

# **The Rotorua Second Chance Community-Managed Restorative Justice Programme: An Evaluation**

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# Foreword

Community-Managed Restorative Justice Programmes have become an established service in many district courts and communities throughout New Zealand since the Crime Prevention Unit funded the first three trial programmes in 1996. In 2004, 19 programmes will provide approximately 1000 conferences across the country. Many District Court judges have come to regard the programmes as a valuable service in securing better outcomes in their courts. The programmes have also generated widespread support in their communities.

Two of the pilot programmes (Timaru's Project Turnaround and Te Whānau Awhina at Waitakere City) were evaluated in 1998 and 1999. Since that time, community-managed restorative justice programmes have continued to expand and evolve in a variety of ways. There have also been significant changes in the context within which these programmes operate. This includes the statutory recognition given to restorative justice processes in New Zealand's Sentencing Act 2002 and Victims' Rights Act 2002, and the focus given to best practice in restorative justice as illustrated by the Ministry of Justice's May 2004 publication *Restorative Justice in New Zealand: Best Practice*.

Given these developments, it was thought useful to undertake evaluations of two programmes to elicit further information about the effectiveness of current approaches to community-managed restorative justice processes in New Zealand. The evaluations will also inform future development and the implementation of improvement processes. The two programmes selected were the Rotorua Second Chance Restorative Justice Programme and the Wanganui Community-Managed Restorative Justice Programme. The Rotorua programme was selected for re-evaluation so that best practice principles for community-based restorative justice programmes utilising tikanga-based practices might be identified.

This report presents the outcomes of the evaluation of the Rotorua Second Chance programme. The report clearly identifies the strengths of the programme and also areas for future improvement.

A key issue that arises from both evaluations is the need to develop strategies to ensure that optimum crime prevention benefits are obtained through securing reductions in re-offending, while also enhancing and maintaining the clear benefits that are being obtained for victims. Securing the best possible results for these two major objectives, which are often not easily reconciled, will be a major challenge for the partnership between policy developers and service providers.

Finally, the Ministry wishes to express its appreciation to Mana Social Services Trust and all the people involved in this evaluation. Without their willing participation this project would not have materialised.



Belinda Clark  
Secretary for Justice



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# Executive Summary

The Ministry of Justice, in consultation with Mana Social Services, commissioned this evaluation of the Rotorua Second Chance Restorative Justice Programme in 2003. The programme is funded by central government through the Crime Prevention Unit, Ministry of Justice. The programme was selected for re-evaluation so that best practice principles for community-based restorative justice programmes utilising tikanga-based practices might be identified.

The evaluation objectives were to:

1. describe the programme – its history, the context in which it operates, delivery, objectives and resources;
2. determine the effectiveness of the programme, in relation to its objectives;
3. contribute to the development of best practice principles for community-managed restorative justice programmes utilising tikanga-based practice;
4. describe the extent to which this programme has contributed to the further development of the partnership between government and communities.

The extent to which the programme has developed its services to meet the needs of Māori, in particular, was also to be examined.

The Rotorua Second Chance Restorative Justice Programme is delivered by Mana Social Services Trust, and is supported by the Te Arawa Māori Trust Board. Māori are involved in the Rotorua programme as managers, staff and kaumātua, and often as victims and offenders.

The Rotorua Second Chance Programme is tikanga-based and takes the approach that restorative justice processes are similar to the Māori concept of whānau hui. The relatively high proportion of Māori offenders referred to the programme reflects the programme's philosophy that restorative justice provides a forum in which Māori offenders may be held tribally accountable for their actions. Among the offenders the programme accepts are offenders who have admitted committing offences involving domestic violence.

The evaluators assessed the extent to which the programme met the objectives it had set for itself. These objectives were considered to be of equal worth and not prioritised in any way. The programme's first objective was to secure a reduction in re-offending by offenders who participated in the Rotorua Second Chance Programme. The evaluation findings show that the one-year reconviction rate for a sample of Rotorua programme participants was very similar to the rate for a matched comparison group of offenders. Offenders who attended the Rotorua programme were reconvicted for no more or no less serious offences than the matched comparison offenders.

The programme clearly met its second objective by securing the active participation of community members in situations where victims were unwilling or unable to attend the restorative justice meeting. The programme also met its third objective by securing the participation of victims where they consented.

The programme's fourth objective, to secure a restorative effect with community-negotiated sanctions placed on offenders, has two parts. The findings are reasonably positive regarding whether the contracts have a restorative effect. About 79% of victims reported their offender had verbally apologised at the meeting. About 63% of plans appear to include restorative elements such as a written apology, reparation, or a donation. About half of the participating victims were 'very satisfied' with the details of the plans, with about 83% being at least 'satisfied'. About half of the participating victims reported being 'very satisfied' and 95% being at least 'satisfied' with the meeting overall. In addition, about nine in ten offenders completed all the elements of their plans.

The programme meets the second part of this objective also. In about 40% of cases where a victim is unable or unwilling to take part, a community member stands in for the victim at the restorative justice meeting and participates appropriately.

The evaluators assessed the programme as generally meeting its last objective – to gain acceptance from professionals working in the criminal justice system. Stakeholders rated Rotorua Second Chance Programme staff very highly. More generally, stakeholders described the programme as having strong links with Te Arawa and the local community.

Participating victims were asked on a scale of '1' (not at all important) to '7' (very important) how important it was for the restorative justice meeting to take their cultural needs and expectations into account. Forty-seven percent of the victims responded that it was not at all important for their cultural needs and expectations to be taken into account at the restorative justice meeting. Of those who thought that it was important for their cultural needs and expectations to be taken into account, four victims felt that the meeting had not done so. Three of these victims identified as Māori and one as of an 'Other' ethnicity.

Just over half (53%) of offenders responded that it was not at all important that the meeting take their cultural needs and expectations into account. Of those who were of the view that its importance was in the range 4 to 7, two offenders felt that the meeting had not taken their cultural needs and expectations into account. One identified as a NZ European and the other as a New Zealander.

The report also compares practice at the Rotorua programme with the Ministry of Justice's best practice principles. The evaluators formed the view that the Rotorua Second Chance Restorative Justice Programme generally appeared to be operating in the spirit of the Ministry's eight principles of best practice for restorative justice processes. For example, participation by victims and offenders in restorative justice processes was underpinned by voluntariness and their full participation was encouraged. Areas of practice that the evaluators thought the Rotorua programme might seek improvement on were:

- ensuring that victims are kept informed of the offender's progress with, and completion of, his/her plan;

- ensuring that a victim's informed consent is gained prior to proceeding with a restorative justice meeting where that victim chooses not to participate in it;
- ensuring the safety of all participants throughout the restorative justice processes, and providing them with more support if there is any doubt; and
- ensuring regular supervision, and providing training and conference opportunities for programme staff each year.

The evaluators hope that the findings presented in this report will inform the practice of the Rotorua programme providers, and contribute to the ongoing development of New Zealand's Crime Reduction Strategy and to international debates about restorative justice.



# 1 Introduction

Restorative justice has at its core the bringing together of victims and offenders (Hudson, 2003). In conventional criminal justice systems, professionals representing the state make the decisions about how to respond to the offending. In contrast, restorative justice processes provide for victims, offenders and their ‘communities of care’ (Braithwaite, 1989) to come to decisions about how best to deal with ‘their’ offence.

Restorative justice processes operate differently within and across different countries. Allison Morris (2002) has argued that there is no single “right way” to deliver restorative justice.

*The essence of restorative justice is not the adoption of one form rather than another; it is the adoption of **any** form which reflects restorative values and which aims to achieve restorative processes, outcomes and objectives.*

Among common law jurisdictions, New Zealand is at the forefront of developments in the delivery of restorative justice processes. In 1996, with the support of the Crime Prevention Unit, New Zealand introduced restorative justice processes into the adult jurisdiction. This initially took the form of three community panel adult diversion programmes. Further expansion into the adult jurisdiction occurred in 2001 with the introduction in four court areas of ‘court referred’ restorative justice conferences that were tasked with dealing with adult offenders and relatively serious offences. Meanwhile, the number of community-based programmes based on the community panel model for adult offenders has continued to grow.

## 1.1 Evaluation findings to date

Smith and Cram (1998) evaluated the first three community panel adult diversion programmes in Timaru, West Auckland and Rotorua over their first year of operation. Their report described the schemes in detail, examined the extent to which they responded to victims, reported the views of a sample of victims who attended a panel meeting and compared the outcomes of the schemes with the outcomes of Police diversion. After eight months the Rotorua Community Accountability Programme closed down its operations.<sup>1</sup>

A subsequent evaluation by Maxwell et al. (1999) of the remaining schemes, Project Turnaround (Timaru) and Te Whānau Awhina (West Auckland), show the potential of using restorative justice processes for adult offenders. Interviews with offenders (none were conducted with victims) showed that most of them found the experience to be positive and meaningful. They thought decisions were fair and the process provided an opportunity to deal with matters constructively and to avoid appearing in court or receiving court imposed

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<sup>1</sup> This programme was not managed by Mana Social Services.

sanctions. The outcome was often increased understanding of the impact of the offending on the victim, and remorse. Over half those interviewed said they had been involved in the decisions about how to deal with their offending.

However, about one in four of those offenders interviewed at Project Turnaround found the experience a negative one: they said they were not listened to, that decisions were coerced, that they were shamed by the process and commented on not feeling comfortable with the large number of people at the meeting. The small sample of offenders interviewed from Te Whānau Awhina found the process more meaningful because it happened on the marae and in the meeting house where they were in the presence of their ancestors. Despite the panel being often seen as intimidating and demanding at Te Whānau Awhina, the offenders interviewed said they accepted their decisions.

Both the Project Turnaround and Te Whānau Awhina schemes also demonstrated a reduction in re-offending. One year following the programmes, there were significantly fewer reconvictions among participating offenders compared with control offenders matched for offending history, demographic factors and offence characteristics. Not only was there a reduction in the proportion reconvicted, but for those who were reconvicted, the seriousness of the major offence (as judged by the scale of seriousness based on penalties) was not as great among participants in the schemes as it was among the control groups. In addition, those referred to the schemes who were seen as having successful outcomes were less likely to be reconvicted compared with those who were seen as not having successful outcomes (although the small numbers here make it difficult to be confident of this finding).

More recently, the Mana Social Services Trust commissioned Kerry Bowie (2003) to evaluate its Rotorua Second Chance Restorative Justice Programme. Bowie concluded that the programme successfully met victims' needs to feel involved in the decision making and to have victims' concerns and suggestions implemented into action plans. However, due to small sample sizes her report was inconclusive about whether or not offenders who had participated in the programme re-offended at a lower rate and less seriously than similar offenders dealt with by conventional processes and dispositions.

## **1.2 Evaluation of the Rotorua Second Chance Restorative Justice Programme**

The Rotorua Second Chance Restorative Justice Programme is again the subject of this evaluation report. The programme was re-established by the Mana Social Services Trust in 1999. The evaluation findings in this report supplement those produced by Bowie (2003) on the first two years of the Rotorua programme.

The Ministry of Justice, in consultation with the Rotorua programme providers, sought to re-evaluate the programme so that best practice principles for community-based restorative justice programmes utilising tikanga-based practices might be identified. This evaluation, along with the Wanganui Community-Managed Restorative Justice Programme evaluation, represent the first steps towards completing goals described in Gray's evaluation plan (2002).



The objectives of the evaluation, as specified by the Ministry of Justice, are to:

1. describe the programme – its history, the context in which it operates, delivery, objectives and resources;
2. determine the effectiveness of the programme, in relation to its objectives;
3. contribute to the development of best practice principles for community-managed restorative justice programmes utilising tikanga-based practice ; and
4. describe the extent to which this programme has contributed to the further development of the partnership approaches between government and communities.

The extent to which the Rotorua programme has developed its services to meet the needs of Māori, in particular, will also be examined.

The evaluation objectives inform the structure and order of this report. Chapter 2 describes the programme and Chapter 3 describes the evaluation methodology. Chapter 4 assesses the effectiveness of the programme in meeting its objectives. Chapter 5 discusses the extent to which the programme conforms with best practice principles for restorative justice processes and Chapter 6 describes the extent to which the programme has contributed to the development of the partnership between government and the Rotorua community. Throughout these chapters the cultural responsiveness of the programme to Māori, to Pacific peoples and to other cultural groups is also evaluated. The report ends with some concluding remarks about the Rotorua programme and the evaluation findings.

## **1.3 Some terminology**

In relation to restorative justice processes, the words “conference” and “meeting” are used synonymously throughout this report to describe the meeting at which the parties meet to discuss the impact of the offending, as are the words “plan” and “contract” to describe the actions agreed to by the participants that the offender is to undertake to repair the harm done to the victim. The word “programme” consists of all of the operational processes used at Rotorua, from the initial contact with potential participants through to the monitoring of offenders’ progress against their plans.

It is hoped that the evaluation findings will contribute to the ongoing development of New Zealand’s Crime Reduction Strategy, and to further international debates about restorative justice.



## **2 Describing the Rotorua Second Chance Community-Managed Restorative Justice Programme**

Mā te whakaatu, Ka mōhio  
Mā te mōhio, Ka mārama  
Mā te mārama, Ka mātou  
Mā te mātou, Ka ora.

Discussion brings forth understanding  
Understanding brings forth light  
Light brings forth wisdom  
Wisdom brings forth wellness.

### **2.1 A short history of the Rotorua programme**

In July 1999, the Rotorua Second Chance Restorative Justice Programme run by the Mana Social Services Trust commenced its operations in the local area. This was a second attempt to establish a programme there. During 1996/1997 a similar programme, entitled the Rotorua Community Accountability Programme,<sup>2</sup> was established in the local area. However, this programme was discontinued after eight months.

### **2.2 Governance of the programme**

The Second Chance Programme is delivered by Mana Social Services Trust, and is supported by the Te Arawa Māori Trust Board.

### **2.3 Funding and resourcing of the programme**

The Ministry of Justice's Crime Prevention Unit funds the programme. Programme staff comprise a director, a programme co-ordinator, a part-time facilitator and part-time resource staff (for example, a receptionist, and a financial controller).

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<sup>2</sup> This was not managed by Mana Social Services.

## 2.4 Objectives of the programme

The programme seeks to hold offenders accountable for their crimes not only to their victims and the community, but tribally as well. It set itself objectives that are both process and outcome oriented.

The objectives of the Rotorua Second Chance Restorative Justice Programme are considered to be of equal worth and not prioritised in any way. They are to:

- Secure a reduction in re-offending by those offenders who participate in the Community-Managed Restorative Justice process;
- Secure the active participation of community members in the programme;
- Secure participation of victims of offences where appropriate;
- Secure a restorative effect with community-negotiated sanctions placed on offenders; and
- Secure acceptance of the programme by interested parties such as the Judiciary, Department for Courts, Police, and Victim Support.

## 2.5 Roles of staff

The programme director and a part-time person facilitate the conferences<sup>3</sup>. The programme co-ordinator acts as a liaison person with the local District Court for referrals to the programme and provides information to the Court on the offenders' progress with their plans, maintains the necessary databases, and helps monitor offenders in carrying out their plans.

## 2.6 The Mana Social Services Trust

The Rotorua Second Chance Restorative Justice Programme is one of several programmes run by the Mana Social Services Trust. The Trust set out the goals and parameters for the restorative justice programme in its 2001 *Second Chance Restorative Justice Implementation Plan*.

## 2.7 Cultural aspects of the programme

The programme is tikanga-based. The programme's director, Maxine Te Kowhai Rennie, describes the programme as recognising that restorative justice processes are similar to the Māori concept of "whānau hui which allows parties to meet for the purpose of akoako, respecting each person's views, feelings, concerns, and to reach an agreed decision to put things right". The relatively high proportion of Māori offenders referred to the programme reflects the programme's philosophy that "For Māori, restorative justice offers a forum for

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<sup>3</sup> One facilitator is Māori and the other is Pakeha.

full participation in holding Māori offenders tribally accountable for their negative, destructive behaviour and actions”.<sup>4</sup>

## 2.8 Referrals

The local District Court judges may refer an offender to the programme. A victim may be present at ‘their’ offender’s first court appearance and express a wish for this to happen. Initially, as the programme’s name suggests, the local judges referred first-time offenders to the programme. More recently, some more serious offenders are being referred.

The number of referrals to the programme tripled in the first three years. Offenders must plead guilty prior to being referred to the Second Chance Programme by a local District Court judge. A total of 495 referrals were made to June 2002, with a further 198 referrals during the following nine months.

Table 2.1 shows the demographic profile of offenders referred during this time. Within the nine months to March 2003, 83% of offenders were male, 62% were over 20, 76% identified as Māori, and 49% as employed.

**Table 2.1 Demographic characteristics of those offenders referred to the programme: percentages**

Characteristics	to June 00 (N=77) %	to June 01 (N=176) %	to June 02 (N=242) %	to March 03 (N=198) %
<b>Gender</b>				
Male	90	75	77	83
Female	10	25	23	17
<b>Age</b>				
Aged 20y or under	47	30	21	38
Aged over 20y	53	69	79	62
<b>Ethnicity</b>				
Māori	82	84	74	76
European	12	14	22	20
Pacific	4	3	4	3
Other	3	0	0	1
<b>Employment status</b>				
Unemployed	45	41	40	40
Employed	40	41	41	49
Beneficiary	4	10	9	5
Student	10	8	10	7

Note: The percentages in this table may not add to 100 because of rounding.

<sup>4</sup> Taken from page one of a hand-out provided by the Programme Director.

The programme has held increasing numbers of restorative justice conferences in line with the increasing trend in referral numbers. The programme held 46, 120, and 173 conferences in each of the years to June of 2000, 2001 and 2002 respectively. In the following nine months, the programme held 137 conferences.

## **2.9 Referrals of offenders guilty of domestic violence charges accepted**

The programme accepts offenders who have pleaded guilty to charges of domestic violence and where the victim is agreeable to attend a restorative justice meeting. The programme director's view is that "there is a real urgency as a restorative justice provider to ensure that the opportunity is not wasted of having both parties together for the purposes of

- a) accountability of offenders for the use of violence on women and children;
- b) empowering victims and providing a more level playing field where she is safe to have a say in what needs to happen for both [parties] to put things right;
- c) considering the rights of their children to safety and protection – particularly where children are included on protection orders and are not being 'protected';
- d) addressing the unresolved childhood or past issues or trauma of both parties, which continues to contribute towards acts of violence and then targeting the most appropriate intervention services to meet these needs, and
- e) cultural accountability due to the ever increasing high numbers of Māori spousal abuse and the as yet unmet needs of Māori children being offended against under the Domestic Violence Act (psychological abuse by allowing a child to see or hear domestic violence)."

## **2.10 Preparation for the restorative justice meeting**

Following a referral from the judge, the Programme Co-ordinator interviews the offender and seeks their agreement to participate in the programme. Once a file is opened, the offender attends an initial interview to assess his/her suitability to proceed with restorative justice processes. Unsuitable offenders are returned to court. The victim is then contacted and asked to participate in a restorative justice meeting. Both the victim(s) and the offender are briefed about the purpose of the meeting, its format, their ability to bring along support people, and other likely participants.

## **2.11 At the restorative justice meeting**

Meetings are usually held at the programme venue at Mana Social Services. The facilitator greets and introduces the participants<sup>5</sup>, and states the purpose of, and ground rules for, the meeting. The facilitator begins the meeting with a karakia if those present wish this to

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<sup>5</sup> Participants always include the offender and the victim or a community representative. Support people of the offender and the victim may also be present.

happen. Next, the facilitator reads the summary of facts. The victim, who is usually present, is invited to speak about the impact of the offence. Whakamā may be evident among offenders and their whānau members while listening to this. Then the offender is given the opportunity to provide an explanation for his/her offending. The offender may show remorse for his actions and may offer a verbal apology.

Kaumātua may be present for the purpose of making tribal whakapapa links among the parties. In some cases, an offender may realise the consequences of his offending as having harmed his own whānau. If this happens, the offender may show remorse and offer an apology to the victim.

The participants discuss options (including reparation) and agree together on the content of the plan, guided by the facilitator. Once the elements are agreed, the facilitator guides the quantum of the 'sentence', for example, the amount of community work or reparation. Participants are then invited to sign the plan. Copies of the plans are made available on the condition that the contents of the plan remain confidential. Participants are advised by the facilitator that sentencing is at the discretion of the judge who may add to the plan if he thinks this is necessary. The facilitator thanks participants for their contribution and brings the meeting to a close.

## **2.12 Following the restorative justice meeting**

The plans are returned to court for the judge to ratify them. Once ratified, the Programme Co-ordinator is given a copy of the offender's plan and is responsible for ensuring that the offender actions it. The Co-ordinator may also make referrals to other agencies and sets up the community work ordered after he has checked what work is to be undertaken and who is to supervise it. Periodic checks are done by the Co-ordinator to ensure the offender's compliance. If the offender shows signs of not completing his/her plan, the offender is returned to court for sentencing.

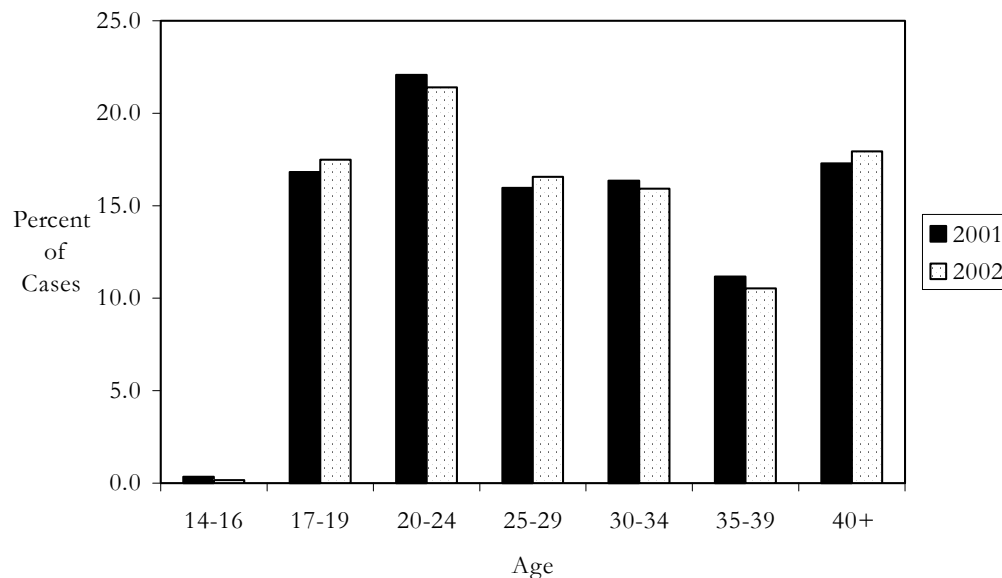
At sentencing, the Programme Co-ordinator is sometimes able to notify the court about the extent to which the offender has completed the elements in his plan. Sometimes the matter may be adjourned to allow the offender to complete the plan. If the offender completes the plan, the agencies involved in overseeing the plan may produce a report verifying this has happened. The offender is likely to have imposed a sentence of discharge without conviction, conviction and discharge, or convicted and ordered to come up for sentence if called upon.

## **2.13 Characteristics of offenders in Rotorua**

Offenders on the programme form part of the larger group of offenders prosecuted each year in the local courts. In 2001, there were 7290 prosecutions in the Rotorua District, Youth, and High Courts combined. About 68 percent of these prosecutions resulted in a conviction. The following year, there were slightly fewer prosecutions - 6816 - of which 67 percent resulted in a conviction.

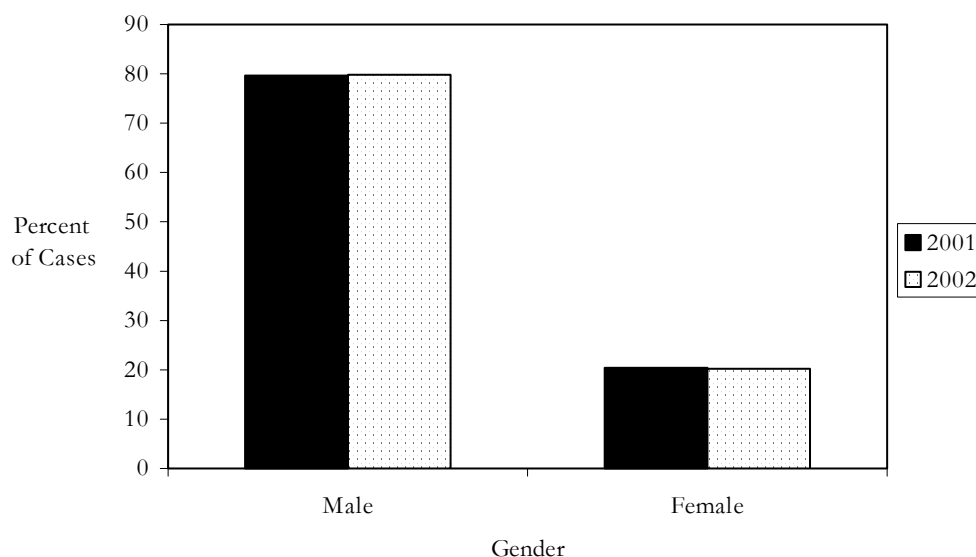
The age, gender and ethnicity of convicted cases in Rotorua in 2001 and 2002 are shown graphically in the following three figures. The patterns for Rotorua generally reflect patterns nationally for both these years (Spier 2002, p 29, and Spier & Lash 2004, p 176).

**Figure 2.1 Percentage of convicted cases in each age group, Rotorua, 2001 and 2002**



Note: Excludes 55 cases in 2001, and 37 cases in 2002, where the age of the offender was unknown.

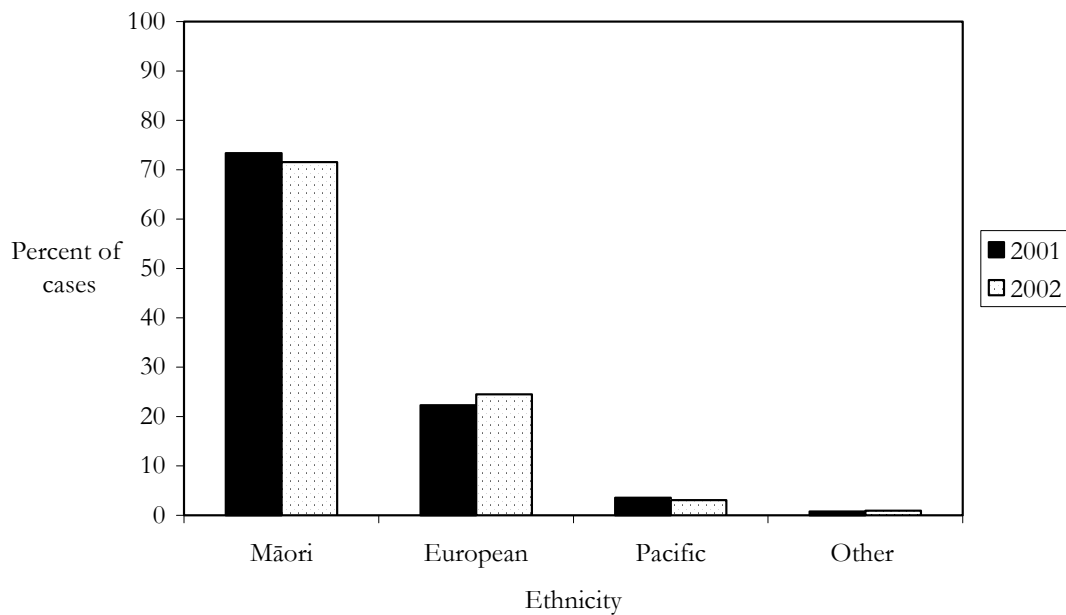
**Figure 2.2 Percentage of convicted cases in each gender, Rotorua, 2001 and 2002**



Note: Excludes 47 cases in 2001, and 31 cases in 2002, where the gender of the offender was unknown, or recorded as a corporation.



**Figure 2.3 Percentage of convicted cases in each ethnic group, Rotorua, 2001 and 2002**



Note: Excludes 328 cases in 2001, and 234 cases in 2002, where the ethnicity of the offender was unknown.

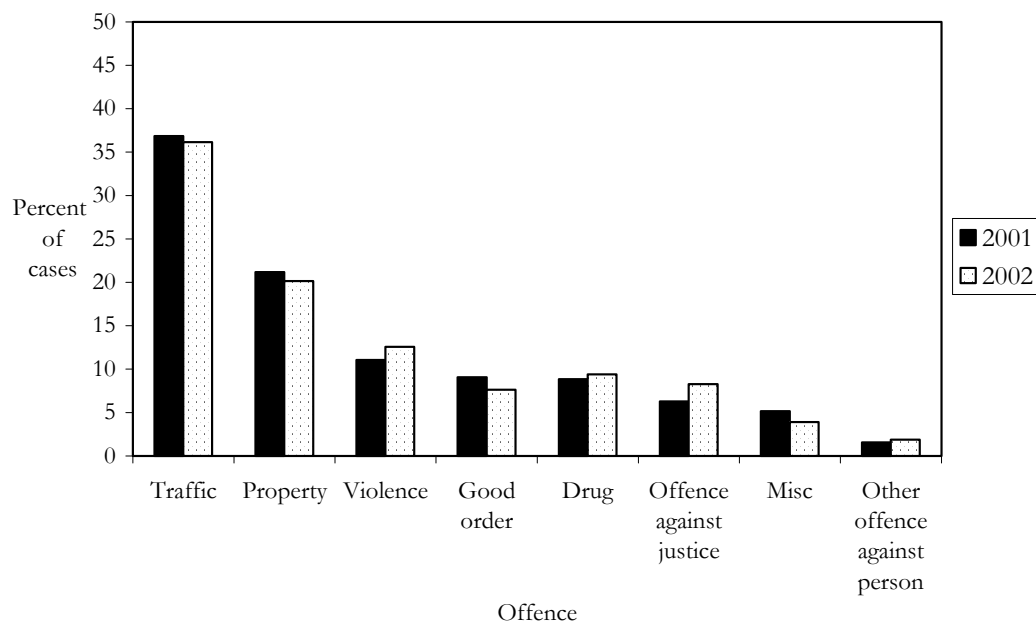
As expected, the greatest numbers of offenders were aged 20-24 years.

Again, as expected, about four-fifths of Rotorua offenders were male. (Spier 2002, p 27, and Spier & Lash 2004, p 172.)

In 2002, about 72% of Rotorua offenders were Māori (higher than the national figure of 41%, Spier & Lash 2004, p 174) and about 24% were NZ European in 2002 (lower than the national figure of 47%, Spier & Lash 2004, p 174).

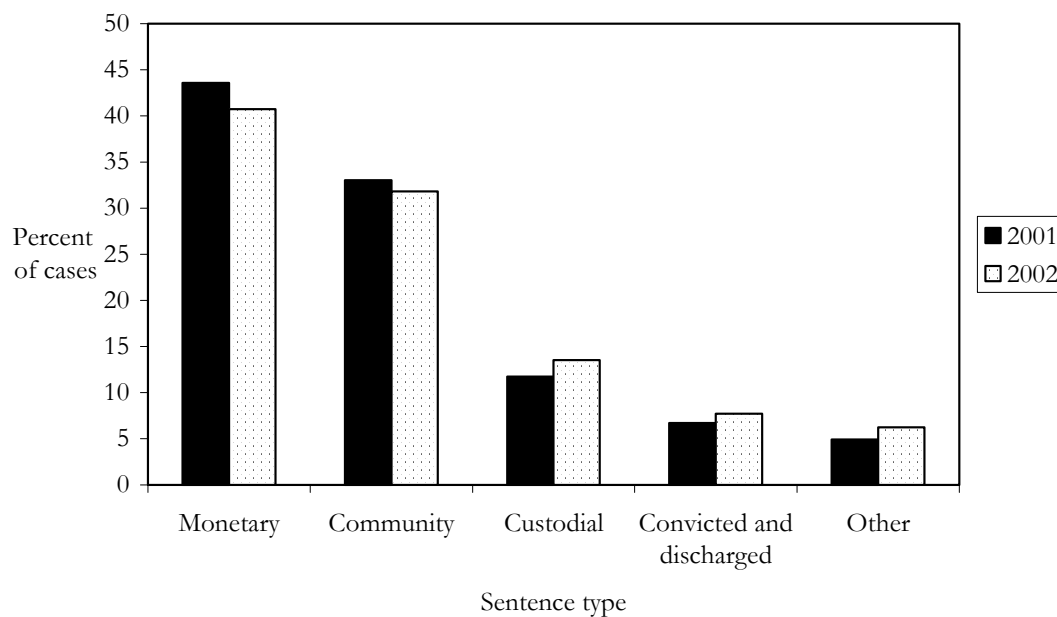
The distribution of convictions across offence groups is shown in Figure 2.4. In 2002, about 36% of convicted cases involved traffic, 20% property, and 13% violent offences as their most serious offence.

**Figure 2.4 Percentage of convicted cases in each offence group, Rotorua, 2001 and 2002**



And finally, the sentences imposed in the Rotorua courts in 2001 and 2002 are shown in Figure 2.5. “Other” includes sentenced to come up for sentence if called upon. The proportion sentenced to “other” and convicted and discharged, at 6% and 8% in 2002 respectively, are similar to national figures. (Spier & Lash 2004, p 62.)

**Figure 2.5 Percentage of convicted cases for each type of sentence imposed in the Rotorua courts in 2001 and 2002**



## 3 The evaluation methodology

The evaluation design and the associated collection of data were guided by the Ministry of Justice's project brief requiring that the evaluators obtain information through interviews with offenders, victims and other key stakeholders: for example, Ministry of Justice (formerly Department for Courts) and Department of Corrections staff.

In June 2003, three of the evaluation team visited the Rotorua Second Chance Restorative Justice Programme to meet with programme staff. The purpose of our visit was to facilitate a collaborative working relationship with the programme providers and to ensure that the data collection requirements of the evaluation had minimal impact on the day-to-day operations of the programme.

A Māori adviser and Māori interviewer formed part of our evaluation team. They encouraged us to be directed by local Tangata Whenua in our evaluation fieldwork practices. In our interviews with Māori participants we were informed by the following principles:

- Tika What you say you do
- Pono Do it with honesty and integrity
- Aroha Drive these processes with care, compassion and love.

Where appropriate, interviewers were encouraged to:

- acknowledge Mana Whenua in discussions
- acknowledge Tangata Whenua in discussions
- honour Mana Whenua in Mihimihi/Whaikōrero
- honour our Tūpuna, and
- honour the three planes of Mana Atua, Mana Whenua, and Mana Tangata.

### 3.1 Reconviction analysis

A researcher from the Research & Evaluation Unit, Ministry of Justice undertook the reconviction analysis. Her role was to perform a comparative re-offending analysis of some restorative justice programme participants in the Rotorua programme against a matched sample of offenders who had been dealt with solely through the courts. A conviction was used as the measure of assessing any re-offending.

Mana Social Services supplied the Ministry of Justice with a list of participants who completed the Rotorua restorative justice programme between 1 September 2001 and 31 August 2002. The list included the name, age or date of birth, date referred to programme, and offence for which referred to programme. The Ministry of Justice used this information to find the

conviction records of the programme participants. These conviction records were used to find information about convictions before the participant was referred to the programme as well as reconvictions within one year of referral to the programme.

The comparison offenders were matched using variables identified by a logistic regression model (see Appendix 1) by gender, age group, ethnicity (Māori, European, other), current offence (traffic, property and other), and two criminal history variables (time since the last conviction and rate of past convictions). Although whether the person had been convicted in the past, and whether the current offence was a violent offence, were significant in the logistic regression model, these variables were not used in the matching process because limiting the number of variables increased the chances of finding a match, and these variables were the last entered in the model.

Table 3.1 shows that the Rotorua participants and their matched comparison group were well matched for the time between the current offence and the most recent past offence.<sup>6</sup>

**Table 3.1 Time between the current offence and the most recent past offence for Rotorua participants and their matched comparison group**

Time between the current offence and the most recent past offence <sup>1</sup>	Participants	Comparison group
1 month or less	6	6
> 1 month – 1 year	43	43
>1 – 4 years	57	57
>4 years	67	67
Total	173	173

Note:

- 1 If there was no past offence, this variable has a value of the person's age at the time of the current offence less 13 years. This corresponds to the time eligible to offend, as a person generally cannot be convicted until the age of 14.

Table 3.2 shows the match of the second variable in the model, the number of convicted cases per year since the age of 14. The table shows that the Rotorua participants and their matched comparison group matched exactly for the number of convicted cases per year since the age of 14.

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<sup>6</sup> The variable in the model was actually  $\ln(\text{durp})$  = logarithm of the time (in days) between the current offence and the most recent past offence. See Appendix 1 for an explanation of the reconviction analysis methodology.

**Table 3.2 Number of convicted cases per year since the age of 14 for Rotorua participants and their matched comparison group**

Number of convicted cases per year since the age of 14	Participants	Comparison group
0	134	134
1	34	34
2	5	5
Total	173	173

Table 3.3 shows the matching of the variables Age, Māori, European, and Male. It shows that the demographic characteristics of the Rotorua participants were similar to those of the comparison group, although the comparison group had slightly more males.

**Table 3.3 Demographic characteristics of Rotorua participants and the matched comparison group**

Characteristic	Participants	Comparison group
<b>Age</b>		
14-16	1	1
17-19	49	49
20-24	35	29
25-29	27	32
30+	61	62
<b>Gender</b>		
Male	132	141
Female	40	32
Unknown	1	0
<b>Ethnicity</b>		
European	46	50
Māori	114	110
Pacific Peoples	5	8
Other	0	1
Unknown	8	4
Total	173	173

In addition, the gender and ethnic breakdown of these Rotorua programme participants were reasonably similar to offenders in Rotorua generally (see Figures 2.2 and 2.3). However, the Rotorua programme participants tended to be younger than offenders in Rotorua generally (Figure 2.1).

Table 3.4 shows that the matched comparison group for the Rotorua participants have fewer violent offences, and more drug and good order offences than the participants. The two groups match well on the variables related to the type of offence that were included in the model (i.e. traffic and property offences), and which are most likely to be associated with a reconviction. The model also showed that those with violent offences were less likely to be reconvicted, but this variable was not used in the matching process. As the participant and

comparison groups had different proportions of violent offences, this difference may have had a slight effect on the likelihood of reconviction.

**Table 3.4 Major offence for which Rotorua participants were referred, and for which the matched comparison group were convicted**

Major offence	Participants	Comparison group
Violence offences	68	42
Other against persons	9	1
Property offences	71	65
Drug offences	5	27
Offences against justice	5	2
Good order offences	11	26
Traffic offences	4	5
Miscellaneous offences	0	5
Total	173	173

In addition, these Rotorua programme participants were about three times as likely to be addressing violent offences than were the Rotorua courts generally (see Figure 2.4). Property offences were also proportionately more likely to be dealt with by Rotorua programme participants than by the Rotorua courts generally.

The comparison group and the participants were not matched on the type of major previous offence or the number of previous convictions, but these characteristics for each group are compared in Table 3.5.

**Table 3.5 Number of previous convictions and major previous offence committed by Rotorua participants and the matched comparison group**

	Participants	Comparison group
<b>Number of previous convictions</b>		
None	44	51
1 – 5	69	63
Six or more	60	59
<b>Major previous offence</b>		
Violence	19	21
Other against persons	0	1
Property	33	32
Drug	6	22
Against justice	4	4
Good order	7	7
Traffic	57	35
Miscellaneous	3	0
None	44	51
Total	173	173

Both groups had similar profiles for most of these characteristics. However, the comparison group had more people whose major previous offence was a drug offence, and fewer people whose major previous offence was a traffic offence than the participants.

### **3.2 Interviews with key stakeholders**

We identified key stakeholders for interview in consultation with the programme providers (see Appendix 2 for interview schedule). Face-to-face interviews were carried out during September and October 2003 with five key stakeholders including a lawyer, a community representative, the Police (1), the Judiciary (1) and local Iwi (1).

### **3.3 Interviews with victims**

Staff at Mana Social Services provided the evaluators with details of victims involved in restorative justice meetings that had been held between October 2002 and July 2003. Information relating to 50 meetings<sup>7</sup> held during this period was entered into a Crime & Justice Research Centre (CJRC) password protected Filemaker Pro database.<sup>8</sup> This information included the date of the meeting, details of the victims (and offenders) involved, the nature of the offences, the plan decided on at the meeting and whether or not the victim was present at the meeting.

Victims were posted letters inviting their participation in the evaluation (Appendix 3). They could 'opt out'. Pre-paid envelopes were provided to enable victims and offenders to do this. Thirty-eight victims<sup>9</sup> were contacted. We were subsequently unable to contact 13 victims, five refused to participate and we interviewed 21.<sup>10</sup>

#### **Interview schedules**

Prior to the finalisation of the interview schedules in August 2003, they underwent several drafts and review by the Ministry of Justice's evaluation advisory group and by the programme providers. The schedules for victims<sup>11</sup> and offenders were mainly mirror images of each other.

#### **The interviews with victims**

Interviews with 21 victims were carried out between August and December 2003. Nineteen victims had participated in a conference and two had not. Victims were interviewed either

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<sup>7</sup> At 23 meetings at least one victim was present. At 15 meetings a community member was present. For 12 meetings no data was available.

<sup>8</sup> CJRC destroys all research material after 3 years.

<sup>9</sup> In all 48 victims were involved. However, for 10 there were insufficient details to enable us to invite these victims to participate in the research. Two cases involved victimless offences.

<sup>10</sup> This included one victim who had not been sent a letter but who had indicated to a researcher observing the restorative justice meeting that s/he was involved with that s/he was willing to be interviewed.

<sup>11</sup> Two interview schedules were developed for victims. One for those who had attended the restorative justice conference and one for those who had been invited but who had not attended.

face-to-face or over the telephone depending on their preference. Written consent was obtained from those interviewed face-to-face (Appendix 4) while those interviewed by phone gave their verbal agreement to the process. Following the interview (see Appendix 5 for interview schedule), victims were offered a \$20 koha for their time and imparting of their views.

The majority of the 19 victims who had attended restorative meetings were interviewed face-to-face (89%) and two were interviewed over the phone.<sup>12</sup>

Both of the victims interviewed who did not attend the restorative justice conferences were interviewed during the evening, over the phone. The interviews with victims were quite short and took at the most less than half an hour.

The characteristics of the 19 victims interviewed, who had participated in meetings, are set out in Table 3.6 below.

**Table 3.6 Characteristics of victims interviewed who had participated in restorative justice meeting: number and percentages**

Characteristics	Victims participating in RJ meeting (n=19)	
	Number	Percentage <sup>1</sup>
<b>Sex</b>		
Male	4	21
Female	15	79
<b>Ethnicity</b>		
NZ European	7	37
Māori	11	58
Asian	1	5
<b>Age<sup>2</sup></b>		
Under 18	2	11
18-19	1	6
20-24	3	17
25-29	2	11
30+	10	56
<b>Employment status</b>		
Employed	17	90
Unemployed	1	5
Student	1	5

Notes:

1 The percentages in this table may not add to 100 because of rounding.

2 Excludes one victim whose age was not known.

<sup>12</sup> More than half (53%) of these interviews took place in the morning, another quarter (26%) in the afternoon and the remaining one-fifth (21%) in the evening. Almost two thirds (65%) of the face-to-face interviews were carried out at the victim's home, around a quarter at the premises of Mana Social Services (23%) and one tenth (12%) at the victim's workplace.



Women made up nearly 80% of victims we interviewed who had attended the meeting. Almost two fifths (37%) of victims interviewed identified as New Zealand European and around three fifths (58%) identified as Māori or part Māori. More than half (55%) were aged 30 and over and one tenth (11%) were aged under 18. Nine in ten victims we interviewed (90%) were employed.

Of the two victims interviewed who had not attended conferences, one was male and one was female. One identified as NZ European and the other as Asian. One was aged 18-19 and the other aged 30 or over. Both victims were employed.

Nearly three quarters (71%) of the victims we interviewed<sup>13</sup> said that they had known the offender before the offence.<sup>14</sup>

Table 3.7 presents the most serious offences which victims participating in a restorative justice meeting were dealing with. Just over half (53%) of these victims dealt with a violent offence, with eight out of ten violent offences dealing with the specific offence of male assaults female. Just over a quarter (26%) dealt with a property offence.

**Table 3.7 The most serious offence that participating victims dealt with (N=19)**

Most serious offence	Number	Percentage <sup>1</sup>
Male assaults female	8	42
Assault on a child	1	5
Assault	1	5
<b>Sub total - violent offences</b>	<b>10</b>	<b>53</b>
Burglary	2	11
Theft	1	5
Fraud	1	5
Intentional damage	1	5
<b>Sub total – property offences</b>	<b>5</b>	<b>26</b>
Breach protection order	1	5
<b>Sub total – against administration of justice</b>	<b>1</b>	<b>5</b>
Possess offensive weapon	1	5
<b>Sub-total – against good order</b>	<b>1</b>	<b>5</b>
Careless driving	1	5
<b>Sub-total – traffic</b>	<b>1</b>	<b>5</b>
Cruelty to an animal	1	5
<b>Sub-total miscellaneous</b>	<b>1</b>	<b>5</b>
<b>Total</b>	<b>19</b>	<b>100</b>

Note:

1 The percentages in this table may not add to 100 because of rounding.

<sup>13</sup> Eighty percent of those who had attended conferences reported this. Neither of the victims who had not attended the conference had known their offender prior to the offending.

<sup>14</sup> Almost three-quarters of the victims (73%) identified the offender as someone with whom they had (or had had) a close personal relationship, i.e. either a current (55%) or ex partner (18%), or other family/whānau member (27%).

Table 3.8 presents elements of the plans agreed to by victims who participated in a restorative justice meeting in Rotorua.

**Table 3.8 Elements of plans agreed to in the presence of victims (N=19)**

Element	Number	Percentage
Written apology	5	26
Community work	2	11
Reparation	3	16
Donation	4	21
Programme attendance	5	26

Note: A plan may have more than one element.

Only 26% of the plans included a written apology. The amount of community work varied from 20 hours for theft as a servant to an unspecified amount for a male assaults female offence. The amount of reparation varied from \$750 to \$1950 for property offences. The amount of donations ranged from \$200 for a burglary offence to \$500 for a male assaults female offence.

Some offenders were assigned to more than one programme. Three offenders were assigned to five programmes. The plan of an offender who had committed the offence of male assaults female included three programmes addressing relationship issues, grief, and an unspecified programme.

In the two meetings where the victims we interviewed had not been present, one had dealt with a violent offence (threatening to kill), and the other with a property offence (unlawfully getting into a motor vehicle). The meeting where the threatening to kill charge was dealt with resulted in a plan containing a written apology and drug and alcohol counselling. (No information on the plan is available for the meeting that dealt with the property offence.)

### 3.4 Interviews with offenders

Staff at Mana Social Services provided the evaluators with details of offenders involved in restorative justice meetings that had been held between October 2002 and July 2003. Information relating to 50 meetings held during this period was entered into a CJRC password protected Filemaker Pro database. This information included the date of the meeting, details of the offenders and victims involved, the nature of the offences, the plan decided on at the meeting and whether or not the victim was present at the meeting.

Offenders were posted letters inviting their participation in the evaluation (Appendix 3). They could 'opt out'. Pre-paid envelopes were provided to enable offenders to do this. Thirty-five offenders were contacted. Offender interviews were conducted until 15 offenders had been interviewed. Three offenders refused to participate. In eight cases both the offender and the victim of the same case were interviewed.

## Interview schedules

Prior to the finalisation of the interview schedules in August 2003, they underwent several drafts and review by the Ministry of Justice's evaluation advisory group and programme providers. The schedules for offenders and victims were mainly mirror images of each other.

## The interviews with offenders

Interviews with 15 offenders were carried out between August and December 2003 (see Appendix 6 for offenders' interview schedule). All had participated in a restorative justice meeting. Written consent (Appendix 4) was obtained from those interviewed face-to-face (73%) while those interviewed by phone (27%) gave their verbal agreement to the interview process. Following the interview, offenders were offered a \$20 koha for their time and imparting their views.

Interview times were fairly evenly spread throughout the day and the evening and the venue for face-to-face interviews was usually the offender's home (82%).<sup>15</sup> In five cases another family/whānau member or support person was present during the interview. Interviews took, on average, about half an hour. Table 3.9 below sets out the characteristics of the 15 offenders interviewed.

Almost three quarters (73%) of the offenders interviewed were men. Slightly more than half (53%) of the offenders interviewed identified as Māori or part Māori and slightly less than half identified as New Zealand European.

Half (50%) of the offenders interviewed were under 25.

Only five offenders reported being employed, three stated they were beneficiaries and five said that they were unemployed. One was a full time student and another was retired.

All of the offenders said that they had known their victim before the offence.<sup>16</sup>

Table 3.10 presents the most serious offences that offenders we interviewed had addressed through restorative justice processes. A violent offence was the most serious offence for just over one-half (53%). Three offenders we interviewed had addressed their offending against a female partner. One third of offenders addressed their property offending via restorative justice processes.

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<sup>15</sup> One interview took place at Mana Social Services and another at the home of friends/relatives of the offender being interviewed.

<sup>16</sup> More than half of the offenders (53%) identified their victims as someone with whom they had (or had had) a close personal relationship, i.e. either a current (38%) or ex partner (38%), a child (12%) or other family/whānau member (12%).

**Table 3.9 Characteristics of offenders interviewed: number and percentages (N = 15)**

Characteristics	Number	Percentage
<b>Sex</b>		
Male	11	73
Female	4	27
<b>Ethnicity</b>		
NZ European	7	47
Māori <sup>1</sup>	8	53
<b>Age<sup>2</sup></b>		
Under 18	1	7
18-19	1	7
20-24	5	36
25-29	4	29
30+	3	21
<b>Employment status</b>		
Employed	5	33
Beneficiary <sup>3</sup>	3	20
Unemployed	5	33
Student	1	7
Retired	1	7

Notes:

1 These data include those offenders who identified as part-Māori.

2 Information on the age of one offender was missing.

3 These data include those on the domestic purposes or sickness benefits.

**Table 3.10 The most serious offence that offenders addressed at restorative justice processes (N=15)**

Most serious offence	Number	Percentage <sup>1</sup>
Male assaults female	3	20
Assaults a child	1	7
Assault	3	20
Accessory after the fact	1	7
<b>Sub total - violent offences</b>	<b>8</b>	<b>53</b>
Burglary	2	13
Fraud	2	13
Intentional damage	1	7
<b>Sub total – property offences</b>	<b>5</b>	<b>33</b>
Breach protection order	2	13
<b>Sub total – against administration of justice</b>	<b>2</b>	<b>13</b>
<b>Total</b>	<b>15</b>	<b>100</b>

Note:

1 The percentages in this table may not add to 100 because of rounding.

Table 3.11 presents elements of the plans that offenders agreed to complete for their offending.

**Table 3.11 Elements of plans agreed to by offenders (N=15)**

Element	Number	Percentage
Programme attendance	6	40
Written apology	5	33
Donation	4	27
Write essay	3	20
Community work	2	13
Reparation	2	13
Arrange access to child	1	7

Note: A plan may have more than one element.

Programme attendance was included as an element of 40% of offenders' plans. The three plans of those addressing their offending for male assaults female through restorative processes included counselling at Mana Social Services for both the offender and for the victim. Counselling and parenting courses were included in the plan of the offender who had assaulted a child.

### 3.5 Observations of meetings

The evaluators wanted to observe some restorative justice meetings in order to understand the context in which they operated. Our observations of such meetings were not intended to be part of the evaluation itself.

With the participants' consent, one of the evaluators observed two restorative justice meetings. The meetings had different facilitators.<sup>17</sup> Both dealt with domestic violence incidents.

<sup>17</sup> One facilitator was Māori and one was NZ European.



## **4 Assessing the effectiveness of the programme in meeting its objectives**

This chapter examines the extent to which the Rotorua Second Chance Restorative Justice Programme is successful in meeting the objectives it set for itself using tikanga-based practices. These objectives were considered to be of equal value and were not prioritised in any way. These objectives are to:

1. Secure a reduction in re-offending by those offenders who participate in the Community-Managed Restorative Justice process;
2. Secure the active participation of community members in the programme;
3. Secure participation of victims of offences where appropriate;
4. Secure a restorative effect with community-negotiated sanctions placed on offenders; and
5. Secure acceptance of the programme by interested parties, such as the Judiciary, the Department for Courts, Police, and Victim Support.

The supporting material for our assessment is drawn from interviews with victims (three-quarters of whom took part in a restorative justice meeting), offenders, and key stakeholders, and data gathered and analysed by the Ministry of Justice for examination of re-offending.

We examine each objective in turn and make an assessment.

### **4.1 Securing a reduction in re-offending by those offenders who participate in the programme**

The Ministry of Justice researcher used quantitative methods to compare reconvictions between community-managed restorative justice cases in Rotorua with those dealt with by conventional court processes. The process of finding a similar group of people dealt with by conventional court processes (the matched comparison group) to compare with the programme participants is described in Appendix 1.

The researcher examined two measures. Firstly, reconvictions within 12 months by the programme participants were compared to the reconvictions of the matched comparison group. Secondly, the seriousness of their reconvictions was analysed.

A conviction was used as the measure of assessing re-offending. The period following completion of the programme varied between individuals, however, all participants could be followed up for one year. All of the matched comparison group could be followed for one year after their conviction date.

### 4.1.1 Comparing reconvictions

First, the number and percentage of participants who were convicted of at least one offence within the follow-up period of one year were compared for the programme participants and the offenders in their comparison group.

**Table 4.1 Reconvictions within one year for Rotorua participants and matched comparison group**

	Participants	Comparison group
Number reconvicted	72	74
Percentage reconvicted	42%	43%

A significance test conducted on the figures in Table 4.1 shows that after one year the Rotorua programme participants were reconvicted at a similar rate to offenders in the matched comparison group (McNemar's test,  $p = 0.806$ ).

Secondly, the follow-up data were analysed using survival analysis.<sup>18</sup> The results of this analysis are demonstrated graphically in Figure 4.1. The curves show the proportion of each group (participants and matched comparison group) not reconvicted for up to one year. The difference in the curves for the participants and the matched comparison group was not statistically significant (Wilcoxon chi-square test,  $p = 0.676$ ).

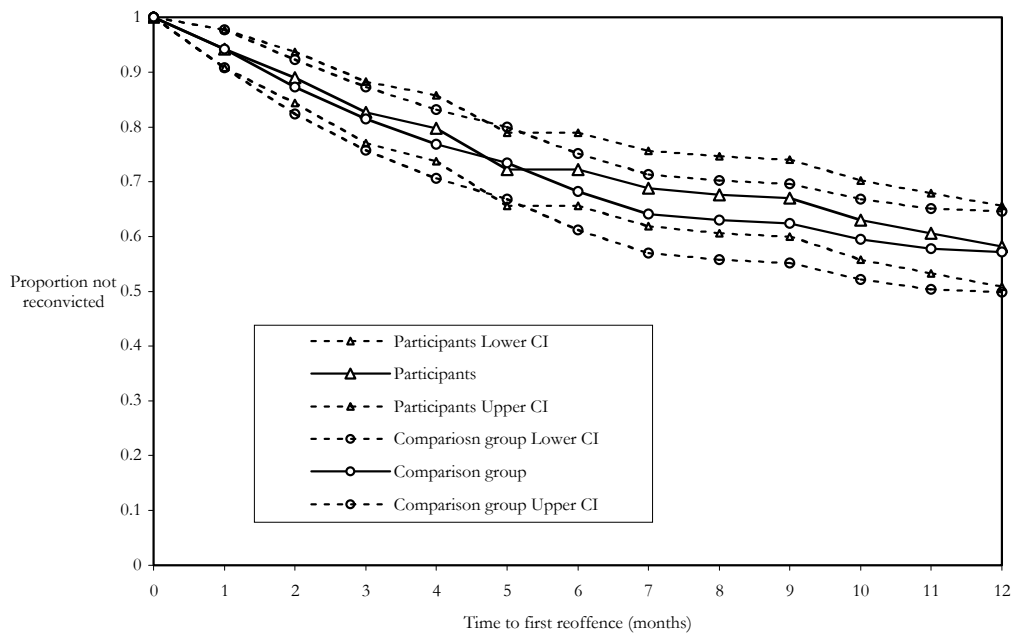
Ninety-five percent confidence intervals are also shown on Figure 4.1. Because the confidence intervals for each group overlap, these also illustrate that the difference in reconviction between the groups is not statistically significant. That is, the proportion of programme participants in Rotorua reconvicted within a year was not different from the proportion from a national sample of similar offenders dealt with by conventional processes.

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<sup>18</sup> Survival analysis was used to test for any differences between the groups in reconviction rates over the course of the follow-up year.



**Figure 4.1** Proportion not reconvicted within one year for Rotorua participants and matched comparison group with 95% confidence intervals



#### 4.1.2 Types and seriousness of reconvictions

The major type of offence<sup>19</sup> for which the participants and the offenders in their matched comparison group were convicted during the one-year follow-up period is shown in Table 4.2.

**Table 4.2** Major offence committed within one year by Rotorua participants and the matched comparison group

Major offence	Participants		Comparison group	
	Number	Percent	Number	Percent
Violence	12	7	9	5
Other against person	2	1	3	2
Property	16	9	23	13
Involving drugs	2	1	3	2
Against justice	14	8	11	6
Good order	5	3	7	4
Traffic	20	12	17	10
Miscellaneous	1	1	1	1
Any offence	72	42	74	43

<sup>19</sup> The major offence is the offence which received the most serious sentence.

Seven percent of the Rotorua participants were reconvicted within a year for violent offences compared with five percent of their matched comparison group. The Rotorua participants were slightly less likely to be reconvicted for property offences and slightly more likely to be reconvicted for traffic offences than the offenders in their matched comparison group. (A difference in proportions test showed that none of these differences were statistically significant.)

The Ministry of Justice's scale for the seriousness of offences was used to assign a score to the major offence committed during the follow-up period. The scores were used to compare the seriousness of reconviction during the follow-up period of the participants and the offenders in their matched comparison group. (The scale is described in detail in Appendix 1.)

Table 4.3 shows that the median seriousness of the reconvictions within a year by the Rotorua participants was 8.1 compared to 3.4 for their matched comparison group. However, the difference in the medians was not significant (non-parametric median test,  $p = 0.178$ ) indicating that the reconvictions by the Rotorua participants were not more serious than for the matched comparison group.

**Table 4.3 Seriousness of major reconviction within one year by Rotorua participants and the matched comparison group**

	Participants	Comparison group
Median seriousness	8.1	3.4
Mean seriousness	78.1	36.1

Although Table 4.3 shows both the mean and median seriousness, the median was chosen as a better measure of the centre of a distribution than the mean. The reasons for this were firstly because the mean is likely to be influenced by extreme observations (outliers), and secondly because the seriousness scores were not normally distributed. In Rotorua the mean seriousness of the reconvictions of the participant group was much greater than for their matched comparison group, although this difference was not statistically significant ( $p = 0.416$ ). However, the mean seriousness of the participant group was influenced by an outlier with a seriousness score of 3650 (for murder). Without this outlier, the mean seriousness was 27.8, which was less than the mean for the matched comparison group, but the difference was not statistically significant ( $p = 0.484$ ).

### 4.1.3 Summary

The Rotorua Second Chance Restorative Justice Programme's first objective is to secure a reduction in re-offending by those offenders who participate in their processes. The one-year reconviction rate for some Rotorua programme participants was 42% and that for comparison offenders dealt with by conventional court processes was 43%. Thus, the one-year reconviction rates were very similar.

Further analysis also showed that there was no difference between the offenders who had attended the Rotorua programme and matched comparison offenders in terms of their patterns of reconvictions throughout the follow-up year.

The offenders who attended the Rotorua restorative justice programme were reconvicted for no more or no less serious offences than the matched comparison offenders.

## **4.2 Securing the active participation of community members in the programme**

Community members may participate in restorative justice meetings as supporters of the victim or of the offender, or as a representative of the community in cases where the victim is unable or unwilling to participate. All except one (95%) of the victims and 80% of the offenders we interviewed felt that they had sufficient support at the meeting.

Mana Social Services has a range of respected community members, including kaumātua, it can call on to participate in restorative justice meetings where the victim is unable or unwilling to attend. In these cases, Mana Social Services will choose a particular community member that it thinks best suits the case and the offender. Where the offender is Māori and the victim is unable or unwilling to take part, a local kaumātua may participate in the meeting.

Where local kaumātua participate at restorative justice meetings their role includes that of exploring tribal whakapapa connections among the parties. Where tribal links are discovered, programme staff perceive this as having a powerful effect on the offender. S/he may make the connection that s/he has offended against his/her own whānau.

Community members may contribute to the restorative justice meetings by suggesting options that may be included in the offender's plan. Evidence from the interviews with victims and offenders suggests that community members contribute appropriately there. For example, all except two (89%) of the participating victims and all of the offenders were agreed that no one person dominated the meeting.

Community members' active participation in meetings is supported by 69% of victims perceiving them as being involved in the collective decision-making of the details of the plans. In one instance, their participation was such that the community member was perceived as having decided alone the details of the plan.

The two community members we interviewed were enthusiastic about the programme. One said that the programme:

*Encourages honesty in the offender. The informality helps. It is a very positive experience. [Offenders] have the opportunity to give comment on what led up to the event. [The programme] can put in place a process to give the offender a wake-up call.*

If there was a weakness in the programme, one community representative volunteered that it was the need to ensure that offenders completed their plans.

Community members play a vital role in the operation of the programme and actively support its day-to-day operations. Almost always their participation accords with their assigned roles.

### **4.3 Securing participation of victims of offences where appropriate**

Victims appear to participate in about six in ten of the meetings at Mana Social Services. Of the information we were able to obtain relating to 38 meetings, at least one victim participated in 23 meetings and community members represented the victim(s) and the community at the other 15 meetings.

Victims may not always want to attend their restorative justice meeting. One victim expressed his dilemma this way:

*I don't like going. ...but I think it's a good idea.*

We understood that in all cases the victim was invited to participate in the process. If the victim refused, s/he needed to give his/her consent to the restorative justice process going ahead. However, one of two non-participating victims we interviewed could not recall being invited to attend a restorative justice meeting and both could not recall being asked whether the meeting could proceed in their absence.

### **4.4 Securing a restorative effect with community-negotiated sanctions placed on offenders**

Evaluative material presented in this section is drawn from interviews with 19 victims and 15 offenders who participated in a restorative justice meeting. Members from the community, including kaumātua, may attend the restorative justice meetings in cases where the victim does not attend (see section 4.2). Where present, community members were perceived as negotiating either collectively or individually the contents of the contracts by 69% of victims we interviewed. Negotiations over the details of the plans resulted in agreement for 90% of victims and 93% of offenders we interviewed.

Crimes that were dealt with by restorative justice processes included some serious offending. The offences that victims and offenders had experienced were presented earlier in Chapter 3. Just over half of the crimes victims chose to deal with face-to-face with their offender were for violent offences (including for male assaults female, assault on a child, and common assault) and one-quarter were for property offences. Eight of the fifteen offenders we interviewed confronted their violent offending (including for male assaults female, assault on a child, assault, and as an accessory) through restorative justice processes and five confronted their property offending that way. The elements of the contracts agreed to by victims and offenders were presented in Tables 3.8 and 3.11 respectively.

#### 4.4.1 The contracts

Two elements of contracts that can be described as “restorative” are the tendering of an apology to the victim and recompense to the victim or a donation to a community organisation. However, only 26% of the participating victims’ plans included a written apology<sup>20</sup>, 16% included reparation to the victim, and 21% included a donation (Table 4.4). In addition, 26% of the plans included reintegrative or rehabilitative elements in the form of attendance at a programme.

**Table 4.4 Elements of the contracts negotiated through restorative justice processes with participating victims (N=19)**

Elements of plan	Number	Percentage
<b>Restorative</b>		
written apology	5	26
reparation	3	16
donation	4	21
<b>Reintegrative or rehabilitative</b>		
programmes	5	26
<b>Sanctions</b>		
community work	2	11

Note: A plan may have more than one element.

On reflection, half of victim participants indicated that they were very satisfied with the plan overall and 83% indicated their satisfaction by choosing a rating of 5 to 7. One victim gave the scale a rating of 1 (very dissatisfied) and another a rating of 3. Offenders tended to have slightly higher satisfaction levels with 62% indicating that they were very satisfied and 85% satisfied with the plan overall. Two offenders rated their satisfaction with the plan as a 4.

When asked whether the plan was “too harsh”, “about right” or “too soft”, most participating victims (89%) and offenders (75%) responded that it was “about right”. None of the victims, but one offender, thought the plan was “too harsh”. Eleven percent of the victims and 17% of the offenders thought the plan was “too soft”.

Victim participants thought that good features of the plans (Table 4.5) included restorative features such as receiving a written apology (5) or reparation from the offender (3), the offender being able to help themselves (3) or to help others (2). “Other” good features mentioned included that the plan included counselling, the high quality of the facilitator, the realisation that they weren’t alone in experiencing crime, and feeling a sense of closure. While one mentioned it was not all about punishment, another volunteered that the offender got what she deserved.

In contrast, offenders rated the best features of the plan as being able to help themselves (50%) and being able to apologise (43%). Not going to prison was a positive feature mentioned by 21% of the offenders we interviewed.

<sup>20</sup> 79% of victims we interviewed reported that the offender had verbally apologized at the meeting. In addition, an apology may have been given before the meeting.

**Table 4.5 Victims' perspectives on good features of the plan: number and percent who agreed (N = 19)**

Good features	Number	Percentage
Offender apologised in writing	5	26
Offender being able to help themselves	3	16
Receiving reparation	3	16
Reaching an agreement	3	16
Offender being able to help others	2	11
Nothing	2	11
Offender didn't go to prison	1	5
Other	11	58

Note: A plan may have more than one element.

A majority of victim participants (71%) and offenders (93%) could not identify a bad feature of the plan. Bad features that victims identified included not reaching an agreement, being pressured to agree, that the plan did not address an alcohol problem, that the plan was not sufficiently rehabilitative, and that Mana Social Services should have been given the jurisdiction to force a commitment on the offender by a certain date.

About 58% of victim participants and 60% of offenders thought that it was 'not at all important' for the plan to take account of their cultural needs and expectations. Of those who did, three victims and one offender felt that the plan had not or had only partly succeeded in meeting their cultural needs and expectations.

#### **4.4.2 Preparation for the restorative justice meeting**

Thirty-two percent of victim participants indicated that they were very well prepared for the restorative justice meeting and 74% indicated their general preparedness by choosing a rating of 5 to 7, with 7 being 'very well prepared'. Two victims gave the scale a rating of 1 ('not at all prepared').

In contrast, offenders tended to indicate higher levels of preparedness. Seventy-one percent indicated that they were very well prepared for the restorative justice meeting and 93% indicated their general preparedness. One offender selected a '4' to indicate his level of preparedness for the meeting.

#### **4.4.3 The restorative justice meeting overall**

All of the victim participants reported that they had understood what was going on in the restorative justice meeting (Table 4.6). All except one felt they were treated with respect; 90% said they had had the chance to explain the impact of the offence on them; and 84% felt involved. However, two victims indicated that they were not given sufficient opportunity for input; one felt intimidated to freely express herself; and one felt unsafe at some time during the restorative justice meeting.

**Table 4.6 Victims' perspectives on their experiences at the restorative justice meetings: number and percent (N=19)**

Victims' perspectives	Number	Percentage
Understood what was going on	19	100
Treated with respect	18	95
Had the chance to explain how the offence had affected them	17	90
Had the opportunity to say what they wanted to say	17	90
Felt involved	16	84
Felt too scared to say what they really felt	1	5
Felt unsafe at any time	1	5

Similarly, all offenders responded that they had felt involved in the meeting, and 95% responded that they had been treated with respect, had understood what was going on and had a chance to say what they had wanted to say. Four offenders, however, said that they had felt too scared to say what they had really felt.

Verbal apologies were offered by offenders at 15 out of the 19 meetings involving victim participants, and in all instances these apologies were accepted (Table 4.7). Just over half of victim participants said they felt that their offender had expressed some empathy with them; 68% said that their offender had expressed remorse; and 63% said that their offender was made accountable for their offending. Only two-thirds (68%) felt that their offender was able to make amends for their offending.

**Table 4.7 Victims' perspectives on the offenders' behaviour at the restorative justice meeting: number and percent who said yes (N = 19)**

Victim agreed that ...	Number	Percentage
Offender apologised - verbally	15	79
Accepted offender's apology	15	100*
Offender was able to make up for what s/he did	13	68
Offender showed was really sorry	13	68
Offender understood how I felt – fully or partly	11	58
Offender was made accountable for his/her offending	12	63

\* Of those victims for whom the offender apologised.

Two-thirds of offenders indicated that they had apologised for their offending at the restorative justice meeting and that their apology was accepted in all bar one of the meetings. Eighty percent of offenders indicated that they had felt ashamed for their offending behaviour. Two offenders indicated they felt they had been stigmatised at the meeting.

Victim participants described the best features of the restorative justice meeting as being that the meeting was well organized (26%), the ability to meet the offender face-to-face (21%), the plan that was agreed at the meeting (21%) and the sense of closure it brought them (16%). Two victims could not identify a good feature (Table 4.8).

Fifty-eight percent identified other good features. Two were impressed by the personal qualities of the facilitator:

*Facilitator very good. Got offender to talk.*

*Facilitator quite approachable and relaxed.*

Other positive aspects victims mentioned included:

*The whole thing. Say what I needed to say and he got to say things. Whole lot of confusion through him not understanding.*

*They weren't running people down.*

**Table 4.8 Victims' perspectives on good features of the restorative justice meeting: number and percent who agreed (N = 19)**

Good features of the meeting	Number	Percentage
Well organised	5	26
Ability to meet the offender	4	21
The plan	4	21
Ability to put whole thing behind them	3	16
Nothing	2	11
Other	11	58

The offenders we interviewed mentioned a variety of good features of the meeting. For example, their ability to communicate how they felt and that they had felt listened to.

*I got to express the way I felt to someone other than my family.*

*They don't push anything on you. They tried to understand my relationship before and listen to why it happens. They don't come up with answers but possibilities to look at and decide for yourself so hopefully I could go back to how things were. Gave me an opening.*

Over half (56%) of victim participants and 73% of offenders could not identify a bad feature of the meeting. Of the eight victims who did, a perceived lack of follow-up was one of the themes. For example:

*There should've been one more [meeting]. There should've been a follow-up, possibly at the end of the reparation. It would've been a good thing for the victim.*

Overall, about half (53%) of the victim participants were 'very satisfied' with the restorative justice meeting and 95% indicated their general satisfaction by choosing a rating of 5 to 7 (with 7 being 'very satisfied'). None expressed dissatisfaction. All bar one (94%) of the victim participants were pleased they had taken part in the meeting.

Offenders tended to rate their satisfaction with the meeting slightly lower than victim participants. Half of the offenders were 'very satisfied' and 71% satisfied with the meeting. Four offenders rated their satisfaction as a '4'. All the offenders we interviewed were pleased that they had taken part in the meeting.



When participating victims were asked on a scale of ‘1’ (not at all important) to ‘7’ (very important) how important it was for the restorative justice meeting to take their cultural needs and expectations into account, 47% of the victims responded that it was not at all important. Of those who were of the opinion that its importance was in the range 4 to 7, four participating victims felt that the meeting had not taken their cultural needs and expectations into account. Three of these victims identified as Māori and one as of an Other ethnicity.

Just over half (53%) of offenders responded that it was not at all important that the meeting take their cultural needs and expectations into account. Of those who were of the view that its importance was in the range 4 to 7, two offenders felt that the meeting had not taken their cultural needs and expectations into account. One identified as a NZ European and the other as a New Zealander.

#### **4.4.4 Processes following the restorative justice meeting**

The completion of the plans is crucial to restoring the balance between the victim and the offender. Only two of the 15 offenders (13%) had not completed their plan. All of the remaining offenders we interviewed said that a supervisor had checked that they had carried out the undertakings specified in their plans.

In most meetings, offenders we interviewed reported that monitoring of the offender’s plan was discussed and responsibility for monitoring clearly assigned. Sometimes, however, this did not occur, leaving some victims and some offenders uncertain as to whose responsibility it was.

*Just assumed Police or Social Services would see it through.*

*Not articulated.*

Some victims expressed a wish to have evidence that their offender had completed his/her plan.

#### **4.4.5 Reflecting on restorative justice processes**

Responses varied in terms of how victims and offenders now felt about restorative justice processes in general. Some were very positive about their experience of the programme (for example, “excellent”, “good idea”, “very good”, “it was sweet as”, “it was better than going through the courts”).

Some victims and offenders gave their qualified approval in certain circumstances, for example:

*Really good idea for a minor crime in the right circumstances. (victim)*

*A good approach especially for younger ones. (victim)*

*I think they are good but the law still needs to be there to enforce it. Make sure [offenders] are doing it. (victim)*

*For the right people the programme is brilliant. (victim)*

*They could be a bit better somehow. But they’re OK. (offender)*

*I think they're good if people are open. (offender)*

Some victims' responses reflected their perceived lack of follow-up, for example:

*I would like to see evidence of the plan having to be completed.*

Some victims were uncertain of their value, for example:

*I have doubts as to whether it's working for the victim.*

One offender expressed his negative view of restorative justice processes this way:

*It was a waste of time. Got my hopes up and then I got convicted. I thought it was diversion.*

Eighty-four percent of victim participants and all offenders would recommend restorative justice meeting to others and the same proportion would participate in such meetings again should they become a victim. While most recommended restorative justice processes, adding, for example:

*Definitely...A bit of a shock going to talk to a stranger. A bit sceptical at first but [it] was very very good. (victim)*

Some were more circumspect, for example:

*I am not too sure. (victim)*

#### **4.4.6 Overall assessment against objective about securing a restorative effect with community-negotiated sanctions placed on offenders**

There are two parts to the programme's fourth objective: firstly, to ensure that the plans are negotiated with community input and, secondly, that the plans result in the repair of harm to victims of crime.

The first part of this objective is met in the sense that a victim or a community member is present at each restorative justice meeting. The second part is partially met.

In order for the offender to repair the harm to the victim and for restoration to be able to occur, the offender must complete his plan. This had happened for 13 out of the 15 (83%) offenders we interviewed. The completion of plans was not always communicated to victims.

About 79% of victims we interviewed reported having received a verbal apology from their offender at the meeting. About 63% of the plans included a restorative element in the form of a written apology, reparation to the victim, or a donation to a community organisation. Half of the participating victims were 'very satisfied' with the details of the plans, with 83% being at least 'satisfied'. Participating victims reported high levels of involvement in, and being treated with respect at, the meeting. Just over half of the participating victims reported being 'very satisfied' and 95% at least being 'satisfied' with the meeting overall.

## **4.5 Securing acceptance of the programme by interested parties, such as the Judiciary, the Department for Courts, Police and Victim Support**

Evaluative material in this section is drawn from interviews with five key stakeholders. Stakeholders praised the staff (“great integrity and commitment”, “ability to communicate”, “it comes down to the people”, “very good people”) as being key to the effective running of the programme. For one stakeholder, this was a double-edged sword. If these key people were to leave, his view was that the programme might well falter. Four of five stakeholders rated their relationship with the Director/Co-ordinator at the top of a five-point scale as “very good”. The fifth stakeholder rated the relationship as a ‘4’. The Co-ordinator was described as “very helpful and very direct in whom they take on”.

More generally, key stakeholders described the strengths of the programme as being, for example, its links with the community, its location in relation to the criminal justice system, and its positive impact on offenders.

*Mana Social Services is well grounded in the community. Strong ties to Te Arawa. ... It has the trust and confidence of the judge, prosecutors, lawyers, probation. It has a transparent process and clear lines of accountability.*

*The Police and the System is once removed. It isn't a stand-alone process. The courts are/can be brought in.*

*If [offenders] are motivated the programme helps them. Sentencing is a positive. Judge gives them credit. Gives the victim some input as well.*

On a five point scale where 1 is very ineffective and 5 is very effective, key stakeholders rated the programme’s effectiveness in dealing with cases referred to it as a ‘4’ or a ‘5’. One added:

*Where outcomes have not been successful the victim/offender has failed to participate rather than any problem with the provider.*

On the same scale, stakeholders gave a ‘4’ or ‘5’ rating to the programme’s effectiveness in terms of meeting the needs of the court, of victims, of offenders, and of the community. Of the four stakeholders who offered an opinion on the conference plans, all were of the view that they were “about right”.

Stakeholders emphasised the need for the programme to maintain a victim focus. One disagreed that a community representative should be able to stand in for the victim at the conference. Key stakeholders rated the programme’s effectiveness in meeting the needs of Māori, of Pacific and of other ethnic groups all at a ‘4’ or ‘5’.

Areas in which stakeholders thought improvements could be made included increasing offenders’ rates of plan completion and ensuring greater consistency of outcomes. One was of the view that the lack of follow-up services (such as monitoring of offenders’ compliance with their plans and feedback to victims) was due to a lack of funding.

As to the future, one stakeholder was of the view that the Mana Social Services programme could be given more serious cases to deal with; another said that the public needed to be more aware of restorative justice processes; and another would be very satisfied with the Rotorua programme as a pilot programme to be run for the Ministry of Justice.

Overall, these stakeholders expressed their general acceptance of the Rotorua Second Chance Restorative Justice Programme.

# 5 Meeting the principles of best practice for restorative justice processes

The Ministry of Justice recently released a set of principles of best practice identifying how and when restorative justice principles should be used in criminal cases (Ministry of Justice, 2004). The principles are intended to be used as a resource for restorative justice providers to help protect the integrity of restorative justice as a concept. They are not prescriptive and thus accommodate a range of approaches to restorative justice in New Zealand.

In this chapter we look at each of the Ministry's principles in turn, and using the research evidence we have gathered, discuss how the operations of the Rotorua Second Chance Restorative Justice Programme fit with the principles.

## 1 Restorative justice processes are underpinned by voluntariness

### *Participation of the victim and offender must be voluntary throughout the restorative justice process*

For the most part victims and offenders participation in the Rotorua programme appears to be voluntary. None of the participating victims, but three (15%) of the offenders we interviewed gave *Didn't feel like I could refuse to go* as their reason for attendance at the meeting. The two non-participating victims we interviewed could not recall being asked whether the conference could proceed in their absence.

For the most part victims and offenders appeared to have given their informed consent to participate in the restorative justice processes. About eight in ten of participating victims and offenders indicated that they were prepared for what would happen at the meeting, what their role would be, and who else would be in attendance. When asked directly about what they thought the restorative justice meeting was trying to achieve, victims and offenders mostly understood its purpose. Examples of goals they mentioned included:

*To get him to see what he had done for himself, for his whānau, for his whole community.*

*To figure out an agreement between me and my brother and Dad. To see if we were all right with one another again.*

*How to sort it out properly.*

*Finding a solution as well as putting it to a plan and bettering our relationship.*

***Outcomes must be arrived at voluntarily and reflect the agreed view of the victim and offender***

No evaluative material was collected that suggested that outcomes were not arrived at voluntarily. In terms of agreement on outcomes, 90% of victim participants and 93% of offenders perceived there to be complete agreement on the content of the plans.

In addition, all bar one of the victims and all the offenders we interviewed reported understanding what was agreed to in the plan. Fifty-eight percent of victim participants and 93% of the offenders also reported being given a copy of the plan.

The Ministry guidelines also suggest that reaching agreement on outcomes should not be the sole focus of the restorative justice process. Ninety percent of victims mentioned that they had had a chance to explain how the offence had affected them, thus indicating other discussions held at the restorative justice meeting.

## **2 Full participation of the victim and offender should be encouraged**

Eighty-four percent of participating victims and all offenders reported feeling involved in the restorative justice meeting. On a related point, no offenders and all bar two of the victims thought no one person dominated the meeting.

***The victim and offender are the primary participants in the restorative justice process***

The majority of victims and offenders appeared to participate in the restorative justice processes. For example, 90% of victims reported having had a chance to explain how the offence had affected them and 87% of offenders reported that they had had the opportunity to explain why the offence happened.

***Victims must determine their own level of involvement in the restorative justice process***

About six in ten victims elected to participate in restorative justice processes and about four in ten elected not to do so.<sup>21</sup> Where victims were present at the restorative justice meeting, their level of engagement appeared to be high. In the cases where a victim was unwilling or unable to participate, a community member was present at the meeting.

Some victims could not recall having been given the opportunity to get involved. One of the two non-participating victims we interviewed did not recall being invited to participate and would have liked to have attended the meeting, and both non-participating victims did not recall being asked whether the meeting could go ahead without them. Thus, further efforts may be needed to clearly communicate victims' rights to them.

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<sup>21</sup> Of the information we obtained relating to 38 restorative justice meetings, at 23 meetings at least one victim participated, and community members were present at 15 meetings.

***The ‘community’ should be represented during the restorative justice process***

Where the victim is unable or unwilling to attend, Mana Social Services calls on a community member to participate in the restorative justice meeting. In these cases, Mana Social Services will choose a particular community member that it thinks best suits the case and the offender. Where the offender is Māori, for example, a local kaumātua may be chosen to participate in the meeting.

***‘Professionals’ (police officers, probation officers and defence counsel) may attend a restorative justice conference, but on a carefully prescribed basis***

Professionals, such as police officers, probation officers and lawyers rarely attend the meetings. Where they do, their role is carefully prescribed ahead of the meeting.

**3 Effective participation requires participants, particularly the victim and offender, are well informed**

***Participants in restorative justice processes must be well prepared for the conference***

All participating victims and offenders we interviewed had prior contact, usually with the facilitator, about the meeting. About eight in ten participating victims and offenders indicated that they had been prepared for what would happen at the meeting, their role, and who else would be there. On a seven-point scale, 74% of victims and 93% of offenders ranked their level of preparedness as 5-7 (with 7 being very well prepared).

***Participants must have reasonable expectations of the process and outcomes***

Most victims and offenders appeared to be generally satisfied with the meeting, indicating their expectations were reasonably realistic in terms of what actually happened there. On reflection, about nine in ten of participating victims and eight in ten offenders thought the plan was “about right”, with the remaining proportions thinking it was “too soft”.

**4 Restorative justice processes must hold the offender accountable**

Participating victims perceived their offender to be held accountable fully (63%) or partially (37%) at the meeting. Offenders we interviewed shared this view.

***The offender must acknowledge responsibility for the offence before a case can be referred to, or accepted for, a restorative justice process***

An offender must plead guilty prior to being referred to the Rotorua Second Chance programme.

***Agreed outcomes should provide an appropriate and realistic response to the offending***

Just over eight in ten of participating victims and offenders ranked the plans they had developed as satisfactory. As mentioned previously in (3) above, about nine in ten of participating victims and eight in ten of offenders thought the plan was “about right”, with the remaining proportions thinking it was “too soft”. Of the four stakeholders (including the Judiciary) who offered an opinion on the conference plans, all were of the view that they were “about right”.

***Agreed outcomes must be monitored***

The participating victim and offender are invited to sign the plan at the meeting. On interview, some victims and offenders indicated that they had been unsure who had been assigned to monitor the offender’s compliance with the plan. However, about eight in ten offenders reported that the Co-ordinator had checked that they had completed their plan.

***Actions should be taken when an agreed plan breaks down***

Our evaluative material suggests that victims are not always informed if the plan breaks down. When participating victims were asked whether there was any other information or support they would have liked after the restorative justice meeting, a common theme to emerge was information about the offender’s progress with the plan. For example:

*It would be interesting to have a follow-up report.*

*Evidence of the plan having been completed.*

*Information on who was going to follow-up on reparation/donation.*

We suggest that this is an area in which the programme could look for further improvement.

***The court should be informed about what took place in the restorative justice process***

The Co-ordinator reports back to the court about the offender’s plan and the extent of the offender’s compliance with it.

***The restorative justice process should only respond to the offence(s) that is the subject of the original referral***

There was no evidence that discussions strayed beyond the offence(s) that were to be the subject of the restorative justice meeting.



## **5 Flexibility and responsiveness are inherent characteristics of restorative justice processes**

### ***Restorative justice processes should be guided by restorative justice values***

The programme providers are guided by Māori tikanga practices which are consistent with restorative justice values of respect, accountability, and interconnectedness. The programme staff seek to hold offenders accountable not only to their victims and the community for their crimes but tribally as well.

### ***Restorative justice processes must be appropriate and responsive to the culture of participants***

The programme has two facilitators, one Māori and one Pakeha. On arrival, participants are asked whether they have a particular way in which they wish to begin and close the restorative justice meeting. Some, particularly older Māori, may request a karakia to open and close. If a karakia is requested, this happens.

Of the seven participating victims who reported that it was important to them that the meeting take into account their cultural needs and experiences, four felt that this had not, or only partly, been achieved. Of the six offenders who reported that it was important to them that the meeting take into account their cultural needs and experiences, two<sup>22</sup> felt that this had not been achieved.

### ***Decisions about how the restorative justice conference will operate, including arrangements for when and where it will be held, should be responsive to participants***

Victims and offenders are consulted and informed prior to the meeting about how it will operate. Cultural elements (such as a karakia) are incorporated into the meeting if participants desire this.

Victims and offenders reported being usually consulted about an appropriate time for the meeting and being informed of the actual time with plenty of notice. Fifty-three percent of participating victims and 60% of offenders reported being consulted over the venue.

## **6 Emotional and physical safety of participants is an over-riding concern**

### ***Restorative justice processes should be safe for participants at all times***

A small minority of participants expressed some concerns for their personal safety. One participating victim and four offenders reported *feeling too scared to say what they really felt*. In response to the question *Did you feel unsafe at any time?* again one victim said yes.

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<sup>22</sup> One was a NZ European and one described his ethnicity as a New Zealander.

Of the three participating victims who reported feeling unsafe prior to the meeting, one felt no different and two felt safer following the meeting. Afterwards, 79% of participating victims reported feeling better about the offending, 11% felt no different and 11% felt worse.

Three offenders we interviewed indicated they would have liked more support at the meeting. No participating victims held this view.

***The privacy and confidentiality of participants must be protected and respected to the extent possible***

The facilitator reminds participants about the need for the discussion at the restorative justice meeting not to be shared with anyone outside the meeting.

***Participants may require some form of follow-up after the conference***

Eighty percent of offenders reported that someone had checked that they were complying with their plan. Some victims we interviewed would have liked more follow-up information after the conference, particularly in relation to the offender's progress with the plan. The two non-participating victims we interviewed were not told how the meeting went.

Overall, the responses of victims, in particular, suggest that more follow-up information after the meeting is desirable.

## **7 Restorative justice providers (and facilitators) must ensure the delivery of an effective process**

***Robust internal management systems are required that include appropriate and transparent procedures and processes***

In keeping with this principle, one of the key stakeholders volunteered that processes at Rotorua Second Chance Programme were “transparent” and with “clear lines of accountability”. The Programme Co-ordinator is responsible for maintaining databases of cases. Mana Social Services staff include an auditor.

***High-quality facilitators are critical to an effective restorative justice process***

The programme has two facilitators, one of whom is the Programme Director. Key stakeholders rated highly their relationship with her.

The success of the programme depends on its few people who are responsible for its delivery. There is a possibility of staff burn-out. It is important, therefore, that staff are provided with regular supervision and are able to take up opportunities to attend training and conferences relevant to their practice.

***Evaluation and review of restorative justice processes should be supported and encouraged***

This is the third evaluation of a restorative justice programme in Rotorua, and the second evaluation of the Second Chance programme there. Evaluations such as this one inevitably place additional work on the programme providers and at some cost to programme delivery. Programme sponsors need to take care not to burden small providers with evaluation.

**8 Restorative justice processes should only be undertaken in appropriate cases**

***The use of a restorative justice process in a particular case must be carefully considered***

All offenders referred to the Rotorua programme must first have admitted their guilt. Referrals to the programme may be initiated by the Co-ordinator, Police, the offender's lawyer or the judge. It is usually the Co-ordinator who then assesses the further suitability of the offender and that of the victim to deal with the offending using restorative justice processes.

Offender characteristics and types of offending vary widely. Thirty-five percent of offenders in the reconviction study, for example, were aged 30 years or more, and 35% had six or more prior convictions. Sixty-eight percent of offenders were referred to the programme for a violent offence, over a third of which were for a charge of male assaults female.

The programme has a philosophy of accepting those who have admitted charges involving domestic violence. The director of the programme is of the view that:

*As a Māori provider of this robe (Te Arawa) we take the issue of domestic violence seriously and are thankful for restorative justice processes that allow another window or entrance into addressing causes and consequences of whānau violation.*

***The use of restorative justice processes in cases of family violence and sexual violence must be very carefully considered***

Over a third of violent offences for which offenders in the reconviction study were referred were for male assaults female offences and three were for assault on a child. It is likely too that other violent offences such as threatening to kill or do grievous bodily harm or minor assaults may have involved domestic violence.

Forty-seven percent of victims and 27% of offenders we interviewed had participated in a meeting that dealt with the offence of male assaults female or assault on a child. (One of the two victims who had chosen not to participate in restorative justice processes involved assault and threatening to kill.)

Overall, about eight in ten participating victims had known the offender prior to the offending. Similarly, nine in ten offenders we interviewed had known the victim they had offended against.

***Particular consideration should be given to the appropriateness of restorative justice processes when the victim is a child or a young person***

The programme has managed some cases involving young victims. Three offenders in the reconviction study were referred to the programme for admitting assault on a child. One participating victim and one offender we interviewed had dealt in their meetings with an assault on a child. Two participating victims were aged less than 18 years.

## **Summary**

The Rotorua Second Chance Restorative Justice Programme generally appears to be operating in the spirit of the Ministry's eight principles of best practice for restorative justice processes. For example, for the most part, participation by victims and offenders in restorative justice processes is underpinned by voluntariness and their full participation is encouraged.

No matter how good a programme is, however, there is always room for some improvement in practice. Areas of practice that the Rotorua programme might seek improvement on are:

- ensuring that a victim's informed consent is gained prior to proceeding with a restorative justice meeting where that victim chooses not to participate in it;
- ensuring that victims are kept informed of the offender's progress with and completion of his/her plan;
- ensuring the safety of all participants throughout the restorative justice processes, and providing them with more support if there is any doubt; and
- ensuring regular supervision, and providing training and conference opportunities for programme staff each year.

## **6 Contribution of the programme to the partnership between the Government and the Rotorua community**

The Rotorua Second Chance Restorative Justice Programme is an example of a Government/community crime prevention partnership. The programme developed as a community response to concerns about crime among Te Arawa people and among people in the Rotorua area more generally.

A high proportion of the local people identify as Māori. Māori tikanga principles underpin Mana Social Services and the Rotorua Second Chance Restorative Justice Programme. The programme incorporates the Māori concept of whānau hui into their restorative justice processes. The programme allows Māori offenders to be held tribally accountable for their actions.

The programme is funded by central government through the Crime Prevention Unit, Ministry of Justice. Mana Social Services Trust is supported by the Te Arawa Māori Trust Board. Mana Social Services Trust, representing Te Arawa and the local Rotorua community, is responsible for the programme's delivery. The Government and the Trust are contractual partners in the programme.

Mana Social Services Trust members, Te Arawa Māori Trust members, and community members involved in the programme are local Rotorua people, primarily of Māori ethnic origin. They include kaumātua who bring their knowledge of whakapapa to bear on offenders and victims at the restorative justice meetings. The programme director, too, is Māori. She, together with other programme staff, are supported by local professionals involved in delivering the criminal justice system. They hold programme staff in high regard.

The Rotorua programme with its aims of community involvement and reduction in re-offending by local offenders accords with the goals of section 10(b) of the Local Government Act 2002:

*(b) to promote the social, economic, environmental, and cultural well-being of communities, in the present and for the future.*

Recently, the programme received a community award.

In the past the Rotorua Safer Community Council (SCC) also provided a link to the community. However, the SCC no longer exists locally.

Stenning (2004) recently argued that before handing over the “doing of “justice” to a “community” we should do a reality check on the following:

- Does the “community” in fact exist in a stable and viable enough form for the task?
- Does it have the necessary capacity and resources (including the readiness of its members to participate) to do the job well?
- Can we realistically expect that the justice that the community is likely to deliver will adequately meet any broader social justice expectations that may be engaged?
- What risk may there be that “justice” such a community will deliver will reflect or reproduce prejudices, exclusionary processes or outcomes, or inequalities that are not acceptable to us?
- Will there be adequate accountability for decisions?

It appears that Te Arawa and the Rotorua community more generally contribute to the programme and vice versa. The programme is supported by Mana Social Services which has a very good infrastructure and has clear lines of accountability. The programme is based on Māori tikanga principles as is Mana Social Services. The programme therefore better responds to the needs of Te Arawa than that provided by the conventional justice system.

## 7 Concluding remarks

The diversity of restorative justice programmes provides a challenge for researchers wanting to evaluate such programmes. Can a community based restorative justice programme be judged to ‘work’ on the basis of participating victims and offenders reporting high levels of satisfaction with the process? Or is there also the added requirement that re-offending is reduced?

Miers (2004) is of the view that until there is consensus on what is to be expected of restorative justice in those cases to which it is suited, measurement of ‘what works’ remains an uncertain science. The stance the evaluators have taken in this report is to evaluate the programme against the objectives it set for itself (Chapter 4), and against the Ministry of Justice’s *Restorative Justice in New Zealand: Best Practice* (Chapter 5).

The objectives of the evaluation of the Rotorua Second Chance Restorative Justice Programme, as specified by the Ministry of Justice, were to:

1. describe the programme – its history, the context in which it operates, delivery, objectives and resources;
2. determine the effectiveness of the programme, in relation to its objectives;
3. contribute to the development of best practice principles for community-managed restorative justice programmes utilising tikanga-based practice; and
4. describe the extent to which this programme has contributed to the further development of the partnership between government and communities.

The extent to which the programme has developed its services to meet the needs of Māori, Pacific, and other cultural groups is also examined.

The Rotorua Second Chance Restorative Justice Programme is delivered by Mana Social Services Trust, and is supported by the Te Arawa Māori Trust Board. Māori are involved in the Rotorua programme as managers, staff and kaumātua, and often as victims and offenders.

The Rotorua Second Chance Programme uses tikanga-based practices and takes the approach that restorative justice processes are similar to the Māori concept of “whānau hui which allows parties to meet for the purpose of akoako, respecting each person’s views, feelings, concerns and to reach an agreed decision to put things right” (Director). The relatively high proportion of Māori offenders referred to the programme reflects the programme’s philosophy that restorative justice “offers a forum for full participation in holding Māori offenders tribally accountable for their negative, destructive behaviour and actions” (Director). Among the offenders the programme accepts are offenders who have admitted committing offences involving domestic violence.

The Rotorua Second Chance Restorative Justice Programme is more fully described in Chapter 2. That Chapter included a short history of the programme, its governance structure, resources and funding arrangements. It also described the roles of its staff, the referral process and the restorative justice process.

Chapter 4 assessed the effectiveness of the Rotorua programme in relation to its objectives, which are of equal weight. The programme's first objective was to secure a reduction in re-offending by offenders who participate in the Rotorua Mana Social Services restorative justice programme. The evaluation findings reveal a one-year reconviction rate for the sample of Rotorua programme participants of 42% and that for comparison offenders dealt with by conventional court processes to be 43%. Thus the one-year reconviction rates were very similar between the programme and comparison groups.

Morris (2002) has observed:

*It could reasonably be argued that reducing reoffending is not really an objective of restorative justice: its focus is holding offenders accountable and making amends to victims. However, it can also be reasonably argued, at least in principle, that if a particular process reflects restorative values and achieves restorative outcomes then we might expect reoffending to be reduced.*

The evaluation findings show that the reconviction rates among Rotorua programme participants were no better or no worse than the one-year reconviction rate among similar offenders dealt with by conventional court processes. In addition, offenders who attended the Rotorua programme were reconvicted for no more or no less serious offences than the matched comparison offenders.

These findings on recidivism contrast with findings from an earlier evaluation of two other community managed restorative justice schemes, Project Turnaround and Te Whānau Awhina (Maxwell et al., 1999). Participants in these schemes were found to have reduced their re-offending over one-year relative to comparison offenders dealt with by conventional court processes. In addition, for those who were reconvicted, the seriousness of the major offence was not as great among participants in these schemes as it was among the comparison offenders.

Some of the differences in the findings between the Rotorua programme and that for Project Turnaround and Te Whānau Awhina in relation to re-offending may be due to a difference in the method used to select the matched comparison group. The selection method has developed over time. In this report, the use of a multivariate model assisted with the matching of programme participants with that of a matched comparison group. Formerly a simpler selection method was used.

The programme clearly met its second objective by securing the active participation of community members where victims were unable or unwilling to participate in the meeting, and met its third objective by securing the participation of victims where they consented.

The fourth objective, to secure a restorative effect with community-negotiated sanctions placed on offenders, has two parts. The findings are reasonably positive regarding whether the contracts have a restorative effect. About 79% of victims reported their offender had



verbally apologized at the meeting. About 63% of plans appear to include restorative elements such as a written apology, reparation, or a donation. About half of the participating victims were ‘very satisfied’ with the details of the plans, with about 83% being at least ‘satisfied’. About half of the participating victims reported being ‘very satisfied’ and 95% being at least ‘satisfied’ with the meeting overall. It is pleasing to note, too, that about nine in ten offenders completed all the elements of their plans.

The programme meets the second part of this objective also. In about 40% of cases where a victim is unable or unwilling to take part, a community member stands in for the victim at the restorative justice meeting and participates appropriately.

The fifth objective that the programme is accepted by interested parties (such as the Judiciary, Ministry of Justice, Police and Victim Support) was also generally met. Stakeholders rated programme staff very highly. More generally, key stakeholders described the programme as being “well grounded in the community” and with “strong links to Te Arawa”, and being “once removed” from the Police and the justice system.

Participating victims were asked on a scale of ‘1’ (not at all important) to ‘7’ (very important) how important it was for the restorative justice meeting to take their cultural needs and expectations into account. Forty-seven percent of the victims responded that it was not at all important for their cultural needs and expectations to be taken into account at the restorative justice meeting. Of those who thought that it was important for their cultural needs and expectations to be taken into account at the meeting, four participating victims felt that the meeting had not done so. Three of these victims identified as Māori and one as of an ‘Other’ ethnicity.

In relation to offenders, just over half (53%) responded that it was not at all important that the meeting take their cultural needs and expectations into account. Of those who were of the view that its importance was in the range 4 to 7, two offenders felt that the meeting had not taken their cultural needs and expectations into account. One identified as a NZ European and the other as a New Zealander.

Chapter 5 compared practice at the Rotorua programme with the Ministry of Justice’s best practice principles. The programme generally appears to be operating in the spirit of the Ministry’s eight principles of best practice for restorative justice processes developed recently. For example, for the most part, participation by victims and offenders in restorative justice processes is underpinned by voluntariness and their full participation is encouraged.

While the programme is generally operating well, areas of practice that the Rotorua programme might seek improvement on are:

- ensuring that victims are kept informed of the offender’s progress with and completion of his/her plan;
- ensuring that a victim’s informed consent is gained prior to proceeding with a restorative justice meeting where that victim chooses not to participate in it;
- ensuring the safety of all participants throughout the restorative justice processes, and providing them with more support if there is any doubt; and

- ensuring regular supervision, and providing training and conference opportunities for programme staff each year.

Finally, Chapter 6 described the extent of the community involvement in the programme and its links with central and local government. The community is represented by Trust members and community members, including kaumātua. The programme is funded by central government through the Crime Prevention Unit, Ministry of Justice.

Restorative justice has at its core the bringing together of victims, offenders, and their ‘communities of care’ to return decisions about how best to deal with ‘their’ offence (Braithwaite, 1989). Allison Morris (2002) has argued that there is no single “right way” to deliver restorative justice. However, the Ministry of Justice recognised the need for some operational guidance here with its recent publication, *Restorative Justice in New Zealand. Best Practice*. Useful as these guidelines are, they are silent, for example, on whether ‘best practice’ is expected to result in a reduction in offending among offenders who participate in restorative processes.

Daly (2000) has foreshadowed a time when restorative justice processes become conventional, rather than currently in “oppositional contrast” to the conventional options. Our hope is that the evaluation findings presented in this report will inform the Rotorua programme providers, and contribute to the ongoing development of New Zealand’s Crime Reduction Strategy and to international debates about restorative justice.

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# Glossary of Māori terms

Akoako	Consultation
Hui	Conference
Iwi	Largest unit in Māori society. One iwi or tribe is made up of many hapū
Karakia	A prayer
Kaumātua	Male tribal elders
Koha	The giving of koha stems from the tradition of bringing gifts when visiting another marae
Mana Atua	Very sacred power of the gods known as the ahi kōmau which is given to those persons who conform to sacred ritual and principles
Mana Tangata	Human rights, integrity, status
Mana Whenua	Trusteeship of land
Manuhiri	Guests, visitors
Tangata Whenua	People of the land
Tikanga	Principles and values, customs and customary practice
Tūpuna	Ancestors
Whaikōrero	Make an oration, speak in a formal way
Whakamā	Shame, embarrassment
Whakapapa	Genealogy, lineage
Whānau	The extended family which includes the nuclear family, and aunts, uncles and cousins



# Appendix 1: Reconviction analysis

A Ministry of Justice researcher performed the reconviction study. Her role was to undertake a comparative re-offending analysis of some restorative justice programme participants in Rotorua against a matched sample of offenders who had been dealt with solely through the courts.

## Limitations of the re-offending analysis

In interpreting the findings from the analysis of re-offending that follow in Chapter 4, it is important to point out some limitations with the analysis. In particular there may be differences between the participants and their matched comparison group, apart from participation in the programmes and the variables used for matching, which may have influenced the likelihood of re-offending. Tarling (1993)<sup>23</sup> summarises research on factors associated with offending and lists the following factors: early problem behaviour, family circumstances, parent and sibling criminality, delinquent peers and co-offending, social class and family income, intelligence and educational achievement, and alcohol consumption. The participants and their comparison groups may have differed on these factors, but this information was not available.

Selection bias may also have caused differences in reconvictions between the participants and their comparison groups. That is, the participants in the programmes may have agreed to participate in the programme because they were more motivated to stop offending than the matched comparison group.

The method of measuring re-offending also imposed some limitations on the research. The measurement of re-offending was limited to one year after the participant completed the programme, but the participant may have re-offended after this period. Secondly, by limiting the measurement of re-offending to convictions, the participant may have active charges still going through the court processes, for offences allegedly committed within the year, but these possible offences were not counted as re-offending because the participant was not convicted. Thirdly, not all offences result in conviction so that these offences would not be counted as re-offending.

## Sources of information on the participants

The programme providers supplied the Ministry of Justice with a list of participants who completed the programme between 1 September 2001 and 31 August 2002. The list includes the name, age or date of birth, date referred to programme, and offence for which referred to

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<sup>23</sup> Full references to this and other studies referred to in this Appendix can be found in the References section.

programme. The Ministry of Justice used this information to find the conviction records of the programme participants. These conviction records were used to find information about convictions before the participant was referred to the programme as well as reconvictions within one year of referral to the programme.

The description of the type of offence for which the participant was referred to the programme was coded using the Ministry of Justice classification system (see Spier 2002). This classification system is used throughout the report.

## **Definition of re-offending**

A conviction was used as the measure of assessing re-offending. The Ministry of Justice was provided with the date that the participants were referred to the programme and type of offence. Some offences for which participants were referred to the programme resulted in a conviction and it was important to exclude these convictions from the reconviction analysis. Using the referral date and the type of offence, these convictions were identified from the conviction records obtained for the reconviction analysis. Convictions where the offence was committed after the referred date were counted as reconvictions.

For the comparison groups, convictions where the offence was committed after the date of the conviction for the matched offence were counted as reconvictions.

Conviction records for the programme participants were obtained at 13 January 2004. This meant that the period following completion of the programme varied between individuals. However, all participants could be followed up for one year. All of the matched comparison group could be followed for one year after their conviction date.

## **Measuring seriousness of offending**

The Ministry of Justice seriousness scale was used to compare the seriousness of the reconviction of the participants and their comparison group. The Policy and Research Division of the Department of Justice originally developed a seriousness of offence scale in 1991 (see Spier, Luketina & Kettles 1991). The Ministry of Justice most recently updated the scale in 2000. The updated scale gives imprisonable offences a score according to how serious judges have deemed each offence in terms of the use of custodial sentences over a recent five-year period. These scores enable offences to be ranked in terms of their relative seriousness. The updated scale is based on court sentencing data for the period 1995 to 1999. The seriousness score assigned to each offence is the average number of days of imprisonment imposed on every offender convicted of that offence between 1995 and 1999, where the average is taken over both imprisoned and non-imprisoned offenders. Suppose, for example, that between 1995 and 1999 there were 100 cases of offenders convicted of a particular offence. Of these cases, 50 resulted in a custodial sentence, and the average length of the custodial sentences imposed on these offenders was 30 days. The seriousness score for this offence is  $(30 \times 50/100)$ , or 15.



## **Defining a major offence**

Where a person is convicted of more than one offence, one of the offences is chosen to be the major offence. This offence is the one that attracts the most serious sentence (for example, a custodial sentence is considered to be more serious than a fine). If there is more than one sentence of the same type the one with the largest quantum is chosen (for example a custodial sentence of three years would be chosen over a custodial sentence of one year). If there is more than one sentence of the same type with the same quantum, the offence with the largest value on the seriousness score is chosen.

## **Comparison group selection**

The process of finding a similar group of people dealt with by conventional court processes (the matched comparison group) to compare with the programme participants is described in detail below. The aim of selecting a comparison group of offenders was to identify a group of offenders who did not participate in the restorative justice programmes, but who had characteristics that gave them a similar probability of reconviction to the programme participants. Logistic regression was used to assess the probability of reconviction.

First, offenders from throughout New Zealand who might be eligible for the programme were identified; then the reconvictions within a year for these people were identified. Logistic regression was then used to analyse which variables were likely to influence reconvictions for these people. A group of people whose characteristics match the programme participants on these variables was then selected as the matched comparison group.

## **People who might be eligible for programme**

Records were selected from the Ministry of Justice database of all cases heard in the courts to find people who may have been eligible to attend the programmes. Cases from all of New Zealand were selected, not just the areas where the programmes operated, so that variables that influence the likelihood of reconviction nationally could be identified. It was not possible to find an exact description of who was eligible for the programmes. However, four criteria were used to select those who may have been eligible to attend the programme:

- Those convicted, and discharged without conviction. (These dispositions were chosen as those who attended the programmes may have either of these dispositions imposed.)
- Those eligible to participate in the Rotorua programme must first plead guilty. This does not necessarily mean that a guilty plea would have been entered against their court record. Therefore, records with a not guilty plea were excluded as these people would definitely not have admitted their offending.
- A list was constructed of offences for which participants had been referred to the programme, and these offences were used to select eligible records, because it was not possible to find a list of the types of offences for which people may be referred to the programmes.

- Those whose cases were finalised between 1 September 2001 and 31 August 2002. (The period over which the programme was evaluated.)

The number of cases that fitted these criteria was 74,289.

## **Reconvictions within a year**

Convicted case records for these people were selected from the Ministry of Justice database of all charges heard in the New Zealand courts for charges finalised from 1980 to 2003.

The following re-offending variables were constructed:

- Status = 1 if re-offended in one year, or zero if hadn't re-offended in one year.
- Dur = time to offence date of first reconviction in days (or 365 if hadn't re-offended in one year).

## **Variables more likely to influence re-offending**

Bakker, O'Malley & Riley (1999) developed several statistical models that predict re-offending for different groups. One of the models shows which variables are likely to be associated with reconviction. Based on this model, the following variables were constructed for each person using data from the Ministry of Justice database of all charges finalised from 1980 to 2003:

- Lndurp = logarithm of the time (in days) between the current offence and the most recent past offence. If there was no past offence, Lndurp = logarithm of (age – 13 \* 365). This corresponds to the time eligible to re-offend, as a person cannot be convicted until 14.
- Rateconvsyr = number of convicted cases per year since the age of 14 (less estimated time in prison).
- Property = 1 if the current offence was a property offence, zero otherwise.
- Violent = 1 if the current offence was a violent offence, zero otherwise.
- Traffic = 1 if the current offence was a traffic offence, zero otherwise.
- Māori = 1 if the person's ethnicity was Māori, zero otherwise.
- Europ = 1 if the person's ethnicity was European, zero otherwise.
- Male = 1 if the person was male, zero otherwise.
- Age = age (in years) at the time of conviction for the current offence.
- Poff = 1 if the person has been convicted in the past, zero otherwise.

**Table A.1 Variables in logistic regression model**

Variable	Position entered the model	Direction of relationship between the variable and the likelihood of reconviction	Odds ratio
Lndurp	1	less likely to be reconvicted as lndurp increased	0.752
Rateconvsyr	2	more likely to be reconvicted as rateconvsyr increased	1.641
Age	3	less likely to be reconvicted as the age of the person increased	0.963
Traffic	4	less likely to be reconvicted if the current offence was a traffic offence	0.717
Māori	5	more likely to be reconvicted if person was Māori	1.953
Europ	6	more likely to be reconvicted if person was European	1.516
Male	7	more likely to be reconvicted if person was male	1.414
Property	8	more likely to be reconvicted if the current offence was a property offence	1.250
Violent	9	less likely to be reconvicted if the current offence was a violent offence	0.930
Poff	10	more likely to be reconvicted if person had a past conviction	1.057

All variables were significant at the 0.05 level using a Wald chi-square statistic.

The odds ratio can be interpreted as in the following example. Māori convicted of an offence, or discharged without conviction (taking into account the other factors listed), were almost twice (1.953) as likely to be reconvicted within a year than other ethnic groups convicted or discharged without conviction.

### Matching the programme participants with comparison groups

The comparison groups were matched by gender, age group, ethnicity (Māori, European, other), current offence (traffic, property and other), and two criminal history variables (time since the last conviction and rate of past convictions). Although whether the person had been convicted in the past, and whether the current offence was a violent offence, were significant in the logistic regression model, these variables were not used in the matching process because limiting the number of variables increased the chances of finding a match, and these variables were the last entered in the model (see Table A.1).

Thirty-one Rotorua programme participants could not be matched. The criteria were widened so that people who fitted most of the variables were matched for these 31 people.



## Appendix 2: Key stakeholders' interview schedule

ID: \_\_\_\_\_

### *Community -managed restorative justice programme evaluation Key Informant Interview*

Area: \_\_\_\_\_ Date completed: \_\_\_\_\_  
Name: \_\_\_\_\_ Position: (if relevant) \_\_\_\_\_  
Name of organisation: (if relevant) \_\_\_\_\_

- 1 On a five point scale where **1=very poorly** to **5=very well** please rate how well you think the restorative justice programme is working in Rotorua/Wanganui.  
(enter the number in the box) ☐  
Please give the reasons for your rating.  
a) What are its strengths, if any?  
b) What are its weaknesses, if any?
- 2 Generally, are the plans/contracts reached at the restorative justice conferences/meetings (tick which)
- |             |                          |
|-------------|--------------------------|
| Too harsh   | <input type="checkbox"/> |
| About right | <input type="checkbox"/> |
| Too soft    | <input type="checkbox"/> |
| Don't know  | <input type="checkbox"/> |
- 3 On a five point scale where **1=very ineffective** to **5=very effective** please rate the restorative justice programme in terms of its effectiveness in meeting the needs of: (enter the number in the appropriate box)
- |                  |                          |
|------------------|--------------------------|
| a) The court     | <input type="checkbox"/> |
| b) Victims       | <input type="checkbox"/> |
| c) Offenders     | <input type="checkbox"/> |
| d) The community | <input type="checkbox"/> |
- Please add any comments (noting which group they relate to): \_\_\_\_\_
- 4 On a five point scale where **1=very ineffective** to **5=very effective** please rate the restorative justice programme in terms of its effectiveness in meeting the needs of (enter the number in the appropriate box)
- |  |                          |
|--|--------------------------|
| a) Māori                                       | <input type="checkbox"/> |
| b) Pacific Peoples                             | <input type="checkbox"/> |
| c) Other ethnic group(s) (specify which _____) | <input type="checkbox"/> |
- Please add any comments (noting which group they relate to): \_\_\_\_\_
- 5 On a five point scale where **1=very ineffective** to **5=very effective** please rate the success of the programme in dealing with the cases referred to it. ☐  
Please add any comments: \_\_\_\_\_

- 6 Are there any ways in which the programme could be more effective? *(tick which)* Yes ☐ No ☐

If **Yes**, what are these? Please respond to one or all of the following:

- a) Operational/practical changes? (eg to how cases are referred, conferences/meetings are arranged/facilitated, plans are monitored)
- b) More fundamental (legal/policy) changes?
- c) Any other changes?

- 7 On a five point scale where **1=very poor to 5=very good** please rate your (or your organisation's or service's) relationship with the restorative justice co-ordinator/director in Wanganui/Rotorua. *(enter the number in the box)*

- 8 Has the programme had a **positive** impact on you or your agency/department/ service? *(tick which)* Yes ☐ No ☐

If **Yes**, in what way? *(Better outcomes for victims and offenders, positive impact on them personally, positive impact on them professionally, increased cooperation between agencies etc)*

- 9 Has the programme had a **negative** impact on you or your agency/department/service? *(tick which)* Yes ☐ No ☐

If **Yes**, in what way?

### Judges only

- J1** In deciding to refer a particular case into the programme, can you please rate the importance of each of these factors on a five point scale where **1=not very important to 5=very important**?

The victims' feelings, views or wishes	<input type="text"/>
The offender showing an interest in or requesting a r j conference/meeting	<input type="text"/>
The offence falling within the criteria for a r j conference/meeting	<input type="text"/>
The offender admitting guilt and showing remorse	<input type="text"/>
Believing that a r j conference/meeting would help the victim and/or the offender or that feedback from a r j conference/meeting would provide for a more meaningful sentence	<input type="text"/>
All the parties were supportive of having a r j conference/meeting.	<input type="text"/>

- J2** On a five point scale where **1=never and 5=frequently**, please indicate how often you are asked to make a referral (eg by defence counsel)? *(enter the number in the box)*

- J3** On a five point scale where **1=never and 5=frequently**, please indicate how often you accept the conference contract or plan? *(enter the number in the box)*

- J4** On a five point scale where **1=never and 5=frequently**, please indicate how often you take the following factors into account in deciding whether or not to accept the conference/meeting contract/plan at sentencing.
- |  |                      |
|--|----------------------|
| The appropriateness of the contract/plan for the offence | <input type="text"/> |
|--|----------------------|

---

The contract/plan's reasonableness and practicality

☐

Extent to which victims' needs were being met

☐

Other factors – *please elaborate*

---

**J5** Is the contract/plan and related material (eg rj report) sufficiently detailed for your purposes in sentencing the offender who has attended a rj meeting/conference?

☐

If **no**, what additional information would you like?

**10** Is there anything else you would like to add about the programme in your area?

***Thank you for your participation in the research***

If you would like to receive a summary of the research report when the research is finished, please tick this box ☐





## Appendix 3: Invitation to participants

VICTORIA UNIVERSITY OF WELLINGTON

Te Whare Wananga o te Upoko o te Ika a Maui



### INFORMATION SHEET

#### Hello

The Second Chance Community Restorative Justice Programme holds meetings in the Rotorua area for offenders and victims. We have been asked by the Ministry of Justice to find out more about these.

#### *Invitation*

All victims and offenders who have been to one of these restorative justice meetings this year are being invited to take part in this research.

#### *What we would like from you*

We would like to talk to you for about 30 minutes to see how you felt about the meeting and how you feel about the restorative justice process. What you say will be recorded in a way that cannot identify you.

You do not need to talk to us unless you want to. If you don't want to answer any questions, you don't have to and you can end the interview at any time. You can also choose the interview time and place, and you can have someone with you if you would like to.

#### *For more information*

If you have any questions about the research, you can ring the researchers in Wellington collect: Judy Paulin on (Phone) or Venezia Kingi on (Phone) or Tau Huirama on (Phone). At the end of the project, we can send you a summary of the research findings.

#### *Reply slip*

If you do **NOT** wish to take part in the research, please tick the box below and return the form to us using the enclosed reply paid envelope. Otherwise, a researcher will get in touch with you to arrange a time to talk with you. She/he will tell you more about the project then.

I do **NOT** wish to take part ☐

Signature: \_\_\_\_\_

Name (*please print*):



# Appendix 4: Consent form

VICTORIA UNIVERSITY OF WELLINGTON

Te Whare Wananga o te Upoko o te Ika a Maui



Rotorua Community Restorative Justice Programme

## Consent Form

I, ....., agree to be interviewed for this research study.

The researcher has explained to me the purpose of the research, and my right to not answer any question I don't like or to stop the interview, without having to explain why.

I understand that all information will be kept confidential by the researchers, and will be used only for research purposes. My name will not be used in any research reports and nothing will be published that might identify me.

I understand that the only exception to this is if they thought that I or someone else was at risk of serious harm and they will discuss this with me first.

Signed .....

Date .....

Ring us collect or write for more information

Phone: Judy – (Phone Number), Venezia – (Phone Number) or Tau (Phone Number)

Victoria University of Wellington, PO Box 600, Wellington



## Appendix 5: Interview schedule – victims

### Community Managed Restorative Justice Programmes Evaluation

#### *Questionnaire: Victim attending conference*

In this interview we would like to ask you about what happened at the restorative justice conference/meeting held during \_\_\_\_\_ (month) \_\_\_\_\_ (year) for \_\_\_\_\_ (offender) with respect to \_\_\_\_\_ (offences)

The aim is to find out how you felt about the whole process.

*(NOTE: Coding - Throughout use: 8=not applicable; 9=don't know; 99=missing data; 98=did not want to answer the question)*

#### Choosing to have a conference/meeting

- 1 Whose idea was it to have the restorative justice conference/meeting?

*(Code 1=Yes or 2=No - to be coded only, not asked)*

Offender's

Victim's

Offender's lawyer

Police

Judge/Magistrate

Victim advisor

RJ Facilitator

RJ Programme director

Other *(specify)* \_\_\_\_\_

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

- 2 Who contacted you first about the possibility of dealing with the offending at a Restorative Justice conference/meeting?

*(elaborate)* \_\_\_\_\_

- 3 Why did you decide to go to the conference/meeting? *(Possible reasons to be ticked only, not asked)*  
*(Ask the open ended question record the answer and then tick/code the following reasons as appropriate)*

To have the offender pay reparation for his/her offences

To work out a plan that was acceptable to all

To tell the offender what the offence was like for me

To get an apology from the offender for what he/she did

To find out about the offender/offending *(Circle which)*

To have a say

I felt I had to, no real choice

I thought it was a good idea

Friends/family thought it would be a good idea

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

- |                                       |                          |
|---------------------------------------|--------------------------|
| Cultural reasons                      | <input type="checkbox"/> |
| Judge suggested it                    | <input type="checkbox"/> |
| Didn't feel like I could refuse to go | <input type="checkbox"/> |
| To get closure                        | <input type="checkbox"/> |
| Other ( <i>elaborate</i> ) _____      | <input type="checkbox"/> |

## Preparation

(Code 1=Yes or 2=No)

- 4 Were you **asked** about:
- |  |                          |
|--|--------------------------|
| a) <u>Where</u> the conference/meeting should be held? | <input type="checkbox"/> |
| b) <u>When</u> the conference/meeting should be held?  | <input type="checkbox"/> |
| c) <u>Who</u> should be at the conference/meeting?     | <input type="checkbox"/> |

- 5 Were you **told**:
- |  |                          |
|--|--------------------------|
| a) In plenty of time about when the conference/meeting was to be held? | <input type="checkbox"/> |
| b) What would happen at the conference/meeting?                        | <input type="checkbox"/> |
| c) What you would have to do at the conference/meeting?                | <input type="checkbox"/> |
| d) Who else would be at the conference/meeting?                        | <input type="checkbox"/> |

- 6 Did anyone give you any suggestions of the sorts of things that could go in the agreement/contract? ☐
- a) **If Yes**, who made them and what were they? (*Record comments*)
- 

- 7 During the preparation phase (*ie Qs 4-6 above*):
- a) Who did you have contact with about the arrangements for the conference/meeting?

(Code 1=Yes or 2=No)

The RJ facilitators/RJ Programme directors	<input type="checkbox"/>
Other ( <i>specify</i> ) _____	<input type="checkbox"/>

- b) Did they contact you by:
- |             |                          |
|-------------|--------------------------|
| Letter      | <input type="checkbox"/> |
| Phone call  | <input type="checkbox"/> |
| Home visit  | <input type="checkbox"/> |
| Other _____ | <input type="checkbox"/> |

- c) Do you feel that what you were told prepared you for the conference/meeting? Rate on a scale from **1 to 7** – where 1=Not at all prepared and 7=Very well prepared.

(Circle a number on the following scale)

1	2	3	4	5	6	7
Not at all prepared						Very well prepared

(*elaborate – if response is 1-3 ask why dissatisfied OR if response is 5-6 ask why satisfied*)

---

## The Restorative Justice Conference/Meeting

- 8 What do you think the conference/meeting was trying to achieve?  
(elaborate)\_\_\_\_\_
- 9 How did you feel when you first went into the conference/meeting?  
(Record feelings at the beginning of the conference/meeting)  
\_\_\_\_\_
- 10 How did you feel at the end of the conference/meeting?  
(Record feelings at the end of the conference/meeting)  
\_\_\_\_\_
11. a) How did you feel about first meeting the offender(s) at the conference/meeting?  
(Record feelings at the beginning of the conference)  
\_\_\_\_\_
- b) How did feel you about the offender(s) by the end of the conference/meeting?  
(Record feelings at the end of the conference/meeting)  
\_\_\_\_\_
- 12 During the conference/meeting did you:
- a) Feel involved? (Code 1=Yes, 2=No or 3= Partly) ☐  
(elaborate)\_\_\_\_\_
- b) Understand what was going on? (Code 1=Yes, 2=No or 3= Partly) ☐  
(elaborate)\_\_\_\_\_
- c) Have the chance to explain how the offence affected you? (Code 1=Yes, 2=No or 3=Partly) ☐  
(elaborate)\_\_\_\_\_
- d) Have the opportunity to say what you wanted to say? (Code 1=Yes, 2=No or 3= Partly) ☐  
(elaborate)\_\_\_\_\_
- e) Feel too scared to say what you really felt? (Code 1=Yes, 2=No or 3= Partly) ☐  
(elaborate)\_\_\_\_\_
- 13 Do you think anyone said too much during the conference/meeting? (Code 1=Yes, 2=No) ☐
- a) If Yes, who? (Don't ask - tick all that apply)
- Community representatives ☐
- Victim (s) support (eg family or whānau) ☐
- Victim (s) representative ☐
- Victim (s) ☐
- Offender (self) ☐
- Offender(s) (other) ☐
- Offenders (s) support (eg family or whānau) ☐
- Facilitator ☐
- Other (specify)\_\_\_\_\_ ☐
- 14 During the conference/meeting:
- a) Did you feel (physically/ emotionally) unsafe at any time? (Code 1=Yes, 2=No or 3= Partly) ☐

- i) **If Yes or Partly**, why was this?  
(elaborate)\_\_\_\_\_
- b) Were you treated with respect? (Code 1=Yes, 2=No or 3= Partly) ☐  
(Be alert to cultural issues)  
(elaborate)\_\_\_\_\_
- c) **If No or Partly to b)** above - why do you think that was?  
(elaborate)\_\_\_\_\_
- 15 Was the offender:
- a) Able to make up for what s/he did? (Code 1=Yes, 2=No or 3= Partly) ☐  
(elaborate)\_\_\_\_\_
- b) Made accountable for his/her offending? (Code 1=Yes, 2=No or 3= Partly) ☐  
(elaborate)\_\_\_\_\_
- 16 During the conference/meeting did the offender
- a) Apologise for what s/he did? (Code 1=Yes, 2=No or 3= Partly) ☐  
(elaborate)\_\_\_\_\_
- b) **If Yes** did you accept the offender's apology? (Code 1=Yes, 2=No or 3= Partly) ☐  
(elaborate)\_\_\_\_\_
- 17 Do you think the offender understood how you felt? (Code 1=Yes, 2=No or 3= Partly) ☐  
(elaborate)\_\_\_\_\_
- 18 Did the offender show you s/he was really sorry? (Code 1=Yes, 2=No or 3= Partly) ☐  
(elaborate)\_\_\_\_\_
- 19 Did you have a better understanding of why the offender committed the offence?  
(Code 1=Yes, 2=No or 3= Partly) ☐  
(elaborate)\_\_\_\_\_
- 20 Did you have someone at the conference/meeting who could provide support for you?  
(Code 1=Yes, 2=No or 3= Partly) ☐
- a) **If Yes**, who was this (specify) \_\_\_\_\_
- b) Was their support useful? (Code 1=Yes, 2=No or 3= Partly) ☐  
(elaborate)\_\_\_\_\_
- c) Would you have liked more support at the conference/meeting?  
(Code 1=Yes, 2=No or 3= Partly) ☐  
(elaborate)\_\_\_\_\_

### The conference agreement/contract

- 21 Was an agreement reached? (Code 1=Yes, 2=No) ☐
- a) **If Not**, why not?  
(elaborate)\_\_\_\_\_
- 22 Who decided on the details in the plan/contract? (Tick either option 1 **OR** all that apply)
- All of us ☐
- Victim (self) ☐
- Victim(s) other ☐



Victim(s) supporter/family	<input type="checkbox"/>
Victim(s) representative	<input type="checkbox"/>
Offender (s)	<input type="checkbox"/>
Offender(s) supporter/family	<input type="checkbox"/>
Community representative	<input type="checkbox"/>
Facilitator	<input type="checkbox"/>
Other ( <i>specify</i> ) _____	

23 Did you understand what was agreed to in the plan/contract? ☐

(Code 1=Yes, 2=No or 3= Partly)

((*elaborate*)) \_\_\_\_\_

24 Were you satisfied with the plan overall? Rate on a scale from 1 to 7 – where 1=Very dissatisfied and 7=Very satisfied.

(Circle a number on the following scale)

1	2	3	4	5	6	7
Very dissatisfied						Very satisfied

(elaborate – if response is 1-3 ask why dissatisfied OR if response is 5-6 ask why satisfied)

---

25 What was **good** about the plan/contract if anything?  
(Ask the open ended question record the answer and then tick/code the following reasons as appropriate)

Offender apologised	<input type="checkbox"/>
Offender being able to help others ( <i>through work or similar</i> )	<input type="checkbox"/>
Offender being able to help themselves ( <i>counselling, education etc</i> )	<input type="checkbox"/>
Receiving reparation	<input type="checkbox"/>
Offender didn't go to prison	<input type="checkbox"/>
Reaching an agreement	<input type="checkbox"/>
Nothing	<input type="checkbox"/>
Other ( <i>specify</i> ) _____	<input type="checkbox"/>

((*elaborate*)) \_\_\_\_\_

26 What was **bad** about the plan/contract if anything?  
(Ask the open ended question record the answer and then tick/code the following reasons as appropriate)

Reparation ( <i>not enough, time to pay etc</i> )	<input type="checkbox"/>
Offender got off too lightly	<input type="checkbox"/>
Plan/contract too vague	<input type="checkbox"/>
Not reaching an agreement	<input type="checkbox"/>
Being pressured to agree	<input type="checkbox"/>
Nothing	<input type="checkbox"/>
Other ( <i>specify</i> ) _____	<input type="checkbox"/>

((*elaborate*)) \_\_\_\_\_

27 Was the plan/contract:

1= Too harsh

2= About right

3= Too soft

☐

(elaborate) \_\_\_\_\_

a) Who was to make sure that the plan/contract was completed?

All of us

☐

Victim (self)

☐

Victim(s) other

☐

Victim(s) supporter/family

☐

Victim(s) representative

☐

Offender (self)

☐

Offender(s) (other)

☐

Offender(s) supporter/family

☐

Community representative

☐

Facilitator

☐

Other (specify) \_\_\_\_\_

☐

b) How was this decided at the conference/meeting?

(elaborate) \_\_\_\_\_

## After the conference

28 As a result of participating in the conference/meeting how do you feel about the offending? Do you feel:

1= Worse

2= No different

3= Better

☐

(elaborate) \_\_\_\_\_

29 What were the **good** things about the conference/meeting if any?

(Ask the open ended question record the answer and then tick/code the following reasons as appropriate)

It was well organised

☐

I was able to meet the offender

☐

The plan/contract was good

☐

Enabled me to put the whole thing behind me

☐

Nothing

☐

Other (specify) \_\_\_\_\_

☐

(elaborate) \_\_\_\_\_

- [illegible]

((elaborate)) \_\_\_\_\_

b) If not completed or completed in part, do you know the reason for this?

(Code 1=Yes, 2=No)

☐

((elaborate)) \_\_\_\_\_

38 Is there any other information or support that you would have liked to have got after the Restorative Justice meeting, but didn't receive?

(Code 1=Yes/2=No)

☐

a) If Yes, what type of information or support was that?

---

## Background information

Now we would like to ask a few questions about you.

39 Looking at the showcard, which ethnic group do you belong to? Mark the space or spaces which apply to you? (Tick all that apply)

1 NZ European

☐

2 Māori

☐

3 Samoan

☐

4 Cook Island Māori

☐

5 Tongan

☐

6 Niuean

☐

7 Chinese

☐

8 Indian

☐

9 Other (such as Dutch, Japanese, Tokelauan) (specify) \_\_\_\_\_

☐

For all participants ask the following, add the name of the ethnic identification in the brackets where appropriate

40 How important was it for the conference/meeting to take account of your cultural needs and expectations? Rate on a scale from 1 to 7 – where 1=Not at all important and 7=Very important.

(Circle a number on the following scale)

1

2

3

4

5

6

7

Not at all  
important

Very  
important

(If the response to Q40 is 4-7 ask Q41)

41 As a ( )

a) Do you feel that the conference/meeting took account of your cultural needs and expectations? (Probe for why and record comments)

(Code 1=Yes, 2=No, 3=Partly)

☐

((elaborate)) \_\_\_\_\_

b) If No, what would have been better?

((elaborate)) \_\_\_\_\_

42 How important was it for the agreed plan/contract to take account of your cultural needs and expectations? Rate on a scale from 1 to 7 – where 1=Not at all important and 7=Very important.

(Circle a number on the following scale)

1

2

3

4

5

6

7

Not at all  
important

Very  
important

(If the response to Q42 is 4-7 ask Q43)

- 43 As a ( ) do you feel that:  
 a) Do you feel that the agreed plan/contract took account of your cultural needs and expectations? *(Probe for why and record comments)* (Code 1=Yes, 2=No, 3=Partly) ☐  
*(elaborate)* \_\_\_\_\_  
 b) If No, what would have been better? *(Probe for why and record comments)*  
*(elaborate)* \_\_\_\_\_  
 \_\_\_\_\_
- 44 Are there any other comments you would like to make about this particular conference/meeting?  
*(elaborate)* \_\_\_\_\_

### Generally

- 45 How do you now feel about Restorative Justice conferences/meetings in general?  
*(elaborate)* \_\_\_\_\_
- 46 Would you recommend a Restorative Justice conferences/meeting to others? (Code 1=Yes, 2=No, 3=Partly) ☐  
*(elaborate)* \_\_\_\_\_
- 47 If you were a victim again, would you go to another conference/meeting (Code 1=Yes, 2=No) ☐  
*(elaborate)* \_\_\_\_\_

### About the offence

- 48 On a scale from 1 to 7 – where 1=No impact and 7=Very high impact rate the impact of the offence on you at the time it happened  
*(Circle a number on the following scale)*
- |        |   |   |   |   |   |             |
|--------|---|---|---|---|---|-------------|
| 1      | 2 | 3 | 4 | 5 | 6 | 7           |
| No     |   |   |   |   |   | Very        |
| impact |   |   |   |   |   | high impact |
- (elaborate)* \_\_\_\_\_

### Relationship between the offender and the victim

- 49 Did you know the offender before the offence occurred? (Code 1=Yes, 2=No) ☐  
 If Yes, what is the nature of the relationship? (to be ticked as appropriate, not asked)
- |  |                          |
|--|--------------------------|
| Friend   | <input type="checkbox"/> |
| Acquaintance <i>(known indirectly)</i>   | <input type="checkbox"/> |
| Flatmate   | <input type="checkbox"/> |
| Workmate   | <input type="checkbox"/> |
| Employer   | <input type="checkbox"/> |
| Employee   | <input type="checkbox"/> |
| Other business <i>(relationship other than workmate employer, employee)</i>        | <input type="checkbox"/> |
| Partner - current <i>(the victim and offender are in an intimate relationship)</i> | <input type="checkbox"/> |

Partner – ex  
 Family – parent  
 Family – child  
 Family – brother/sister  
 Family – Uncle/Aunt  
 Family – other (*specify*) \_\_\_\_\_

☐  
☐  
☐  
☐  
☐  
☐

## Background information

*Now we would like to ask a few more questions about you*

**50** Which age group do you belong to: *(Tick only one)*

- |                         |                          |                     |                          |
|-------------------------|--------------------------|---------------------|--------------------------|
| <b>1</b> Under 18 years | <input type="checkbox"/> | <b>7</b> 40-44      | <input type="checkbox"/> |
| <b>2</b> 18-19 years    | <input type="checkbox"/> | <b>8</b> 45-59      | <input type="checkbox"/> |
| <b>3</b> 20-24 years    | <input type="checkbox"/> | <b>9</b> 60 or over | <input type="checkbox"/> |
| <b>4</b> 25-29 years    | <input type="checkbox"/> |                     |                          |
| <b>5</b> 30-34 years    | <input type="checkbox"/> |                     |                          |
| <b>6</b> 35-39 years    | <input type="checkbox"/> |                     |                          |

**51 a)** Are you in paid work? *(Code 1=Yes, 2=No)*

☐

**i) If Yes**, what is your occupation? \_\_\_\_\_

**ii) Is this** full time or part time? *(Circle which)*

**b) If you are not in paid work**, what category best describes you?

Beneficiary (*eg sickness or DPB*)

Unemployed

Home duties

Retired

Student

Other (*elaborate*): \_\_\_\_\_

☐  
☐  
☐  
☐  
☐

## Thank you!

Thank you for your participation in the research, do you have any comments or questions about the research or the interview?

*(elaborate)* \_\_\_\_\_

## Finally

Would you like a summary of the research?

(Code 1=Yes, 2=No)

☐

This will be in approximately six months time – where would be the best place to send this – to your address or to a family member or friend?

	Name	Address	
<b>You:</b>	<hr/>	<hr/>	<hr/>
	<hr/>	<hr/>	<hr/>
<b>Family member(s):</b>	<hr/>	<hr/>	<hr/>
	<hr/>	<hr/>	<hr/>
<b>Friend(s):</b>	<hr/>	<hr/>	<hr/>
	<hr/>	<hr/>	<hr/>

## Community Managed Restorative Justice Programmes Evaluation

### Questionnaire: Victim not attending conference

In this interview we would like to ask you about some aspects of a restorative justice conference/ meeting held during \_\_\_\_\_ (month) \_\_\_\_\_ (year) for \_\_\_\_\_ (offender) with respect to \_\_\_\_\_ (offences). Even though you didn't attend the meeting, we'd like to obtain your views.  
**(NOTE: Coding - Throughout use: 8=not applicable; 9=don't know; 99=missing data; 98=did not want to answer the question)**

- 1 Whose idea was it to have a restorative justice conference/meeting?

(Code 1=Yes or 2=No - to be coded only, not asked)

Offender's

☐

Offender's lawyer

☐

Police

☐

Judge

☐

Victim advisor

☐

RJ Facilitator

☐

RJ Programme director

☐

Other (specify) \_\_\_\_\_

☐

- 2 Who contacted you about the possibility of dealing with the offending at a restorative justice conference/meeting?

(elaborate) \_\_\_\_\_

- 3 Were you invited to attend the conference/meeting?

☐

(Code 1=Yes or 2=No)

a) If Yes, can you please tell me why you didn't want to attend?

\_\_\_\_\_

b) If No, would you like to have been invited? (Code 1=Yes or 2=No)

☐

- 4 Were you asked whether the conference/meeting could go ahead without you there?

(Code 1=Yes or 2=No)

☐

- 5 Were you told how the conference/meeting went?

(Code 1=Yes or 2=No)

(elaborate) \_\_\_\_\_

☐

- 6 What do you think the restorative justice conference/meeting would have been trying to achieve?

(elaborate) \_\_\_\_\_

### Read out the contents of the plan/contract

- 7 Did you know this was what was decided in the plan/contract at the restorative justice conference/meeting?

(Code 1=Yes or 2=No)

☐

a) If Yes, who told you? (specify) \_\_\_\_\_

b) If Yes, how were you? (specify) \_\_\_\_\_



- 8 How would you rate the plan/contract overall? Rate on a scale from **1 to 7** – where 1=Very dissatisfactory and 7=Very satisfactory.

*(Circle a number on the following scale)*

1	2	3	4	5	6	7
Very						Very
dissatisfactory						satisfactory

- 9 What do you feel was **good** about the plan/contract if anything?

*(elaborate)* \_\_\_\_\_

- 10 What do you feel was **bad** about the plan/contract if anything?

*(elaborate)* \_\_\_\_\_

- 11 Was the plan/contract:

1= Too harsh

2= About right

3= Too soft

☐

*(elaborate)* \_\_\_\_\_

- 12 Did you know whether the offender completed the plan/contract?

*(Code 1=Yes or 2=No)*

☐

a) If Yes, who told you? *(specify)* \_\_\_\_\_

b) If Yes, how were you? *(specify)* \_\_\_\_\_

- 13 On a scale from **1 to 7** – where 1=No impact and 7=Very high impact, rate the impact of the offence on you at the time it happened

*(Circle a number on the following scale)*

1	2	3	4	5	6	7
No						Very
impact						high impact

*(elaborate)* \_\_\_\_\_

- 14 Compared with how you felt about the offending around the time of the conference/meeting, how do you feel now about the offending?

1= Worse

2= No different

3= Better

☐

*(elaborate)* \_\_\_\_\_

- 15 Did you know the offender before the offence occurred?

*(Code 1=Yes or 2=No)*

☐

If Yes, what is the nature of the relationship?

*(to be ticked as appropriate, not asked)*

Friend

☐

Acquaintance *(known indirectly)*

☐

Flatmate

☐

Workmate

☐

Employer

☐

Employee

☐

Other business *(relationship other than workmate employer, employee)*

☐

Partner - current *(the victim and offender are in an intimate relationship)*

☐

Partner – ex

☐

- Family – parent ☐
- Family – child ☐
- Family – brother/sister ☐
- Family – Uncle/Aunt ☐
- Family – other (*specify*) \_\_\_\_\_ ☐

16 If you were a victim again, would you go to a conference/meeting? (*Code 1=Yes or 2=No*) ☐

(*elaborate*) \_\_\_\_\_

17 Would you recommend a restorative justice conference/meeting to others?  
(*Code 1=Yes, 2=No or 3= Partly*) ☐

## Background information

*Now we would like to ask a few questions about you.*

18 Looking at the showcard, which ethnic group do you belong to? Mark the space or spaces which apply to you? (*Tick all that apply*)

- |  |                          |
|--|--------------------------|
| 1 NZ European  | <input type="checkbox"/> |
| 2 Māori  | <input type="checkbox"/> |
| 3 Samoan   | <input type="checkbox"/> |
| 4 Cook Island Māori  | <input type="checkbox"/> |
| 5 Tongan   | <input type="checkbox"/> |
| 6 Niuean   | <input type="checkbox"/> |
| 7 Chinese  | <input type="checkbox"/> |
| 8 Indian   | <input type="checkbox"/> |
| 9 Other ( <i>such as Dutch, Japanese, Tokelanan</i> ) ( <i>specify</i> ) _____ | <input type="checkbox"/> |

19 Which age group do you belong to: (*Tick only one*)

- |                  |                          |              |                          |
|------------------|--------------------------|--------------|--------------------------|
| 1 Under 18 years | <input type="checkbox"/> | 7 40-44      | <input type="checkbox"/> |
| 2 18-19 years    | <input type="checkbox"/> | 8 45-59      | <input type="checkbox"/> |
| 3 20-24 years    | <input type="checkbox"/> | 9 60 or over | <input type="checkbox"/> |
| 4 25-29 years    | <input type="checkbox"/> |              |                          |
| 5 30-34 years    | <input type="checkbox"/> |              |                          |
| 6 35-39 years    | <input type="checkbox"/> |              |                          |

20 a) Are you in paid work? (*Code 1=Yes, 2=No*) ☐

i) If Yes, what is your occupation? \_\_\_\_\_

ii) Is this full time or part time? (*Circle which*)

**b) If you are not in paid work,** what category best describes you?

Beneficiary (*eg sickness or DPB*)

Unemployed

Home duties

Retired

Student

Other (*elaborate*): \_\_\_\_\_

☐  
☐  
☐  
☐  
☐

## Thank you!

Thank you for your participation in the research, do you have any comments or questions about the research or the interview?

## Finally

Would you like a summary of the research?

(Code 1=Yes, 2=No)

☐

This will be in approximately six months time – where would be the best place to send this – to your address or to a family member or friend?

	Name	Address
<b>You:</b>	_____	_____
	_____	_____
<b>Family member(s):</b>	_____	_____
	_____	_____
<b>Friend(s):</b>	_____	_____
	_____	_____



## Appendix 6: Interview schedule – offenders

### Community Managed Restorative Justice Programmes Evaluation

#### Questionnaire: Offender

In this interview we would like to ask you about what happened at the restorative justice conference/meeting held during \_\_\_\_\_ (month) \_\_\_\_\_ (year) for \_\_\_\_\_ (offender) with respect to \_\_\_\_\_

(offences). The aim is to find out how you felt about the whole process.

(NOTE: Coding - Throughout use: 8=not applicable; 9=don't know; 99=missing data; 98=did not want to answer the question)

#### Choosing to have a conference/meeting

- 1 Whose idea was it to have the restorative justice conference/meeting?

(Code 1=Yes or 2=No - to be coded only, not asked)

Offender's

Victim's

Offender's lawyer

Police

Judge/Magistrate

Victim advisor

RJ Facilitator

RJ Programme director

Other (*specify*) \_\_\_\_\_


- 2 Who contacted you first about the possibility of dealing with your offending at a Restorative Justice conference/meeting?

(*elaborate*) \_\_\_\_\_

- 3 Why did you decide to go to the conference/meeting? (*Possible reasons to be ticked only, not asked*)  
(*Ask the open ended question record the answer and then tick/code the following reasons as appropriate*)

To make amends to the victim(s) (*by eg paying them money or doing some work*)

To meet/hear from the victim(s)

To help myself and/or the victim(s)

To work out a plan that was acceptable to all

To be able to tell the victim(s) what happened

To be able to apologize to the victim(s) for what I did

To be able to apologize to my friends or family for what I did

To have more of a say about what would happen

To get a lower sentence

I thought it was a good idea

Friends/family thought it would be a good idea

Lawyer thought it would be a good idea


Judge suggested it	<input type="checkbox"/>
Didn't feel like I could refuse to go	<input type="checkbox"/>
To get closure	<input type="checkbox"/>
To take responsibility for my offending	<input type="checkbox"/>
Other ( <i>elaborate</i> ) _____	<input type="checkbox"/>
<i>General comments</i> _____	

## Preparation

(Code 1=Yes or 2=No)

4 Were you **asked** about:

a) <u>Where</u> the conference/meeting should be held?	<input type="checkbox"/>
b) <u>When</u> the conference/meeting should be held?	<input type="checkbox"/>
c) <u>Who</u> should be at the conference/meeting?	<input type="checkbox"/>

5 Were you **told**:

a) In plenty of time about when the conference/meeting was to be held?	<input type="checkbox"/>
b) What would happen at the conference/meeting?	<input type="checkbox"/>
c) What you would have to do at the conference/meeting?	<input type="checkbox"/>
d) Who else would be at the conference/meeting?	<input type="checkbox"/>

6 Did anyone give you any suggestions of the sorts of things that could go in the agreement/contract? ☐

a) **If yes**, who made them and what were they? (*Record comments*) \_\_\_\_\_

7 During the preparation phase (*ie Qs 4-6 above*):

a) Who did you have contact with about the arrangements for the conference/meeting?

(Code 1=Yes or 2=No)

The RJ facilitators/RJ Programme directors	<input type="checkbox"/>
Other ( <i>specify</i> ) _____	<input type="checkbox"/>

b) Did they contact you by:

Letter	<input type="checkbox"/>
Phone call	<input type="checkbox"/>
Home visit	<input type="checkbox"/>
Other _____	<input type="checkbox"/>

c) Do you feel that what you were told prepared you for the conference/meeting? Rate on a scale from **1 to 7** – where 1=Not at all prepared and 7=Very well prepared.

(Circle a number on the following scale)

1	2	3	4	5	6	7
Not at all prepared						Very well prepared

(*elaborate – if response is 1-3 ask why dissatisfied OR if response is 5-6 ask why satisfied*)

---

## The Restorative Justice Conference/Meeting

- 8 What do you think the conference/meeting was trying to achieve?  
(elaborate) \_\_\_\_\_
- 9 How did you feel when you first went into the conference/meeting?  
(Record feelings at the beginning of the conference/meeting)
- 10 How did you feel at the end of the conference/meeting?  
(Record feelings at the beginning of the conference/meeting)
- 11 Was the victim (or victim representative) at the conference/meeting? (Code 1=Yes, 2=No) ☐  
(Note: victim representative does not include community panel members – it is someone who is present to directly represent the victim ie standing in for them)
- a) If Yes, how did you feel about first meeting the victim(s) at the conference/meeting?  
(Record feelings at the beginning of the conference)
- b) If Yes, how did feel you about the victim(s) by the end of the conference/meeting?  
(Record feelings at the end of the conference/meeting)
- c) If No, would you have liked the victim (or representative) to be there?  
(elaborate) \_\_\_\_\_
- 12 During the conference/meeting did you:
- a) Feel involved? (Code 1=Yes, 2=No or 3= Partly) ☐  
(elaborate) \_\_\_\_\_
- b) Understand what was going on? (Code 1=Yes, 2=No or 3= Partly) ☐  
(elaborate) \_\_\_\_\_
- c) Feel you had the chance to explain why the offence happened?  
(Code 1=Yes, 2=No or 3=Partly) ☐  
(elaborate) \_\_\_\_\_
- d) Have the chance to say what you wanted to say? (Code 1=Yes, 2=No or 3= Partly) ☐  
(elaborate) \_\_\_\_\_
- e) Feel too scared to say what you really felt? (Code 1=Yes, 2=No or 3= Partly) ☐  
(elaborate) \_\_\_\_\_
- 13 Do you think anyone said too much during the conference/meeting? (Code 1=Yes, 2=No) ☐
- a) If yes, who? (Don't ask - tick all that apply)
- |   |                          |
|---|--------------------------|
| Community representatives                   | <input type="checkbox"/> |
| Victim (s) support (eg family or whānau)    | <input type="checkbox"/> |
| Victim (s) representative                   | <input type="checkbox"/> |
| Victim (s)                                  | <input type="checkbox"/> |
| Offender (self)                             | <input type="checkbox"/> |
| Offender(s) (other)                         | <input type="checkbox"/> |
| Offenders (s) support (eg family or whānau) | <input type="checkbox"/> |
| Facilitator                                 | <input type="checkbox"/> |
| Other (specify) _____                       | <input type="checkbox"/> |

14 During the conference/meeting were you:

a) Treated with respect? (Code 1=Yes, 2=No or 3= Partly) ☐  
(Be alert to cultural issues)

(elaborate) \_\_\_\_\_

b) If No or Partly to above - why do you think that was?

(elaborate) \_\_\_\_\_

c) Treated fairly? (Code 1=Yes, 2=No or 3= Partly) ☐

(elaborate) \_\_\_\_\_

d) If No or Partly to above - why do you think that was?

(elaborate) \_\_\_\_\_

e) Able to make up for your offending? (Code 1=Yes, 2=No or 3= Partly) ☐

(Be alert to responses for multiple victims)

(elaborate) \_\_\_\_\_

15 During the conference/meeting did you:

a) Apologise for what you did? (Code 1=Yes, 2=No or 3= Partly) ☐

(Be alert to responses for multiple victims)

(elaborate) \_\_\_\_\_

b) If Yes was the apology accepted? (Code 1=Yes, 2=No or 3= Partly) ☐

(Be alert to responses for multiple victims)

(elaborate) \_\_\_\_\_

c) Understand how the victim/s felt? (Code 1=Yes, 2=No or 3= Partly) ☐

(Be alert to responses for multiple victims)

(elaborate) \_\_\_\_\_

d) Feel ashamed of what you had done? (Code 1=Yes, 2=No or 3= Partly) ☐

(elaborate) \_\_\_\_\_

16 During the conference/meeting did: (Code 1=Yes, 2=No or 3= Partly) ☐

a) The way you were dealt with make you feel like you were a really bad person?

(Be alert to possible cultural differences here and note reasons for view)

(elaborate) \_\_\_\_\_

b) People in the conference/meeting speak up on your behalf?

(Code 1=Yes, 2=No or 3= Partly) ☐

(elaborate) \_\_\_\_\_

c) You have someone in the conference/meeting who could provide support for you?

(Code 1=Yes, 2=No or 3= Partly) ☐

(elaborate) \_\_\_\_\_

i) If Yes, who was this (specify) \_\_\_\_\_

ii) Was their support useful? (Code 1=Yes, 2=No or 3= Partly) ☐

(elaborate) \_\_\_\_\_

iii) Would you have like more support at the conference/meeting?

(Code 1=Yes, 2=No or 3= Partly) ☐

(elaborate) \_\_\_\_\_

## The conference agreement/contract

17 Was an agreement reached? (Code 1=Yes, 2=No) ☐

a) If Not, why not?

(elaborate) \_\_\_\_\_



- 18 Who decided on the details in the plan/contract? *(Tick either option 1 **OR** all that apply)*
- |                              |                          |
|------------------------------|--------------------------|
| All of us                    | <input type="checkbox"/> |
| Victim                       | <input type="checkbox"/> |
| Victim(s) other              | <input type="checkbox"/> |
| Victim(s) supporter/family   | <input type="checkbox"/> |
| Victim(s) representative     | <input type="checkbox"/> |
| Offender (self)              | <input type="checkbox"/> |
| Offender(s) (other)          | <input type="checkbox"/> |
| Offender(s) supporter/family | <input type="checkbox"/> |
| Community representative     | <input type="checkbox"/> |
| Facilitator                  | <input type="checkbox"/> |
| Other <i>(specify)</i> _____ | <input type="checkbox"/> |
- 19 Did you understand what was agreed to in the plan/contract? *(Code 1=Yes, 2=No or 3= Partly)* ☐
- (elaborate)* \_\_\_\_\_
- 20 Was the plan/contract better than you expected? *(Code 1=Yes, 2=No or 3= Partly)* ☐
- (elaborate)* \_\_\_\_\_
- 21 Were you satisfied with the plan overall? Rate on a scale from 1 to 7 – where 1=Very dissatisfied and 7=Very satisfied.
- (Circle a number on the following scale)*
- |              |   |   |   |   |   |           |
|--------------|---|---|---|---|---|-----------|
| 1            | 2 | 3 | 4 | 5 | 6 | 7         |
| Very         |   |   |   |   |   | Very      |
| dissatisfied |   |   |   |   |   | satisfied |
- (elaborate – if response is 1-3 ask why dissatisfied OR if response is 5-6 ask why satisfied)*
- \_\_\_\_\_
- 22 What was **good** about the plan/contract if anything?  
*(Ask the open ended question record the answer and then tick/code the following reasons as appropriate)*
- |   |                          |
|---|--------------------------|
| Being able to apologise                                       | <input type="checkbox"/> |
| Being able to help others <i>(through work or similar)</i>    | <input type="checkbox"/> |
| Being able to help myself <i>(counselling, education etc)</i> | <input type="checkbox"/> |
| Being able to make reparation                                 | <input type="checkbox"/> |
| Not going to prison   | <input type="checkbox"/> |
| Reaching an agreement   | <input type="checkbox"/> |
| Nothing   | <input type="checkbox"/> |
| Other <i>(specify)</i> _____                                  | <input type="checkbox"/> |
- (elaborate)* \_\_\_\_\_

23 What was **bad** about the plan/contract if anything?

*(Ask the open ended question record the answer and then tick/code the following reasons as appropriate)*

Reparation *(too much, time to pay etc)*

☐

Community work *(number of hours too high etc)*

☐

Plan/contract too vague

☐

Being pressured to agree

☐

Not reaching an agreement

☐

Nothing

☐

Other *(specify)* \_\_\_\_\_

☐

*(elaborate)* \_\_\_\_\_

24 Was the plan/contract:

1= Too harsh

2= About right

3= Too soft

☐

*(elaborate)* \_\_\_\_\_

## After the conference

25 What were the **good** things about the conference/meeting if any?

*(Ask the open ended question record the answer and then tick/code the following reasons as appropriate)*

It was well organised

☐

I was able to meet the victim

☐

The plan/contract was good

☐

Enabled me to put the whole thing behind me

☐

Nothing

☐

Other *(specify)* \_\_\_\_\_

☐

*(elaborate)* \_\_\_\_\_

26 What were the **bad** things about the conference/meeting if any?

*(Ask the open ended question record the answer and then tick/code the following reasons as appropriate)*

Didn't like meeting victim

☐

I was made to feel bad

☐

I wasn't treated with respect

☐

It didn't achieve anything/waste of time

☐

Wasn't well organised

☐

Wasn't well organised

☐

Nothing

☐

Other *(specify)* \_\_\_\_\_

☐

*(elaborate)* \_\_\_\_\_

- (Circle a number on the following scale)*

*(elaborate – if response is 1-3 ask why dissatisfied OR if response is 5-6 ask why satisfied)*

- (Code 1=Yes, 2=No or 3= Partly)*

(elaborate) \_\_\_\_\_

(Ask for each and code 1=Yes/2=No/3=Partly)

- |  |
|--|
|  |
|  |
|  |
|  |
|  |

- |  |
|--|
|  |
|  |
|  |
|  |
|  |

(Code 1=Yes/2=No)

*(Code 1=Yes/2=No)*

*(Circle a number on the following scale)*

*(elaborate – if response is 1-3 ask why it didn't work OR if response is 5-6 ask why it worked well)*

- (Code 1=Yes, 2=No or 3= Partly)

- 7

(Code 1=Yes, 2=No or 3= Partly) ☐

- 32 Is there any other information that you would have liked the Restorative Justice programme to provide you with? (Code 1=Yes/2=No) ☐  
 a) If Yes, elaborate: \_\_\_\_\_

- 33 Have you committed an offence since the conference/meeting (*Either detected or undetected*) (Code 1=Yes/2=No) ☐

## Background information

Now we would like to ask a few questions about you

- 34 Which ethnic group do you belong to? (Tick all that apply)
- |  |                          |
|--|--------------------------|
| 1 NZ European  | <input type="checkbox"/> |
| 2 Māori  | <input type="checkbox"/> |
| 3 Samoan   | <input type="checkbox"/> |
| 4 Cook Island Māori  | <input type="checkbox"/> |
| 5 Tongan   | <input type="checkbox"/> |
| 6 Niuean   | <input type="checkbox"/> |
| 7 Chinese  | <input type="checkbox"/> |
| 8 Indian   | <input type="checkbox"/> |
| 9 Other (such as Dutch, Japanese, Tokelauan) (specify) _____ | <input type="checkbox"/> |

***For all participants*** ask the following, add the name of the ethnic identification in the brackets where appropriate

- 35 How important was it for the conference/meeting to take account of your cultural needs and expectations? Rate on a scale from **1 to 7** – where 1=Not at all important and 7=Very important.

(Circle a number on the following scale)

1	2	3	4	5	6	7
Not at all						Very
important						important

(If the response to Q35 is 4-7 ask Q36)

- 36 As a ( ):   
 a) Do you feel that the conference/meeting took account of your cultural needs and expectations? (*Probe for why and record comments*) (Code 1=Yes, 2=No, 3= Partly) ☐  
 (elaborate) \_\_\_\_\_  
 b) If No, what would have been better? (elaborate) \_\_\_\_\_

- 37 How important was it for the agreed plan/contract to take account of your cultural needs and expectations? Rate on a scale from **1 to 7** – where 1=Not at all important and 7=Very important.

(Circle a number on the following scale)

1	2	3	4	5	6	7
Not at all						Very
important						important

(If the response to Q37 is 4-7 ask Q38)

- 38 As a ( ):   
 a) Do you feel that he agreed plan/contract took account of your cultural needs and expectations? *(Probe for why and record comments)* (Code 1=Yes, 2=No, 3= Partly) ☐   
*(elaborate)* \_\_\_\_\_   
 b) If No, what would have been better? *(Probe for why and record comments)*   
*(elaborate)* \_\_\_\_\_
- 39 Are there any other comments you would like to make about this particular conference/meeting?   
*(elaborate)* \_\_\_\_\_

### Sentencing

- 40 Have you been sentenced at court for the offending that was dealt with at the conference/meeting? (Code 1=Yes, 2=No) ☐   
 a) If Yes, do you think that the Judge took into account the tasks you had to do for the plan/contract when he/she sentenced you?   
*(elaborate)* \_\_\_\_\_

### Generally

- 41 How do you now feel about Restorative Justice conferences/meetings in general?   
*(elaborate)* \_\_\_\_\_
- 42 Would you recommend a Restorative Justice conference/meeting to others? (Code 1=Yes, 2=No, 3=Partly) ☐   
*(elaborate)* \_\_\_\_\_
- 43 Do you think that participation in the Restorative Justice conference/meeting has helped you to stop offending? (Code 1=Yes, 2=No, 3=Partly or 7-=Not an issue) ☐   
*(elaborate)* \_\_\_\_\_

### Relationship between the victim and the offender

- 44 Did you know the victim before the offence occurred? (Code 1=Yes, 2=No) ☐   
 If Yes, what is the nature of the relationship? (to be ticked as appropriate, not asked)   
 Friend ☐   
 Acquaintance *(known indirectly)* ☐   
 Flatmate ☐   
 Workmate ☐   
 Employer ☐   
 Employee ☐   
 Other business *(relationship other than workmate employer, employee)* ☐   
 Partner - current *(the victim and offender are in an intimate relationship)* ☐   
 Partner – ex ☐   
 Family – parent ☐   
 Family – child ☐

Family – brother/sister

☐

Family – Uncle/Aunt

☐

Family – other (*specify*) \_\_\_\_\_

☐

## Background information

*Now we would like to ask a few more questions about you*

45 Which age group do you belong to: (Tick only one)

- |                  |                          |              |                          |
|------------------|--------------------------|--------------|--------------------------|
| 1 Under 18 years | <input type="checkbox"/> | 7 40-44      | <input type="checkbox"/> |
| 2 18-19 years    | <input type="checkbox"/> | 8 45-59      | <input type="checkbox"/> |
| 3 20-24 years    | <input type="checkbox"/> | 9 60 or over | <input type="checkbox"/> |
| 4 25-29 years    | <input type="checkbox"/> |              |                          |
| 5 30-34 years    | <input type="checkbox"/> |              |                          |
| 6 35-39 years    | <input type="checkbox"/> |              |                          |

46 a) Are you in paid work? (Code 1=Yes, 2=No) ☐

i) If Yes, what is your occupation? \_\_\_\_\_

ii) Is this full time or part time? (Circle which)

b) If you are not in paid work, what category best describes you?

Beneficiary (*eg sickness or DPB*)

Unemployed

☐

Home duties

☐

Retired

☐

Student

☐

Other (*elaborate*): \_\_\_\_\_

☐

## Thank you!

Thank you for your participation in the research, do you have any comments or questions about the research or the interview?

(*elaborate*) \_\_\_\_\_

## Finally

Would you like a summary of the research? (Code 1=Yes, 2=No) ☐

This will be in approximately six months time – where would be the best place to send this – to your address or to a family member or friend?

	Name	Address
<b>You:</b>	_____	_____
	_____	_____
<b>Family member(s):</b>	_____	_____
	_____	_____
<b>Friend(s):</b>	_____	_____
	_____	_____