

Public confidence in the New South Wales criminal justice system

Craig Jones, Don Weatherburn & Katherine McFarlane

This bulletin describes a survey of public attitudes on levels of sentencing and whether the NSW criminal justice system is achieving its various aims. Consistent with previous research, a high proportion (66%) of respondents felt that sentences imposed on convicted offenders are either 'a little too lenient' or 'much too lenient'. Most were either 'very' or 'fairly' confident that the criminal justice system respects the rights of accused persons (72%) and treats them fairly (75%) but smaller proportions were 'very' or 'fairly' confident that the criminal justice system brings people to justice (54.8%), deals with cases efficiently (43.7%), deals with cases promptly (29.7%) or meets the needs of victims (34.7%). Confidence in the criminal justice system was generally found to be more prevalent among younger people, those who are better educated, those on higher incomes, those who know more about crime and criminal justice and those who reported drawing information about the justice system from broadsheet newspapers, government publications, the Internet or from educational institutions. A large proportion of the public indicated that they would like to learn more about how judges sentence offenders. The results are discussed in terms of the role of the media in the formation of public attitudes toward the criminal justice system.

Keywords: public confidence, criminal justice system, sentencing, leniency, public attitudes, media

INTRODUCTION

Maintaining confidence in the administration of public services is essential across the whole of government but it is perhaps most critical in relation to the administration of the criminal justice system. This is because, as Hough and Roberts (2004, p. 7) point out, a criminal justice system "that fails to command public trust and to establish its legitimacy may simply fail to function effectively". Measuring levels of confidence in the administration of justice is therefore fundamentally important for criminal justice agencies.

One of the most widespread findings from opinion poll research across the world is that members of the public believe that sentences handed down by the courts are too lenient (Cullen, Fisher & Applegate 2000; Roberts et al. 2003).

However issuing appropriate sentences is only one of the expectations members of the public have for the criminal justice system. Members of the public also expect that matters will be dealt with expeditiously and that the criminal justice system will bring about reductions in crime and re-offending. The United Kingdom (UK) Home Office has, for a number of years, included questions in the annual British Crime Survey (BCS) measuring levels of public confidence in some of these other aspects of the justice system. Analyses of the BCS data have shown that a large proportion of the British public express a lack of confidence that the UK criminal justice system is effective in reducing crime, punishing offenders, bringing people to justice, dealing with cases promptly and efficiently, dealing with young people accused of crime and meeting the needs of crime victims (Nicholas, Kershaw & Walker 2007).

Research on public confidence in the criminal justice system in Australia, though much more limited, has shown a similar pattern. Indermaur and Roberts (2005) found that, while a large proportion (70%) of the Australian public had either 'a great deal' or 'quite a lot' of confidence in the police, the same proportion reported that they had 'not very much' or 'no' confidence in the courts and the legal system. A large majority of the Australian public also think that sentences handed down by the judiciary are too lenient (Indermaur 1987, 1990; Indermaur & Roberts 2005). Indermaur (1987), for example, found that 76 per cent of a random sample of 554 Perth residents answered, "not severe enough" when asked "would you say the sentences handed down by the courts are too severe, about right or not severe enough?" Nineteen per cent believed

that sentences were 'about right' and only five per cent stated they were 'too severe'. These findings were supported by a more recent poll conducted in South Australia, which revealed that only 15 per cent of the public expressed a 'great deal' of confidence in the courts. A large proportion of those polled cited sentencing leniency as a major contributor to this lack of confidence (Courts Administration Authority South Australia, cited by Hough & Roberts 2004).

Lack of public confidence is more pronounced among males, older people, recent crime victims, those who are less educated and those who are on lower incomes. Interestingly, those with the poorest knowledge about crime and punishment tend to have lower opinions of courts and sentences. Those who overestimate the crime problem or underestimate the use of custody have the lowest opinions (e.g. Broadhurst & Indermaur 1982; Chapman, Mirrlees-Black & Brawn 2002; Doob & Roberts 1988; Salisbury 2004). Sources of knowledge appear to play a critical role in shaping public attitudes toward sentencing. In one classic study on this issue, attitudes to sentencing were compared among people randomly assigned to one of two groups (Doob & Roberts 1988). Members of one group were asked to read a newspaper account of a sentencing decision involving a case of assault. Members of the other group were given a summary of the relevant court documents. Both groups were then asked what they thought of the sentence that had been imposed. Sixty-three per cent of the 'media' group thought the sentence imposed was too lenient, whereas more than half the group that had read the summary of court documents expressed the view that the sentence was too harsh (Doob & Roberts 1988). In a more recent study, St Amand and Zamble (2001) found very high levels of dissatisfaction with judicial decision-making among a sample of 80 undergraduate university students at Queen's University, Ontario. However when presented with a mock

sentencing task, these students handed out objectively moderate sentences.

The results of such studies are extremely valuable in guiding our understanding of what underlies public responses as expressed in general opinion surveys. They can provide insight into areas where the public may be uninformed or mistaken about the way the criminal justice system operates. They can also help in developing programs designed to enhance public understanding of how the justice system functions. Apart from the work already mentioned, however, very little research has been conducted into public confidence in the Australian criminal justice system. This is unfortunate because international surveys suggest that quite divergent views exist between the Australian and British public in terms of what constitutes an appropriate sentence for various offences. For example, in the most recent International Crime Victimization Survey, 51 per cent of the public surveyed in England and Wales opted for imprisonment as the appropriate punishment for a recidivist burglar. In contrast, only 33 per cent of the Australian public chose this option (van Dijk, van Kesteren & Smit 2007). This measure of 'public punitiveness' varies markedly across other countries as well (from 12% in Switzerland to 70% in Mexico) and signals the need to look more closely at attitudes toward the justice system at a local level.

This bulletin describes a survey of public confidence in the NSW criminal justice system designed by the NSW Bureau of Crime Statistics and Research and funded by the NSW Sentencing Council. The overall aim of the survey was to add to the existing body of knowledge about public confidence in the Australian criminal justice system. The specific aims of the survey were to assess:

1. The extent to which the NSW public regard sentences as 'too lenient';
2. The extent to which the NSW public thinks the NSW criminal justice system is achieving its various purposes;
3. Which groups in the community are most likely to lack confidence in the NSW criminal justice system; and

4. What proportion of NSW residents would be interested in learning more about how judges sentence offenders.

Information on the first two issues is critical in determining whether any remedial action is necessary to improve public confidence in the NSW criminal justice system. It is also critical in measuring the success of any such efforts. Information on the third issue would assist in developing tailor-made strategies to improve public confidence amongst specific groups in the community. The fourth question was investigated to assist the NSW Sentencing Council in determining its public education priorities.

METHOD

DATA COLLECTION

In order to achieve the survey aims, a quota sample of 2002 NSW residents was interviewed via Computer Assisted Telephone Interviewing (CATI) technology. Sample quotas were set on the basis of age, sex and residential location so as to match, as closely as possible, the distribution of these characteristics in the NSW population. A market research company administered a structured questionnaire over a period of approximately three weeks, commencing in late August 2007. The sample of telephone numbers was selected from the electronic White Pages and numbers were dialled using random digit dialling. Only English-speaking people aged 18 years or older were eligible to take part in the study. No attempt was made to contact hard-to-reach populations, such as institutionalised or homeless people.

Overall, 56,180 telephone numbers were called at least once. Contact was made with 23,300 potential respondents and 2002 interviews were completed. The following call outcomes summarise the response rate information:

- 32,880 numbers were inactive or no contact was made with a potential

respondent (e.g. answering machines, busy numbers, no answer, unassigned numbers, modems/faxes/beepers);

- 5,227 people were ineligible to take part in the questionnaire (i.e. because they were below the age of 18 years, they were business numbers or the quota had been filled);
- 60 appointments were made but interviews were not conducted because the quota had been reached;
- 16,011 people refused to take part (including 97 who were terminated after the commencement of the screener and/or the questionnaire); and
- 2002 final interviews were conducted.

If one calculates the response rate by dividing the number of completed interviews (n=2002) by the number of completed interviews plus the number of refusals (n=18,013), the nominal response rate would be 11.1 per cent. However, this is not an accurate reflection of the response rate because many of those who refused would have been ineligible to participate had the interviewer been able to ascertain their age, sex and residential location (Sydney/non-Sydney). Moreover, because age, sex and residential location quotas were applied, we can be certain that the sample was relatively representative of the NSW population on at least these characteristics.

The socio-demographic characteristics of the sample are shown in Table 1. Population weights for age, sex and residential location were applied to correct for the slight variations in the distribution of age, sex and residential location that resulted from quota groupings. Both weighted and unweighted estimates are shown in Table 1. As expected, the quota sampling ensured that there was only between one and two percentage points difference between weighted and unweighted estimates on each of the demographic characteristics collected. Slightly more than half of the sample were female, the mean age was 46 years and 37 per cent had attained

Table 1. Sample characteristics (both weighted and unweighted) for age, sex and residential location

<i>Characteristic</i>	<i>Sample (Unweighted)</i>	<i>Sample (Weighted)</i>
Sex		
Female (%)	52	51.4
Age (years)		
Mean	46.3	46
Range	18-92	18-92
Education		
% University educated	36.5	37
Income		
<\$40,000	21.3	20.8
\$40,000 - \$79,999	22.7	22.7
\$80,000+	33	33.4
Refused/don't know	23	23.1
Residential location		
Sydney/Newcastle/Wollongong (%)	70.3	72.3

a bachelor degree or higher as their highest level of education. One-third of the sample reported earning \$80,000 or more per year. Approximately three in four respondents reported living in a metropolitan location (defined as Sydney, Newcastle or Wollongong).

The way in which the survey questions were framed did not permit direct comparisons between the sample and the NSW population on education and income levels. However, the education levels of the current sample and the NSW population were very similar. For example, 37 per cent of our sample had achieved a bachelor degree or higher as their highest level of education. The corresponding proportion for all NSW residents aged between 15 and 64 years in 2006 was 34.4 per cent (Australian Bureau of Statistics 2007).

QUESTIONNAIRE

The interviewer briefly introduced himself or herself to the respondent at the start of the survey. The potential respondent was then screened to ensure that their quota group had not been filled already. Once it had been established that the respondent was eligible to take part, the interviewer explained that the respondent's answers

would be treated confidentially and would be used for research purposes only. After collecting some basic demographic characteristics, each respondent was asked a series of questions bearing on the aims of the study. Most of the questions were either taken verbatim from the BCS or were adapted from that questionnaire to allow for comparisons on some of the measures across the two nationalities.¹ The following subsections outline the questionnaire items explored in this survey.

Confidence in sentencing and the criminal justice system

In order to assess attitudes towards sentencing leniency, respondents were asked: "in general, would you say that sentences handed down by the courts are too tough, about right or too lenient". Respondents who indicated that sentences were either too tough or too lenient were prompted to indicate "is that a little too tough/lenient or much too tough/lenient?" The response options were: much too tough, a little too tough, about right, a little too lenient and much too lenient.

Respondents were asked six questions concerning their confidence in the criminal justice system. These questions, which

all followed the same format, were: “how confident are you that the criminal justice system...”

1. ...is effective in bringing people who commit crimes to justice”;
2. ...meets the needs of victims of crime”;
3. ...respects the rights of people accused of committing a crime”;
4. ...treats people accused of committing a crime fairly”;
5. ...deals with cases promptly”;
6. ...deals with cases efficiently”.

Following each question, the interviewer read out the response options: very confident, fairly confident, not very confident and not at all confident. So as to avoid order bias in our prevalence estimates, the order in which response options was read out was reversed for half of the interviews. The first and second questions listed above were taken verbatim from the BCS, while questions three through six were adapted from that questionnaire. In the BCS, the third and fourth questions above are asked as one question (i.e. “how confident are you that the criminal justice system respects the rights of people accused of committing a crime and treats them fairly?”). Similarly, the BCS asks the fifth and sixth questions together (i.e. “how confident are you that the criminal justice system deals with cases promptly and efficiently?”). These questions were asked separately in the current study to avoid any confusion (if, for example, respondents felt the criminal justice system was efficient but not prompt).

Socio-demographic characteristics

The following socio-demographic characteristics were collected for each respondent:

- Residential location (Sydney, Newcastle, Wollongong, elsewhere);
- Sex;
- Age (in years);

- Highest level of education (year 10 or less, year 11 or 12, TAFE, university); and
- Estimated annual income (less than \$6,000; \$6,000 to \$9,999; then in \$5,000 brackets to \$49,999; then \$10,000 brackets to \$129,999; with an upper bracket of \$130,000 or more).

Knowledge about crime and criminal justice

Six questions were included in the survey to measure respondent knowledge about crime and criminal justice. Two of these concerned knowledge about crime. Four concerned knowledge about the criminal justice system.

Respondent knowledge of property crime trends and the representation of violent crime among recorded crime statistics were measured by asking the following two questions:

- “...whether you think that the level of property crime in NSW has changed over the past five years. Would you say there is more property crime, less property crime or about the same amount (since five years ago)?”
- Respondents who indicated that there was either more or less property crime were prompted to indicate: “is that a lot or a little more/less?” Response options were: a lot more, a little more, about the same, a little less and a lot less;
- “Of every 100 crimes recorded by the police, roughly what number do you think involve violence or the threat of violence?”

Respondent knowledge of the criminal justice system was measured via four questions, two of which were concerned with assault and two of which were concerned with home burglary:

- “Of every 100 people charged with [assault/home burglary] and brought to court, roughly what number do you think end up convicted?”
- “Of every 100 men aged 21 or over who are convicted of [assault/home burglary], how many do you think are sent to prison?”

Sources of information about the criminal justice system

Respondents were asked which sources of information about the criminal justice system are the most influential for them, personally. Response options were read out and the respondents could nominate more than one of the following sources:

- Personal experience;
- Relatives' and/or friends' experiences;
- Word of mouth/information from other people;
- Broadsheet newspapers (e.g. Sydney Morning Herald, Courier Mail, The Age, Adelaide Advertiser);
- Tabloid newspapers (e.g. Daily Telegraph);
- Local newspaper;
- News programmes on TV/radio;
- Talk-back radio;
- Government publications;
- Books;
- The Internet; and/or
- School/college/university courses.

Willingness to learn more about sentencing

Respondents were asked: “Do you feel that you would like to know more about how judges sentence offenders?”

KNOWLEDGE VARIABLES

Six variables were created in order to explore the relationship between knowledge of, and confidence in, the criminal justice system. Two items measured public knowledge of crime trends, and the remaining four variables measured public knowledge of the criminal justice system.

Knowledge about crime

Officially recorded crime statistics and crime victim surveys show that motor vehicle theft and burglary decreased by 40 to 50 per cent in NSW between 2001 and 2006 (Australian Bureau of Statistics 2006; Moffatt & Goh 2007).

While the victim surveys undertaken by the Australian Bureau of Statistics do not explore other property offences, police-recorded incidents of all other major categories of violent acquisitive crimes (e.g. robbery) and non-violent acquisitive crimes also decreased significantly over that time period (NSW Bureau of Crime Statistics and Research 2007). Respondents were therefore categorised as having high knowledge of property crime trends if they responded that property crime had either decreased by 'a little' or decreased by 'a lot' in the preceding five years. Respondents who suggested that there was a lot more property crime, a little more property crime or about the same amount of property crime compared with five years ago were categorised as having low knowledge about property crime trends.²

The second crime knowledge variable measured how accurately respondents nominated the proportion of police-recorded crimes that involve violence or the threat of violence. The correct proportion (7%) was derived from the NSW Bureau of Crime Statistics and Research recorded crime statistics database and was defined as the proportion of all recorded incidents in 2006 that fell into the categories of homicide, assault (including both domestic and non-domestic assault), sexual offences or robbery. The first step in measuring each respondent's knowledge of violent crime was to take the absolute difference between the proportion nominated by the respondent and the correct proportion of offences involving violence or the threat of it (viz. 7%). In other words, people who nominated ten per cent were treated as being just as accurate as those who nominated four per cent (each would be three percentage points away from the true proportion of 7%). The second step was to group the resulting scores into three approximately equal-sized groups. The group of respondents who had the lowest scores were deemed to have "high knowledge" of the proportion of crimes involving violence because their estimates

were closest to the true proportion. The middle group of respondents were deemed to have "medium knowledge" of the proportion of crimes involving violence. The group of respondents with the highest scores were deemed to have "low knowledge" because their estimates were furthest from the true proportion. It should be noted that, by taking absolute differences, this method of measuring knowledge is indifferent to whether respondents underestimate the proportion of crimes involving violence or overestimate that proportion.

Knowledge about criminal justice

The methodology described for respondent knowledge of the proportion of crimes involving violence was also used to construct four variables related to respondent knowledge about the criminal justice system: two variables for knowledge of conviction rates and two for knowledge of imprisonment rates. The first variable reflected the difference between the actual percentage of defendants convicted of break, enter and steal and the percentage of defendants nominated by respondents as being convicted of these offences. Similarly, the second variable reflected the difference between the actual percentage of defendants convicted of assault and the percentage of defendants nominated by respondents as being convicted of this offence. The third variable reflected the difference between the actual percentage of defendants convicted of break, enter and steal who receive a prison sentence, and the percentage nominated by respondents as receiving a prison sentence. The fourth variable reflected the difference between the actual percentage of persons convicted of assault who receive a prison sentence and the percentage nominated by respondents as receiving a prison sentence.³ Each of these four knowledge variables was again grouped into three approximately equal-sized groups to reflect "high", "medium" and "low" knowledge of conviction and imprisonment rates.

RESULTS

CONFIDENCE IN SENTENCING AND THE JUSTICE SYSTEM

Figure 1 shows the population-weighted distribution of attitudes towards sentencing leniency. Consistent with previous research (Indermaur 1987, 1990; Indermaur & Roberts 2005), a high proportion (66%) of respondents indicated that sentences are either 'a little too lenient' or 'much too lenient'. A sizeable proportion of respondents (25.7%) thought sentences are 'about right'. Only small proportions of respondents thought that sentences were 'a little too tough' (2.6%) or 'much too tough' (1.2%).

Figure 2 shows the weighted prevalence estimates of confidence in the other measured aspects of the criminal justice system. A large proportion of respondents indicated that they were either 'very' or 'fairly' confident that the criminal justice system respects the rights of people accused of committing crimes (72.2%) and treats them fairly (74.5%). Slightly more than half (54.8%) of the respondents also indicated that they were either 'very' or 'fairly' confident that the justice system is effective in bringing people accused of crimes to justice although it should be noted that most of these responses fell into the 'fairly confident' category. In contrast, much lower proportions indicated that they were either 'very' or 'fairly' confident that the criminal justice system meets the needs of victims (34.7%) or deals with cases promptly (29.7%) and efficiently (43.7%).

KNOWLEDGE ABOUT CRIME AND CRIMINAL JUSTICE

Figure 3 shows the distribution of participants' responses when asked whether they felt that property crime had increased, decreased or stayed stable in the five years prior to interview. A substantial majority of respondents (80.8%) thought that property crime in NSW had either increased or remained about the same in the five years prior to interview. Only 11.3 per cent correctly

identified that property crime had decreased in the five years prior to interview. Around eight per cent could not estimate recent trends in property crime.

Figure 4 shows the distribution of participants' responses when asked what proportion of recorded crime involves violence or the threat of violence. Almost all respondents (more than 98%) overestimated the proportion of crimes that involve violence. Only 5.2 per cent of respondents were within plus or minus 10 percentage points of the correct proportion.

Figure 5 shows the distribution of participants' responses when asked about conviction rates for assault. The correct proportion is indicated with an arrow. Participants vastly underestimated the conviction rates for assault, with 87 per cent of respondents nominating a proportion lower than the true value. Only 19 per cent of respondents were within plus or minus 10 percentage points of the correct proportion.

Figure 6 shows the distribution of participants' responses when asked what proportion of people charged with home burglary are convicted. Again, participants significantly underestimated conviction rates. Eighty-six per cent of respondents nominated a figure lower than the correct proportion derived from all adult courts. Only 18 per cent of respondents were within plus or minus 10 percentage points of the correct figure.

Figure 7 shows the distribution of participants' responses when asked about the imprisonment rate for assault. Most participants (81%) overestimated the imprisonment rate for assault. A slightly higher proportion of the sample (32%) was within plus or minus 10 percentage points of the true proportion than was the case for the other measures of knowledge about the justice system.

Figure 8 shows the distribution of participants' responses when asked what proportion of adult males are imprisoned if convicted for home burglary. In contrast to the estimates for the assault imprisonment rate, participants clearly

Figure 1: In general, would you say that sentences handed down by the courts are too tough, about right, or too lenient?

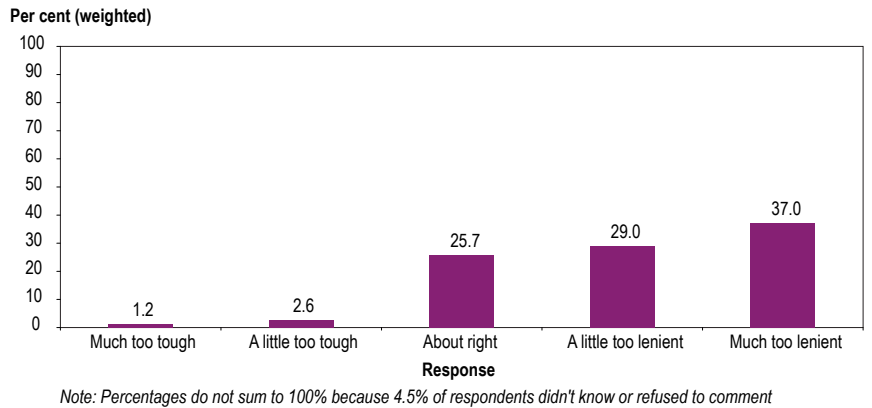


Figure 2: Weighted estimates of confidence in various aspects of the criminal justice system (CJS)

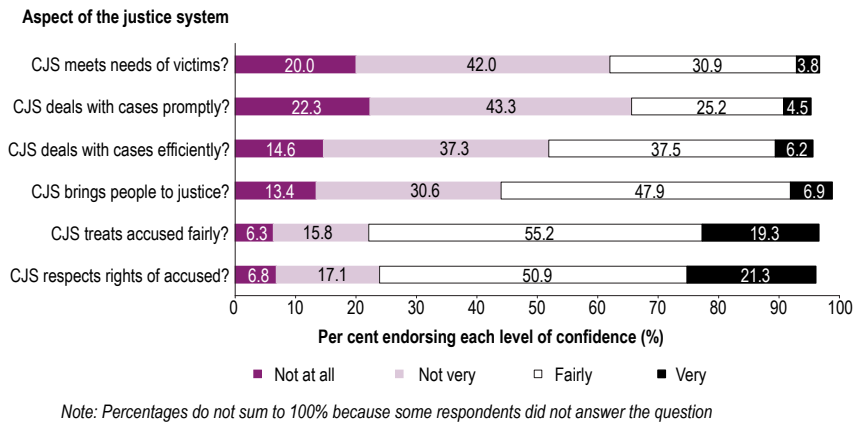


Figure 3: Would you say there is more property crime, less property crime or about the same amount (since five years ago)?

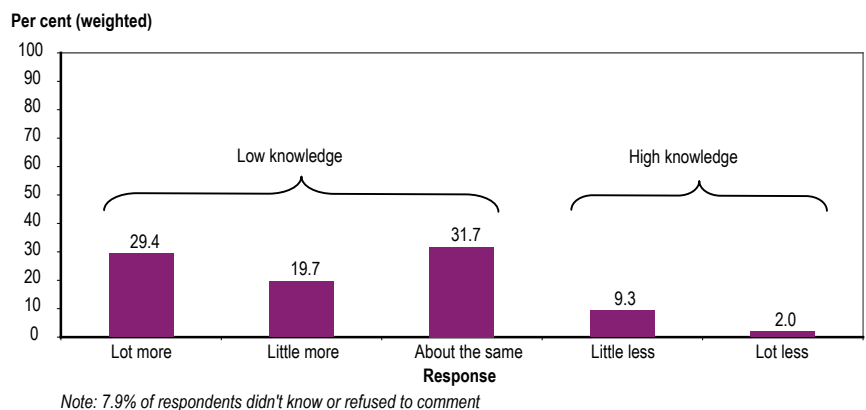
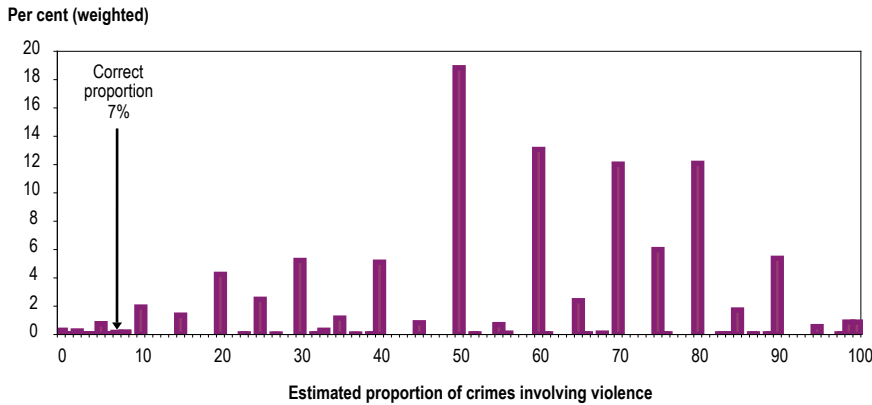


Figure 4: Of every 100 crimes recorded by the police, roughly what number do you think involve violence or the threat of violence?



underestimated the true imprisonment rate for burglary. Eighty-nine per cent of respondents nominated a figure lower than the correct proportion from all adult courts. Only about one in ten respondents were within plus or minus 10 percentage points of the correct proportion derived from all adult courts.

SOURCES OF INFORMATION ABOUT THE CRIMINAL JUSTICE SYSTEM

Table 2 shows the weighted frequency with which different sources of information about the criminal justice system were cited as ‘the most influential’ for a respondent. Respondents could nominate more than one source of information so the percentages sum to greater than 100 per cent. Television and radio news programmes were the most commonly endorsed sources of information about the criminal justice system (nominated by 73.9% of respondents), followed by broadsheet newspapers (48.2%), local newspapers (41.2%), tabloid newspapers (34.9%), word-of-mouth (27.2%), experiences of relatives and/or friends (22.7%), talk-back radio (21.6%), personal experience (20.6%) and the Internet (18.4%). Only small proportions cited books (9.5%), government publications (8.2%), an educational institution (7.8%) or somewhere else (2.2%).

CORRELATES OF CONFIDENCE IN THE CRIMINAL JUSTICE SYSTEM

Socio-demographic characteristics

Table 3 summarises the relationship between each of the measured socio-demographic characteristics of the surveyed cohort and each measure of confidence in the criminal justice system. ‘Plus’ symbols in Table 3 indicate that the relationship was statistically significant ($p < 0.05$) and people with that characteristic tended to have higher levels of confidence in that aspect of the justice system. ‘Minus’ symbols in Table 3 indicate that the relationship

Figure 5: Of every 100 people charged with ASSAULT and brought to court, roughly what number do you think end up convicted?

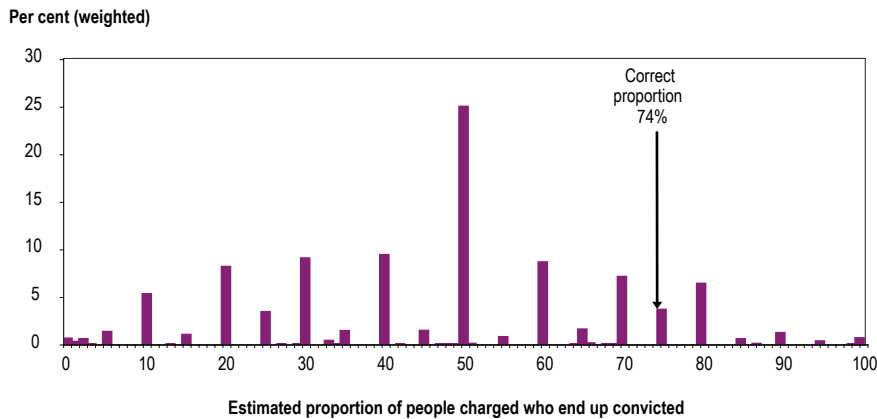


Figure 6: Of every 100 people charged with HOME BURGLARY and brought to court, roughly what number do you think end up convicted?

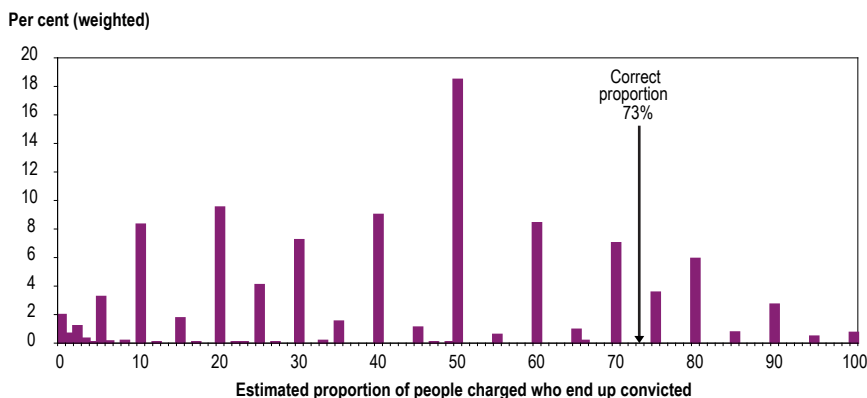
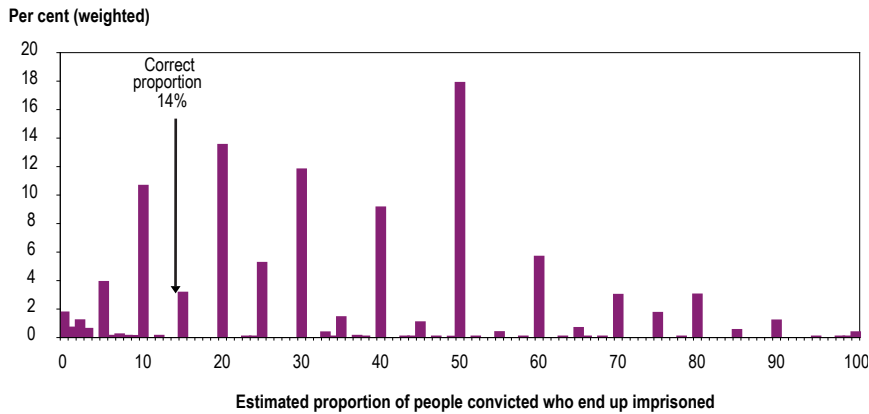


Figure 7: Out of every 100 men aged 21 or over who are convicted of ASSAULT, how many do you think are sent to prison?



was statistically significant ($p < 0.05$) and people with that characteristic tended to have lower levels of confidence in that aspect of the justice system. A more detailed breakdown of these relationships is shown in Table A1 in the Appendix.

With the exception of confidence in the fair treatment of alleged offenders, older respondents were less confident in each aspect of the justice system.⁴ While the relationship was not significant with respect to confidence in the fair treatment of offenders ($p = 0.120$), the oldest age group still had the lowest overall levels of confidence. Unlike previous research (Nicholas et al. 2007), there was no consistent relationship between gender and confidence in the justice system. The only significant relationship to emerge was that men were less confident in the efficiency of the justice system. Metropolitan dwellers tended to have higher levels of confidence than non-metropolitan respondents, although the relationship was only statistically significant with respect to confidence in three of the seven measures: the adequacy of sentencing, the effectiveness of the justice system in bringing people to justice and the promptness of the justice system in dealing with matters. With the exception of confidence in the promptness and efficiency of the justice system, more highly educated respondents (i.e. an undergraduate university degree or higher) were significantly more confident in each aspect of the justice system than respondents who had lower levels of education.

The trend was similar with respect to income. Respondents who earned higher annual incomes were more confident that the justice system is effective in bringing people to justice, meeting the needs of victims, respecting the rights of the accused and treating the accused fairly. There was also a statistically significant relationship between level of income and confidence in the promptness of the justice system. However, this was due to the low levels of confidence among those who either could not estimate

Figure 8: Out of every 100 men aged 21 or over who are convicted of HOME BURGLARY, how many do you think are sent to prison?

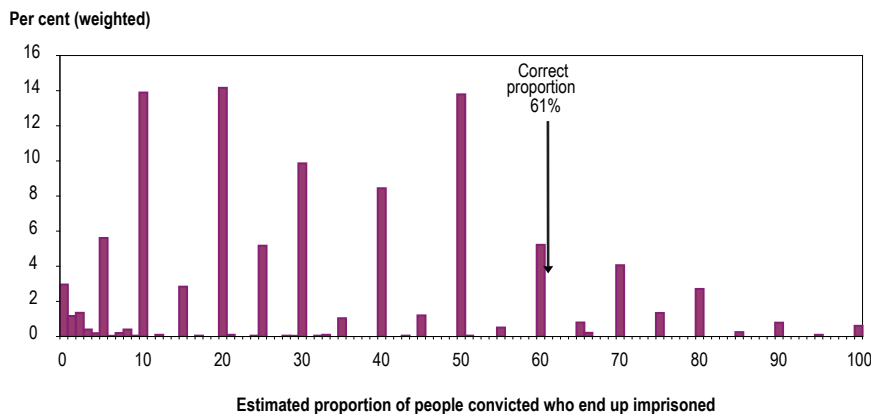


Table 2. Weighted proportion of respondents endorsing various sources as ‘the most influential’ sources of information about the criminal justice system

Information source	% ‘yes’
TV/radio news	73.9
Broadsheet newspaper	48.2
Local newspaper	41.2
Tabloid newspaper	34.9
Word-of-mouth	27.2
Relatives’/friends’ experiences	22.7
Talk-back radio	21.6
Personal experience	20.6
Internet	18.4
Books	9.5
Government publications	8.2
Educational institutions	7.8
Elsewhere	2.2

Table 3. Summary of direction of relationships between socio-demographic characteristics and confidence in the criminal justice system (CJS)

Measure of confidence	Respondent characteristic				
	Older	Male	More educated	Higher income	Live metro
Adequacy of sentencing	-		+	+	+
CJS brings people to justice	-		+	+	+
CJS meets needs of victims	-		+	+	
CJS respects rights of accused	-		+	+	
CJS treats accused fairly			+	+	
CJS deals with cases promptly	-			*	+
CJS deals with cases efficiently	-	-		-	

+ Indicates that the relationship was statistically significant (p<0.05) and people with that characteristic tended to have higher levels of confidence in that aspect of the justice system
 - Indicates that the relationship was statistically significant (p<0.05) and people with that characteristic tended to have lower levels of confidence in that aspect of the justice system
 * Indicates that the relationship was statistically significant (p<0.05) but due to lower levels of confidence among those with missing values on one of the variables

Knowledge about crime and criminal justice

Table 4 shows the relationship between levels of knowledge about recent property crime trends and each measure of confidence in the criminal justice system. People who were found to have high levels of knowledge about crime trends (i.e. people who nominated that crime trends were decreasing by ‘a little’ or ‘a lot’) were more likely to believe that sentences are ‘about right’, were more confident that the criminal justice system is effective in bringing people to justice, were more confident that the justice system meets the needs of crime victims and were more confident that the justice system deals with matters efficiently. Confidence in the remaining measures of the criminal justice system did not vary according to how much respondents knew about crime trends.⁵

Tables 5 to 9 show the relationship between each remaining measure of knowledge about crime and criminal justice and each of the various measures of confidence in the justice system. Table 5 deals with knowledge about the proportion of crimes that involve violence. Tables 6 to 9 deal with public knowledge about conviction and imprisonment rates.

Looking first at Table 5, it is apparent that people who knew more about the proportion of recorded crimes that involve violence generally had more confidence in each aspect of the criminal justice system. While the relationship was not statistically significant with respect to confidence in the fairness and promptness of the justice system, the trend was in the same direction and, in relation to confidence in the fair treatment of offenders, close to being statistically significant (p=0.069).

Table 6 shows the relationship between knowledge about conviction rates for assault and levels of confidence in the criminal justice system. In each case, respondents who were more knowledgeable about assault conviction rates were more confident in the criminal justice system. Each of these comparisons was highly statistically significant.

Table 4. Relationship between knowledge of recent property crime trends and confidence in the criminal justice system (CJS)

Measure of confidence	Knowledge of property crime trends	N	% Highly confident ^a	Chi-square p-value
Sentencing	High	211	38.4	<0.001
	Low	1563	24.8	
CJS brings people to justice?	High	219	70.3	<0.001
	Low	1609	52.3	
CJS meets needs of victims?	High	213	51.2	<0.001
	Low	1575	32.8	
CJS respects rights of accused?	High	217	74.2	0.922
	Low	1565	74.5	
CJS treats accused fairly?	High	214	75.7	0.623
	Low	1575	77.2	
CJS deals with cases promptly?	High	146	31.8	0.699
	Low	1552	30.5	
CJS deals with cases efficiently?	High	214	52.3	0.026
	Low	1563	44.3	

^a High confidence in sentencing was defined as the proportion who felt sentences were ‘about right’ while confidence in the other indicators was defined as the proportion who were either ‘very’ or ‘fairly’ confident in that aspect of the justice system

or who refused to state their annual income. When these respondents were excluded from the analysis, the relationship was not statistically significant ($\chi^2_2=2.0$, p=0.372). For reasons that are not immediately clear, but consistent with findings from the

British Crime Survey (Nicholas et al. 2007), there was a statistically significant negative relationship between income and confidence in the efficiency of the justice system, whereby respondents on higher incomes were less confident that the justice system deals with cases efficiently.

Table 5. Relationship between knowledge of the proportion of crimes involving violence and confidence in the criminal justice system (CJS)

<i>Measure of confidence</i>	<i>Knowledge of violent crime</i>	<i>N</i>	<i>% Highly confident^a</i>	<i>Chi-square p-value</i>
Sentencing	Low	546	16.1	<0.001
	Medium	553	26.0	
	High	814	34.3	
CJS brings people to justice?	Low	559	46.5	<0.001
	Medium	560	56.6	
	High	860	59.8	
CJS meets needs of victims?	Low	543	28.6	<0.001
	Medium	551	37.8	
	High	841	38.8	
CJS respects rights of accused?	Low	537	71.1	0.049
	Medium	549	76.5	
	High	836	76.6	
CJS treats accused fairly?	Low	545	73.9	0.069
	Medium	549	79.8	
	High	840	77.4	
CJS deals with cases promptly?	Low	543	28.7	0.187
	Medium	537	29.8	
	High	825	33.1	
CJS deals with cases efficiently?	Low	542	41.5	0.021
	Medium	547	49.9	
	High	824	45.8	

^a High confidence in sentencing was defined as the proportion who felt sentences were 'about right' while confidence in the other indicators was defined as the proportion who were either 'very' or 'fairly' confident in that aspect of the justice system

Table 6. Relationship between knowledge of assault conviction rates and confidence in the criminal justice system (CJS)

<i>Measure of confidence</i>	<i>Knowledge of assault conviction rates</i>	<i>N</i>	<i>% Highly confident^a</i>	<i>Chi-square p-value</i>
Sentencing	Low	613	16.0	<0.001
	Medium	707	25.9	
	High	593	39.8	
CJS brings people to justice?	Low	639	39.1	<0.001
	Medium	727	54.8	
	High	613	72.3	
CJS meets needs of victims?	Low	629	23.5	<0.001
	Medium	712	36.9	
	High	594	46.8	
CJS respects rights of accused?	Low	624	71.5	0.004
	Medium	708	74.3	
	High	590	79.7	
CJS treats accused fairly?	Low	629	73.1	0.013
	Medium	704	78.3	
	High	601	79.9	
CJS deals with cases promptly?	Low	617	23.3	<0.001
	Medium	697	32.9	
	High	591	36.6	
CJS deals with cases efficiently?	Low	612	35.1	<0.001
	Medium	702	47.3	
	High	599	54.8	

^a High confidence in sentencing was defined as the proportion who felt sentences were 'about right' while confidence in the other indicators was defined as the proportion who were either 'very' or 'fairly' confident in that aspect of the justice system

Table 7 shows the relationship between knowledge about conviction rates for burglary and levels of confidence in the criminal justice system.

Again, respondents who were more knowledgeable about conviction rates for burglary were more confident in the criminal justice system. Each of these comparisons was also highly statistically significant.

Table 8 shows the relationship between knowledge about imprisonment rates for assault and levels of confidence in the criminal justice system. In contrast to the previous two tables, there was a negative relationship between knowledge of imprisonment rates for assault and five of the measures of confidence, namely the adequacy of sentencing, the ability of the criminal justice system to bring offenders to justice, the ability of the criminal justice system to meet the needs of victims, the degree to which the criminal justice system deals with cases promptly and the degree to which the justice system deals with matters efficiently. Respondents who were more knowledgeable about imprisonment rates for assault were less confident in each of these aspects of the criminal justice system. There was no significant relationship between knowledge about imprisonment rates for assault and the two measures of confidence in the fair and equitable treatment of offenders.

Table 9 shows the relationship between knowledge about imprisonment rates for burglary and levels of confidence in the criminal justice system. With the exception of confidence in the respectful treatment of offenders, respondents who were more knowledgeable about imprisonment rates for burglary were more confident in each aspect of the criminal justice system. In the case of confidence in the respectful treatment of offenders, the trend was in the same direction but the comparison was not statistically significant (p=0.110).

Table 7. Relationship between knowledge of burglary conviction rates and confidence in the criminal justice system (CJS)

Measure of confidence	Knowledge of burglary conviction rates	N	% Highly confident ^a	Chi-square p-value
Sentencing	Low	608	14.0	<0.001
	Medium	724	28.5	
	High	581	37.9	
CJS brings people to justice?	Low	630	40.2	<0.001
	Medium	753	56.0	
	High	596	69.8	
CJS meets needs of victims?	Low	623	25.0	<0.001
	Medium	734	36.8	
	High	578	45.5	
CJS respects rights of accused?	Low	606	71.6	0.010
	Medium	730	74.5	
	High	586	79.2	
CJS treats accused fairly?	Low	608	73.9	0.008
	Medium	734	76.4	
	High	592	81.3	
CJS deals with cases promptly?	Low	599	23.9	<0.001
	Medium	726	34.2	
	High	580	34.1	
CJS deals with cases efficiently?	Low	601	36.3	<0.001
	Medium	730	48.6	
	High	582	51.9	

^a High confidence in sentencing was defined as the proportion who felt sentences were 'about right' while confidence in the other indicators was defined as the proportion who were either 'very' or 'fairly' confident in that aspect of the justice system

Sources of information about the criminal justice system

Table 10 summarises the relationship between the sources of information about the criminal justice system which respondents considered most influential and their levels of confidence in each aspect of the justice system. 'Plus' symbols in Table 10 indicate that the relationship was statistically significant (p<0.05) and people who nominated the particular source of information as the most influential were found to have higher levels of confidence in that aspect of the justice system. 'Minus' symbols in Table 10 indicate that the relationship was statistically significant (p<0.05) and people who nominated the particular source of information as the most influential were found to have lower levels of confidence in that aspect of the justice system. A more detailed breakdown is presented in Table A2 in the Appendix.

Inspection of Table 10 shows that, generally, respondents who reported drawing information from the experiences of others, television or radio news or talk-back radio tended to have lower levels of confidence in the justice system while respondents who reported drawing information about the justice system from broadsheet newspapers, government publications, the Internet and educational institutions were more confident in the justice system.

WILLINGNESS TO LEARN MORE ABOUT SENTENCING

After weighting by age, sex and residential location, 60 per cent of respondents indicated that they would be interested in learning more about how judges sentence offenders. Women, lower income earners and those who knew least about the proportion of crimes that involve violence were more likely to express a willingness to learn more about how judges sentence offenders. There was no significant relationship between any of the other indicators of knowledge and willingness to learn more or between the other measured socio-demographic correlates and willingness to learn more about how judges sentence offenders.

Table 8. Relationship between knowledge of assault imprisonment rates and confidence in the criminal justice system (CJS)

Measure of confidence	Knowledge of assault imprisonment rates	N	% Highly confident ^a	Chi-square p-value
Sentencing	Low	659	36.3	<0.001
	Medium	640	23.6	
	High	614	19.7	
CJS brings people to justice?	Low	683	68.7	<0.001
	Medium	667	50.2	
	High	629	45.6	
CJS meets needs of victims?	Low	662	45.3	<0.001
	Medium	655	32.8	
	High	618	28.2	
CJS respects rights of accused?	Low	662	76.9	0.315
	Medium	647	73.3	
	High	613	74.9	
CJS treats accused fairly?	Low	671	76.9	0.538
	Medium	648	75.9	
	High	615	78.5	
CJS deals with cases promptly?	Low	665	36.5	0.001
	Medium	640	28.4	
	High	600	27.3	
CJS deals with cases efficiently?	Low	665	53.5	<0.001
	Medium	637	45.5	
	High	611	37.5	

^a High confidence in sentencing was defined as the proportion who felt sentences were 'about right' while confidence in the other indicators was defined as the proportion who were either 'very' or 'fairly' confident in that aspect of the justice system

Table 9. Relationship between knowledge of burglary imprisonment rates and confidence in the criminal justice system (CJS)

Measure of confidence	Knowledge of burglary imprisonment rates	N	% Highly confident ^a	Chi-square p-value
Sentencing	Low	563	13.3	<0.001
	Medium	787	27.3	
	High	563	39.3	
CJS brings people to justice?	Low	584	42.3	<0.001
	Medium	807	55.3	
	High	588	67.7	
CJS meets needs of victims?	Low	575	24.7	<0.001
	Medium	791	36.0	
	High	569	46.1	
CJS respects rights of accused?	Low	565	74.0	0.110
	Medium	788	73.5	
	High	569	78.2	
CJS treats accused fairly?	Low	565	75.9	0.031
	Medium	797	75.2	
	High	572	80.9	
CJS deals with cases promptly?	Low	551	26.1	0.001
	Medium	777	30.1	
	High	577	36.6	
CJS deals with cases efficiently?	Low	559	36.3	<0.001
	Medium	775	46.6	
	High	579	53.7	

^a High confidence in sentencing was defined as the proportion who felt sentences were 'about right' while confidence in the other indicators was defined as the proportion who were either 'very' or 'fairly' confident in that aspect of the justice system

SUMMARY AND DISCUSSION

The principal findings to emerge from this study are as follows:

1. A majority (66%) of NSW residents believe that the sentences imposed on convicted offenders in NSW are either 'a little too lenient' or 'much too lenient'.
2. A majority of NSW residents are 'very' or 'fairly' confident that the criminal justice system respects the rights of accused persons (72%) and treats them fairly (75%).
3. A majority of NSW residents (55%) are 'very' or 'fairly' confident that the criminal justice system brings people to justice.
4. A majority of NSW residents are 'not very' or 'not at all' confident that the criminal justice system deals with cases efficiently (52%), promptly (66%) or meets the needs of victims (62%).
5. Confidence in the criminal justice system is more prevalent among

Table 10. Summary of relationship between sources deemed to be the most influential for information about the criminal justice system and levels of confidence in the criminal justice system (CJS)

Information source	Measure of confidence						
	Sentences 'about right'	Highly confident CJS brings people to justice	Highly confident CJS meets needs of victims	Highly confident CJS respects rights of accused	Highly confident CJS treats accused fairly	Highly confident CJS deals with cases promptly	Highly confident CJS deals with cases efficiently
Personal experience		-			+		
Others' experiences		-			-		
Word-of-mouth							
Broadsheet	+	+	+	+	+		
Tabloid	-					+	
Local paper							
TV/radio news	-	-					
Talk-back radio	-		-				-
Govt publications			+			+	+
Books					-		
Internet		+	+			+	
Ed. Institutions	+	+	+				+
Somewhere else					-		

A '+' symbol indicates that the relationship was statistically significant ($p < 0.05$) and people who drew information from that source had higher levels of confidence in that aspect of the justice system

A '-' symbol indicates that the relationship was statistically significant ($p < 0.05$) and people who drew information from that source had lower levels of confidence in that aspect of the justice system

A '' (blank) cell indicates that there was no statistically significant relationship between that particular source of information and that indicator of confidence in the justice system

younger people; those who are better educated; those on higher incomes; those who know more about crime, conviction and sentencing; and those who report drawing information about the justice system from broadsheet newspapers, government publications, the Internet or educational institutions.

6. Confidence in the criminal justice system is less prevalent among older people; those who are less well educated; those who are less well off; those who hold false assumptions about crime and justice; and those who report drawing information about the justice system from talk-back radio, the experiences of others and/or television/radio.
7. A large proportion of the public (60%) would like to learn more about how judges sentence offenders, particularly women, lower income earners and those who are least informed about the proportion of crimes involving violence.

These findings are broadly consistent with the existing Australian and international research on confidence in sentencing and criminal justice administration. Our finding that 66 per cent of NSW residents believe sentences are a little too lenient or much too lenient, for example, is similar to that obtained by Indermaur and Roberts (2005), who asked a representative sample of adult Australians whether people who break the law should be given harsher sentences (70% either 'agreed' or 'strongly agreed'). The proportion of NSW residents who feel that the justice system meets the needs of victims (35%) is also comparable to the proportion endorsing this view in the UK (33%, Nicholas et al. 2007). The NSW public were more likely than the UK public to have confidence that the justice system is effective in bringing people to justice (55% vs. 41%) but slightly less likely to have confidence that the justice system respects the rights of the accused and treats them fairly (72-75% vs. 79%). The proportion of the current sample who felt the justice system deals with matters promptly (30%) was much lower than the proportion who felt the justice system deals with matters

efficiently (44%). In the UK, where these questions are asked together, 40 per cent of the 2006/07 BCS cohort had confidence that the criminal justice system deals with matters promptly and efficiently (Nicholas et al. 2007).

This study also supports previous research showing that the NSW public is generally poorly informed about crime and criminal justice (Indermaur 1987; Indermaur & Roberts 2005; Weatherburn & Indermaur 2004). More than 80 per cent of NSW residents mistakenly believe that property crime has been increasing or has remained stable over the last five years. NSW residents significantly over-estimate the proportion of crimes that involve violence, over-estimate imprisonment rates for assault, under-estimate conviction rates for assault and burglary and under-estimate imprisonment rates for burglary.

This is due in no small measure to the way that crime and criminal justice issues are portrayed in the media. As Table 2 shows, television, radio and the newspapers are far more important sources of information about the criminal justice system than the Internet, books, government publications and educational institutions. Indeed, much of what the public learns about crime and justice through books, government publications and educational institutions is filtered through newspapers, television and radio. At its best, media coverage of crime and justice plays a crucial role in keeping the public informed about crime and in holding governments accountable for the proper administration of justice. All too often, media reporting of crime and justice is distorted, selective and sensationalist. This distorted portrayal of crime and criminal justice issues in the media may not always be deliberate. Violent or unusual acts tend to gain media attention because they are more newsworthy and interesting than non-violent or volume crimes. Similarly, acquittals that are perceived to be unwarranted or sentences that are perceived to be unduly lenient tend to make the news more so than expected convictions or

sentences that might be seen to be in line with community expectations. However, the net effect of public reliance on the media for information on crime and justice is a set of misconceptions that tends to undermine public confidence in the criminal justice system.

The one area where our findings run counter to past research was the observation that levels of confidence in the operation of the criminal justice system were low amongst those who (correctly) thought that the likelihood of imprisonment for assault was low. This may reflect a genuine discontent with current levels of imprisonment for assault. However, the observation is also open to another interpretation. Evidence from other studies clearly shows that survey respondents tend to think of the most serious crimes when asked general questions about punishment severity (Indermaur 1987; Cullen et al. 2000; Roberts et al. 2003). Indermaur (1987), for example, found that 70 per cent of his respondents were thinking of criminals involved with rape, murder, armed robbery, child sexual abuse or some other sort of violence when making general judgements about sentencing leniency. It is possible that those who lack confidence in the criminal justice system because they believe the risk of imprisonment for assault is low also have an exaggerated picture of the seriousness of most assaults. If this interpretation were correct, the correlation between knowledge of sentencing for assault and lack of confidence in the criminal justice system would be attributable to a mistaken view about crime. Consistent with this second interpretation, further exploration of the responses in the current research revealed that the same participants who were deemed to have high knowledge of assault imprisonment rates were deemed to have low levels of knowledge on most of the other criminal justice knowledge measures.

Another noteworthy finding of the current study is that there was no consistent relationship between knowledge of imprisonment rates and confidence in the

fair and equitable treatment of offenders. If knowledge were related to confidence in any aspect of the justice system, one would expect it to be related to confidence in the treatment of offenders. The absence of any relationship, however, may simply be attributable to a ceiling effect. In other words, the high level of public confidence in the fair and respectful treatment of alleged offenders may not have left room for an association with any of the factors we examined.

The question naturally arises as to how public confidence in the NSW criminal justice system might be increased, especially in those areas where it is manifestly low (viz. dealing with cases efficiently, dealing with cases promptly, and meeting the needs of victims). It is impossible to give a definitive answer to this question without analysing the specific concerns people have about the operation of the criminal justice system and then testing each of those concerns against the available evidence to determine whether or not it is warranted. This is certainly a worthwhile undertaking. It may well be that the criminal justice system in some areas is simply not meeting legitimate public expectations. The results reported here, nonetheless, are consistent with the hypothesis that public ignorance about crime and criminal justice is at least partly to blame for lack of public confidence in the NSW criminal justice system. Experimental studies have shown that levels of confidence in the justice system increase when subjects are presented with factual information about crime (Doob & Roberts 1988). Pending more detailed research into public concerns about crime and justice then, one way in which to improve public confidence in the criminal justice system may be to improve public understanding of the basic facts surrounding crime and criminal justice.

The NSW Bureau of Crime Statistics and Research⁶, the NSW Sentencing Council, the Australian Bureau of Statistics and a range of other criminal justice agencies publish information designed to explain how the criminal justice system works and

to promote informed public debate about crime and criminal justice. It is obvious, nonetheless, that having a facility or facilities where factual information about crime and justice can be obtained is simply not enough, on its own, to prevent widespread misunderstanding about crime and criminal justice. A more proactive approach to public education on crime and justice would seem to be required; one that is specifically geared toward those who are not currently well informed about crime and criminal justice. A number of jurisdictions have recognised this and are making more determined efforts to inform the public about trends in crime, conviction and sentencing.

Researchers in the UK recently evaluated the impact of three different methods for providing basic information about crime and criminal justice. The evaluation consisted of an experiment with 220 people drawn from a nationally representative sample selected to assess knowledge about crime, sentencing and the criminal justice system. Those selected were assigned to one of three groups. One group received a 24-page easy-to-understand booklet. The second group received a seminar combined with a question-and-answer session. The third group received a video, combining footage of the seminar with other visual material. All three methods were found to produce a reduction in fear of crime and greater confidence in sentencing and the criminal justice system. Even those who were more poorly educated and whose initial level of knowledge about the criminal justice system was quite poor showed a marked improvement. Of the three formats, the booklet was judged to be the most cost-effective means of providing information to the general community on crime and justice (Chapman et al. 2002).

Similar strategies have been trialled in Australia. The NSW Sentencing Council in conjunction with the Victims of Crime Bureau and the Criminal Law Review Division (both of which are part of the NSW Attorney General's Department) recently produced a Sentencing

Information Package. This package was designed to assist victims of crime to understand the sentencing process by explaining the elements of sentencing procedure, the terminology used by a sentencing court and the purposes of sentencing. The Judicial Conference of Australia has also recently produced a free booklet "Judge for Yourself: A Guide to Sentencing in Australia", which is intended to educate the public on the system of sentencing in Australia (Warner 2007). Time will tell whether they have any enduring impact on levels of knowledge about crime and criminal justice and therefore levels of confidence in the justice system (Green 2006; Maruna & King 2004) but initiatives like these are to be commended. As was noted earlier, a justice system that fails to command public trust and to establish its legitimacy may simply fail to function effectively.

NOTES

1. The BCS questionnaire is available at www.data-archive.ac.uk.
2. The relationship between knowledge and confidence was also assessed by coding the 'no change' group as having 'high knowledge' of crime trends. This did not substantially affect the relationship between knowledge of crime trends and our measures of confidence in the justice system.
3. The correct rates for these offences were derived from the NSW Bureau of Crime Statistics and Research criminal court statistics database. Conviction rates were defined as the proportion of people charged with assault or break, enter and steal who had at least one of those offences proven in a NSW adult court in 2006 (74% for assault and 73% for break, enter and steal). Imprisonment rates were defined as the proportion of men aged 21 years or more convicted for assault or break, enter and steal in NSW adult courts in 2006 who were sentenced to a period of imprisonment for that offence (14% for assault and 61% for break, enter and steal)

4. With respect to confidence in the efficiency of the justice system, this effect was due more to the much higher levels of confidence among young respondents aged between 18 and 29.
5. It is important to note that more than 10 per cent of the data were missing for each of the comparisons between knowledge of crime trends and confidence in: sentencing (missing n=228), whether the justice system meets the needs of victims (missing n=214), respects the rights of accused (missing n=220), treats accused fairly (missing n=213), deals with matters promptly (missing n=236) and deals with matters efficiently (missing n=225). These missing values arose because respondents either did not know whether crime trends were changing or did not rate their confidence in that particular aspect of the criminal justice system.
6. The Bureau's reports on crime and court processes are widely publicised in the media. The Bureau's web site, which provides detailed information about crime, conviction and sentencing, receives nearly 10,000 hits a year. Bureau officers field another 1,200 email, written or telephone requests for information annually.

REFERENCES

- Australian Bureau of Statistics 2006, *Crime and safety, New South Wales*, Australian Bureau of Statistics, cat. no. 4509.1, ABS, Canberra.
- Australian Bureau of Statistics 2007, *New South Wales in focus 2007*, Australian Bureau of Statistics, cat. no. 1338.1, ABS, Canberra.
- Broadhurst, RG & Indermaur, D 1982, 'Crime seriousness ratings: the relationship of information accuracy and general attitudes in Western Australia', *Australian and New Zealand Journal of Criminology*, vol. 15, no. 4, pp. 219-234.
- Chapman, B, Mirrlees-Black, C & Brawn, C 2002, *Improving public attitudes to the criminal justice system: the impact of information*, Home Office Research Study no. 245, Home Office, London.
- Cullen, FT, Fisher, BS & Applegate, BK 2000, 'Public opinion about punishment and corrections', in M Tonry (ed.), *Crime and justice: a review of the research*, vol. 27, University of Chicago Press, Chicago.
- Doob, A & Roberts, JV 1988, 'Public punitiveness and public knowledge of the facts: some Canadian surveys', in N Walker & M Hough (eds), *Public attitudes to sentencing: surveys from five countries*, Gower, Aldershot.
- Green, DA 2006, 'Public opinion versus public judgment about crime: correcting the 'comedy of errors'', *British Journal of Criminology*, vol. 46, no. 1, pp. 131-154.
- Hough, M & Roberts, J 2004, *Confidence in justice: an international review*, ICPR Research Paper no. 3, The Institute for Criminal Policy Research, School of Law, King's College, London.
- Indermaur, D 1987, 'Public perceptions of sentencing in Perth, Western Australia.' *Australian and New Zealand Journal of Criminology*, vol. 20, pp. 163-183.
- Indermaur, D 1990, *Perceptions of crime seriousness and sentencing: a comparison of court practice and perceptions of a sample of the public and judges*, Criminology Research Council of Australia, Canberra.
- Indermaur, D & Roberts, L 2005, 'Perceptions of crime and justice', in S Wilson, G Meagher, R Gibson, D Denmark & M Western (eds), *Australian social attitudes: the first report*, University of NSW Press, Sydney.
- Maruna, S & King, A 2004, 'Public opinion and community penalties', in A Bottoms, S Rex & G Robinson (eds), *Alternatives to prison: options for a secure society*, Willan Publishing, Devon, pp. 83-102.
- Moffatt, S & Goh, D 2007, *An update of long-term trends in property and violent crime in New South Wales: 1990-2006*, Bureau Brief no. 36, NSW Bureau of Crime Statistics and Research, Sydney.
- Nicholas, S, Kershaw, C & Walker, A 2007, *Crime in England and Wales 2006/07*, Home Office Statistical Bulletin no. 1107, Home Office, London.
- NSW Bureau of Crime Statistics and Research 2007, *New South Wales recorded crime statistics: quarterly update December 2006*, NSW Bureau of Crime Statistics and Research, Sydney.
- Roberts, J, Stalans, LJ, Indermaur, D & Hough, M 2003, *Penal populism and public opinion*, Oxford University Press, New York.
- Salisbury, H 2004, *Public attitudes to the criminal justice system: the impact of providing information to British Crime Survey respondents*, Home Office Online Report no. 64/04, Home Office, London.
- St Amand, MD & Zamble, E 2001, 'Impact of information about sentencing decisions on public attitudes toward the criminal justice system', *Law and Human Behavior*, vol. 25, no. 5, pp. 515-528.
- van Dijk, J, van Kesteren, J & Smit, P 2007, *Criminal victimisation in international perspective: key findings from the 2004-2005 ICVS and EU ICS*, Ministry of Justice, WODC, The Hague.
- Warner, K 2007, 'Sentencing review 2006-2007', *Criminal Law Journal*, vol. 31, no. 6, pp. 359-368.
- Weatherburn, D & Indermaur, D 2004, *Public perceptions of crime trends in New South Wales and Western Australia*, Crime and Justice Bulletin no. 80, NSW Bureau of Crime Statistics and Research, Sydney.

ACKNOWLEDGEMENTS

The authors would like to thank Laura Rodwell, members of the NSW Sentencing Council and our anonymous reviewers for their comments on an earlier version of this paper. We would also like to thank Daniel O'Connor for his contribution to the literature review for this paper.

APPENDIX

Table A1 gives a detailed breakdown of the relationship between levels of confidence in each aspect of the justice system and each of the measured socio-demographic characteristics of the respondents.

Table A1. Relationship between socio-demographic characteristics and confidence in sentencing and the criminal justice system (CJS)

<i>Adequacy of sentencing (n=1913)</i>			<i>CJS brings people to justice (n=1979)</i>		
<i>Characteristic</i>	<i>% Sentences 'about right'</i>	<i>Chi-square p-value</i>	<i>Characteristic</i>	<i>% Highly confident ^a</i>	<i>Chi-square p-value</i>
Age (years)		<0.001	Age (years)		<0.001
18-29	39.8		18-29	68.9	
30-39	27.1		30-39	61.9	
40-49	29.7		40-49	56.5	
50-59	25.2		50-59	52.2	
60+	15.9		60+	40.4	
Sex		0.716	Sex		0.798
Female	26.4		Female	54.9	
Male	27.1		Male	55.4	
Education		<0.001	Education		<0.001
Year 10 or less	13.9		Year 10 or less	39.1	
Year 11-12	25.8		Year 11-12	52.4	
TAFE	20.6		TAFE	52.5	
University	38.8		University	67.9	
Income		<0.001	Income		<0.001
<\$40,000	20.5		<\$40,000	44.9	
\$40,000 - \$79,999	24.6		\$40,000 - \$79,999	55.6	
\$80,000+	35.0		\$80,000+	63.6	
Missing	22.6		Missing	52.0	
Residence		0.028	Residence		0.007
Metropolitan	28.2		Metropolitan	57.1	
Non- metropolitan	23.3		Non- metropolitan	50.5	

<i>CJS meets needs of victims (n=1935)</i>			<i>CJS respects rights of accused (n=1922)</i>		
<i>Characteristic</i>	<i>% Highly confident ^a</i>	<i>Chi-square p-value</i>	<i>Characteristic</i>	<i>% Highly confident ^a</i>	<i>Chi-square p-value</i>
Age (years)		<0.001	Age (years)		0.002
18-29	56.0		18-29	76.0	
30-39	39.0		30-39	78.9	
40-49	33.9		40-49	76.6	
50-59	32.3		50-59	77.2	
60+	21.4		60+	68.2	
Sex		0.694	Sex		0.371
Female	36.0		Female	75.9	
Male	35.2		Male	74.1	
Education		<0.001	Education		<0.001
Year 10 or less	26.2		Year 10 or less	67.4	
Year 11-12	36.7		Year 11-12	73.1	
TAFE	30.3		TAFE	76.7	
University	43.6		University	79.6	
Income		0.002	Income		<0.001
<\$40,000	30.6		<\$40,000	65.4	
\$40,000 - \$79,999	36.7		\$40,000 - \$79,999	77.2	
\$80,000+	40.8		\$80,000+	80.3	
Missing	31.6		Missing	74.1	
Residence		0.110	Residence		0.348
Metropolitan	36.7		Metropolitan	75.6	
Non- metropolitan	32.9		Non- metropolitan	73.6	

CJS treats accused fairly (n=1934)

CJS deals with cases promptly (n=1905)

Characteristic	% Highly confident^a	Chi-square p-value	Characteristic	% Highly confident^a	Chi-square p-value
Age (years)		0.120	Age (years)		<0.001
18-29	76.7		18-29	45.4	
30-39	79.4		30-39	37.4	
40-49	78.1		40-49	28.3	
50-59	79.5		50-59	25.5	
60+	72.9		60+	20.4	
Sex		0.217	Sex		0.162
Female	76.0		Female	29.5	
Male	78.3		Male	32.5	
Education		<0.001	Education		0.394
Year 10 or less	70.8		Year 10 or less	29.2	
Year 11-12	75.4		Year 11-12	30.9	
TAFE	76.5		TAFE	28.9	
University	82.1		University	33.1	
Income		<0.001	Income		0.014
<\$40,000	70.5		<\$40,000	30.7	
\$40,000 - \$79,999	76.8		\$40,000 - \$79,999	35.1	
\$80,000+	83.2		\$80,000+	32.1	
Missing	74.5		Missing	25.1	
Residence		0.984	Residence		0.006
Metropolitan	77.1		Metropolitan	32.8	
Non- metropolitan	77.1		Non- metropolitan	26.4	

CJS deals with cases efficiently (n=1913)

Characteristic	% Highly confident^a	Chi-square p-value
Age (years)		<0.001
18-29	55.7	
30-39	47.7	
40-49	40.6	
50-59	37.6	
60+	46.3	
Sex		0.037
Female	48.0	
Male	43.3	
Education		0.267
Year 10 or less	46.5	
Year 11-12	48.4	
TAFE	41.6	
University	46.1	
Income		<0.001
<\$40,000	52.0	
\$40,000 - \$79,999	51.9	
\$80,000+	42.0	
Missing	39.2	
Residence		0.827
Metropolitan	45.9	
Non-metropolitan	45.4	

^a High confidence was defined as the proportion who were either 'very' or 'fairly' confident in that aspect of the justice system

Table A2 shows the specific relationship between sources judged to be the most influential for information about the justice system and levels of confidence in the justice system. Dark shaded boxes indicate that the relationship was

statistically significant and there was a positive relationship between that source of information and that aspect of the justice system. Lightly shaded boxes indicate that the relationship was statistically significant and there was a negative relationship

between that source of information and that aspect of the justice system. Unshaded boxes indicate that there was no statistically significant relationship between that source of information and that aspect of the justice system.

Table A2. Relationship between sources deemed to be the most influential for information about the criminal justice system and levels of confidence in the justice system^a

Information source most influential?		% Sentences 'about right'	% Highly confident CJS brings people to justice	% Highly confident CJS meets needs of victims	% Highly confident CJS respects rights of accused	% Highly confident CJS treats accused fairly	% Highly confident CJS deals with cases promptly	% Highly confident CJS deals with cases efficiently
Personal experience	Yes	27.8	50.7	35.7	73.5	72.9	30.1	43.7
	No	26.4	56.3	35.6	75.4	78.2	31.1	46.3
Others' experiences	Yes	25.7	49.6	34.6	71.4	72.4	30.1	42.7
	No	27.0	56.8	35.9	76.1	78.5	31.2	46.6
Word-of-mouth	Yes	26.0	52.8	35.4	73.0	75.2	29.8	43.5
	No	27.0	56.0	35.7	75.8	77.8	31.3	46.6
Broadsheet	Yes	31.0	60.6	37.9	77.2	80.6	31.3	45.7
	No	22.8	50.1	33.5	73.0	73.9	30.6	45.8
Tabloid	Yes	20.4	52.4	34.9	76.1	79.2	33.9	47.6
	No	30.1	56.6	36.0	74.5	76.0	29.3	44.7
Local paper	Yes	25.4	55.0	36.4	75.9	78.6	32.5	47.3
	No	27.6	55.2	35.0	74.4	76.0	29.8	44.7
TV/radio news	Yes	25.1	55.6	36.1	75.2	77.6	31.4	46.1
	No	31.3	53.7	34.3	74.7	75.8	29.5	44.8
Talk-back radio	Yes	18.1	46.8	30.5	75.3	75.7	26.8	38.8
	No	29.1	57.4	37.0	74.0	77.5	32.1	47.6
Govt publications	Yes	33.1	60.0	44.0	72.3	75.3	38.3	53.9
	No	26.1	54.7	34.9	75.3	77.3	30.3	45.0
Books	Yes	32.0	56.2	36.0	71.4	69.8	26.4	47.0
	No	26.2	55.0	35.6	75.4	77.9	31.4	45.6
Internet	Yes	30.4	62.2	42.7	77.1	77.1	35.9	45.7
	No	25.9	53.6	34.0	74.6	77.1	29.8	45.8
Ed. institutions	Yes	37.8	65.1	47.0	74.0	73.8	32.7	54.7
	No	25.8	54.3	34.7	75.1	77.4	30.8	45.0
Somewhere else	Yes	39.5	60.5	31.8	67.4	63.4	29.6	54.8
	No	26.4	55.0	35.7	75.2	77.4	31.0	45.5

^a High confidence was defined as the proportion who were either 'very' or 'fairly' confident in that aspect of the justice system

Other titles in this series

- No.117 Monitoring trends in re-offending among offenders released from prison
- No.116 Police-recorded assaults on hospital premises in New South Wales: 1996-2006
- No.115 Does circle sentencing reduce Aboriginal offending?
- No.114 Did the heroin shortage increase amphetamine use?
- No.113 The problem of steal from motor vehicle in New South Wales
- No.112 Community supervision and rehabilitation: Two studies of offenders on supervised bonds
- No.111 Does a lack of alternatives to custody increase the risk of a prison sentence?
- No.110 Monitoring trends in re-offending among adult and juvenile offenders given non-custodial sanctions
- No.109 Screening juvenile offenders for more detailed assessment and intervention
- No.108 The psychosocial needs of NSW court defendants
- No.107 The relationship between head injury and violent offending in juvenile detainees
- No.106 The deterrent effect of higher fines on recidivism: Driving offences
- No.105 Recent trends in property and drug-related crime in Kings Cross
- No.104 The economic and social factors underpinning Indigenous contact with the justice system: Results from the 2002 NATSISS survey
- No.103 Reoffending among young people cautioned by police or who participated in a Youth Justice Conference
- No.102 Child sexual assault trials: A survey of juror perceptions
- No.101 The relationship between petrol theft and petrol prices
- No.100 Malicious Damage to Property Offences in New South Wales
- No.99 Indigenous over-representation in prison: The role of offender characteristics
- No.98 Firearms and violent crime in New South Wales, 1995-2005
- No.97 The relationship between methamphetamine use and violent behaviour
- No.96 Generation Y and Crime: A longitudinal study of contact with NSW criminal courts before the age of 21
- No.95 Matching Court Records to Measure Reoffending
- No.94 Victims of Abduction: Patterns and Case Studies
- No.93 How much crime does prison stop? The incapacitation effect of prison on burglary
- No.92 The attrition of sexual offences from the New South Wales criminal justice system
- No.91 Risk of re-offending among parolees
- No.90 Long-term trends in property and violent crime in NSW: 1990-2004
- No.89 Trends and patterns in domestic violence
- No.88 Early-phase predictors of subsequent program compliance and offending among NSW Adult Drug Court participants
- No.87 Driving under the influence of cannabis: The problem and potential countermeasures
- No.86 The transition from juvenile to adult criminal careers

Other titles in this series

No.85	What caused the recent drop in property crime?
No.84	The deterrent effect of capital punishment: A review of the research evidence
No.83	Evaluation of the Bail Amendment (Repeat Offenders) Act 2002
No.82	Long-term trends in trial case processing in NSW
No.81	Sentencing drink-drivers: The use of dismissals and conditional discharges
No.80	Public perceptions of crime trends in New South Wales and Western Australia
No.79	The impact of heroin dependence on long-term robbery trends
No.78	Contact with the New South Wales court and prison systems: The influence of age, Indigenous status and gender
No.77	Sentencing high-range PCA drink-drivers in NSW
No.76	The New South Wales Criminal Justice System Simulation Model: Further Developments
No.75	Driving under the influence of cannabis in a New South Wales rural area
No.74	Unemployment duration, schooling and property crime
No.73	The impact of abolishing short prison sentences
No.72	Drug use monitoring of police detainees in New South Wales: The first two years
No.71	What lies behind the growth in fraud?
No.70	Recent trends in recorded crime and police activity in Cabramatta
No.69	Reducing Juvenile Crime: Conferencing versus Court
No.68	Absconding on bail
No.67	Crime increases in perspective: The regional dispersion of crime in NSW, 2001
No.66	Hung juries and aborted trials: An analysis of their prevalence, predictors and effects
No.65	Multiple drug use among police detainees
No.64	Law enforcement's Role in a Harm Reduction Regime
No.63	Do targeted arrests reduce crime?
No.62	Trends in sentencing in the New South Wales Criminal Courts: 1999-2000
No.61	Preventing Corruption in Drug Law Enforcement
No.60	Reducing Cannabis Consumption
No.59	The Australian Heroin Drought and its Implications for Drug Policy
No.58	Does prohibition deter cannabis use?
No.57	Firearms and Violent Crime in New South Wales
No.56	The Problem of Mobile Phone Theft