeen offenders did not answer this question.

**Table 14. Victim (baseline (n = 141) and follow-up (n = 96)) satisfaction with YJCs**

	Rating	Baseline		Follow-up	
		n	%	n	%
How satisfied were you with how this case was handled? <sup>a</sup>	Not at all satisfied/satisfied a little	15	10.8	26	27.4
	Satisfied/very satisfied	124	89.2	69	72.6
Would you recommend YJCs to others? <sup>b</sup>	No	6	4.4	12	12.6
	Yes	131	95.6	83	87.4

<sup>a</sup> Two victims did not answer this question at baseline and one victim did not answer at follow-up.

<sup>b</sup> Four victims did not answer this question at baseline and one victim did not answer at follow-up.

**Table 15. What aspects of the conference did you like? (asked of victims at the 4-month follow-up) (n = 96)**

	n	%
A fair and positive process	23	24.0
Opportunity for the victim to share their experience	21	21.9
Opportunity to face the offender	20	20.8
Presence of support people/agencies to assist the young person	20	20.8
Opportunity for everybody present to speak	18	18.8
Convenor (includes comments about convenor preparation, etc)	11	11.5
I didn't like anything about it <sup>a</sup>	11	11.5
Pre-conference preparation	8	8.3
Opportunity for offender to understand the consequences	8	8.3
Opportunity to hear the offender's story	7	7.3
Opportunity for the offender to learn from the experience	5	5.2
Opportunity for the offender to accept responsibility	5	5.2
Opportunity to collaborate to write the outcome plan	5	5.2
Other	23	24.0

<sup>a</sup> Although most victims reported at least one positive of the conference, 11 victims reported that they did not like anything about the conference.

Note. The percentages in this table do not sum to 100 per cent (similarly, the numbers do not sum to 96) because many victims reported more than one feature of conferencing which they liked.

(95% of the 94 victims) said they would recommend conferencing to others ( $\chi^2 = 5.44$ ,  $df = 1$ ,  $p = .039$ ).

Victims at the 4-month follow-up who reported they were 'not at all satisfied' or only 'satisfied a little' with the overall handling of the case (n = 26), were requested to provide a reason to support their rating. The most common reasons given were that they felt 'the process was too lenient' (27% of the 26 victims), 'the offender took no responsibility' or 'the process had no impact on the offender' (19% of the 26 victims), and they 'were not informed of the final outcome' (11% of the 26 victims).

When asked at the 4-month follow-up about the features of the conference the victims liked, 24 per cent of the 96 follow-up victims said that they liked that the conference 'was a fair and positive process', 22 per cent said the 'opportunity for the victim to share their experience of the offence' and 21 per cent said the 'opportunity for the victim to face the offender'. The fact that there were 'support people/agencies that were present at the conference to support the young person' was also mentioned by 21 per cent of victims (see Table 15).

When asked at the 4-month follow-up about the features of the conference which the victim's did not like, 43 per cent of the 96 follow-up victims said there was 'nothing' they didn't like. That is, despite being explicitly asked to share any aspects of the conference that victims did not like, 43 per cent of victims were unable to say anything negative about the conferencing process. The next most common responses were that the conference was 'too lenient' (12% of the 96 victims), 'the young person's (bad) attitude or lack of engagement with the process' (10% of the 96 victims), and 'it was too focused on the offender and not enough about me' (6% of the 96 victims). Many other types of responses were provided but each response was only mentioned by a few victims.

## DISCUSSION

The findings from the current research show that the high levels of victim satisfaction and ratings of fairness found immediately after a YJC are, to a large extent, sustained 4 months later. Victim ratings of the fairness of the conference were just as high at follow-up as they were at baseline; more than 91% of victims at each time-point rated the conference as 'fair' or 'very fair' for the parties involved. Even where there were significant differences between victim ratings at baseline and follow-up, satisfaction levels and fairness ratings were still reasonably high in the follow-up interview. For example, more than 87 per cent of victims in the follow-up interview said they would recommend conferencing to other victims of crime and more than 73 per cent of victims in the follow-up interview reported they were 'satisfied' or 'very satisfied' with how the case was handled (compared with 95% and 86% at baseline respectively).

The most frequently cited positive aspects of the conference reported by victims at follow-up were that it was a 'fair and positive process', an 'opportunity for the victim to share their experience', an 'opportunity to meet with the offender', and 'there were support people/agencies present to assist the young person'. Other comments by victims included that the conference was a 'good opportunity to collaborate to write the outcome plan' and for the offender 'to learn from the experience' and 'accept responsibility' for what they had done. These and other comments made by victims align particularly well with the principles and purposes of YJCs set out in section 34 of the Young Offenders Act.

The aspect of conferencing that victims reported the least satisfaction with at the 4-month follow-up was the amount of information they received from conferencing staff about the completion of the outcome plan. Despite most victims saying that it was 'important' or 'very important' that the offender complete the outcome plan, fewer than half of the victims in the follow-up interview said they had been informed if the outcome plan had been completed. It is, therefore, not surprising that fewer than half were 'satisfied' or 'very satisfied' with the amount of information they received about its completion. It is important to note that according to regulation 6 of the *Young Offenders Regulation 2010*, offenders are given a maximum of 6 months in which to complete the outcome plan. It is likely that some outcome plans were still in progress when victims were interviewed. This may be the reason why they had not been informed about whether it had been completed but, even so, victims may well appreciate feedback at some point on the offender's progress towards completing the outcome plans.

Of the small number of victims (n=26) who reported at the 4-month follow-up that they were 'not at all satisfied' or only 'satisfied a little' with the way their case was handled, the most

common reason for their lack of satisfaction with YJCs was that the process was too lenient (27% of the 26 victims). The perception by a small number of victims that the YJC process was too lenient is difficult to address. More thorough preparation and provision of information delivered to victims ahead of their conference participation may go some way to resolving this issue. For example, informing victims about the restorative nature of conferencing and how both the victim and the offender have the opportunity to contribute to conference proceedings including the outcome plan. It may be, for example, that some victims do not realise that the outcome plan must be agreed to by the offender and this is being perceived as leniency towards the offender and hence a source of victim dissatisfaction.

As with the previous BOCSAR evaluation of YJCs (Trimboli, 2000) and other evaluations of RJ conferences outside of NSW (see Daly & Hayes, 2001; Maxwell et al., 2004), when surveyed immediately after the conference, offender and victim satisfaction was high. This was especially true of satisfaction with the pre-conference preparation. More than 93 per cent of participants were 'satisfied' or 'very satisfied' with the notice provided about when the conference was to be held and felt they had received at least 'quite a bit' of information prior to the conference about what would happen, their role in the conference, and the possible tasks that may be included in the outcome plan.

Baseline data also showed that participant satisfaction with what happened at the conference and the agreed outcome plan was very high. Over 90 per cent of offenders and victims found conference procedures easy to understand, felt they were treated with respect, and reported that the conference was fair on both the offender and the victim. Although satisfaction levels at baseline were high for both types of participant, there were some notable differences between victims and offenders regarding satisfaction with the outcome plan. Significantly more offenders (94%) than victims (86%) reported being 'satisfied' or 'very satisfied' with the outcome plan and more offenders (99%) than victims (91%) reported the outcome plan as 'fair' or 'very fair' on the victim. Still, most participants reported high levels of satisfaction with conference proceedings and the agreed outcome plan.

Two important limitations of the current study are worth noting. Firstly, for at least <sup>5</sup> 64 of the conferences with referral dates in the specified time-frame, at least one victim chose not to attend the conference. It is not known why these victims did not attend the conference or how satisfied they were that the young offender in their case was referred for conference. There were also other reasons why surveys were not returned (e.g. clerical error, offender/victim refusal to participate in the survey). In total, offender and victim surveys were not completed for approximately one-third of conferences with referral dates in the specified time-frame. Although this response rate is

consistent with previous evaluations of conferencing (e.g. Trimboli, 2000, Ministry of Justice, 2011) it remains possible that satisfaction levels with these other conferences (i.e. those without data) differed significantly from those where data was collected. Having said this, supplementary analyses suggested that, at least with respect to offence-type and location of the conference, there were no systematic differences between the conferences sampled and those for which no information was collected. Furthermore, the results from the current study are largely consistent with those presented in BOCSAR's previous evaluations of YJCs (Trimboli, 2000) and most other studies that have followed up victims who have attended a conference (e.g. Palk, Hayes, Prenzler, 1998; Daly & Hayes, 2001; Maxwell et al., 2004).

Finally, although the current study has reported that most victims are satisfied with YJCs, it is not possible to say whether they are more satisfied than victims in similar cases that are dealt with via court. Future research could explore this question.

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## NOTES

1. A list of people eligible to participate in a Youth Justice Conference is given in section 47, Young Offenders Act 1997.
2. See section 52, Young Offenders Act 1997.
3. The figure of 367 children includes only those children who ultimately attended a conference. A further 63 children were referred in the specified time-period but the conferences were not conducted for various reasons (e.g. the child decided not to proceed or did not attend, or it was decided that the case would be heard in court rather than proceeding as per the initial referral to a conference).
4. Although seventeen offenders were 18 or 19 years of age at the time of the conference, all offenders were under 18 at the time of their offence.
5. A victim chose not to attend a conference for 64 of the 250 conferences for which an Evaluation Response Sheet was returned. It is likely, however, that for some of the conferences for which no Evaluation Response Sheet was returned, there were also some victims who chose not to attend.

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## APPENDIX

**Table A1. The number of offender and victim surveys completed and returned to the BOCSAR office, broken down by Juvenile Justice Region (n = 342)**

Region	Number of conferences (within the specified time-period) for which at least one offender and / or victim survey was returned to BOCSAR office	Number of conferences with referral dates within the specified time-period
Metropolitan	141	208
Northern	59	91
Western	26	43

**Table A2. The type and number of participants who attended conferences for children referred between 1st March 2012 and 31st May 2012 (n = 250)**

Type of conference participant	Number of conference participants	Conferences	
		n	%
Offender	1	238	95.2
	2	9	3.6
	3-6	3	1.2
Direct victim	0	134	53.6
	1	94	37.6
	2	17	6.8
	3-6	5	2.0
Victim representative	0	221	88.4
	1	26	10.4
	2-4	3	1.2
Offender support person	0	10	4.0
	1	88	35.2
	2	98	39.2
	3-8	54	21.6
Victim support person	0	209	83.6
	1	27	10.8
	2-3	14	5.6
Youth Liaison Officer (YLO)	0	57	22.8
	1	187	74.8
	2-3	6	2.4
Other (non-YLO) police officer	0	183	73.2
	1	66	26.4
	2	1	0.4
Other participant (includes Aboriginal Liaison Officers, community representatives, counsellors, fire brigade officers)	0	193	77.2
	1	45	18.0
	2-3	12	4.8

Note. This information was sourced from the 'Evaluation Response Sheet'. Of the 342 conferences for children referred in the specified window period, however, only 250 response sheets were returned. It was not possible to source the above information for the 92 conferences where the convenor 'Evaluation Response Sheet' was not returned.

**Table A3. The type of participants who declined their invitation to attend the conference for children referred between 1st March 2012 and 31st May 2012 (n = 105)**

Type of conference participant	n	%
Direct victim	76	72.4
Victim representative	5	4.8
Offender support person	13	12.4
Victim support person	5	4.8
Youth Liaison Officer (YLO)	0	0.0
Other (non-YLO) police officer	5	4.8
Other	1	1.0

Note. This information was sourced from the 'Evaluation Response Sheet'. Of the 342 conferences for children referred in the specified window period, however, only 250 response sheets were returned. It was not possible to source the above information for the 92 conferences where the convenor 'Evaluation Response Sheet' was not returned.

It is also noteworthy that, in some cases, multiple participants from the same conference declined their invitation to attend. For example, the 76 direct victims who declined their invitation were spread across only 64 conferences. For 55 of these conferences one victim declined, for six conferences two victims declined, and for three conferences three victims declined.

**Table A4. Characteristics of offenders (n = 263) and victims (n = 141) who completed surveys immediately following a conference**

	Offenders		Victims	
	n	%	n	%
Sex <sup>a</sup>				
Male	188	73.2	72	51.8
Female	69	26.8	67	48.2
Age at time of conference <sup>b</sup>				
11	1	0.4	0	0.0
12 – 13	16	6.2	2	1.5
14 – 15	94	36.7	10	7.4
16 – 17	128	50.0	5	3.7
18 – 19	17	6.6	4	3.0
20 – 29	0	0.0	17	12.6
30 – 39	0	0.0	26	19.3
40 – 49	0	0.0	35	25.9
50 – 59	0	0.0	27	20.0
60 – 69	0	0.0	5	3.7
70 – 79	0	0.0	4	3.0
Country of Birth <sup>c</sup>				
Australia	234	91.4	123	90.4
Other	22	8.6	13	9.6
Aboriginal / Torres Strait Islander status <sup>d</sup>				
Aboriginal or Torres Strait Islander	71	27.5	15	10.9
Not Aboriginal or Torres Strait Islander	187	72.5	122	89.1

<sup>a</sup> Six offenders and two victims did not report their sex.

<sup>b</sup> Seven offenders and six victims did not report their age.

<sup>c</sup> Seven offenders and five victims did not report their country of birth.

<sup>d</sup> Five offenders and four victims did not report their Aboriginal and/or Torres Strait Islander Status.

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No.154	Improving the efficiency and effectiveness of the risk/needs assessment process for community-based offenders
No.153	Uses and abuses of crime statistics
No.152	Interim findings from a randomised trial of intensive judicial supervision on NSW Drug Court
No.151	Personal stress, financial stress and violence against women
No.150	The relationship between police arrests and correctional workload
No.149	Screening cautioned young people for further assessment and intervention
No.148	Modelling supply rates of high-strength oxycodone across New South Wales
No.147	The association between alcohol outlet density and assaults on and around licensed premises
No.146	Why is the NSW juvenile reconviction rate higher than expected?
No.145	Why does NSW have a higher imprisonment rate than Victoria?
No.144	Legally coerced treatment for drug using offenders: ethical and policy issues
No.143	The effect of prison on adult re-offending
No.142	Measuring offence seriousness