

Fairness and Equity for Victims of Crime: What do they want and why don't they get it?

Early results from an Australian Research Council Project by the University of Melbourne in conjunction with Victim Support Australasia and victim Support South Australia

A procedural justice approach to victims' rights, needs and experiences

- ▶ Research project funded by the Australian Research Council
- ▶ Project team is:
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 - Ms. Robyn Holder (Chair, Victim Support Australasia)
 - Ms. Athena Politis

Aim of the research

- ▶ To develop a blueprint for reform of the treatment of victims in the criminal justice system by:
 - providing a comprehensive account of what victims' want out of their interactions with the criminal justice system based on procedural justice theory
 - On the basis of this analysis, examine how criminal justice agencies understand victims' rights and needs, and how they respond to them.

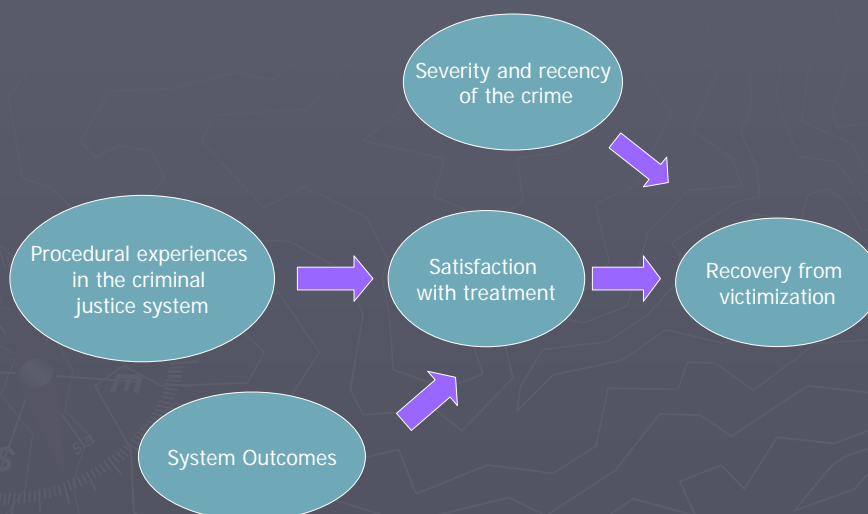
Reform failure in the justice system

- ▶ The Australian criminal justice system operates on an "adversarial justice" model
- ▶ Procedures and decisions are based on the needs and wishes of the adversarial parties (defendant, prosecution)
- ▶ Victims are assigned passive or reactive roles as witness or complainant
- ▶ Formal commitments of support for victims' rights have generally failed to significantly transform victims' experiences with criminal justice agencies

What is procedural justice?

- ▶ Procedural justice (PJ) offers a genuinely victim-centered way of thinking about justice processes
- ▶ PJ is based on the proposition that social factors like trust, procedural fairness, and the opportunity to present one's point of view are critical to victims' experience of the justice system
- ▶ Previous PJ research by Thibault & Walker, Tyler, Lawrence and Hicks

Research model



UoM / VSA research project

- ▶ Research based on a computer administered PJ interview schedule
- ▶ Translates PJ principles into terms that are appropriate for victims in the criminal justice system:
 - Interactions with police, courts, prosecution service, and victim support services

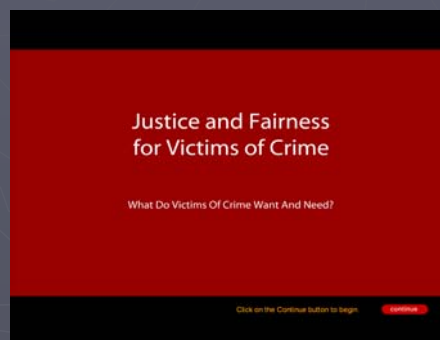
Computer administered interviews

- ▶ Participants can work anonymously and individually – more likely to disclose genuine attitudes and beliefs
- ▶ Interviews can be tailored interactively allowing experiences with different justice sectors to be explored
- ▶ Previously used for PJ studies of juveniles, health studies of adults

UoM / VSA research project

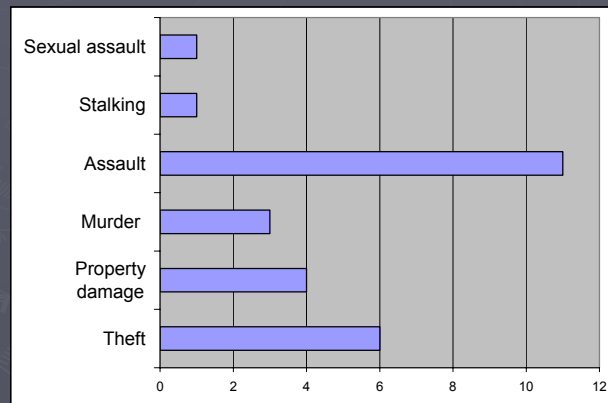
- ▶ Developed through ACT field trials with assistance of Victims of Crime Co-ordinator and Witness Assistants
- ▶ Data collection in conjunction with Victim Support South Australia from late 2007 onwards
 - 22 completed interviews to date (15 female, 7 male respondents)

Computer-based interview



Early results of the research

Type of victimization



Early results of the research

- ▶ Recovery from victimization
 - I am happier and more positive than after the crime: 68% *agree/strongly agree*
 - I avoid places or situations: 63% *agree/strongly agree*
 - I have bad memories or nightmares about the crime: 68% *quite a bit/a lot*

Early results of the research

- ▶ Looking back at experience with the criminal justice system
 - The CJS met my needs: 55% *do not agree*
 - CJS outcomes were not what I wanted: 55% *agree/strongly agree*
 - Bad memories or nightmares about my involvement with the CJS: 41% *quite a bit/ a lot*

Early results of the research

- ▶ Is recovery from victimization related to:
 - **time since the offence occurred?**

How long since the crime?	Mean recovery score
Less than a year	13.3
1 to 3 years	10.6
More than 3 years	11.9

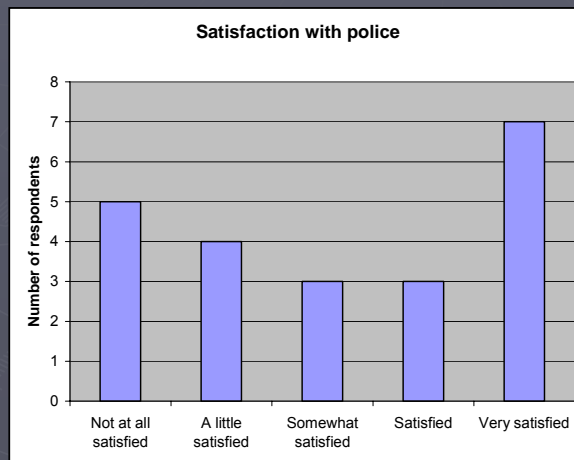
Early results of the research

- ▶ Is recovery from victimization related to:
 - time since the offence occurred?
 - **Getting the outcomes you wanted?**

Did I get the outcomes I wanted?	Mean recovery score
No	11.2
Yes	12.6

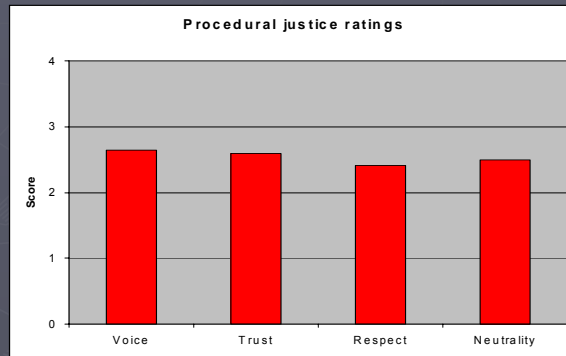
Early results of the research

What brings about satisfaction with police?



Early results of the research

What brings about satisfaction with police?



Highly significant relationships (Kendall rank correlations of 0.7 to 0.8) between overall satisfaction with police and procedural justice ratings.

Early results of the research

- ▶ Experience with victim support
 - All 22 respondents "Very satisfied"
 - "Strongly agree" responses to all procedural justice questions
 - How important is your contact with Victim Support SA to how you feel now:
 - ▶ 89% *important or very important*

Where to from here?

- ▶ Research model seems to work: procedural justice can be measured in this way, and seems to bear a moderately strong relationship to other factors of interest
- ▶ Data collection to commence in ACT
- ▶ Looking for further research partners