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PARTICIPANT INFORMATION STATEMENT

RESEARCH STUDY

Measuring crime victims' paths to justice using the 'Measuring Access to Justice' (MA2J) survey

1. Introduction

Dr Rita Shackel from the University of Sydney is working collaboratively with the University of Tilburg, to test a new way of assessing victims' experiences within the criminal justice process. This survey, which has been developed to measure victims' experiences from different countries, is called the 'Measuring Access to Justice' (MA2J) tool.

2. Aim of the study

The aim of the study is to test whether the MA2J survey works effectively as a way of finding out what victims of crime may have experienced within the criminal justice process. It looks at the costs involved, the quality of the process and the satisfaction level of the final outcome. The results of the MA2J survey will also be used to compare the experiences of victims of crime in Australia to those in other countries.

3. What does the research involve?

Organisations that deal with crime victims have been asked to make the MA2J survey available to victims of crime who wish to take part in this study. The questions in the survey need to be answered by ticking the relevant boxes. There are a few questions that may need a short written answer as well.

Please return completed surveys as follows

by email:

rita.shackel@sydney.edu.au,

else post to:

Dr Rita Shackel
New Law Building F10
The University of Sydney
NSW 2006 AUSTRALIA

4. How long will the survey take to complete?

The MA2J survey should take about 30 minutes to complete.

5. Can I withdraw from the study?

Participation in this study is completely voluntary - you are not under any obligation to consent and - if you do consent - you can withdraw at any time without affecting your relationship with The University of Sydney. For example, you are free to withdraw from the study and not complete the survey even if you have already started it, should you become distressed by memories of the crime you have experienced, or for any other reason.

Submitting a completed survey either electronically, via post or to a participating agency is an indication of your consent to participate in the study. You can withdraw any time prior to submitting your completed survey. Once you have submitted your survey, your responses cannot be withdrawn.

6. Will anyone else know the results?

This is an anonymous survey so no person participating in the research can be identified. Participant responses will be strictly confidential. The findings of the study overall, however, will be published.

7. Will the study benefit me?

This study will not benefit particular participants but in the long term the information gained from the study is designed to identify specific aspects of the criminal process that need to be improved to make the experiences of victims of crime better.

8. Can I tell other people about the study?

You may tell other people about your participation in the study. You may tell other people about your responses in the survey to the extent that you want to and feel comfortable doing so.

9. What if I require further information?

If you would like more information about this research study you may contact Noleen Grogan at gnol5388@uni.sydney.edu.au/nkgrogan@iinet.net.au or Rita Shackel at rita.shackel@sydney.edu.au.

10. Where can I get help if I feel distressed during or after completing the surveys?

Sometimes victims of crime may re-experience some of the trauma associated with a crime when completing a survey of this kind because memories of the crime and/or the legal processes may be triggered. If you become distressed while completing this survey you may stop and withdraw from the study at any time. If you either withdraw or go on to complete the survey and feel distressed and would like to talk to someone about your feelings a list of agencies you may wish to contact have been provided below. Also included on the list are the contact details of the researchers involved who may be able to assist you with further information.

New South Wales

*** Victims Access Line (VAL)** – assisting victims of crime with accessing services
(02) 8688 5511 (Office Hours 8:30am – 5pm Mon- Fri)
1800 633 063
After hours – for emergency support - listen to prompts.

ACT

Victim Support ACT (Victim Support Scheme provides support, counseling and other services)
1800 8222 72 (toll free)

Victims of Crime Assistance League (VOCAL)
(02) 6295 9600

Victoria

Victims Support Agency (Victims of Crime Helpline including referrals)
1800 819 817 (toll free)

Queensland

The Victims Counselling and Support Services (VCSS)

1300 139 703 (24-hr information, referral and counseling appointments)

Lifeline Community Care Queensland

13 11 14 (24-hr telephone counselling)

Researchers' Contact Details

If you require any further assistance including details of relevant counselling and support agencies please contact the researchers involved in this project listed below.

Chief Investigator

Dr Rita Shackel

Email: rita.shackel@sydney.edu.au

Phone: 02 9351 0368 (W)

Research Assistant

Noleen Grogan

Email: gnol5388@uni.sydney.edu.au/nkgrogan@inet.net.au

Phone: 02 9417 2138 (W)

11. What if I have a complaint or concerns?

Any person with concerns or complaints about the conduct of a research study can contact The Manager, Human Ethics Administration, University of Sydney on 02 8627 8176 (telephone); 02 8627 8177 (Facsimile) or ro.humanethics@sydney.edu.au (Email).

This information sheet is for you to keep

Dear Participant,

We are conducting a study to find out about your experiences with the criminal justice system, to evaluate where people might have problems. Together, Tilburg University and The University of Sydney are working to understand these experiences.

If you are over 18 Years of age and have had a crime committed against you we would appreciate you helping us by completing this survey.

You may not have reported the crime to the authorities. In this case, we are interested in the reasons for this decision.

It is also possible that you did choose to report the crime. In this instance, you experienced a process in response to the crime. This process probably started with police or victim support contact. The process may have ended at one of several possible stages. Perhaps the police did not catch your suspect, or chose not to pursue the case. The prosecutor may have dropped charges, or a trial may have been held and a verdict reached. In all cases, a final decision was made in your case by either the police, prosecutor or judge. This final decision is the outcome. If you did report the crime, we are interested in:

1. Your perceptions of the legal personnel you encountered
2. Your perceptions of the process and the outcome
3. The time and money you spent on the process
4. The emotional costs (such as stress) of the process.

This questionnaire is anonymous and we will treat your responses with confidentiality. No information that can identify you will be passed on to anybody else. As indicated in the Participant Information Statement, please place your completed survey in the stamped, self-addressed envelope provided and mail the survey back to me.

If you have any questions, you may e-mail rita.shackel@sydney.edu.au.

Instructions

Please read the instructions to ensure you are answering the questions correctly.

You may indicate your answer by marking the box as below.

Example:

Was a weapon used?

Yes

No

Some of the questions will not apply to you. You may skip these. When you are able to skip these, just go to the question that is indicated after your answer. If there is no indication to skip, just continue with the following question.

Example:

Did you know the suspect (or suspects) before the crime was committed?

Yes

No → **Question 3**

Section I. Details about the crime. The following questions are about the crime. If you have been a victim more than once, please only think of your experience with the most recent crime . You may check more than one box.

1. Which crime were you a victim of most recently?

Theft (less than \$100)

Theft (more than \$100)

Damage to vehicle

Threat without bodily injury

Threat with bodily injury

Assault

Burglary

Stalking

Sexual assault

Kidnapping

Robbery

Co-victim of homicide

Other (please specify) _____

2. Did you know the suspect (or suspects) before the crime was committed?

Yes

No → **Question 3**

2a. What was your relationship to the suspect(s)?

Husband/boyfriend/partner

Ex-husband/ex-boyfriend/ex-partner

Relative

Neighbor

Colleague

Other

3. Was a weapon used?

Yes

No

4. Did you suffer physical injuries?

None

Mild

Moderate

Severe

Please provide brief details of the nature of your injuries: _____

Grievous bodily harm includes any permanent or serious disfiguring. Would you describe your injuries as constituting such harm?

Yes

No

5. Did you report the crime to the police?

Yes, I reported it myself or someone else reported it. → **Question 7**

No, the crime was not reported to the police. → **Question 6**

Section II. Non-reporting to the police.

6. The following statements are about the reasons for which you may not have reported the crime to the police. Please indicate to what extent you agree with the following:

| | Not at all/very small extent | Small extent | Moderate extent | Large extent | Very large extent |
|---|------------------------------------|-----------------|--------------------|-----------------|----------------------|
| I thought a trial would make everything worse | | | | | |
| I did not want to face the suspect | | | | | |
| If I had gone to court, I would have been able to express my views to the police, prosecutor or judge | | | | | |
| The court process would have been objective | | | | | |
| The court process would have been based on accurate information | | | | | |
| I would have been treated with respect by legal personnel | | | | | |
| I would have had to answer embarrassing questions | | | | | |
| The court process would have helped me to move on in the future | | | | | |
| Going to court would have meant a loss of privacy | | | | | |

| | Not at all/very small extent | Small extent | Moderate extent | Large extent | Very large extent |
|--|------------------------------------|-----------------|--------------------|-----------------|----------------------|
| I would have been well informed about my case | | | | | |
| The court would NOT be able to repair the harm that was done | | | | | |
| The police would NOT have taken the matter seriously | | | | | |
| The crime was NOT serious enough to go to the police | | | | | |
| The verdict would have been in my favor | | | | | |
| The verdict would NOT have solved anything | | | | | |
| The verdict would NOT have acknowledged the harm done | | | | | |
| I would still be fearful after the outcome | | | | | |
| Going to court would have involved too much time | | | | | |
| Going to court would have cost too much money | | | | | |
| Going to court would have been stressful | | | | | |
| Someone other than the courts solved the problem | | | | | |

| | Not at all/ very small extent | Small extent | Moderate extent | Large extent | Very large extent |
|--|----------------------------------|--------------|-----------------|--------------|-------------------|
| I was scared to report the crime | | | | | |
| The verdict may have been able to stop the suspect from doing similar acts | | | | | |
| I was too ashamed to report the crime | | | | | |

You are finished with the questionnaire. Thank you for your participation!

Section III. If you reported the crime

7. When was the crime reported to the police (month/year)?

| 8. Please indicate to what extent: | Very small extent | Small extent | Moderate extent | Large extent | Very large extent |
|---|-------------------|--------------|-----------------|--------------|-------------------|
| Your case lasted a long time? | | | | | |
| The length of the case delayed your recovery? | | | | | |

Now we will ask some questions about your experiences with the legal personnel you encountered and victim support. Legal personnel include the police, the prosecutor, the judge, the suspect's legal representative, your own legal representative.

It is possible that you did not have contact with one or more of these individuals. If this is the case, you will be asked to skip to the next relevant question.

9. What type of contact did you have with the police? (You may choose more than one box)

In person. → **Question 10**

Written. → **Question 10**

Other. Please specify _____ → **Question 10**

None. → **Question 11**

| 10. Please indicate to what extent: | Very small extent/ not at all | Small extent | Moderate extent | Large extent | Very large extent |
|--|----------------------------------|--------------|-----------------|--------------|-------------------|
| The police treated you with respect? | | | | | |
| The police acted properly? | | | | | |
| The police explained your rights as a victim? | | | | | |
| The police kept you informed throughout your case? | | | | | |
| The police informed you about victim support? | | | | | |
| You were satisfied with the police? | | | | | |
| The police take the matter seriously? | | | | | |
| The police made a good effort to find a solution? | | | | | |

| |
|--|
| <p>11. What type of contact did you have with the prosecution? (You may choose more than one box)</p> <p>In person. → Question 12</p> <p>Written. → Question 12</p> <p>Other, please specify _____ . → Question 12</p> <p>None. → Question 13</p> |
|--|

| 12. Please indicate to what extent: | Very small extent/ not at all | Small extent | Moderate extent | Large extent | Very large extent |
|--|----------------------------------|--------------|-----------------|--------------|-------------------|
| The prosecutor treated you with respect? | | | | | |
| The prosecutor acted properly? | | | | | |
| The prosecutor explained reasons for his/her decision? | | | | | |

| | Very small extent/ not at all | Small extent | Moderate extent | Large extent | Very large extent |
|--|----------------------------------|--------------|-----------------|--------------|-------------------|
| The prosecutor kept you informed throughout your case? | | | | | |
| The prosecutor told you about your rights as a victim? | | | | | |
| You were satisfied with the prosecutor? | | | | | |
| The prosecutor took the matter seriously? | | | | | |
| The prosecutor made a good effort to find a solution? | | | | | |

13. What type of contact did you have with the judge? (You may choose more than one)

In person → **Question 14**

Written → **Question 14**

I was called as a witness → **Question 14**

Other, please specify _____ → **Question 14**

None → **Question 15**

| 14. Please indicate to what extent: | Very small extent/ not at all | Small extent | Moderate extent | Large extent | Very large extent |
|---|----------------------------------|--------------|-----------------|--------------|-------------------|
| The judge treated you with respect? | | | | | |
| The judge acted properly? | | | | | |
| The judge explained the reasons for his or her decisions? | | | | | |
| You were satisfied with the judge? | | | | | |
| The judge took the matter seriously? | | | | | |
| The judge made a good effort to find a solution? | | | | | |

15. Did you have contact with the suspect's defence counsel?

Yes

No → Question 18

16. Did the defence council ask improper questions?

Yes

No

17. Did the defence counsel make improper comments?

Yes

No

18. Did you have your own lawyer during the trial?

Yes

No → Question 20

19. To what extent were you satisfied with your lawyer?

Very satisfied

Satisfied

Not satisfied/not unsatisfied

Unsatisfied

Very unsatisfied

20. Were you supported by victim support during the procedure?

Yes

No → Question 22

21. In general, to what extent were you satisfied with victim support?

Very satisfied

Satisfied

Not satisfied/not unsatisfied

Unsatisfied

Very unsatisfied

Section IV. The Process.

22. In this section we ask you a few questions about the quality of the process. This does not only refer to the trial. Think about the moment from when you first had police contact until the end of your case.

Please indicate to what extent:

Very small
extent/not
at all

Small
extent

Moderate
Extent

Large
extent

Very
large
extent

Were you able to express
your opinions to legal
personnel during the
process?

| | Very small extent/not at all | Small extent | Moderate Extent | Large extent | Very large extent |
|--|------------------------------------|-----------------|--------------------|-----------------|-------------------------|
| Were your views considered during the process? | | | | | |
| Did you feel the choice was yours to be in the process? | | | | | |
| Were the same rules applied to you and the suspect during the process? | | | | | |
| Was the process objective? | | | | | |
| Did the process have correct information? | | | | | |
| Was the police investigation conducted well enough? | | | | | |
| Were you kept informed during the process? | | | | | |
| Were you aware of available legal services? | | | | | |
| Was your privacy considered during the process? | | | | | |
| Did the process recognise the harm that was done to you? | | | | | |
| Were you satisfied with the process? | | | | | |

23. Did you have contact with the suspect during the process, either in court or at an outside mediation?

Yes, we were both present.

No, only I was present → **Question 25**

No, only the suspect was present → **Question 25**

Please briefly describe the type of contact you had with the suspect during the process?

24. The following questions are about your experience with the suspect during the trial or mediation session.

Please indicate to what extent:

Very small
extent/not
at all

Small
extent

Moderate
Extent

Large
extent

Very
large
extent

You were able to express your views and feelings to the suspect?

If desired, were you able to avoid seeing the suspect?

If desired, did you have the opportunity to ask the suspect for an explanation of what happened?

The process allowed the suspect to show remorse?

The process positively impacted your relationship with the suspect?

The suspect had the opportunity to accept responsibility?

Section V. The Outcome.

25. What was the outcome of your case? (You may choose more than one box)

- The police dismissed your case
- You decided to drop your case yourself
- The prosecutor dismissed your case
- You received compensation
- You received an apology
- The suspect pleaded guilty
- The matter went to trial and the suspect was found guilty
- The matter went to trial and the suspect was found not guilty
- The suspect received a prison sentence.
- The suspect received a punishment as a fine or community service.

Other outcome (specify):

26. Even if your case did not go to court, you still received an outcome, such as those mentioned above. The following questions are about the quality of the outcome. Take all outcomes into account when answering.

| | | | | | |
|--|-------------------------------------|-----------------|--------------------|-----------------|----------------------|
| Please indicate to what extent: | Very small extent/ not at all | Small extent | Moderate extent | Large extent | Very large extent |
|--|-------------------------------------|-----------------|--------------------|-----------------|----------------------|

Your needs were considered in the outcome?

The outcome repaired the harm that was done to you?

You received a satisfactory explanation about the outcome?

The outcome solved the problem?

The outcome was favorable for you?

The outcome acknowledged the harm that was done to you?

You were able to move forward with your life after you received the outcome?

The rehabilitation of the suspect was taken into account in the outcome?

You were satisfied with the outcome?

You had the option to appeal the final decision?

27. To what extent were you afraid in the period after the crime was committed up until you received an outcome?

- Not at all/very small extent
- Small extent
- Moderate extent
- Large extent
- Very large extent

28. To what extent did the outcome help to reduce this fear??

- Not at all/very small extent
- Small extent
- Moderate extent
- Large extent
- Very large extent/completely
- The crime did not cause any fear

29. Did you suffer from financial damages?

- Yes
- No → **Question 31**

30. To what extent did the outcome repair your financial damages?

- Not at all/very small extent
- Small extent
- Moderate extent
- Large extent
- Very large extent/completely

Section VI. Your participation in the procedure.

The following questions are about victim impact statements and your use of them. If you did not qualify or chose yourself not to make use of them, you will be directed to the following applicable section.

31. Were you informed of the opportunity to make use of a victim impact statement?

- Yes
- No → **Question 33**
- I don't know → **Question 33**

32. Did you make use of a victim impact statement?

- Yes, a written impact statement.
- Yes, an oral victim impact statement.
- No.

Section VII. Costs made as a result of your case.

These costs refer to money and time spent in handling your case. Please include all costs that resulted from your case going to the legal system.

33. How much money did you spend to obtain the outcome? (think of legal fees, court fees, travel, collecting information, calling, postal costs, etc.)
 \$ _____

34. Did you lose some income because of the procedure (i.e. having to take off work to go to a hearing)?
Yes
No → **Question 36**

35. How much money did you lose from your income?
 \$ _____

36. How many hours did you spend in order to obtain the outcome? (think of searching for a legal advisor, talking to a legal advisor/other party/police, collecting information, travelling, waiting, etc.)
 _____ hours

Section VIII. Emotions during and resulting from the procedure.

37. Please indicate the amount of stress you experienced as a result of the *process*.
 Do not include the stress you experienced as a direct result of the *problem*.

| | | | | | | | | |
|--------------------|--|--|--|--|--|--|--|--------------------------|
| Very little stress | | | | | | | | A large amount of stress |
|--------------------|--|--|--|--|--|--|--|--------------------------|

38. Please list three (3) negative emotions you felt **during the process**.

39. These questions are also about the effects the process had on you. Please indicate :

| | | | | | |
|---|------------------|----------|---------|----------|------------------|
| | Very negative | Negative | Neutral | Positive | Very positive |
| What effect did the process have on your ability to cope with the crime? | | | | | |
| What effect did the process have on your self-esteem? | | | | | |
| What effect did the process have on how optimistically you view the future? | | | | | |

| | Very negative | Negative | Neutral | Positive | Very positive |
|---|---------------|----------|---------|----------|---------------|
| What effect did the process have on your trust in the legal system? | | | | | |
| What effect did the process have on your faith in a just world? | | | | | |

Section IX. Demographics.

| | | | | | |
|--|---|--------------------------------------|---------------------------------|-------------------------------|--|
| Gender: | Male | Female | | | |
| Age: | _____ years | | | | |
| Ethnicity: | Australian | Aboriginal or Torres Strait Islander | Other _____ | | |
| Marital Status: | Single | Married | Divorced | Other | |
| Employment: | None | Home-maker | Full-time | Student | |
| | Retired | Other _____ | | | |
| Education: | Completed High School to Year 12 | University – Bachelor Level | University – Postgraduate Level | Tafe certificate or training | |
| | Did not complete High School to Year 12 | Other – please specify _____ | | | |
| State where crime occurred: | NSW | ACT | VIC | QLD | |
| How would you describe your residential area? | Urban | Rural | Remote | Other – please specify: _____ | |

THANK YOU VERY MUCH FOR YOUR PARTICIPATION.