



NSW Sentencing Council



NSW Bureau of Crime
Statistics and Research

Public confidence in the NSW Criminal Justice System: what contribution does knowledge make?

Craig Jones, Don Weatherburn & Katherine McFarlane



Why measure confidence in CJS?

“...a justice system that fails to command public trust and to establish its legitimacy may simply fail to function effectively”

(Hough & Roberts, 2004, p.7)

Prior international research

- Most looked at sentencing:

- sentences too lenient
- people poorly informed about crime & sentencing
- those who know more tend to be less punitive
- provision of more information decreases punitiveness

(e.g. Roberts et al., 2003)

- British Crime Survey

- High levels of confidence in fair treatment of offenders
- Lower levels of confidence in delivery of justice or in promptness/efficiency of justice system
- Confidence related to knowledge of crime & justice

(e.g. Nicholas et al. 2007; Chapman et al. 2002)

Prior Australian research

- Again, most looked at sentencing:
 - sentences too lenient
 - people poorly informed about crime & sentencing
 - those who know more about crime tend to be less punitive
(e.g. Indermaur, 1987; 1990)
- Less attention to confidence in other aspects of CJS
 - 70% have 'no' or 'not very much' confidence in the courts
([ASSA] Indermaur & Roberts 2005;
Courts Administration Authority SA)

Current study

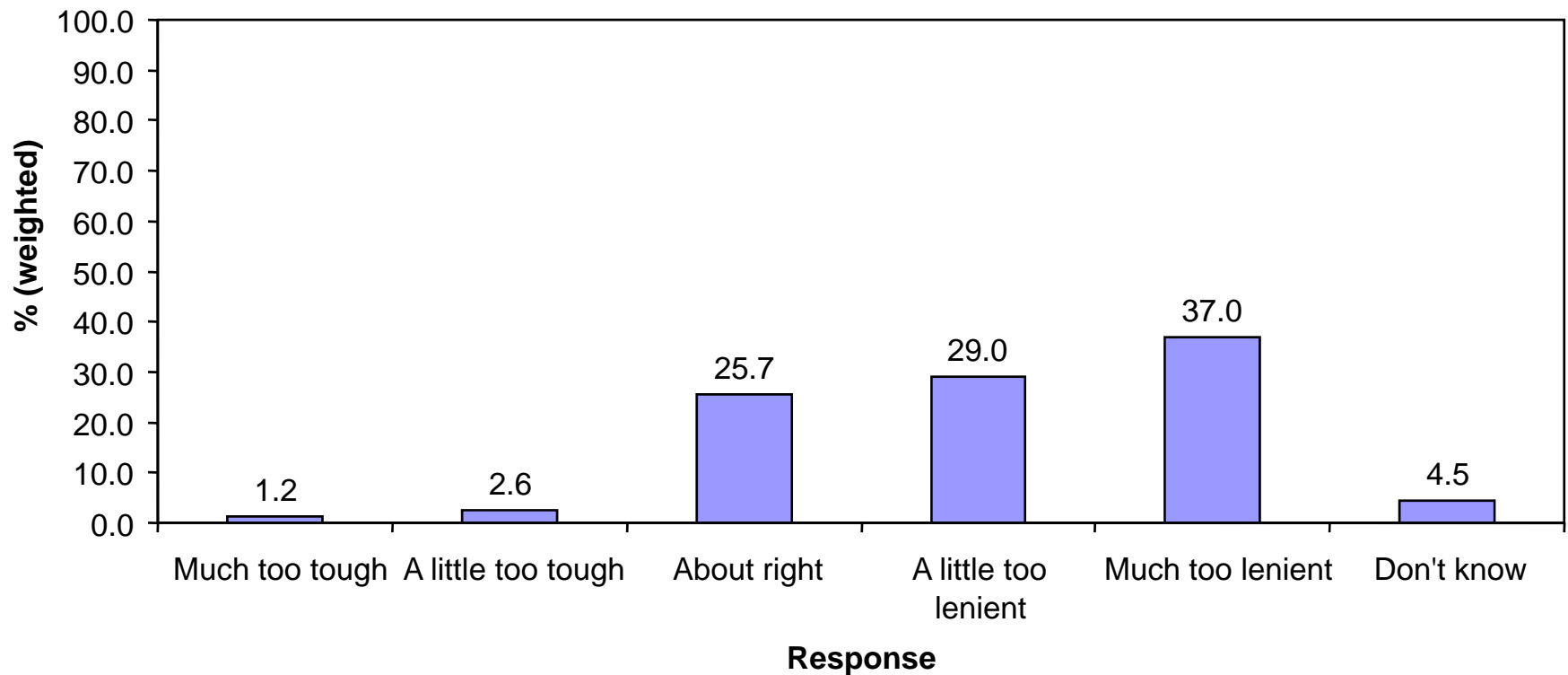
- Aimed to assess:
 1. Confidence in CJS & attitudes towards sentencing
 2. Levels of knowledge about crime & sentencing
 3. Relationship between confidence/attitudes and knowledge, controlling for demographic characteristics
 - What is the marginal effect of knowledge on confidence/attitudes?

Method

- Random sample of NSW residents (n=2002)
- Telephone interview using RDD
 - response rate quite low (<20%) BUT quota sampled on age, sex, residential location
- Questions relating to:
 - confidence in CJS & attitudes towards sentencing leniency
 - knowledge about crime trends, court outcomes, sentencing
 - demographic characteristics

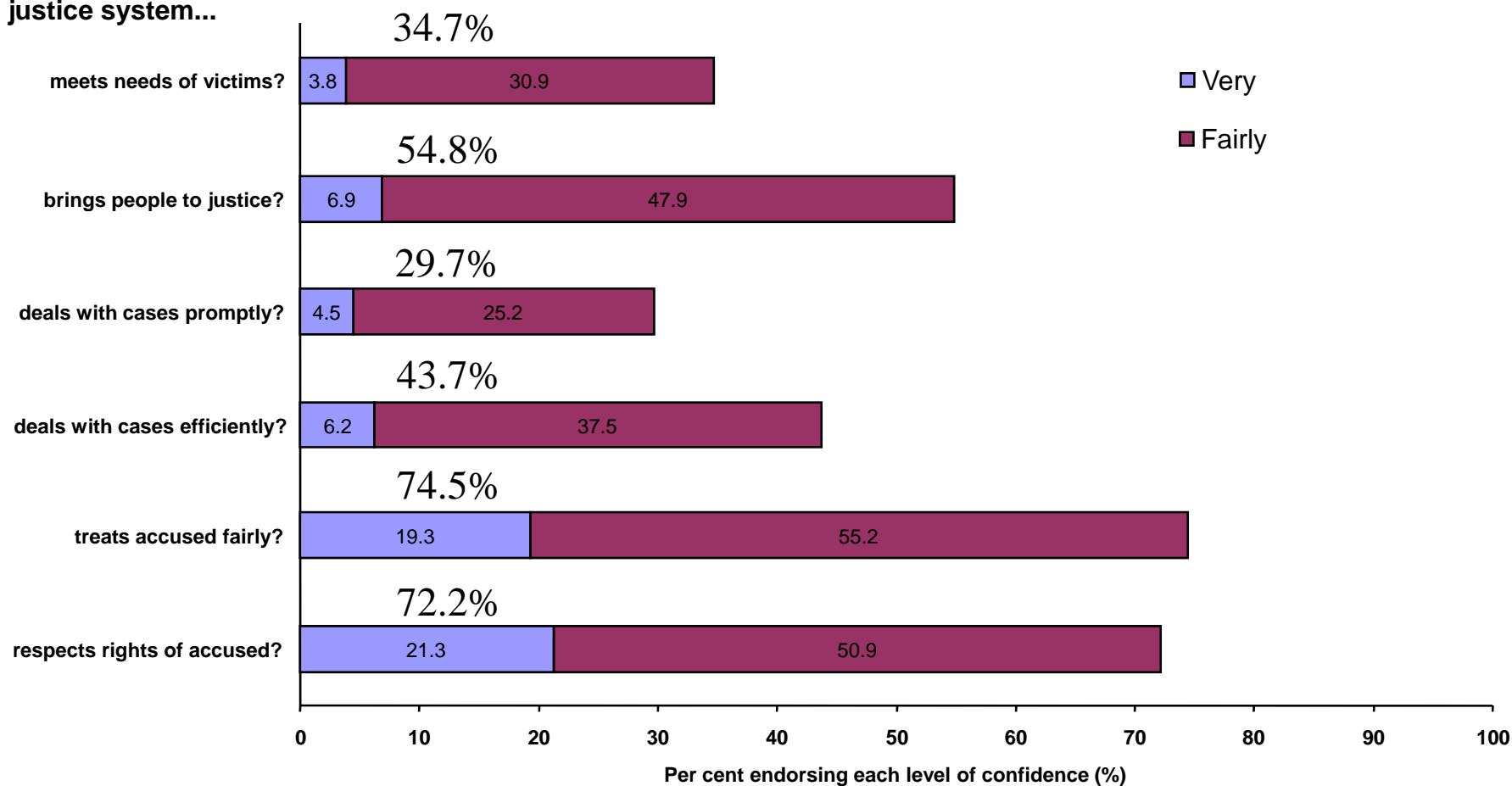
1. Confidence/attitudes

In general, would you say that sentences handed down by the courts are too tough, about right, or too lenient?



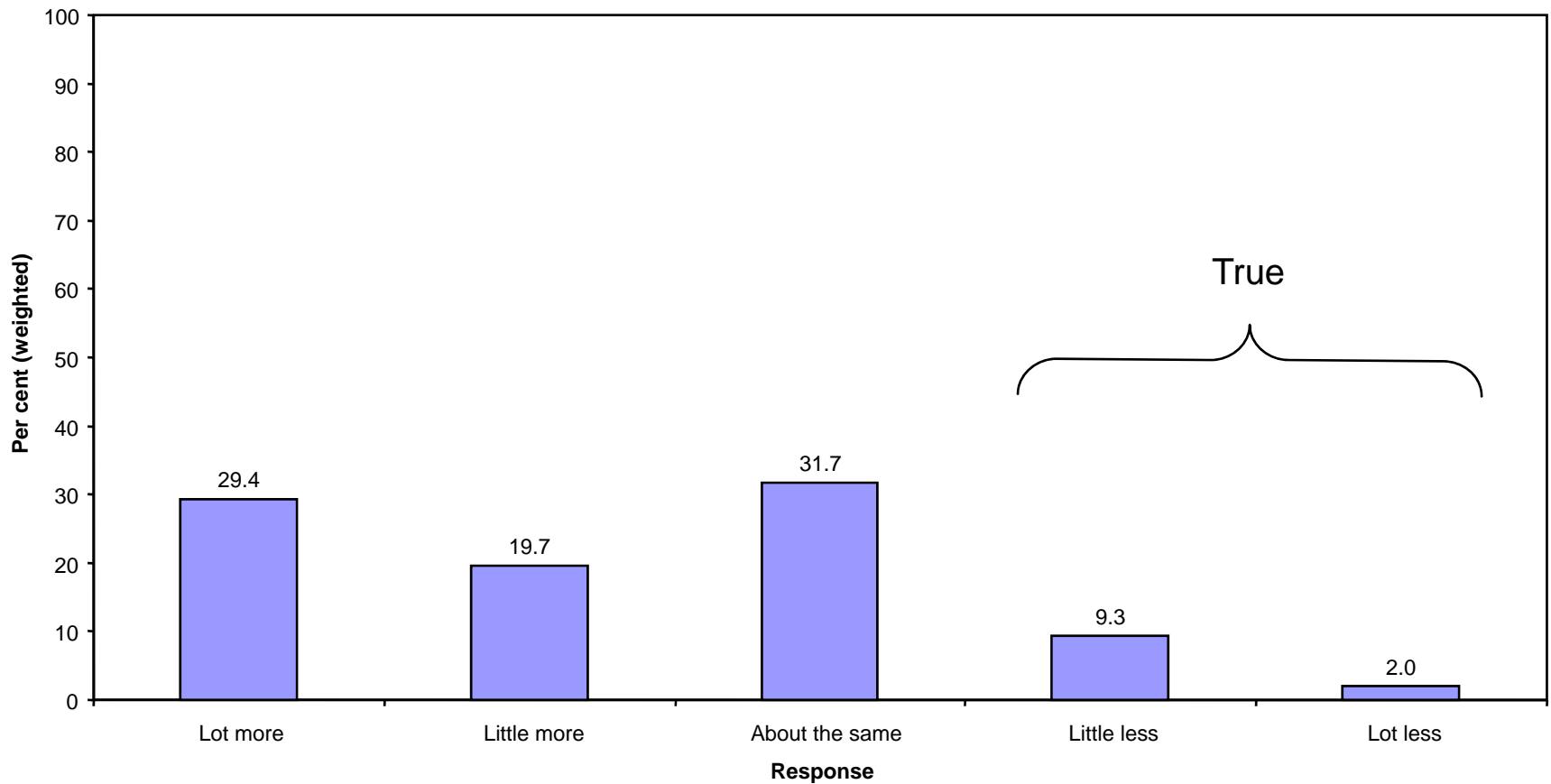
1. Confidence/attitudes contd...

How confident are you that the criminal justice system...



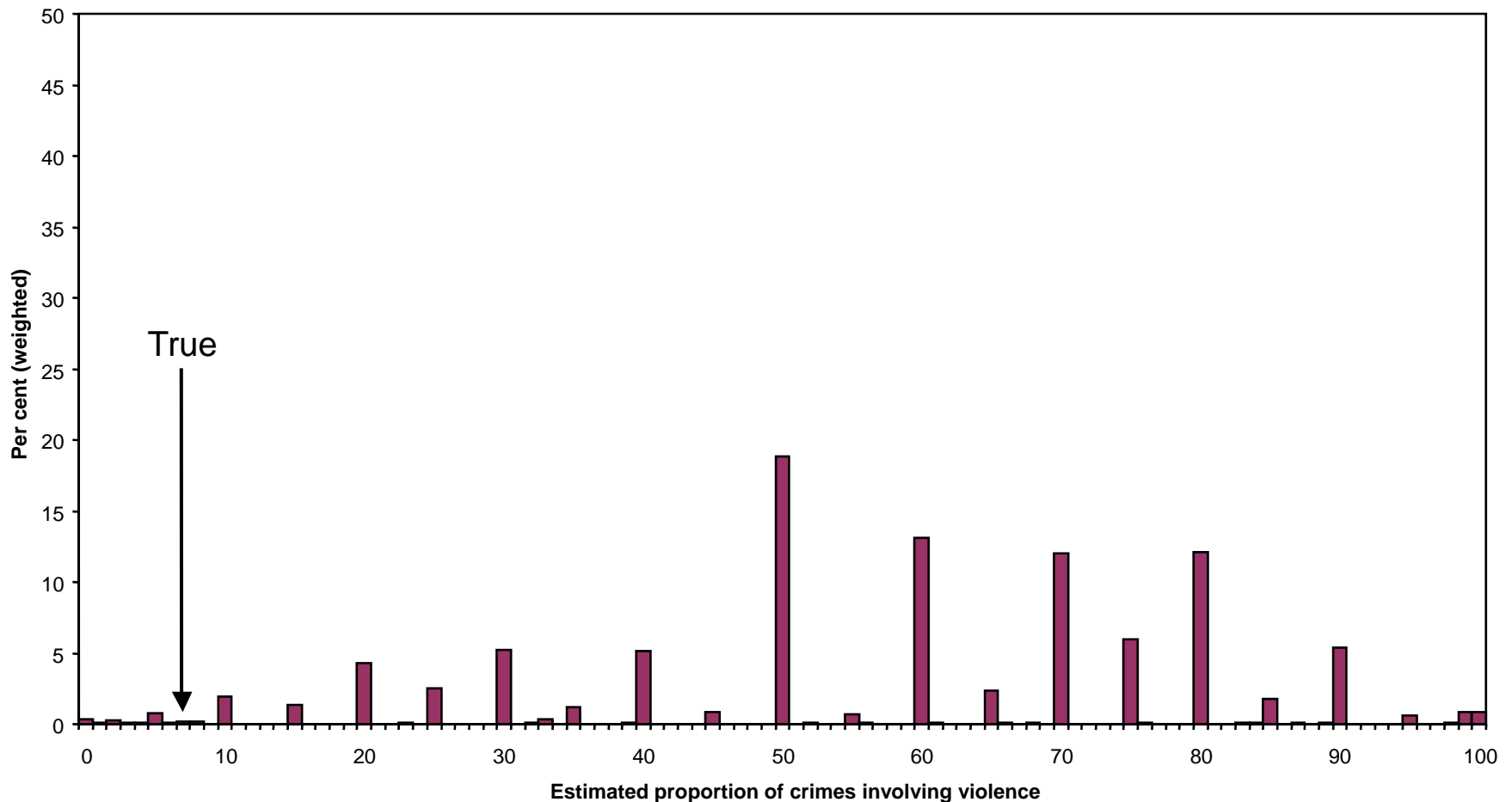
2. Knowledge

Would you say there is more property crime, less property crime or about the same amount (since five years ago)?



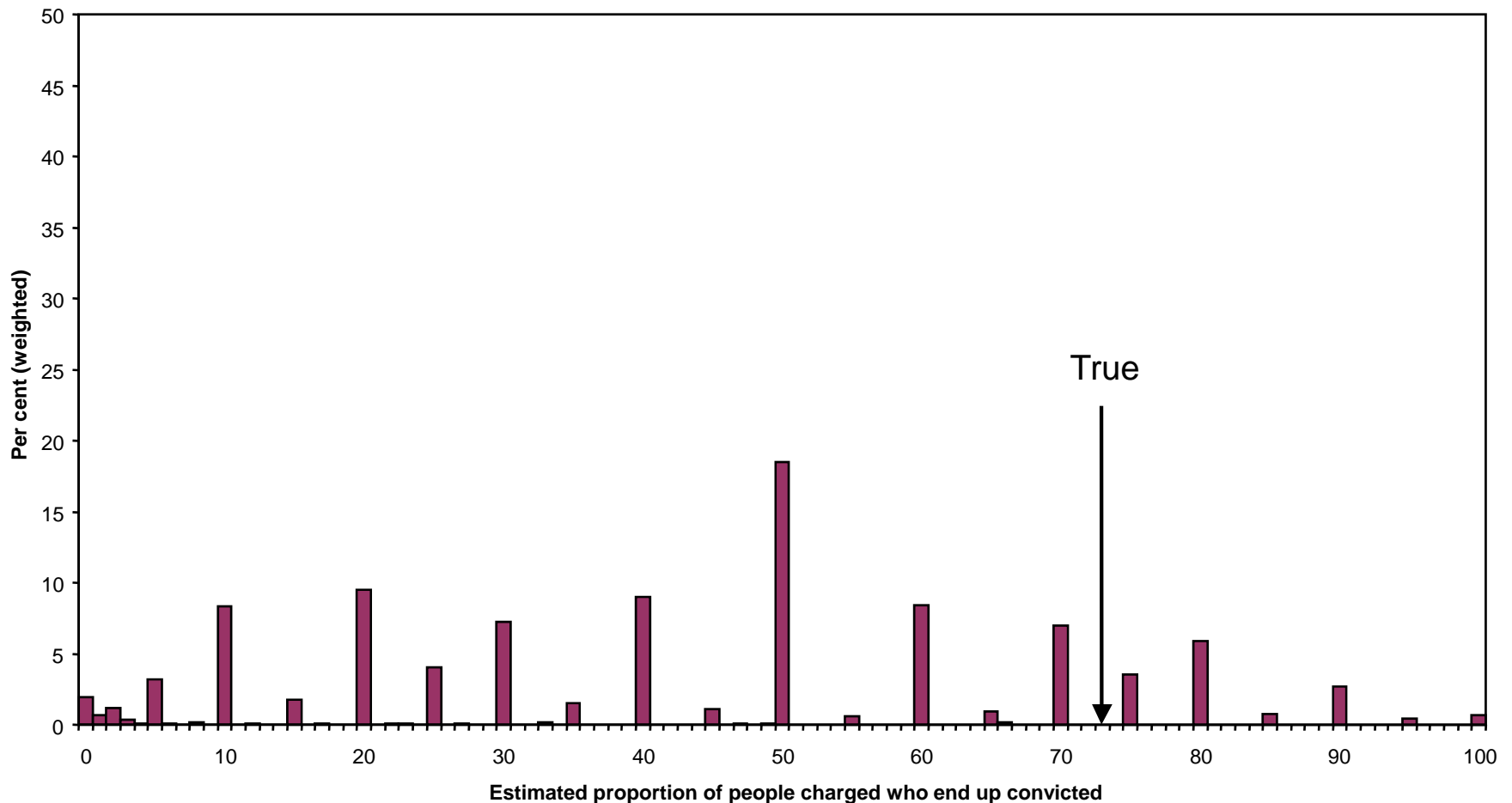
2. Knowledge contd...

Of every 100 crimes recorded by the police, roughly what number do you think involve VIOLENCE or the threat of violence?



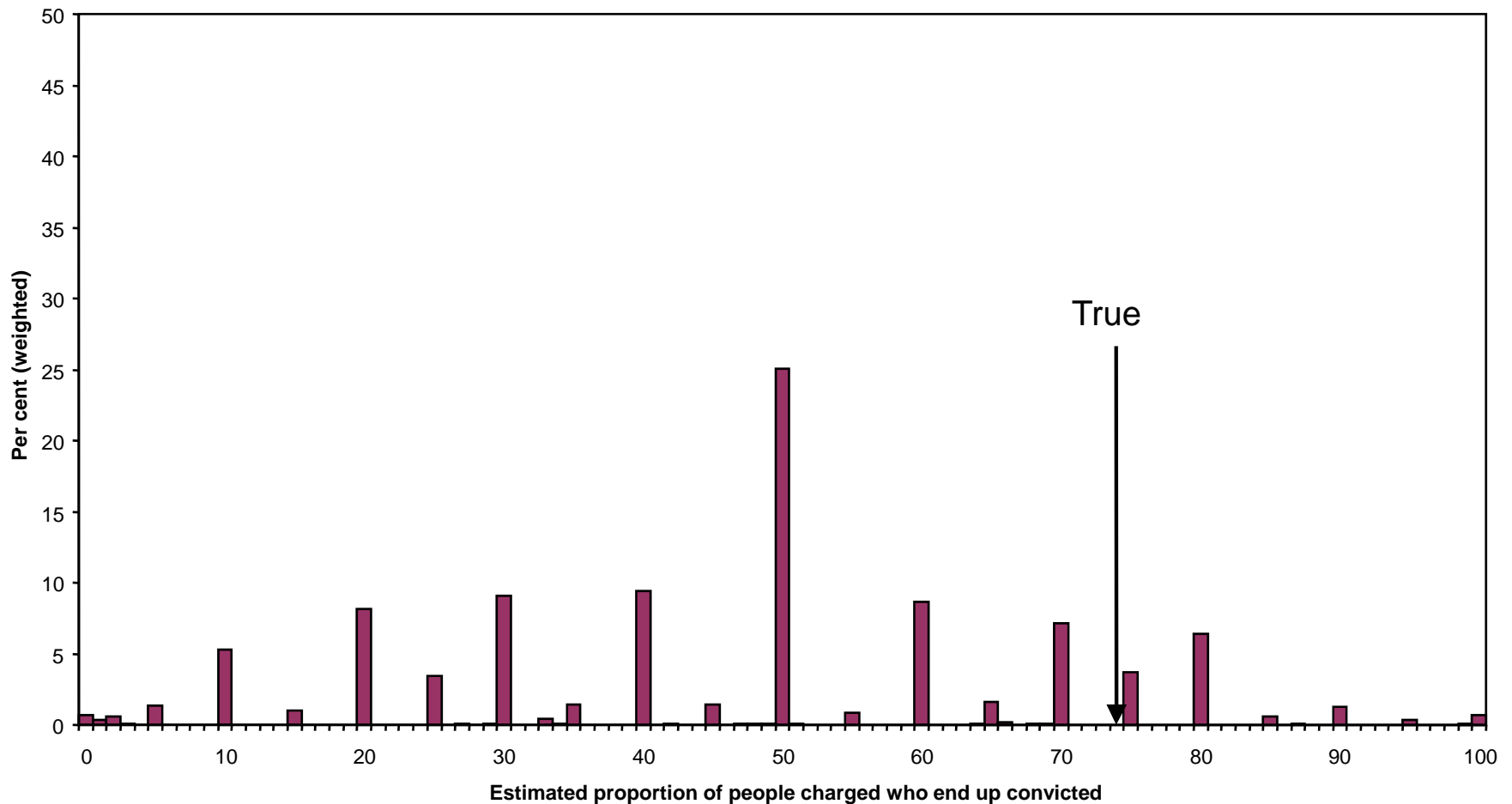
2. Knowledge contd...

Of every 100 people charged with HOME BURGLARY and brought to court, roughly what number do you think end up CONVICTED?



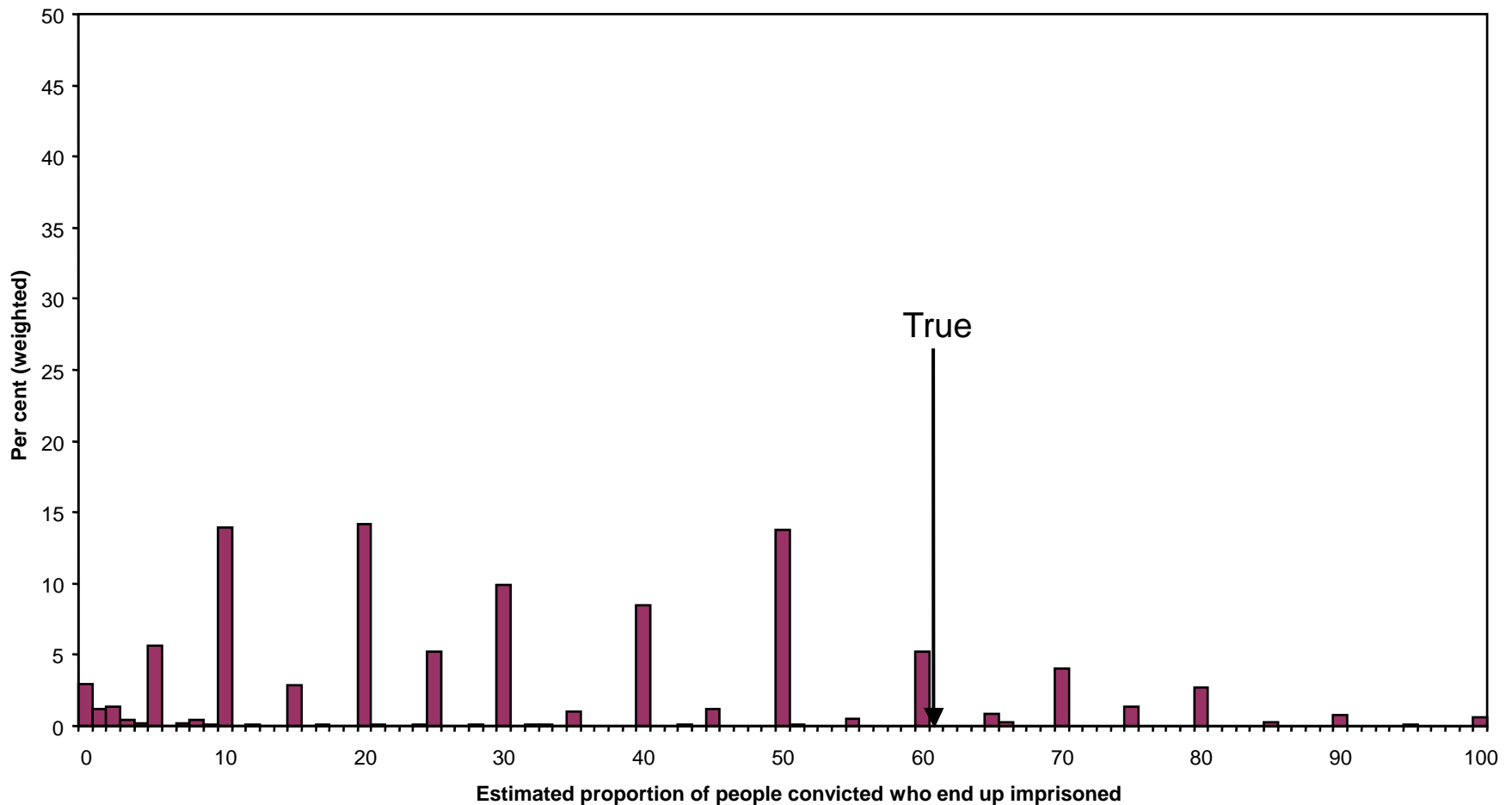
2. Knowledge contd...

Of every 100 people charged with ASSAULT and brought to court, roughly what number do you think end up CONVICTED?



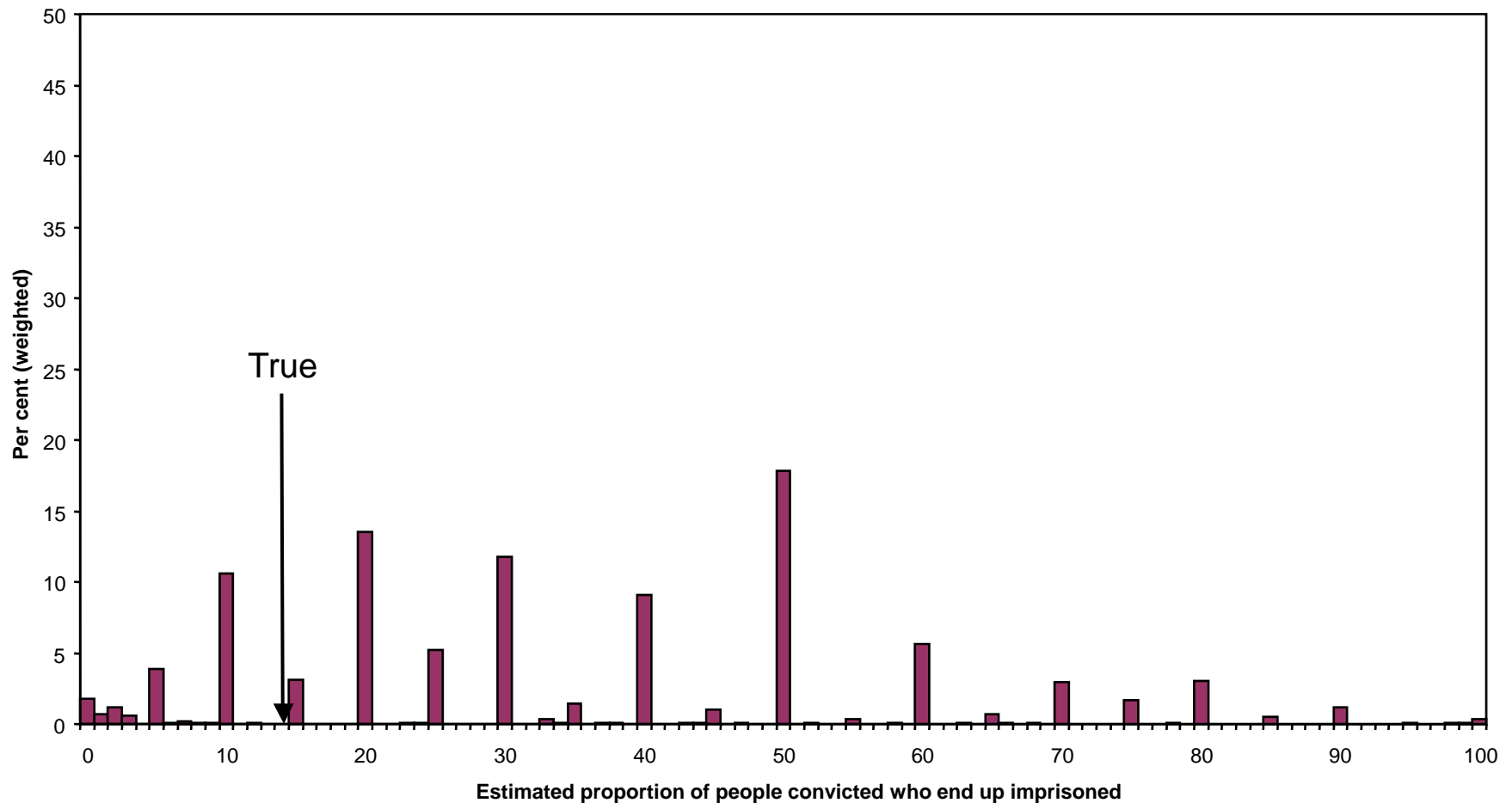
2. Knowledge contd...

Out of every 100 men aged 21 or over who are convicted of HOME BURGLARY, how many do you think are sent to PRISON?



2. Knowledge contd...

Out of every 100 men aged 21 or over who are convicted of ASSAULT, how many do you think are sent to PRISON?

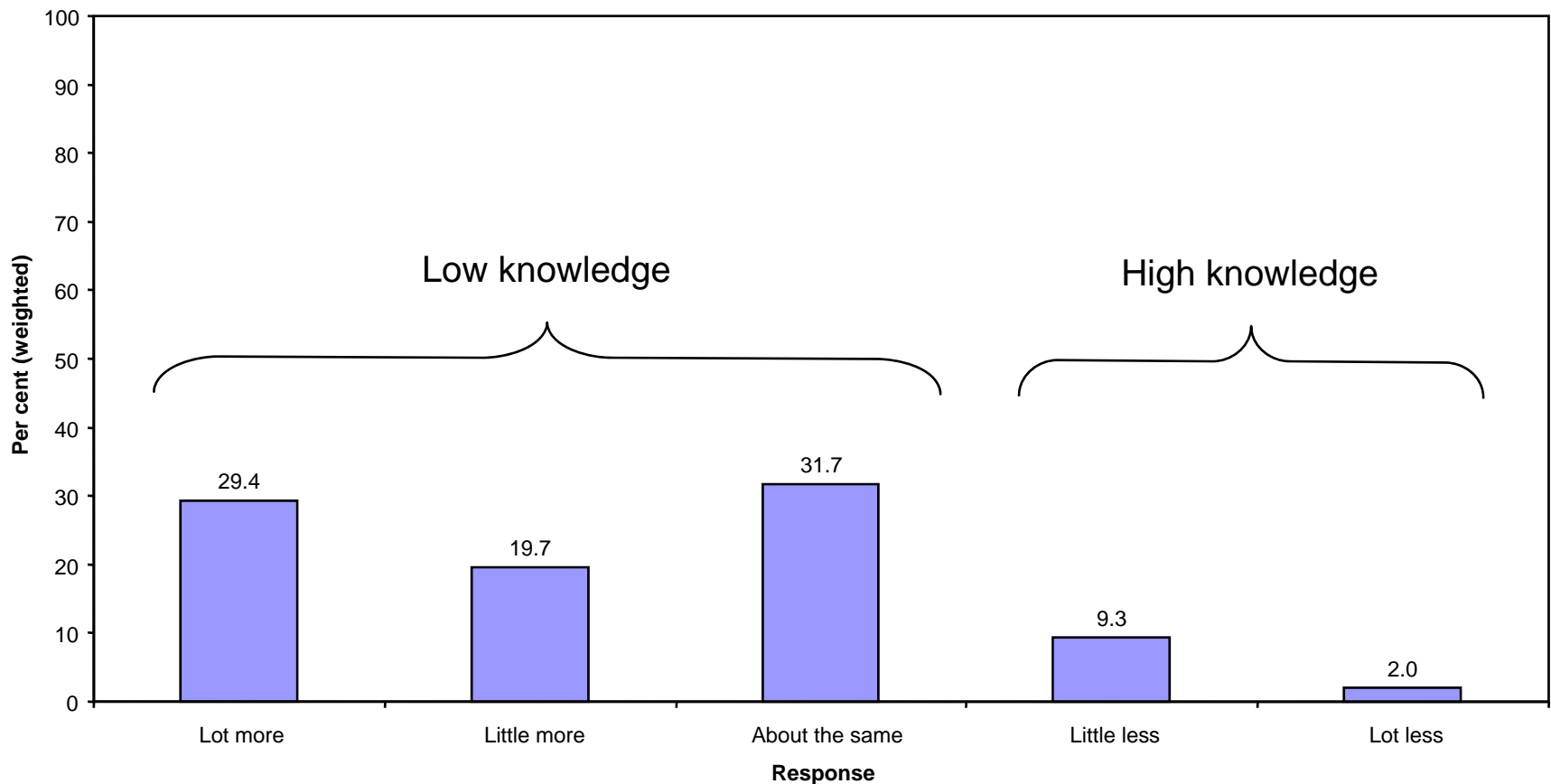


3. Confidence & knowledge

- Binary logistic regression:
 - Sentencing: modelled probability of thinking sentences 'about right'
 - Confidence in CJS: modelled probability of being 'very/fairly' confident
 - Didn't assess confidence in promptness/efficiency of justice system
- Separately regressed each measure of confidence against:
 - Knowledge measures
 - Age (mean=46)
 - Sex (52% female)
 - Household income
 - Education (37% university educated)
 - Residential location (70 per cent lived in Sydney, Newcastle, Wollongong)
- Created categorical variables indicating level of knowledge about crime/justice

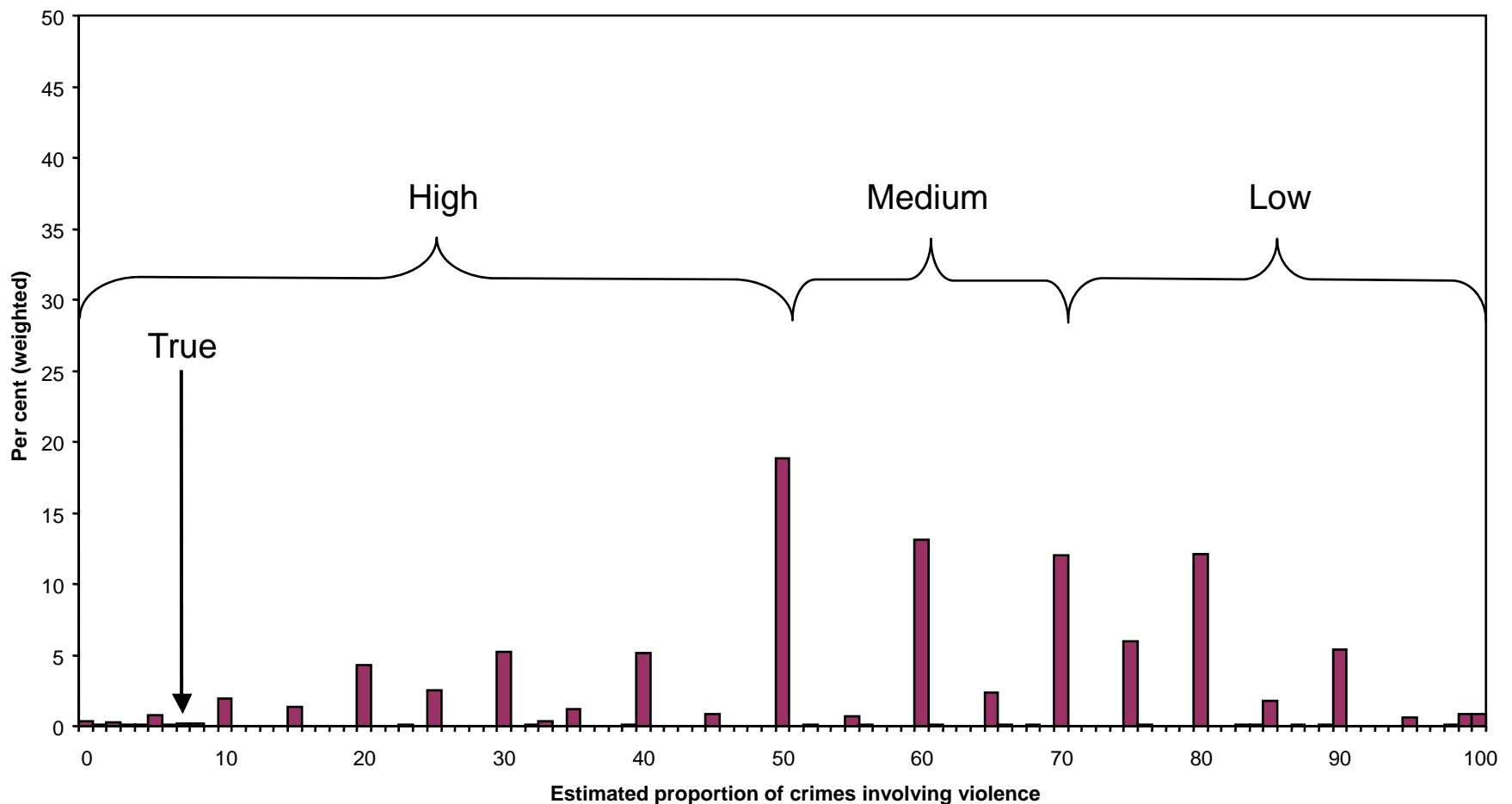
3. Confidence & knowledge contd...

Would you say there is more property crime, less property crime or about the same amount (since five years ago)?



3. Confidence & knowledge contd...

Of every 100 crimes recorded by the police, roughly what number do you think involve VIOLENCE or the threat of violence?

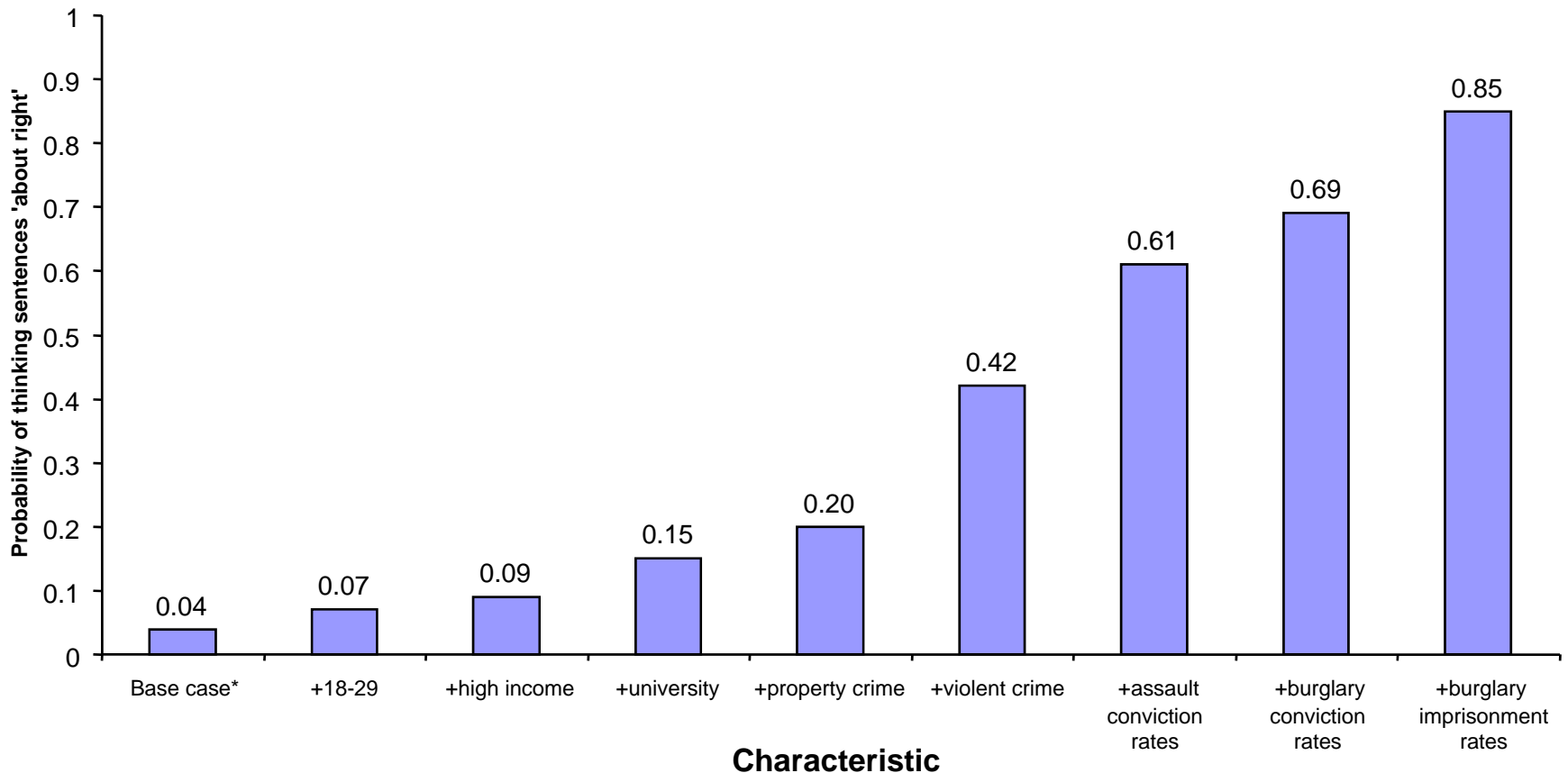


Believe sentences 'about right'

Measure		OR (95% CI)	
Knowledge of property crime trends	Low	-	
	High	1.4 (1.0 – 2.0)	*
	Don't know	1.4 (0.9 – 2.1)	
Knowledge about proportion of crimes involving violence	Low	-	
	Medium	1.8 (1.3 – 2.5)	*
	High	2.9 (2.1 – 3.9)	*
Knowledge about assault conviction rates	Low	-	
	Medium	1.5 (1.1 – 2.0)	*
	High	2.2 (1.6 – 3.0)	*
Knowledge about assault imprisonment rates	Low	-	
	Medium	0.8 (0.6 – 1.0)	
	High	0.7 (0.6 – 1.0)	
Knowledge about burglary conviction rates	Low	-	
	Medium	1.3 (1.0 – 1.8)	
	High	1.4 (1.0 – 2.0)	*
Knowledge about burglary imprisonment rates	Low	-	
	Medium	1.8 (1.3 – 2.6)	*
	High	2.6 (1.8 – 3.7)	*
Live metro		-	
Male		-	
Income	Low	-	
	Middle	1.1 (0.7 – 1.5)	
	High	1.4 (1.0 – 2.0)	*
	Not stated	1.1 (0.7 – 1.5)	
University educated		1.8 (1.4 – 2.3)	*
Age		0.98 (0.97 – 0.99)	*

Sentences 'about right'

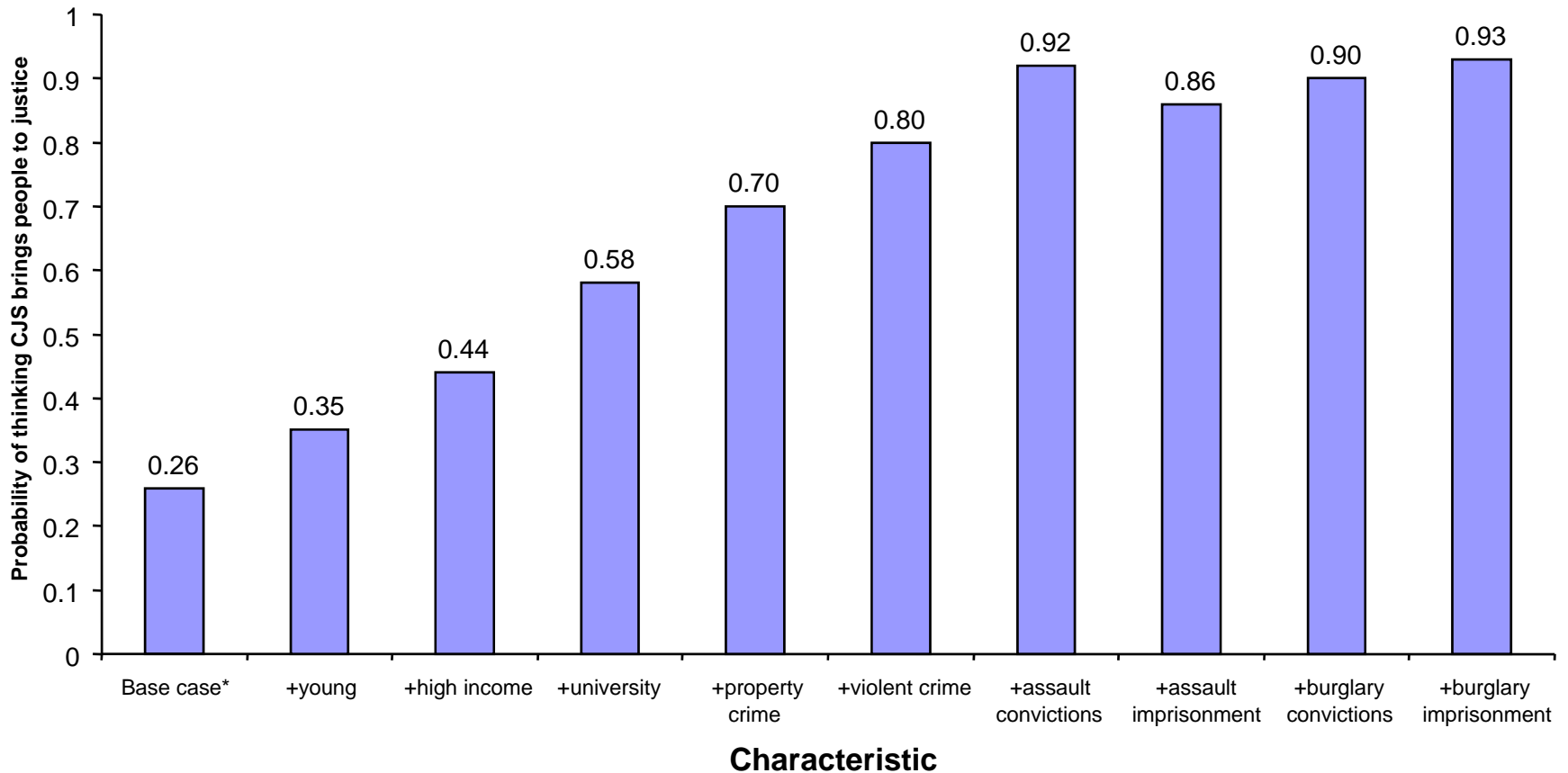
Marginal effect of each characteristic on likelihood of thinking that sentences are 'about right'



* Base case is someone who was: average age, low income earner, less than university educated and had low knowledge of property crime trends, the proportion of crimes involving violence, conviction rates and imprisonment rates

Brings people to justice

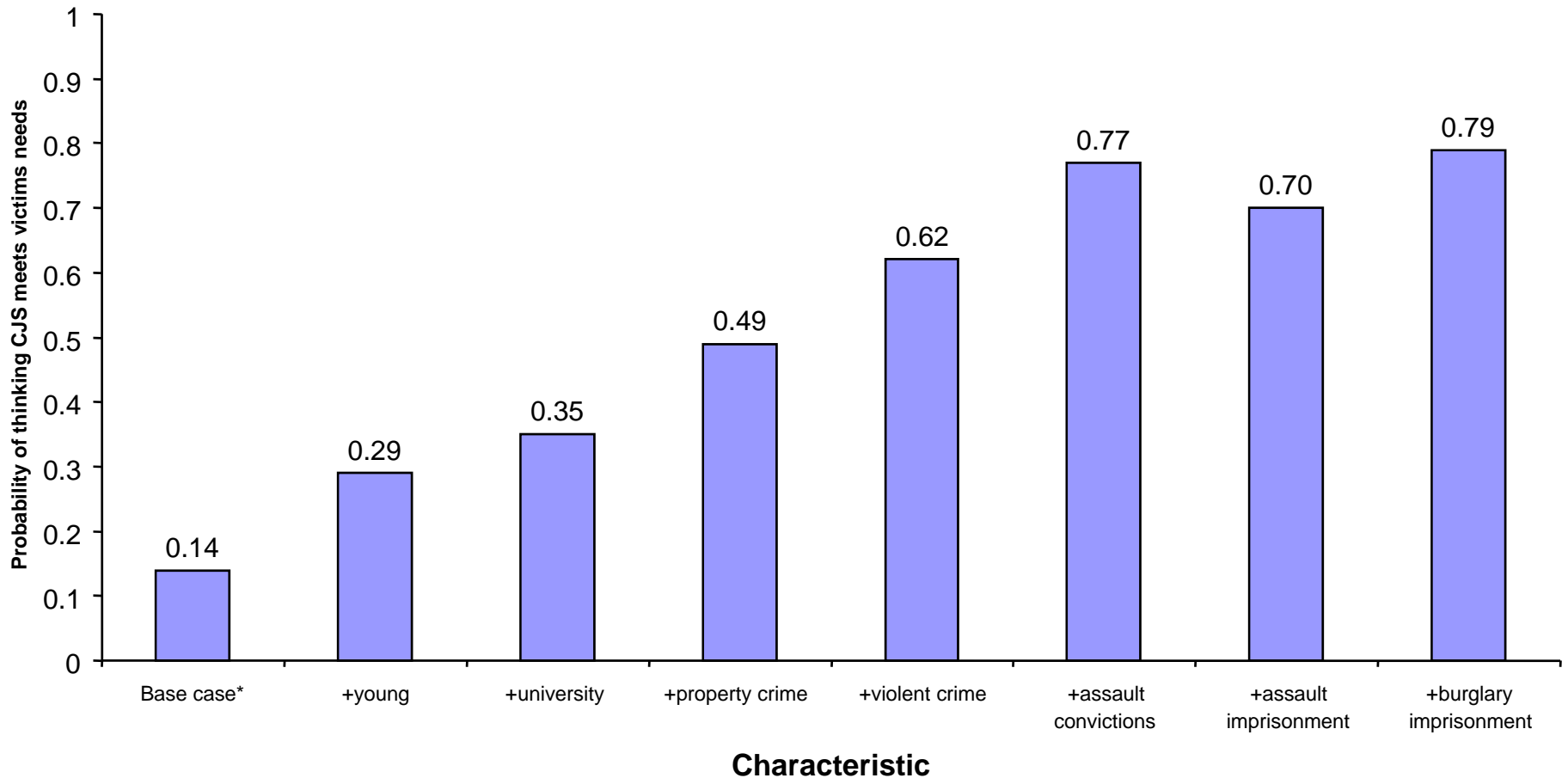
Marginal effect of each characteristic on likelihood of being 'very/fairly confident' that the justice system is effective in bringing people to justice



* Base case is someone who was: average age, low income earner, less than university educated and had low knowledge of property crime trends, the proportion of crimes involving violence, assault/burglary conviction rates and assault/burglary imprisonment rates

Meets needs of victims

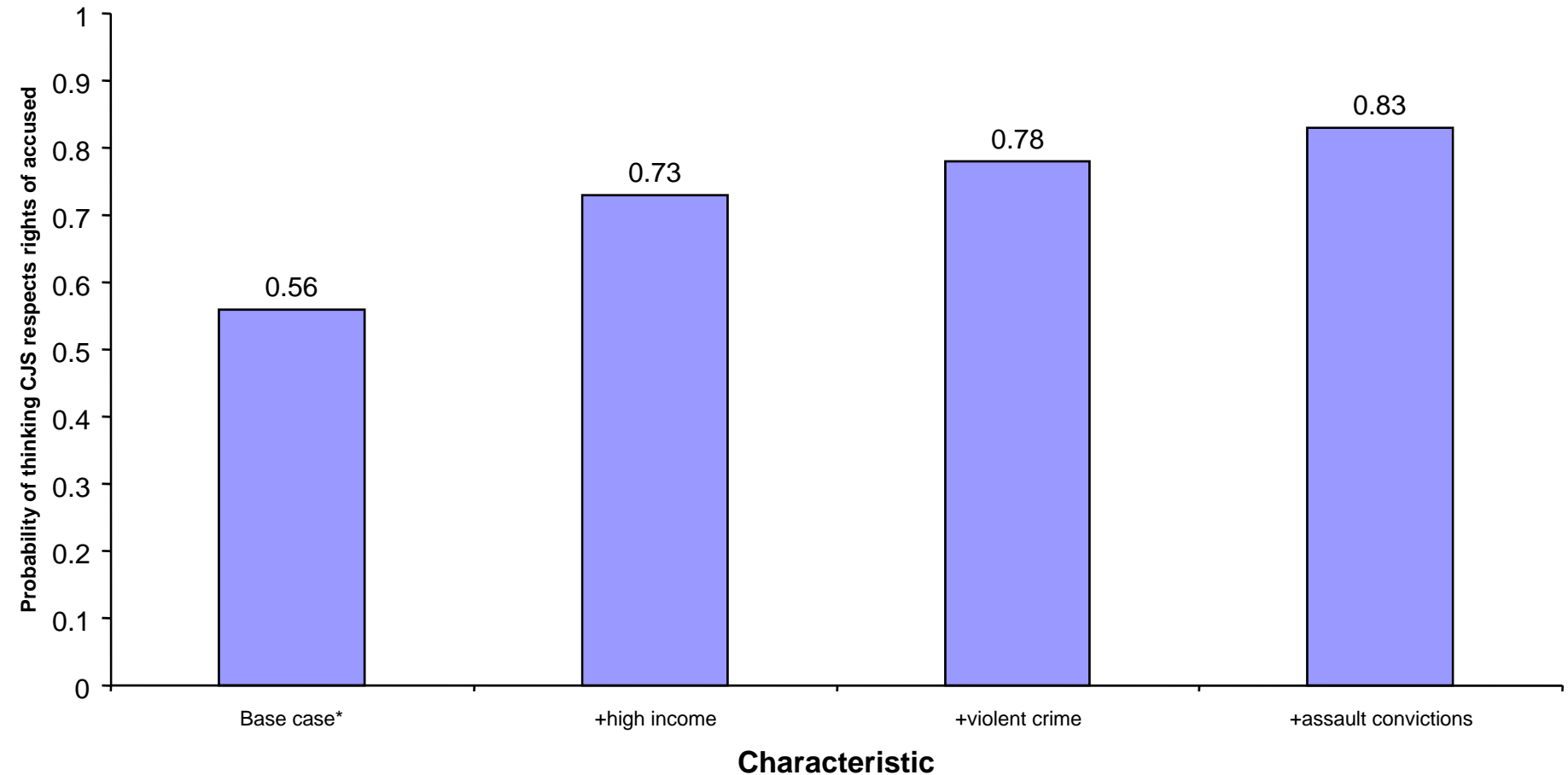
Marginal effect of each characteristic on likelihood of being 'very/fairly confident' that the justice system meets the needs of victims



* Base case is someone who was: average age, less than university educated and had low knowledge of property crime trends, the proportion of crimes involving violence, assault/burglary conviction rates and assault/burglary imprisonment rates

Respects rights of accused

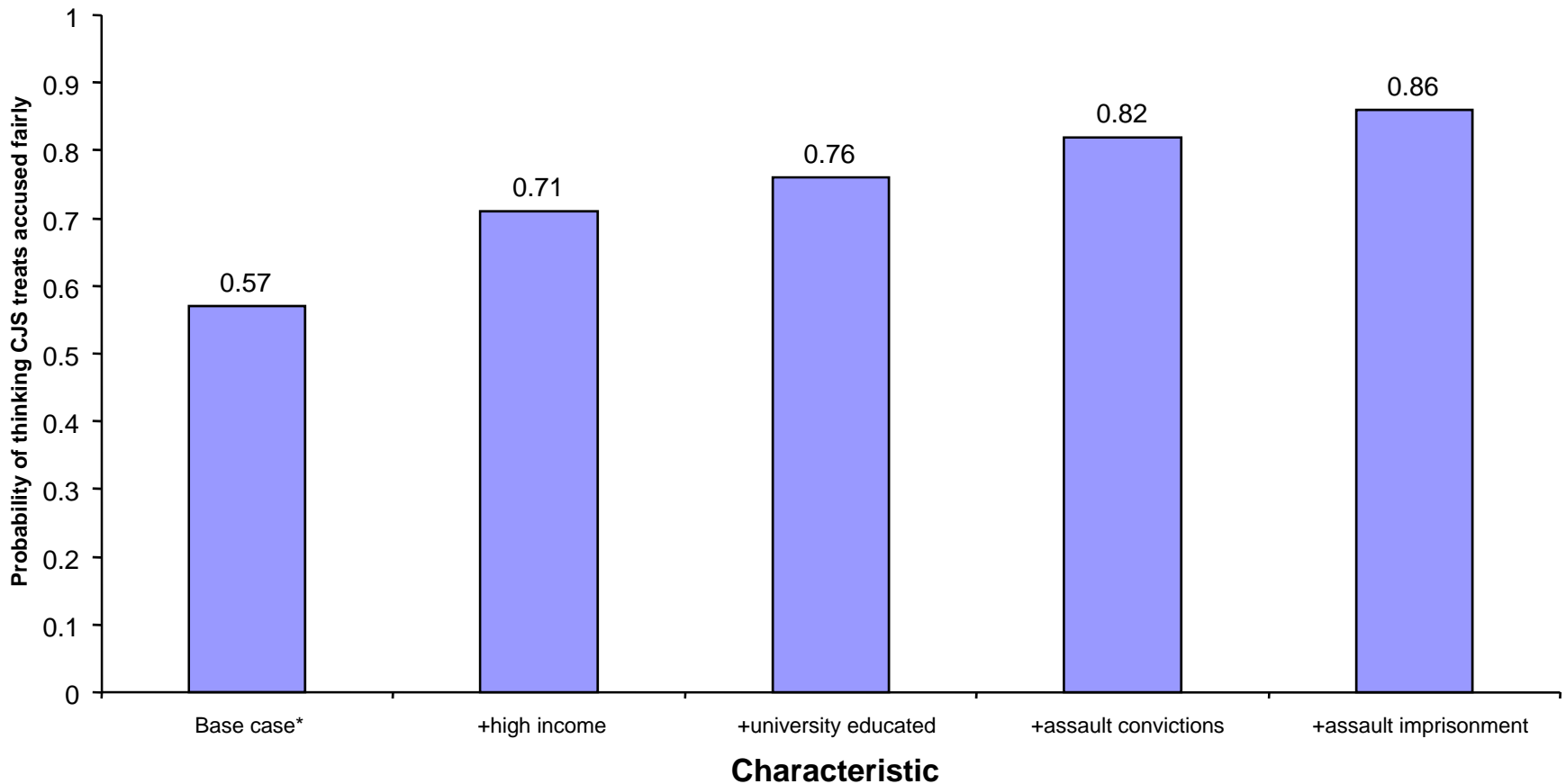
Marginal effect of each characteristic on likelihood of being 'very/fairly confident' that the justice system respects rights of accused



* Base case is someone who was: lower income earner and had low knowledge of property crime trends, the proportion of crimes involving violence, assault/burglary conviction rates and assault/burglary imprisonment rates

Treats accused fairly

Marginal effect of each characteristic on likelihood of being 'very/fairly confident' that the justice system treats accused fairly



* Base case is someone who was: lower income earner and had low knowledge of property crime trends, the proportion of crimes involving violence, assault/burglary conviction rates and assault/burglary imprisonment rates

Summary

- High proportions think sentences too lenient
- Generally low levels of confidence that CJS meets needs of victims, deals with matters expeditiously
- Higher levels of confidence that CJS brings people to justice, treats accused fairly, respects rights of accused
- People poorly informed about crime & sentencing
- Confidence in sentencing, treatment of victims and ability of CJS to bring offenders to justice strongly influenced by knowledge about crime & sentencing
- Confidence in fair treatment of offenders less so

Concluding remarks

- In the abstract, people do have low levels of confidence in some aspects of the criminal justice system
- These low levels of confidence are strongly related to public ignorance about crime and sentencing
 - Given that the public obtain most of their information about crime and justice from the media, the media must take some responsibility for this
 - Not necessarily deliberate but sometimes sensationalist and distorted
- Not to say that low levels of confidence entirely due to public ignorance – may in fact be genuine discontent with sentencing and criminal justice administration