REFERENCES


Daly, K. (1999). The (r)evolution of restorative justice through researcher-practitioner


References


& J. Wundertsitz (Eds.), Family Conferencing and Juvenile Justice. Canberra: Australian Institute of Criminology.


Sarre, R. (1999). Family conferencing as a juvenile justice strategy. The Justice Professional,


APPENDIX 6.1

DERIVATION OF THE QUESTIONNAIRES

The research methods and questionnaires used in the present study were largely based upon those of the South Australian Juvenile Justice Project (SAJJ) (Daly, et al., 1998).\textsuperscript{108} Amongst other things, SAJJ involved (a) a pre-conference questionnaire and a post-conference questionnaire for facilitators, (b) a post-conference questionnaire for the police officers who attended the conferences, (c) a post-conference questionnaire for the observers/researchers, and (d) specific post-conference interview questions for victims and young offenders. Numerous changes were made to the questionnaires because of two main factors. First, limited resources precluded personal interviews with victims and offenders. Second, the SAJJ project was designed to research some aspects of restorative justice that did not interest the Tasmanian research, such as the dynamics of power relations between conference participants (Daly, et al., 1998).

Two questionnaires were adapted from instruments developed by Daly et al. (1998) for SAJJ. The questionnaires were entitled the Researcher Observation Schedule and the Facilitator Survey. The Researcher Observation Schedule was the most heavily modified of Daly et al.'s (1998) instruments, with over 20 questions deleted (see appendix 6.2).\textsuperscript{109} Four original questions were inserted (4, 10, 12, and 71).

Questions 10 and 12 concern the type of victims present at the conference. Three categories of victim were used, victims of personal sexual or physical abuse, victims of personal property crime, and victims of business property crime. The categories were adapted from Trimboli (2000). Question 71 asks whether the youth made any allegations against the police. Nine questions were adapted from questionnaires developed by Strang et al. (2000) for the Reintegrative Shaming Experiment (RISE). The items introduced from RISE were included to provide detailed quantitative measures of (a) the type of supporters present for young offenders, (b) the undertakings agreed upon, (c) the


\textsuperscript{109} Daly et al. (1998) originally referred to this questionnaire as the 'Briefing Observation Protocol'.
principles guiding the agreement of the undertakings, and (d) social problems facing the youth (see appendix 6.2, questions 98-106).

The Facilitator Survey excluded 13 of the original SAJJ items (see appendix 6.3). Thirteen new questions were added (i-vii and 44-49). Perhaps the most important of these asked the facilitator how many conferences they had conducted previously, how many hours the facilitator had spent preparing the conference, and what level of detail they believed they had uncovered about the young offender's background. Also, the facilitator was asked whether after the conference was organised the youth had committed any further offences that were not dealt with by the conference.
APPENDIX 6.2

RESEARCHER OBSERVATION SCHEDULE

Research on Conferencing
Prof. Kate Warner, Assoc. Prof. Rob White and Dr John Davidson
Project Directors
Law School, University of Tasmania
GPO Box 252-89 Hobart, TAS 7001
tel 03 6226 2740
fax 03 6226 7623

Researcher Observation Schedule

community conference    police conference (circle)

Note: If attending a police conference, disregard questions about police officers.

Date of conference ............
Region ..................

Young person

1. How many young people were at the conference?
2. age ............
3. gender ............
4. ASOC ratings for the crime(s) .................................................................
5. offence date ............
6. originating body: police court (circle)

9. How many young person supporters of each type were present at the conference? [RISE B 2]
   NUMBER

   1 Youth’s mother.................................................................
   2 Youth’s father.................................................................
   3 Youth’s stepmother/defacto mother...........................................
   4 Youth’s stepfather/defacto father...........................................
   7 Youth’s other relative......................................................
   8 Youth’s friend...............................................................
   10 Youth’s social worker.....................................................

Total Present.................................................................
Victim(s)

10. Were there any victims of this crime? yes no  [original]

12. How many victims or victim representatives of each type were present at the conference? [original]
   1 Victim of violence / sexual abuse. .................................................................
   2 Victim of property crime ..............................................................................
   3 Business victim ............................................................................................

13. How many victim supporters of each type were present at the conference? [RISE BS minus questions for adults]

   Total:
   Present............................................................................................................

Conference Phase I introduction and opening

Time the conference began (when facilitator opened) .................
Time conference ended (after the agreement is explained and signed) .................

Note: Sometimes a conference does not proceed past Phase I. Record all the things that did happen and then why the conference ended.

Legal advice/rights
(Imagine you are attending a conference for the first time.)

23. Overall, to what extent did the facilitator give a clear explanation of the legal context of the conference and the legal options of the young person?

   not at all  somewhat  mostly  fully
   1            2            3            4

24. Overall, to what extent did the young person appear to understand their legal position and options?

   not at all  somewhat  mostly  fully
   1            2            3            4

25. Overall, to what degree were you were satisfied with the way in which the facilitator introduced people and explained the conference process?

   not at all  somewhat  mostly  fully
   1            2            3            4

Conference Phase II: offence and its impact

Q's 13-17 are relevant to conference Phase II, whereas shifts in young person-victim relations can occur in Phases II and III. All ask for your overall judgment and impressions of what happened. Use the right-hand side to comment further.

28. To what extent did the young person accept responsibility for the offence?

   not at all  somewhat  mostly  fully
   1            2            3            4
30. To what extent was the young person defiant (i.e., cocky, bold, brashly confident)?

<table>
<thead>
<tr>
<th>not at all</th>
<th>somewhat</th>
<th>mostly</th>
<th>fully</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
</tbody>
</table>

35. To what extent was the young person actively involved in the conference (includes non-verbal behaviour such as active listening or other indicators of attentiveness)?

<table>
<thead>
<tr>
<th>not at all</th>
<th>somewhat</th>
<th>mostly</th>
<th>fully</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
</tbody>
</table>

36. To what extent did the young person apologise spontaneously to the victim?
   (Or, if the victim was not present, offer spontaneously to make an apology?)

<table>
<thead>
<tr>
<th>not at all</th>
<th>had to be drawn out</th>
<th>mostly</th>
<th>fully</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
</tbody>
</table>

B. Victim-young person relations

Note: Your judgment of the character and quality of victim-young person relations should reflect what occurred for the entire conference, not just during Phase II. If the victim is not present at the conference, use "no victim or rep present." But if the young person speaks as if the victim is there, note that on the line by the item.

37. To what degree did you empathise with the young person?

<table>
<thead>
<tr>
<th>not at all</th>
<th>a little</th>
<th>considerably</th>
<th>a great deal</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
</tbody>
</table>

37. To what degree did you empathise with the victim?

<table>
<thead>
<tr>
<th>not at all</th>
<th>a little</th>
<th>considerably</th>
<th>a great deal</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
</tbody>
</table>

Note: For Qs 38-44, "the victim" includes the victim or the victim's representative.

38. How effective was/were the victim(s) in describing the offence and its impact?

<table>
<thead>
<tr>
<th>not at all</th>
<th>somewhat</th>
<th>mostly</th>
<th>highly</th>
<th>no victim or rep present</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>8</td>
</tr>
</tbody>
</table>

40. Why was/were the victim(s) effective or not effective?

......................................................................................................................................................................
......................................................................................................................................................................
......................................................................................................................................................................

42. To what extent did the young person understand the impact of their crime on the victim (saying, for example, "I can see why you are angry" or in other ways, demonstrating concern or empathy for the victim)?

<table>
<thead>
<tr>
<th>not at all</th>
<th>somewhat</th>
<th>mostly</th>
<th>fully</th>
<th>no victim or rep present</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>8</td>
</tr>
</tbody>
</table>
43. To what extent did the victim understand the young person's situation (saying, for example, "I know where you're coming from" or "When I was your age, I did something similar" or in other ways, demonstrating concern or empathy for the young person)?

not at all  somewhat  mostly  fully  rep present
1   2   3   4   rep present

47. To what extent was there positive movement (or mutual understanding) between the young person's supporters and the victim (or the victim's supporters), which was expressed in words?

not at all  somewhat  mostly  fully  no victim or rep present
1   2   3   4   8

Characterise the nature of the connection, e.g., "mother-to-mother" or "father-to-father" or "parent-to-parent" (mixed M/F)?

49. To what extent did the young person's supporters offer a balanced view of the young person as an individual?

unbalanced  too harsh  too excusing  not unbalanced or balanced: showed
on the young person  of the young person  balanced  no interest in the young person
1   2   3   4

50. Overall, what were your impressions of the young person during Phases I and II?

Conference Phase III: outcome discussion

56. What was the outcome for this young person? (More than one may apply). [RISE A 54]

- Community Service Order  yes no
- How many hours? ...........
- Rehabilitative/Counselling program ordered yes no
- Monetary compensation/reparation to victim amount ...........
- Formal apology yes no
- Other (specify)............
57. In deciding upon the outcome how much did the conference take into account the principles of? [RISE A 55]

**Punishment** (a penalty imposed upon the young person to punish)

<table>
<thead>
<tr>
<th>not at all to some to a fair to a high</th>
<th>degree</th>
<th>degree</th>
<th>degree</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
</tbody>
</table>

**Repaying the community**

<table>
<thead>
<tr>
<th>not at all to some to a fair to a high</th>
<th>degree</th>
<th>degree</th>
<th>degree</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
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</tbody>
</table>

**Repaying the victim**

<table>
<thead>
<tr>
<th>not at all to some to a fair to a high</th>
<th>degree</th>
<th>degree</th>
<th>degree</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
</tbody>
</table>

**Preventing future offences** (to help avoid re-offend)

<table>
<thead>
<tr>
<th>not at all to some to a fair to a high</th>
<th>degree</th>
<th>degree</th>
<th>degree</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
</tbody>
</table>

**Restoration** (a penalty – but to restore the young person's honour/esteem)

<table>
<thead>
<tr>
<th>not at all to some to a fair to a high</th>
<th>degree</th>
<th>degree</th>
<th>degree</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
</tbody>
</table>

58. Were other problems confronting the young person raised at the conference? [RISE A 62]

- yes / no

Financial..................1
Educational..................2
Employment..................3
Health.......................4
Relationship..................6

59. If yes, how well were these problems addressed at the conference? [RISE A 63]

<table>
<thead>
<tr>
<th>not at all to some to a fair to a high</th>
<th>degree</th>
<th>degree</th>
<th>degree</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
</tbody>
</table>

60. How would you characterise the outcome decision (tick one)? (Focus on the young person and police officer relationship.)

- genuine consensus (general enthusiasm by all participants toward the outcome, which the police officer ratified)
- young person acceptance and agreement (young person agreed to the outcome, as modified by the police officer, saying "I don't have a problem with it" or "that's OK")
- young person acceptance with reluctance (young person agreed to the outcome, as modified by the police officer, but there may have been some pressure to accept it)
63. To what degree did the police officer work cooperatively with other conference participants in the outcome discussion?

<table>
<thead>
<tr>
<th>antagonistic to a high degree</th>
<th>antagonistic to some degree</th>
<th>cooperative to some degree</th>
<th>cooperative to a high degree</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
</tbody>
</table>

64. To what degree did the young person’s parents/guardian(s) press their position for the outcome?

<table>
<thead>
<tr>
<th>not at all</th>
<th>to some degree</th>
<th>to a fair degree</th>
<th>to a high degree</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
</tbody>
</table>

67. In your view, was the outcome too lenient, too harsh, or about right?

<table>
<thead>
<tr>
<th>too lenient</th>
<th>about right</th>
<th>too harsh</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>4</td>
<td>5</td>
<td></td>
</tr>
</tbody>
</table>

Why do you think so?

68. How clearly were the possible consequences of future offences communicated to the young person? [RISE 46]

<table>
<thead>
<tr>
<th>not at all</th>
<th>to some degree</th>
<th>to a fair degree</th>
<th>to a high degree</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
</tbody>
</table>

69. If the possible consequences of future offences were communicated to the young person, to what extent was this done in a non-threatening or matter-of-fact way? [RISE 47]

<table>
<thead>
<tr>
<th>not at all</th>
<th>to some degree</th>
<th>to a fair degree</th>
<th>to a high degree</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
</tbody>
</table>

71. Did the young person’s comment suggest any inappropriate activity by the police? [original]

<table>
<thead>
<tr>
<th>not at all</th>
<th>minor incident</th>
<th>significant incident</th>
<th>serious allegation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
</tbody>
</table>
Your opinions, impressions, and reflections

Here are some statements about conference processes and participants. Show your opinions or impressions for this conference. Put N/A if some questions are not applicable (e.g., there was no victim present). Comment on the right-hand side of the page if you want to say more about an item.

<table>
<thead>
<tr>
<th>Question</th>
<th>Strongly Agree</th>
<th>Agree</th>
<th>Unsure</th>
<th>Disagree</th>
<th>Strongly Disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>75. The police officer appeared to be prepared for the conference (i.e., knew the offence details)</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>82. The facilitator appeared to be prepared for the conference.</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>83. The facilitator managed the movement through the conference stages well.</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>84. The facilitator permitted all the key conference participants, including the police officer to have their say in the conference.</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>85. The facilitator seemed to be &quot;impartial,&quot; that is, not aligned with the YP, police officer, the parent(s), or the victim.</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>86. The YP's parent(s), who were present at the conference, seemed to have the YP's best interests at heart.</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>87. The YP's parent(s), who were present at the conference, seemed unable to control the YP.</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>88. The victim(s) was distraught or upset by what the YP or their supporters said to them, even by the end of the conference. Comment further on the nature of what might be termed the &quot;revictimisation&quot; of the victim</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>89. The YP understood the relationship between their offence and the outcome.</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>91. The police officer tried to take over the facilitator's role as conference chair.</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>92. The process of deciding the outcome was fair.</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>93. The conference was largely a waste of time.</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>94. The police officer had a set opinion for the outcome.</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>95. The facilitator negotiated the outcome well.</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
</tbody>
</table>

96. Do you think it likely or unlikely that the young person will be involved in a serious offence in the future, one that comes to the attention of the police?  

<table>
<thead>
<tr>
<th>Very Likely</th>
<th>Likely</th>
<th>Unsure</th>
<th>Unlikely</th>
<th>Very Unlikely</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
</tbody>
</table>

Why do you think so?
97. Reflecting on the conferences you have observed, how would you rate this conference overall?

<table>
<thead>
<tr>
<th>poor</th>
<th>fair</th>
<th>good</th>
<th>excellent</th>
<th>truly exceptional</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
</tbody>
</table>

**RISE**

98. How much support was the young person given during the conference?

1 (none) 2 3 4 5 6 7 8 (very much)

99. How much reintegrative shaming was expressed?

1 (none) 2 3 4 5 6 7 8 (very much)

100. How reintegrative was the conference for this young person?

1 (none) 2 3 4 5 6 7 8 (very much)

101. How much approval of the youth as a person was expressed?

1 (none) 2 3 4 5 6 7 8 (very much)

102. How much was the young person treated by their supporters as someone they love?

1 (none) 2 3 4 5 6 7 8 (very much)

103. How much respect for the young person was expressed?

1 (none) 2 3 4 5 6 7 8 (very much)

104. How much disapproval of the youth's act was expressed?

1 (none) 2 3 4 5 6 7 8 (very much)

105. How much stigmatising shame was expressed?

1 (none) 2 3 4 5 6 7 8 (very much)

106. How much disappointment in the young person was expressed?

1 (none) 2 3 4 5 6 7 8 (very much)

111. To what degree did the conference have the appearance of a "powerless youth in a roomful of adults"?

to some to a fair not at all degree degree degree
<table>
<thead>
<tr>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
</tr>
</thead>
</table>
120. Any other comments about this conference? Note here what struck you as significant, important, unusual, surprising, or otherwise not captured in the previous questions, but which should be noted about this conference.

Date survey completed ....................... Please go over the protocol to make sure that all the questions are answered and are legible.

Diagram of conference participants (show where you were sitting as observer).
APPENDIX 6.3

FACILITATOR SURVEY: PART A

Research on Conferencing
Prof Kate Warner, Assoc Prof Rob White and Dr John Davidson
Project Directors
University of Tasmania
GPO Box 252-89
Hobart, Tasmania 7001
tel 03 6226 2740
fax 03 6226 7623

Facilitator Survey
Part A: Pre-Conference

This survey is for both DHHS facilitators and police facilitators. As you know, conferences conducted by the DHHS are attended by a police officer and some questions in this survey are about those police officers. If you are a police facilitator please disregard all the questions about police officers (PO).

This survey seeks your judgments and reflections on a conference to be attended by Jeremy Prichard. Part A asks about your pre-conference preparation and impressions. It should be completed when all your preparation for the conference has finished and before the conference begins. Please give Part A to Jeremy after the conference.

We recognise that conferences are complex events, but it is possible to come away from one with an idea of how it went. Conference participants - the facilitator, the police officer, the young person, the victim, their supporters, and others - may have different views on the matter. The more reflective and thoughtful your responses are to the survey, the more balanced and complete picture of youth justice conferences we will have.

Many survey items ask for your judgments about conference participants, dynamics, and outcomes, using a numerical (Likert) scale. Please circle only one response. We recognise that it can be difficult to give one answer - for example, "agree" or "disagree" - to complex and changing developments in a conference. Answer the Likert scale questions with your overall impression or judgment. If you want to say more about any item, write your comments to the right side of the question.

There are other survey items that ask for your opinions and explanations in your own words ("open-ended questions"). Feel free to write as much as you wish in replying to these items, continuing to additional pages, if necessary. Remember that your responses are confidential. All data will be gathered, stored, and analysed using generated id numbers, not names of respondents.

These abbreviations are used throughout the survey:
YP = Young Person (or offender)
FC = Facilitator (yourself)
PO = Police Officer (for DHHS conferences only)

Please return your completed survey in the stamped, self addressed envelope.
If you have any questions about the survey or the project, call Jeremy
Fritchard on 6226 2740.

Concerns or complaints
If you have any concerns of an ethical nature or complaints about the manner
in which the project is conducted, please contact the University Human
Research Ethics Committee:
(Chair) Dr Margaret Otowski: tel 62 267569
(Executive Officer) Ms Chris Hooper: tel 62 262763.

Facilitator Survey
Part A: Pre-Conference

If the conference has more than one young person please answer all
relevant questions with the same young person in mind.

Preliminary questions

i. Please circle which type of facilitator you are:

   DHHS facilitator   Police Facilitator

ii. How many conferences have you conducted before this one? ..........

iii. On what date were you notified about this conference? ..........

v. How many hours do you estimate you have spent preparing for this
   conference? ..........

vi. How much detail have you been able to uncover about the YP in this
    conference (e.g. the YP prior criminal record, educational history, family
    background, drug/alcohol problems)?

   basic coverage
   facts of case
   YP

   adequate knowledge
   of YP's situation

   comprehensive
   of problems facing

   1  2  3  4  5  6  7

vi. Did you have any problems with any government departments in preparing
    for this case?

    yes  no

    If yes, please specify what the problems were and with which department.

    ................................................................................................................
    ................................................................................................................
vii. What were the offence(s) committed by the YP and on what date(s) did they occur?

Pre-conference indicators and facilitator preparation

When you are setting up the conference, there can be indicators of how it may go. For example, some participants may give greater priority to attending the conference than others. Also during this time, you become aware of participants' emotions and their orientations to the case. Part A taps these pre-conference elements and how they may affect your preparation of the conference.

1. To what extent did the victim(s) give priority to this case (that is, 'too busy', or, willing to attend any time)?

<table>
<thead>
<tr>
<th>No Show</th>
<th>Little or None</th>
<th>Some</th>
<th>Good to High</th>
<th>Very High</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
</tbody>
</table>

2s1. Did you have contact with the YP?
- Yes
- No

2s2. To what extent did the YP give priority to this case (that is, "too busy", or, willing to attend any time)?

<table>
<thead>
<tr>
<th>Little or None</th>
<th>Some</th>
<th>Good to High</th>
<th>Very High</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
</tbody>
</table>

3s1. Did you have contact with the parents or guardians?
- Yes
- No

3s2. To what extent did the YP's parents or guardians give priority to this case (that is, "too busy" or willing to attend any time)?

<table>
<thead>
<tr>
<th>Little or None</th>
<th>Some</th>
<th>Good to High</th>
<th>Very High</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
</tbody>
</table>
4. To what extent was the PO cooperative with you in the scheduling of the conference (that is, their degree of flexibility in attending the conference around a time you were planning)?

<table>
<thead>
<tr>
<th>Highly Inflexible</th>
<th>Somewhat Inflexible</th>
<th>Flexible</th>
<th>Highly Flexible</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
</tbody>
</table>

7. What degree of anger did the victim(s) express toward the YP in your pre-conference conversations?

<table>
<thead>
<tr>
<th>Little or No Anger</th>
<th>Some Anger</th>
<th>Good Deal of Anger</th>
<th>Very Intense Anger</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
</tbody>
</table>

8. What degree of fear did the victim(s) express toward the YP in your pre-conference conversations?

<table>
<thead>
<tr>
<th>Little or No Fear</th>
<th>Some Fear</th>
<th>Good Deal of Fear</th>
<th>Very Intense Fear</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
</tbody>
</table>

10. How would you characterise the YP's orientation to the conference in the pre-conference period? (tick one)

- ..... sees him/herself to be more of a victim than an offender (negative or somewhat negative orientation)
- ..... is neutral toward the idea of a conference
- ..... sees the conference as an opportunity to resolve the conflict (positive orientation)
- ..... had no contact with the YP and thus cannot make a determination

Comments for question 10?

13. What special measures, if any, did you take in preparing for this conference (e.g., venue, security, time spent in persuading some participants to attend)?


Research on Conferencing
Prof Kate Warner, Assoc Prof Rob White and Dr John Davidson
Project Directors
University of Tasmania
GPO Box 252-89
Hobart, Tasmania 7001
tel 03 6226 2740
fax 03 6226 7623

Facilitator Survey
Part B: Conference

Part B asks about your conference impressions and experiences. Please complete Part B within two days after the conference has ended, when your memories are fresh. Remember that your responses are confidential. All data will be gathered, stored, and analysed using generated ID numbers, not names of respondents.

These abbreviations are used throughout the survey:
YP = Young Person (or offender)
FC = Facilitator (yourself)
PO = Police Officer (DHHS conference only)

Please return your completed survey in the stamped, self addressed envelope. If you have any questions about the survey or the project, call Jeremy Pritchard on 03 6226 2740.

Concerns or complaints
If you have any concerns of an ethical nature or complaints about the manner in which the project is conducted, please contact the University Human Research Ethics Committee:
(Chair) Dr Margaret Otlowski; tel 62 267369
(Educational Officer) Ms Chris Hooper; tel 62 262763.

If the conference has more than one young person please answer all relevant questions with the same young person in mind.

Were there any last minute developments or problems you faced on the day of or just before the conference began?

Conference Phase 1: Introduction and opening

2. To what extent were you satisfied with the way you introduced people and explained the conference process?

<table>
<thead>
<tr>
<th>not at all</th>
<th>somewhat</th>
<th>mostly</th>
<th>fully</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
</tbody>
</table>
Conference Phase II: offence and its impact

Note: Remember that we are interested in your overall judgment and impressions of what happened during this phase of the conference. Use the right-hand side to comment further.

4. To what extent did the YP accept responsibility for the offence?

<table>
<thead>
<tr>
<th></th>
<th>not at all</th>
<th>somewhat</th>
<th>mostly</th>
<th>fully</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1</td>
<td>2</td>
<td>3</td>
<td></td>
</tr>
</tbody>
</table>

6. To what extent was the young person defiant (i.e., cocky, bold, brashly confident)?

<table>
<thead>
<tr>
<th></th>
<th>not at all</th>
<th>somewhat</th>
<th>mostly</th>
<th>fully</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1</td>
<td>2</td>
<td>3</td>
<td></td>
</tr>
</tbody>
</table>

9s1. To what degree did you empathise with the young person?

<table>
<thead>
<tr>
<th></th>
<th>not at all</th>
<th>a little</th>
<th>considerably</th>
<th>a great deal</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
</tbody>
</table>

9s2. To what degree did you empathise with the victim?

<table>
<thead>
<tr>
<th></th>
<th>not at all</th>
<th>a little</th>
<th>considerably</th>
<th>a great deal</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
</tbody>
</table>

13. To what extent did the YP understand the impact of their crime on the victim(s) (saying, for example, "I can see why you are angry" or in other ways, demonstrating concern or empathy for the victim(s))? 

<table>
<thead>
<tr>
<th></th>
<th>not at all</th>
<th>somewhat</th>
<th>mostly</th>
<th>fully</th>
<th>no victim or rep present</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>8</td>
</tr>
</tbody>
</table>

18. To what extent did the YP's supporters offer a balanced view of the YP as an individual?

<table>
<thead>
<tr>
<th></th>
<th>unbalanced</th>
<th>balanced</th>
<th>not unbalanced or balanced: showed no interest in the</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>too harsh</td>
<td>too excusing</td>
<td>balanced</td>
</tr>
<tr>
<td>YP</td>
<td>on the YP</td>
<td>of the YP</td>
<td>balanced</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>2</td>
<td>3</td>
</tr>
</tbody>
</table>
19. Overall, what were your impressions of the YP during Conference Phases I and II?


Conference Phase III: outcome discussion

22. How would you characterise the outcome decision? (Focus on the YP and PO relationship.)

......genuine consensus (general enthusiasm by all participants toward the outcome, which the PO ratified)

......YP acceptance and agreement (YP agreed to the outcome, as modified by the PO, saying "I don't have a problem with it" or "that's OK")

......YP acceptance with reluctance (YP agreed to the outcome, but accepts it with reluctance)

If you wish, please clarify or explain what happened.


24. To what degree were you able to step back and let the conference participants, other than the PO, arrive at the conference outcome?


25. In your view, was the outcome too lenient, too harsh, or about right?


Your opinions, impressions, and reflections

Here are some statements about conference processes and participants. Show your opinions or impressions for this conference. Put N/A if some questions are not applicable (eg., there was no victim(s) present). Comment on additional pages if there is any item you want to say more.
<table>
<thead>
<tr>
<th>Question</th>
<th>strongly agree</th>
<th>agree</th>
<th>unsure</th>
<th>disagree</th>
<th>strongly disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>26. The PO lectured the YP inappropriately.</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>28. By your actions and words, you tried to convey to the YP that they needed to change their attitude (not just toward the offence but in general).</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>29. The YP's parent(s), who were present at the conference, seemed to have the YP's best interests at heart.</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>32. The victim(s) was distraught or upset by what the YP or their supporters said to them, even by the end of the conference.</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>33. The YP understood the relationship between their offence and the outcome.</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>35. The PO tried to take over your role as conference chair.</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>36. The process of deciding the outcome was fair.</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>37. The conference was largely a waste of time.</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>38. The PO had a set opinion for the outcome.</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>39. Do you think it likely or unlikely that the YP will be involved in a serious offence in the future, one that comes to the attention of the police?</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>very likely likely unsure unlikely very unlikely</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
</tbody>
</table>

Why do you think so?

40. From the following list, tick the **three aims** that were most important to you for this conference, in light of the circumstances in this particular matter. **Note:** We know what the Act says, but we are interested to learn what aims were important to you in this conference. **Please read the list of all the items before you tick the three that were most important to you. Do not tick more than three, but you can tick just one or two, if that is applicable.**

- .......for the YP to be punished appropriately
- .......for the YP to take full responsibility for their actions
- .......for the victim to receive compensation or restitution
- .......for the participants, not the professionals, to decide the outcome
- .......for the YP to be "scared straight"
- .......to repair the damage the offence has caused the participants
for the victim to be reassured that the offence won't happen again
for the outcome to deter the YP from future offending behaviour
to use informal social controls (like family or community ties) rather than formal controls (like court) to keep the YP out of trouble.
that the YP shows remorse (eg., offers an apology) and the victim extends forgiveness (eg., accepts apology)

If you wish, please clarify or explain why you chose the three items in Q 40.

41. Reflecting on the conferences you have coordinated in the past, how would you rate this conference overall?

<table>
<thead>
<tr>
<th>poor</th>
<th>fair</th>
<th>good</th>
<th>excellent</th>
<th>truly exceptional</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
</tbody>
</table>

43. Reflecting on special measures you took, if any, for this conference, did they turn out to have a bearing on its success?

44. How many YP attended this conference?

45. How old is the YP?

46. What is the suburb that the YP lives in?

47. After the conference was organised did the YP commit any other offences that were NOT dealt with in the conference?

   yes   no

48. If 'yes', in your opinion did this effect the usefulness of the conference? Do you think all the offences should have been dealt with together, for instance? Would the other people at the conference behaved differently if they had known about the other offences? Please comment.
49. Any other comments about this conference?

Date survey completed

Thanks! Please take several moments to go over the survey to see that all the questions are answered and legible. Please post the questionnaire to Jeremy.
APPENDIX 6.4

FACILITATOR INFORMATION SHEET AND CONFERENCE PARTICIPANT CONSENT FORM

This study is being conducted by Professor Kate Warner, Associate Professor Rob White and Dr John Davidson with the help of the DHHS and the police to evaluate how well the new conferences are working over a 2 year period. To see how the conferences run in practice, over 80 conferences will be observed by Jeremy Prichard as a part of his PhD. This study has been approved by the University Human Research Ethics Committee.

The researcher would like to come to the conference you are facilitating soon, but only if you think it is appropriate knowing all the circumstances of the case.

At the conference you will not be evaluated as a professional. The way you choose to run the conference will be kept absolutely confidential, though the researcher may refer to examples from your conference in a general way.

As you can understand, it is also very important that the key people in your conference give their consent to the researcher being present at the conference. The most appropriate way is for you to ask for their consent when you are arranging the conference.

Please contact the young offender(s) and their guardian(s), and the victim(s) and their supporter(s) at least one week before the conference. Please tell them in your own words:

- Conferences are new in Tasmania and some research is being done to see how well they work.
- A researcher from the university wants to come to your conference and his name is Jeremy Prichard.
- He is not allowed to come to the conference unless you and everyone else coming to the conference are comfortable for him to be there.
- He will not say anything at the conference.
- Jeremy knows that by law he must keep who is at the conference completely confidential. He will not write down your name or anything which could identify you. There is no chance that someone will find out about you being at the conference from Jeremy.
- If you would like to know anything else about the research you can contact Jeremy or you can ask him at the conference.
- Do you give your consent for Jeremy to come to the conference?

If all the participants give their consent, please sign this sheet and return it to Jeremy.

signature: __________________________________________________________

date: .........................

Thank you very much for your help.