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The Secretary
Standing Committee on Education, Training and Young People
Legislative Assembly for the ACT
GPO Box 1020
CANBERRA ACT 2601

Dear Ms Leyne

Submission to the Inquiry into Restorative Justice in Youth Settings in the ACT

The Committee may be aware of a rigorous evaluation of the restorative justice program run by the Australian Federal Police that was undertaken by the Australian National University between 1995 and 2000. This study, known as the Reintegrative Shaming Experiments (RISE), was designed as a randomised controlled trial on the medical model for testing new drugs. It involved the random assignment of admitted offenders either to prosecution through the courts in the usual way or to a restorative justice 'conference'. The research design gave us great assurance that any differences between the two groups could be attributed to the 'treatment' they received rather than to any pre-existing characteristics such as prior record, socio-demographic characteristics and so on.

Three of the four RISE experiments involved youthful offenders: the personal property and shoplifting experiments involved exclusively offenders aged under 18, while the violence experiment involved offenders aged under 30. More information on the design and methodology of RISE can be found at www.aic.gov.au/rjustice/RISE/index.html

The outcome measures the experiments were designed to measure concerned principally the comparative rates of repeat offending in the two treatment groups, as measured by re-arrests recorded by the Australian Federal Police, and the satisfaction or dissatisfaction expressed in face-to-face interviews by the victims in the cases included in the experiments.

Repeat offending results from the RISE experiments can be found at <http://www.sas.upenn.edu/jerrylee/rjWorkingPaper1.pdf> and in the associated Powerpoint slides at <http://www.sas.upenn.edu/jerrylee/rj1Aug2004slides.pdf>. In summary the analysis shows:

- In the juvenile personal property experiment (JPP) reoffending was statistically significantly higher in the restorative justice (RJ) group compared with the control group who were dealt with in court in the usual way.
- In the violence experiment (JVC) reoffending was statistically significantly lower in the RJ group compared with the control group.
- In the juvenile shoplifting experiment (JPS) there was no significant difference in reoffending between the RJ and court groups.
- Reoffending by Aboriginal offenders in the property experiment (JPP) was significantly higher than reoffending by non-Aboriginal offenders (see especially slides # 15 and 19–22 in the Powerpoint presentation).

Results relating to victims' experience in the experiments can be found in my book, *Repair or Revenge: Victims and Restorative Justice* (2002, Oxford, Clarendon Press) and in the Working Paper and Powerpoint slides mentioned above. In summary the analysis shows:

- Victims in the RJ group were significantly more satisfied with their experience than those in the control group whose cases were dealt with in court.
- Their satisfaction related primarily to the much higher levels of emotional restoration experienced by the RJ group compared with the court group. Apologies from offenders were rated very highly by all victims but almost four times as many of the RJ group in fact received one.
- When asked if they would harm their offenders if they had the chance, 20 percent of the court group said they would do so, compared with seven percent of the RJ group. This rose to 45 percent of the court group in the violence experiment.
- RJ group victims were much more satisfied about the amount of information they could get on the processing and outcome of their cases, the opportunity presented for them to participate and have their views taken into account and the level of fair and respectful treatment they received.

I hope that this information will be useful to the Committee and will be taken into consideration in making its recommendations. I would of course be delighted to answer any queries that the Committee may have about the research findings or to provide more information about any of the material in this submission.

Yours sincerely

Heather Strang
Director