



**SAFEGUARDING FAIRNESS FOR CHILDREN IN INTERACTIONS
WITH ADULTS IN AUTHORITY**

**COMPUTER-BASED INVESTIGATIONS OF THE JUDGMENTS OF
SECONDARY SCHOOL STUDENTS**

REPORT TO

THE AUSTRALIAN CRIMINOLOGICAL RESEARCH COUNCIL

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Jeanette Lawrence,

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**INTRODUCTION:
PROCEDURAL FAIRNESS AND YOUNG PEOPLE**

- How do young people think adults can be procedurally fair?
- Are there some generally accepted procedural safeguards that preserve young people's rights and interests in adult/child encounters?
- What do young people think these safeguards should involve?

Guided by these and related questions about young people's understanding of procedural fairness, the aims of this research were to systematically investigate secondary school students' understanding of procedural safeguards. In particular, we focused on procedural safeguards for preserving children's rights in disciplinary encounters with adults. Children and adolescents are constantly being questioned and held to account by adults with authority over them in social institutions. On a daily basis, adults question and discipline young people at home, at school, in the local library, and on the sports field. "Did you do it? Why did you do it? I told you not to do it, and now I'm going to punish you" are frequent refrains of adult/child encounters. Less frequently, but with potentially grave consequences are the exceptional encounters where a child is questioned by store personnel, police officers, magistrates and other government officials. How do young people think adults should conduct these encounters, are their perceptions related to the proximity and familiarity of the adult/child relationship, and are they influenced by the young person's age and gender?

When a mother questions her son or daughter about some missing money, when a teacher calls in a student caught doing something wrong, when a magistrate determines an appropriate penalty for a young thief – in each of these adult/child interactions, the adult is engaged in two distinct but inter-related activities. One adult activity involves deciding how to react to the young person's activities, the other involves setting up and implementing a set of procedures for giving the young offender a hearing and communicating the decision. Fairness pertains both to the decision outcome and to the way the encounter proceeds. A young person may feel that the adult's decision and punishment was fair, for instance, but still feel that s/he was not given a fair hearing while that decision was being made or communicated.

Our approach to understanding young people's judgments about procedural safeguards involved using an interactive computer program that permitted secondary students to make considered judgments about appropriate procedural safeguards for adult/child interactions. We focused on the close, informal and familiar disciplinary situation involving a mother and her adolescent child; and on the distant, formal and unfamiliar situation in front of a magistrate in court. Intermediate between these two extremes is a disciplinary interview at school, where teacher/student relations can be both informal and formal, familiar and unfamiliar. In each of these three different situations, we asked secondary students about the relative importance of procedures for a young offender's rights and interests.

The Significance of Procedural Fairness

Just as it can be applied to the outcome of a decision process (*distributive justice*), fairness can be ascribed to the way an encounter is conducted (*procedural justice*). The concept of procedural justice deals with *how* an encounter or hearing proceeds - the activities a decision-maker uses and the rules s/he follows in making and communicating a decision. While fair procedures are important in any social institution, they are particularly pertinent to any encounter where one person has more power than the other (e.g., when an employer is working out a worker's benefits, a police officer is handing out a traffic ticket, a teacher is assessing a student's performance). In the decision processes used in these kinds of situations, the power differential makes procedural fairness an imperative. The most appropriate decision can be reached, but if it is reached using unfair conversation or actions (e.g., coercion, bullying, rigged ballots), then the decision is not likely to please or be satisfying (e.g., Landis & Goodstein, 1987; Schaubroeck, May & Brown, 1994; Tyler, Boeckmann, Smith & Huo, 1997). When recipients of decisions are vulnerable because they are younger as well as socially less powerful, safeguarding procedural fairness for them becomes a basic responsibility of those in authority over them.

The criteria for preserving procedural justice for children are clearly identified in the United Nations Convention on the Rights of the Child (CROC, 1989). In particular, the Convention's Articles 12, 13 and 40 specify appropriate procedures for hearings involving children who have infringed laws. Young offenders are to be dealt with in ways that are impartial and promote their sense of dignity, make sure that they and their judges have adequate information, give due weight to their age and maturity, and grant them freedom of expression, privacy, and a speedy hearing. In this country, the Convention's procedural and distributive guidelines for dealing with young offenders have been endorsed in reports by the Australian Government (1995), and the Australian Law Reform and Human Rights Commissioners (ALRC/HRC, 1997).

While the Law Reform and Human Rights Commissioners were able to point to the UN Declaration and to the rights of the young and vulnerable, their work called for greater understanding by adults of what young people themselves see as important procedural safeguards. In the area of procedural safeguards, unfortunately, very little is known about what young people think about the procedures adopted in various social institutions, specifically about how they judge the fairness of the ways they are judged and disciplined. We do not know, for instance, how well young people understand their basic rights to be given a voice in institutional proceedings, nor do we know how they can best be accorded respect by the adults who discipline them.

Yet, the right to participation, a voice and due respect have been widely canvassed in relation to the ways that social institutions handle the rights of their adult members (e.g., Lind & Tyler 1988; Thibaut & Walker, 1978). It seems strange that procedural issues have not been widely researched and discussed by educators, criminologists or psychologists, when there is a large body of research highlighting the significance of procedural criteria for adults in public life, work situations and justice systems (for a recent review, see Tyler, Boeckmann, Smith, & Huo, 1997).

The weight of evidence in surveys and interviews carried out by the ALRC/HRC (1997) commissioners indicated that children were not being given their full rights in the ways that authoritative adults go about communicating to them or communicating to hearings on their behalf. Legal representation, the right to “have a say” in explaining events and positions, and the opportunity to ask questions - all are criteria for securing procedural fairness. These criteria are not being followed consistently in our justice and welfare systems, according to knowledgeable commentators (e.g., Cronin, 1997; Goddard, 1999; Nicholson, 1999; Sidoti, 1998), nor are they adequately investigated.

This insufficiency may occur because procedural justice research has mostly been focused on organisational and criminological processes in adults' lives. Prior to our (Hicks & Lawrence, 1993) development of a set of safeguards suitable for children, there was little systematic or comprehensive research of a range of procedural criteria that may be advisable for young people's interactions with authorities. Although the report of the UN Convention has been available for over a decade, for instance, it has not led to the generation of a larger body of studies on children's procedural rights that one might expect from such an authoritative document. The paucity of child-oriented procedural research would seem to be partly because a number of countries have been extremely slow to act on the UN Convention's principles (Cohen, Hart & Kosloske, 1996). In the United States in particular, social policy frequently drives a wealth of research funding for specific social problems (e.g., Shonkoff & Philip's, 2000 report on the policy issues related to early development). In this instance, however, it does appear that political expediencies and parents' rights lobby groups have made it difficult for legislators to move to ratify or implement the convention (Levesque, 1996).

The hold-up in Australia, however, has not been due to politics and ideology as much as to lack of awareness, resources and training (e.g., ALRC/HRC, 1997; Cashmore, 1997; Cronin, 1997). Australia has ratified the UN Convention, and in many cases policy and social practice have outstripped background research. Nevertheless, we do need information about the ideas that lie behind people's willingness or unwillingness to engage in interactions with young people with procedural sensitivity. Reform of existing practices is no easy matter, and workable knowledge of those existing practices is a first step to understanding and change. For instance, a number of school principals resisted introducing children's rights into their curricula on the basis of their misunderstanding of what that introduction would involve (O'Toole, 1993). The principals claimed that informing students of their rights would most likely reduce the rights of teachers. This kind of misconception may be mirrored by similar misconceptions in young people. So a first strategy is to find out what conceptions young people actually hold.

In a similar vein, Cashmore (1997) strongly argued that policy makers and authoritative adults need to be more aware of what children and adolescents are able to contribute to discussions involving children's rights. Some rights are denied children because adults do not realise how much they can contribute. Policy-makers, in particular, have been slow to recognise young people's abilities to understand their own needs and rights and to contribute sensibly to official proceedings. Specifically according to Cashmore, officers of the court and other social institutions need to take account of developmental research findings indicating how adolescents and children are able to participate in proceedings

and to make reasonable assessments of what constitutes fair treatment by adults (e.g., Fry & Corfield, 1983; Cashmore & Bussey, 1994; Ruck, Abramovitch, & Keating, 1998). As noted in the CROC, children are growing towards autonomy, and have the right to be treated in ways that are consistent with that growing capacity (Woodhouse, 2001). Needed, then, is research on young people's understanding of procedural justice for those among them who offend against social rules.

Specifying Appropriate Procedural Criteria

In light of the acknowledged importance of procedural issues in relation to children's rights, and with a large body of research demonstrating the significance of procedural justice for adults (e.g., Casper, Tyler & Fisher, 1988; Landis & Goodstein, 1987; Mossholder, Bennett & Martin, 1998; Tyler, et al., 1997), we set out to investigate secondary school students' judgments about procedural safeguards for young offenders.

In adult-oriented research, it now is well established, for instance, that people will tolerate some quite unfavourable outcomes, if they feel that the decision-making processes were fair (Lind & Tyler, 1988; Tyler, et al, 1997). If people feel that they have had a say in the proceedings, that their interests have been adequately represented, that they have been treated with respect - that someone makes an effort to ensure that proceedings are fair - then it is more likely that they will accept the outcomes of those proceedings. People in organisational and public life, for example, are quite capable of tolerating less than desirable distributions of burdens and benefits, when they believe they have been dealt with justly along the way. Workers who are given a voice, explanations and some degree of control over proceedings tend to express greater satisfaction with their jobs and pay decisions, and responsibilities (e.g., Lind, Kulik, Ambrose, & de Vera Park, 1993; Mossholder, Bennett & Martin, 1998; Schaubroeck, May & Brown, 1994).

In terms of legal processes, Tyler, Rasinski and Spodick (1985) investigated the meaning of the procedures followed in court in the cases of a random sample of offenders who had appeared for misdemeanours and traffic offences. These people who clearly had personal investment in how their hearings were conducted made positive evaluations of any opportunities for their own minimal control over the processes. The strong endorsement of procedural criteria was even more impressive in two studies where the personal stakes were higher: for defendants in felony cases (Casper et al., 1988). The importance of procedures was sustained among defendants who had fared worse in court (receiving jail sentences), as well as among those who only received fines. Furthermore, these defendants' positive responses to procedural criteria were independent of any distributive (outcome) criteria. Similarly, process characteristics were the most powerful predictors of 619 prison inmates' perceptions of the fairness of the outcomes of their cases (Landis & Goodstein, 1987). In short, it has been well demonstrated that the procedures followed in organisational and judicial interactions have an importance of their own, distinct from the decision outcomes that they produce. Similar investigations are needed to reveal whether young people also give this significance to procedural issues.

In the search for what young people think, we drew directly on the procedural criteria that had been significant for adults, and on a small number of studies that demonstrated that

procedural criteria also were significant for young people (Hicks & Lawrence, 1993). Some criteria have to do with the control and power dimensions of a situation (e.g., having a voice in person or by representation in the proceedings, having the right to an appeal). Others have to do with the relations involved (e.g., being treated with respect as a fully-fledged member of the group). A group of young offenders interviewed by Cashmore and Bussey (1994), for instance, were largely dissatisfied with how their lawyers represented them. They had come to their hearings, they said, believing their lawyers would speak on their behalf and make their views known to the court. Instead of acting as their personal representatives, their lawyers concentrated on the legal proceedings. The lawyers, in contrast, were quite satisfied with their representation of their young clients' best interests. Clearly, their expectations were related to role and stance. In another study, we found different procedural priorities among adolescents and lawyers, both solicitors and barristers (Hicks & Lawrence, 2003). Barristers, for example, were more interested in legal representation. Young people were more interested in having a parent present at speak up for them.

If this one, obvious criterion of legal representation has produced disagreements about priorities among young people and lawyers (as it has also in adult contract cases, Lind et al., 1990), then it is probable that there will be other dimensions of procedural fairness where young people's priorities are still unknown. Specifically, we need to identify the activities that add to or diminish the quality of an unfolding encounter between a young offender and an authoritative adult. Neither the observance nor the violation of procedural criteria can be easily generalised from one setting to another, and one dimension of procedural fairness cannot be easily reduced to another (Tyler et al., 1997).

Working with a young population, it is crucial to test the relevance of different criteria (e.g., those related to voice, control and relationships) for different situations, especially when different relationships are at stake (e.g., an ongoing relationship with a parent or a teacher). If Tyler and Lind (1992) are correct, then the safeguards that people think are most appropriate will be related to the nuances of the situation in which they are used, rather than being related to the characteristics of people. With younger people, however, their own levels of maturity and understanding are likely to be pertinent to their perceptions of what may and may not protect their interests and rights. Just as general moral criteria for judging fairness are related to the development experience of children and adolescents (e.g., Rest, 1979), so their specific criteria for procedures for obtaining and maintaining fairness are likely to be sensitive to age and experience (Damon, 1995). Woodhouse (2001) noted, for example, that we expect adolescents to be growing towards greater autonomy and independence, and we should be looking to see if these aspects of a developing independence come to the fore in their thinking about procedural issues.

A number of procedural criteria were important for 715 students from Years 7 and 9 at several Catholic Secondary Colleges. The students were asked about the safeguards that should be in place in the magistrate's court hearing in the case of a hypothetical young shoplifter (Hicks & Lawrence, 1993). Particularly important for young people were provisos that the young offender be accompanied by a parent or another representative who could speak up for them, that the magistrate be impartial, make an effort to be fair, and have all the background information about a young offender.

Some differences in the students' emphases, however, were related to their own age and gender. Year 7 students saw procedural criteria as generally more important than Year 9 students, and placed more emphasis on the magistrate's accuracy, consistency and explanations of his decision. Younger students also were more concerned to have a mother present in court, whereas the older, Year 9 students were more concerned to have a father present. Girls placed more importance than boys on having a say, being able to ask the magistrate questions and to appeal, and on the magistrate's consistency.

In further studies (Hicks, 1997; Hicks & Lawrence, 2003), we compared the views of 732 students from Years 9 and 11 with those of 881 legal professionals operating in different roles in the justice system (judge or magistrate, barrister, solicitor). Judges and magistrates had some different emphases to barristers and solicitors, and in fact, judges and magistrates agreed more with the young people about the importance of having parents present. The school students were more concerned than all legal professionals about a young offender's ability to have a voice – to speak up, to ask questions and receive information, and to be able to exert some control over proceedings.

These studies, together with the Cashmore and Bussey (1994) findings suggest that there may be some distinctive features of young people's expectations of appropriate procedures in court, and that some of their expectations may be important in other official and informal hearings. For example, adolescents may not share adults' views on different forms of "voice" for adult/child interactions, including asking for more information, or supplying a personal explanation of events. If the relational basis of procedural fairness is as pivotal to understanding procedural justice as Tyler and Lind (1992) claim, then it is highly likely that the nature and closeness of a relationship may bring out different priorities for safeguarding fair procedures. Procedural issues are particularly sensitive when ongoing relationships are involved, and it would seem that the informality or formality of the situation is often interpreted in relation to the relationship between the people involved. For example, recent studies of inheritance arrangements have discovered the significance of procedural aspects of the respect given to family members in giver and receiver roles (Goodnow & Lawrence, 2002; Stump, 1999). So it was important for us to concentrate on the different places where young people relate to relevant adults in particular ways. We could expect that young people would want some different safeguards when they were being disciplined by someone they knew, with whom they would continue to interact, in contrast to an unknown magistrate in an once-off, impersonal court appearance.

Family disciplinary actions are developed within close relationships. Teachers usually are the first line of disciplinary action outside the family, and they have continuing interactions with the young people they discipline. Magistrates are people with a great deal of authority to change things in a young person's life, but they have no continuing relationship with the people appearing before them. Consequently, we took the home, the school and the courtroom as crucial settings for asking young people about procedural criteria for adult/child interactions. We needed a way of asking for their judgments about procedural safeguards across situations that would allow young people to reveal their thoughts about the significance of procedural safeguards, and to make some discriminations among control and relational criteria.

A Computer-based Approach

We turned to a computer-based method, because we wanted to make sure that young research participants would understand the concepts we asked them to consider. The concepts of “procedures” and “safeguards” do not automatically spring to mind as familiar aspects of disciplinary encounters with adults, and we wanted to ensure that young participants would be very clear about what they were doing when making judgments about procedural criteria. In addition, we wanted to create a research environment where they would be able to make considered judgments about what may be sensitive interviews with adults, and where the tasks asked of them would make sense and fit the competencies of a range of secondary school students.

An interactive data-collection method used in previous studies of distributive fairness in families had worked well with a variety of participants. With samples that included older adults not used to computers, we were able to obtain people’s preferences for different distributions of responsibilities in realistic and complex constructed situations (Goodnow, Lawrence, Karantzas, Ryan, & King, 2002; Goodnow & Lawrence, 2002; Lawrence, Goodnow, Woods, & Karantzas, 2002). These and other studies pointed to the appropriateness of interactive data-collection environments that could inform young research participants about the concepts of interest, and give them practice in different ways of responding to varied situations.

Computer-based data-collection gives participants privacy when answering questions about sensitive issues, allowing them to work individually, anonymously and without adult interference (Locke & Gilbert, 1995; Millstein & Irwin, 1993). In such research environments, participants are more willing to disclose their genuine attitudes and beliefs (e.g., Millstein & Irwin, 1993; Robinson & West, 1992; Romer, Hornik, Stanton, Black, Xiannian, Ricardo, & Feigelman, 1997). In well-designed and attractively presented interactive programs participants are able to work at their own pace, and to revise and update concepts and instructions. These interactive environments, accordingly, reduce stress and enhance young people’s informed involvement in the collection of quality information (Davies & Cowles, 1989; Donohue, Powell, & Wilson, 1999). After extensive piloting of concepts and techniques for presenting different situations, we developed a computer-based program, “*Safeguarding fairness for children*” (Lawrence, Lin, Woods, Campbell, & Vincent, 2002).

For working with young research participants, we generated a set of 13 procedural safeguards. These were based on criteria that had been significant for adults in other studies and for secondary school students in our earlier questionnaire studies. Table 1 presents the 13 procedural safeguards with the labels we used in this study, following on the findings of the significance of this set in the Hicks and Lawrence (1993; 2003) studies. We included some safeguards that had formed a unidimensional scale as indicated in Table 1, and others that had been rated highly but expressed different activities. We also were able to systematically vary the research design and the presentation of the stories of adult-child interactions across situations and conditions (e.g., a boy or girl offender, who was either 10 or 14 years old, and stole at home and school, and appeared in court for stealing).

 TABLE 1 ABOUT HERE

For the present studies, we rephrased some safeguard statements to express them in the active voice, with the adult the agent in some and the young person in others. For example, the safeguard, “How important would it be for (you) that the magistrate answer any questions you ask of him?” became “For the child (Sarah) to be able to ask questions about the adult’s (teacher’s) decision”. We also used the names of people in the stories (e.g., the magistrate, Tom, or Amy).

Working with this set of procedural safeguards that had been judged important by other young people, and using the facilities of the computer program, we were able to ask a large sample of young people for both their initial and considered subsequent judgments about procedural safeguards. They could be asked to make judgments, at different levels, about the safeguards they thought would be relevant to the cases of young offenders whose stories are presented in brief, hypothetical, but realistic disciplinary encounters with authoritative adults. We expected that the set of 13 safeguards would hold their own individual significance, following Lind and Tyler’s (1992) argument for the distinctiveness of different procedural criteria and the Hicks and Lawrence (1993; 2003) findings. Five research questions guided the investigations.

Research Questions

1. *What procedural safeguards do secondary school students judge to be important for adult/child disciplinary encounters? Are some safeguards preferred above others, and if so, what is the nature of more and less important safeguards?*
2. *Does the context of the adult/child disciplinary encounter exert any particular effects on students’ judgments, specifically when the encounter is set in the court, the school, or the home?*
3. *Are there any systematic differences in students’ judgments and preferences for procedural safeguards related to their school year or gender group?*
4. *Concerning the United Nations CROC’s (1989) Goals for procedural rights of young offenders – do secondary students see some UN Goals as consistently more important for a young offender in court, or do they see the significance of these goals differently in relation to their own age and gender?*
5. *Do students relate the UN’s Procedural Goals to a case of the young person in court for a stealing offence?*

METHOD

Participating Schools and Students

Five secondary schools and colleges participated in a series of studies. All schools were in the Melbourne Metropolitan area, representing a range of socioeconomic levels and type of school. Their principals agreed to participate on the basis of our commitment to provide reports on their own students' understanding of procedural justice. In several cases, this commitment involved maintaining a continuing interaction with staff and students about issues related to procedural justice for young people. The project, accordingly, is continuing at several schools in staff development and in the construction of educational materials. In addition, there were two samples of first year university students from the research participation program in psychology at the University of Melbourne. These older students provided comparison groups for understanding any age-related trends, and we report on their responses, where appropriate.

Overall, 1116 young people participated in various studies. The full sample ranged from Grade 6 (60: Mean age (M) = 11.85, SD = 0.39), through Year 7 (287: M = 12.81, SD = 0.56), Year 8 (131: M = 13.68, SD = 0.36), Year 9 (228: M = 14.77, SD = 0.56), Year 10 (133: M = 15.73, SD = 0.41), Year 11 (99: M = 16.91, SD = 0.57), Year 12 (41: M = 17.53, SD = 0.43) to two samples of first year university students (97: M = 19.49, SD = 1.52; 100: M = 19.63, SD = 1.59). We describe sub-samples as they were included in individual sets of analyses.

Participating secondary colleges were: a Private Girls' College (GPC) and a Catholic Girls' College (GCC) from middle-class suburbs in the city's east; a Catholic Boys College (CBC) in a northern working class suburb; a Catholic Co-educational Secondary College (CCo-ed) in a lower middle class to working class outer western suburb; and a State Secondary College in a working class northern suburb (SCo-ed). Originally two other colleges had agreed to be involved. In one, a private boys' college, the technical facilities were not able to accommodate the program, despite numerous visits and trials. In another state secondary college, change of personnel resulted in the deputy principal's withdrawal of the college's participation. We have agreements from two other secondary colleges to be involved in 2003, and further interest expressed by at least two other colleges via staff development workshops we have conducted over an 18 month period. The school years of participating students and the range of schools gives confidence that the present findings form a suitable basis for making some general observations about young people's understanding of procedural fairness and their preferences for particular safeguards for children and adolescents in different social settings.

Recruitment

In each college, letters were sent home via the college to parents of all students of each of the designated years. Parents returned consent forms to coordinators at the colleges and year coordinators organised for students with parental permission to participate. In the lab sessions, all students with parental consent were asked to give their own written consent at the sessions we conducted in the college computer labs. In one college, one class of

students with permission could not participate because of an excursion. In another, a few boys failed to attend the lab session set up in the library.

Materials: “Safeguarding Fairness for Children”: The Computer Program

We used two forms of the interactive program, “*Safeguarding fairness for children*”. The first version asked participants to rate 13 procedural safeguards for disciplinary encounters in three contexts (either home, school and court, or home, shop, and court). Students then chose the single most important safeguard for the particular adult/child interaction in each context. The second version, building on students’ responses to those tasks, asked students to follow-up their initial ratings by choosing the three most important safeguards, and then ranking them: 1, 2, 3 in importance. We also revised the expression of the UN goals for this version.

The program asks young participants to make several rating and ranking judgements about: (1) The relative importance they give to the 13 different procedural safeguards (shown in Table 1) for hypothetical young offenders who are being dealt with by an adult at home, school, or court (mother, teacher, and magistrate); (2) How wrong they judge the offences to be; and (3) The relative importance they give to 5 UN goals for the rights of young offenders, in relation to a young shoplifter in court.

The program is organised in the following four sections:

(1) *Demographic data*. The program begins and ends with requests for personal details. Initially participants record their own research number; gender; and date of birth. At the end of the program, the participant is asked to complete the demographic profiles by voluntarily clicking on buttons to indicate where they and their parents were born, or simply exiting the program and lodging the data onto the server.

(2) *Introducing Safeguards*. A section introducing the participant to the concept of “safeguard” tells the participant about the concept of procedural safeguards using short texts and illustrations. It then gives each participant practice in using rating scales and in rank ordering different safeguards in the context of a basket ball game. It also gives the participant a revision button that s/he may use at any time if s/he wishes to again run through the introductions.

(3) *Presenting Contextualised Stories of Adult/child Interactions*. The separate stories give different contexts for encounters between adults and young persons each of whom has taken something (\$10, \$80, or a pair of jeans) not belonging to them. When a participant is ready to proceed, s/he processes 3 stories of adult-child interactions following the young person’s action. Each participant is randomly assigned to one of 8 experimental conditions that vary the gender and age of a young offender, and offence severity, at home, at school, and in court.

The order of story presentation is held constant, working from the most familiar, home setting to the least familiar court. Each story is built up gradually on the screen. Examples of the stories are shown in Figure 1.

 FIGURE 1 ABOUT HERE

For each story, the participant is asked to rate each safeguard on its importance. The program presents the participant with 13 safeguards that progressively appear in random order on screen. The participant rates each one using a vertically ordered and colour-coded on a using a 0 to 5 scale on its importance for the particular adult/child interaction. The safeguards for rating are shown in Table 1.

In the revised version of the program, once the participant has given each safeguard a rating, the program returns those that were given a 5 or 4 rating (with the 5 highest ratings as a default condition). The participant is then asked to select the three most important safeguards. Then s/he rank orders the top three, using the “pick up and drag” ranking procedure that was practised in relation to the trial basketball match. In the earlier version, the participant has the high rated safeguards returned, and makes a choice of “The most important safeguard”. The refinement was developed on the basis of the finding that students mostly chose one of 5 or 6 safeguards as their most important. This development allowed us to make finer judgments about students’ on-reflection distinctions among the safeguards.

(4) *Rating and Ranking UN Goals.* Following the court story, the program asks the participant to relate to the court story 5 goals for securing children’s rights that were specified by the United Nations. Participants are initially informed that the United Nations has proposed a set of five goals for authoritative adults to try to achieve during interactions with young people in the legal system (CROC, 1989, Article 40).

The program invites the participant to rate the importance of that particular goal in relation to the magistrate’s courtroom interactions with specific young offenders: “How important it is for the magistrate to follow this goal in his or her dealings with Tom (or Amy)”. When all goals are rated, the program gives the text of all 5 and asks the participant to rank order them on their importance for the court story. Table 2 presents five UN Goals related to procedural justice for young people.

We piloted various ways of expressing these goals for secondary school students and an artist’s illustrations of the concepts, with animations. Figure 2 is an example of the presentation of UN goals with illustrations. We piloted their expression with a class of Grade 6 girls, for the first version of the program. Then we revised the expressions and repiloted the wording with two rounds of 20 and 10 secondary students for the second version. The data for these two versions are reported separately in the findings. The two versions are shown in Columns 2 and 3 of Table 2.

In the program, all data are recorded as the participant works through the tasks. A participant can revisit the practice session and the concepts, and works forward through each story.

TABLE 2 AND FIGURE 2 ABOUT HERE

Procedures

Procedures at each college followed a standard protocol, with sensitivity to local school conditions (e.g., lab data-collection and computer set-up, teacher presence in the sessions). Several data-collection sessions were conducted in the college computer labs in normal 45 or 50 minute class periods. Each student worked independently at a computer, with researchers and the class teacher present to answer any questions or concerns.

In each session, a researcher introduced the team and the study. She guided students through the plain language statements and consent forms that had been placed on the desk in front of each student. The researcher informed students that there were no right or wrong answers to the questions in the program, that they could ask any questions of clarification, and explained how confidentiality and the right of withdrawal would be assured. The students were shown how to load and begin the program. They then entered their own identification numbers into the program and commenced work. The researchers collected the consent forms and quietly made themselves available to any students with queries.

When all participants had completed the program, local conditions permitting, the researchers held a group discussion explaining briefly the purpose of the study and what would happen to the data. They thanked the students for their participation and gave them an opportunity to ask any questions, or raise concerns they had about the study or the program. They also asked students about their impressions of the program. The comments by students were generally positive, with many expressing interest in the issues and in the computer based methodology. Some students expressed disappointment that they would not be involved in further sessions.

FINDINGS

In this section, we present the findings in relation to the main research questions about young people's judgments, addressing specifically:

- (1) The students' views of the importance of the set of 13 procedural safeguards for different adult/child interactions across court, school and home contexts. The analyses for this question involved the ratings of safeguards by a sample of 633 boys and girls from Years 7 to 11.
- (2) Preferences among the safeguards for each of the 3 contexts. This second set of analyses focused on the rankings of safeguards made by a sub-sample of 549 students from 4 school years and a university group. This sample worked with the revised program that asked for their considered rankings.

(3) Judgments about the significance of 5 UN goals for a young offender appearing in court, and any relationship, in court, between the safeguards and the UN goals. The analyses of the UN goals were made of the rankings obtained from 656 girls from Year 7 to Year 12 and University (first version), and then for 170 boys and girls from Year 7 and Year 9 of the same catholic Co-educational College (second version).

***What procedural safeguards do secondary students judge to be important for adult/child disciplinary encounters?
Ratings of 13 procedural safeguards in three contexts***

We first investigated the importance students gave to the 13 procedural safeguards listed in Table 1. All 13 safeguards were rated on a 0 to 5 scale by 633 secondary school boys and girls in relation to adult/child interactions in each of 3 contexts (Home, School, Court). In these analyses, we were asking if there were any distinctions in the importance given to each of the 13 safeguards when they were freely rated on their importance in relation to context, and in relation to the students' gender and school year (as a proxy for age).

For these analyses of safeguards, we used the ratings made by students from Year 7 (118 boys, 120 girls), Year 8 (14 boys, 49 girls), Year 9 (68 boys, 118 girls), Year 10 (9 boys, 56 girls) and Year 11 (25 boys, 56 girls). All 633 students had responded to stories set in the home, school and court. We excluded from these analyses the ratings of students who responded to stories set in the shop instead of the school.

In overview, boys and girls from these five school years distinguished between the 13 procedural safeguards in their ratings, with the mean ratings of some safeguards consistently high, and of others consistently low. The mean ratings for students from the five school years are shown in Table 3.

TABLE 3 ABOUT HERE

There were strong tendencies for the students to give higher ratings to several procedural safeguards that involved the adult's action and demeanour in relation to the child (e.g., the adult being consistent, not being on anyone's side, and explaining his or her punishment to the child). In contrast, the students gave consistently lower ratings to several other safeguards that involved the child's participation in the encounter (e.g., the child to have a say, someone to speak for them, and to be able to appeal against a harsh or unfair punishment).

Within that main pattern of distinctions, ratings were frequently related more closely to one context over another, and in some cases, to the students' gender and school year. We had originally analysed the data for any systematic effects related to the college the students attended. College differences were mainly related to a tendency for girls at the private (GPC) and Catholic (GCC) Colleges to make higher ratings in general, although

these did not greatly change the patterns of ratings across the safeguards. Consequently, college was not included in the main analyses.

A first-level, comprehensive analysis involved a 5 School Year by 2 Gender between subjects Multivariate analysis of variance (MANOVA) with 2 within subject factors of context (3) and safeguard (13). For context, we used orthogonal Helmert contrasts to compare the mean rating for court with school and home combined, then the means of school and home. Thus, we could make meaningful inferences about the different forms of adult/child encounters, moving from the most remote and impersonal (magistrate/young offender) to the closest and most personal (mother/offending child). For school year group contrasts, we again used orthogonal contrasts to progressively compare the mean for each year group with all later year groups (beginning with Year 7). This allowed us to investigate any distinctive patterns of ratings related to increasing year (as a proxy for age). Because of the large number of safeguards, the substantial sample size and a number of violations of normality, we conservatively set the alpha levels at .01. (Note 1). Patterns for transformed ratings were substantially the same as for the original means, and they did not achieve normality. In general, students treated all 13 safeguards as relatively important, and we were able to rely on their subsequent rankings for finer discriminations among the set.

Neither the age nor gender of the young offender in each context (e.g., boy or girl, 10 or 14 year old) made any difference to the ratings of safeguards in preliminary analyses. Ratings of safeguards also were not different in relation to the seriousness of the offence presented in several experimental conditions (e.g., picked up some money from the floor, or deliberately took money from someone's bag). Consequently, as consistent with evidence of the specific nature of procedural justice (e.g., Tyler, 2000), we could directly examine procedural safeguards as criteria related to the processes involved in adult/child disciplinary encounters after the events, rather than to offender characteristics within the events.

In the analyses, there were 2 significant 3-way interactions for Context by Safeguard by Year, $F(96, 14952) = 1.97, p = .000$, and Context by Year by Gender, $F(8, 1246) = 3.07, p = .002$. There also were 3 significant 2-way interactions for: Context by Safeguard, $F(24, 14952) = 33.98, p = .000$, Safeguard by Gender, $F(12, 7476) = 2.29, p = .007$, Context by Year, $F(8, 1246) = 4.35, p = .000$; and a between subjects interaction for Year by Gender, $F(4, 623) = 3.78, p = .005$. There were 3 main effects for Safeguard, $F(12, 7476) = 23.25, p = .000$, Context, $F(2, 1246) = 331.14, p = .000$, and Gender $F(1, 623) = 14.97, p = .000$.

On the basis of the three-way interactions showing complex patterns of ratings, and in light of our interest in the importance given to individual safeguards, we analysed the effects of context, school year and gender separately for each individual safeguard.

Nine patterns of ratings emerged across 13 safeguards for the individual safeguards, and these patterns are summarised in Table 4 that also reports F statistics and significance levels for the major effects (for .01 alpha levels).

TABLE 4 ABOUT HERE

Context-related Differences in Ratings of 10 Safeguards

The specific context of the adult/child encounter had an effect on the ratings, with contextual differences emerging in the ratings of 10 of the 13 safeguards. For all these 10 safeguards, however, there also were additional differences related to the participants' school year, or gender, or both. While the context of an adult/child encounter invited particular procedural emphases, some of these safeguards were more acceptable to boys and girls of different ages.

The adult to act the same way if someone else had done the same (adult consistency) was the only safeguard for which there was a 3-way interaction for context by school year by gender. Figure 3 illustrates the interaction, showing the trends for boys and girls in the 5 school years across the three contexts.

FIGURE 3 ABOUT HERE

As shown in Figure 3, while older boys gave less importance than older girls to the adult's consistency, this was most marked in the school context, where both Year 10 and Year 11 boys had lower mean ratings. In addition, boys from different school years did not agree about the importance of a mother's consistency, while the girls' ratings did not fluctuate greatly across school years. Year 8 and Year 11 boys, in particular, rated the mother's consistency as less important than boys in other school years. In general, consistency was the most popular safeguard of all, gaining the highest mean ratings (and also mean rankings) for boys and girls across all years. It would seem that young people want to know, above all, that they are being treated even-handedly, in the sense of the same way that anyone else would be treated for the same offence. However, it seems that boys are less convinced about the importance of adults treating everyone in the same way, once they have moved into the upper secondary years of Year 10 and 11. Year 8 boys particularly do not prize consistency in a mother who is disciplining her child.

The child to be able to ask questions yielded an interaction for context by school year, as shown in Figure 4, but no gender-related differences. Asking questions was less important at court (than at school and home) for all year groups except Year 7. It was more important at home for students in Years 9, 10 and 11. Nevertheless, there was no discernible trend for this middle-range safeguard across school year that did not also involve contextual effects.

These modest ratings of the importance of being able to ask questions in a court hearing would be less concerning if the students thought that young offenders would be relying on someone else to ask their questions for them. But given the accompanying devaluation of

having someone (such as a parent) to speak up in court, these data become a matter of general concern about students' understanding of their right to have a voice in formal proceedings.

 FIGURE 4 ABOUT HERE

The child to have a say yielded 2 separate interactions with context: one for school year and another for gender, as shown in Figure 5 (a & b). As shown in (Figure 5a), although younger, Year 7 students saw the child having a say as equally important in all 3 contexts, older students (especially those in Year 10) saw it as less important at court, but more important at home. In relation to gender, Figure 5(b), it was more important for boys that the young offender have a say in court, while for girls, it was more important at home. Clearly having a voice in the sense of being able to say something about the decision being made in a disciplinary encounter matters for older students when interacting with one's mother. Court is a different matter, especially for Year 10 students and for girls in general. In court, again the young offender's voice was not given prominence by all students.

 FIGURE 5 ABOUT HERE

The adult to explain yielded an interaction for context by gender, as shown in Figure 6. While boys had a higher mean importance rating for the magistrate's explanation than the teacher's and mother's combined, girls were not so different. As shown in Figure 6, this is mainly due to boys giving less importance than girls to the mother's explanation.

 FIGURE 6 ABOUT HERE

For 3 safeguards, there were separate effects for context, but with in addition, overall differences for school year in interaction with gender. In these cases, while context had its own effect, the students' general orientations to these safeguards were related to the students' own year and gender, regardless of the context. Figure 7 illustrates the context effects only for the adult's confidentiality, someone to speak up, and the magistrate knowing the child had never stolen before. Older boys thought less of these three than older girls and young boys.

 FIGURE 7 ABOUT HERE

Confidentiality was less important at court than at school and home combined, but more important at school than at home (Means - C: 3.65, S: 3.87, H: 3.67). While the adult's observance of confidentiality was generally less important for boys than girls, this gender-related difference was greater in the older years. Regardless of context, Year 10 and 11 boys saw confidentiality as less important than the younger boys (Year 7: 3.70, Year 8: 3.50, Year 9: 3.84, Year 10: 2.59, Year 11: 3.32). For girls, there was almost no fluctuation across the years in their ratings (Year 7: 3.73, Year 8: 3.87, Year 9: 3.72, Year 10: 3.83, Year 11: 3.90), $F(4, 623) = 3.77, p = .005$. This difference in boys' ratings may be important for understanding the kinds of relations 16 and 17 year old boys expect to have with adults in authority. Either personal privacy or interpersonal trust may be at stake for boys looking for greater independence.

Someone to speak up for the child, was more important at court than at school and home, although the mean ratings were quite low, especially at home, (C: 3.33, S: 2.87, H: 2.47), as shown in Figure 7. At court and in school the representative was "someone else, such as a parent", and at home "someone else in the family". The participants could put their own interpretation on who the representative might be, with the idea of someone close who could speak up for the young offender. While younger, Year 7 boys and girls had similar views about the importance of having this form of representation, in Years 10 and 11, boys gave it less importance than girls (Boys: Year 7: 3.27, Year 8: 2.45, Year 9: 2.81, Year 10: 1.89, Year 11: 2.43; Girls: Year 7: 3.01, Year 8: 2.87, Year 9: 3.75, Year 10: 2.74, Year 11: 3.04, $F(4, 623) = 3.71, p = .005$).

The adult knows the child had never stolen before is directly related to the reporting of priors in the justice system. It was seen as less important at school than home (Figure 7). Court, where one would hope the magistrate should know there were no prior offences had a similar mean to home (C: 3.84, H: 3.90). However, while it was less important for older boys, it was more important for the girls in those same later years (Boys: Year 7: 3.82, Year 8: 3.38, Year 9: 3.68, Year 10: 3.48, Year 11: 3.25; Girls: Year 7: 3.67, Year 8: 3.78, Year 9: 3.75, Year 10: 3.96, Year 11: 4.22), $F(4, 623) = 3.96, p = .004$.

For 3 safeguards, along with the separate effects for context, there also were overall differences for gender, but not for year, indicating, in each case, that the safeguard was less important for boys than for girls. Figure 8 illustrates the context effects only for the adult's neutrality, and knowing about the child's remorse, and the child's ability to appeal. For each of these safeguards, boys had lower overall mean ratings than girls.

 FIGURE 8 ABOUT HERE

The adult not to be on anyone's side but neutral was given greater importance in court than school and home (C: 4.23, S: 4.09, H: 4.00); and less importance by all boys (4.01) than by all girls (4.17). It can be seen from Figure 8 that neutrality was seen as highly important, especially for the magistrate in court.

The adult to know about the child's remorse was progressively less important at court and school than at home, (C: 3.81, S: 4.04, H: 4.38), with it being especially important for the to have this knowledge. It was less important for all boys (4.08) than for all girls (4.25).

The child to be able to say s/he thinks the adult's decision is unfair or too harsh – to appeal, surprisingly, was less important at court than school and home, and marginally less important at school than home ($p = .015$). The ability to appeal against a harsh punishment also was less important for all boys (2.74) than for all girls (3.22).

Thus, while the magistrate's neutrality was emphasised for the court hearing, his knowledge of the child's remorse and the child's right to appeal were not. Again, these young people's perceptions seemed to be contrary to procedural emphases prevailing in the justice system. Boys were less concerned than girls about all these three safeguards. Indeed, the pattern of boys' lower ratings was persistent for about half the safeguards. So it would seem that the lower ratings made by boys were not simply reflecting a cynical disinclination to give importance to all safeguards. Older boys, for instance, did want a greater say for a young offender in court than elsewhere.

Three Safeguards With No Contextual Differences

The adult to make effort to be fair was seen as highly important for all contexts, with no significant contextual differences. There was, however, an overall interaction for school year by gender, $F(4, 623) = 4.05, p = .003$, as well as a main effect showing that girls saw it as more important than boys, $F(4, 623) = 20.30, p = .000$. Nevertheless, the gender difference was more marked in older year groups. It was especially unimportant for Year 10 boys, as shown in Figure 9.

 FIGURE 9 ABOUT HERE

The adult to be calm and not angry was seen as highly and not differently important across contexts, but consistently less important for boys (3.78) than for girls (4.01).

The decision to be made quickly also was treated uniformly across the three contexts and and year and gender groups, with the overall mean of 3.39 in the middle range.

In summary, these students made context-related distinctions in their ratings of the importance of the 13 safeguards. For about half, boys gave the safeguards lower ratings, although the gender differences did not simply reflect a uniform orientation for boys to reject safeguards. Older boys tended to be even less concerned than younger boys and

older girls about some safeguards. They were not so concerned about an adult's confidentiality, representation, calmness, and knowledge of a young offender's clean record. A young offender's say in the proceedings, they saw as more important than girls at court, but less important at home. The oldest group of Year 11 boys were less concerned than girls about the adult's even-handed consistency. We may be seeing here an independent attitude amongst boys in their middle teen years, although their ratings were not made indiscriminately. They were responding to situational factors.

Overall, these young people gave higher ratings to a magistrate, a teacher, and a mother to be consistent across children and not on anyone's side, and to explain the punishment decision. They consistently gave lower ratings to the young offender's appeal or having someone to speak up for them. Given the social significance of procedural fairness for young people, it was important to determine if these patterns in the students' initial, outright importance ratings would show similar preferences for relational than formal safeguards, when students could make judgments about the *relative* importance of the set.

With the added facilities of the computer program, we were able to take the young people's judgments a step further. We asked a subset of students who used the revised program to make relative distinctions in two discriminations among the safeguards subsequent to the initial ratings. They were asked to choose their three most important safeguards from the ones they had already rated highly, with this subset presented to them on screen. Then, when the program returned their top three safeguards to them on the next screen, participants rank ordered them 1, 2, 3 in importance for that encounter. This second set of analyses, then, were able to provide valuable indicators of students' considered distinctions. Given that the ratings had shown context differences for most of the safeguards, we were now able to investigate students' preferences in their contextualised rankings for court, school and home.

It was of particular interest for us to investigate the patterns of rankings given to the relation-based safeguards that had been given higher ratings (e.g., consistency, explanation, knowing about remorse, calmness). As the closest to a formal criterion, we were interested in how neutrality would fare amongst the other highly rated, more obviously relation-based safeguards.

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| <i>What safeguards do students prefer? Rankings within each context</i> |
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For the rankings, we analysed the considered rankings made by a sample of 549 students who worked with the revised program. There were 200 students (102 boys, 98 girls) in Year 7, 165 in Year 9 (63 boys, 102 girls), 81 in Year 11 (25 boys, 56 girls), 31 girls in Year 12, and 72 first year university women.

Each safeguard was given a rank score of 0 to 4 for each context, for each student. A safeguard's rank score of 0 meant it was given a low initial rating and was not returned by the program for the student's subsequent rankings. A rank score of 1 meant that the safeguard was rated highly enough to be considered for ranking, but that it was not chosen as one of the 3 most important safeguards. Rank scores of 2, 3, and 4 indicated that a safeguard was chosen as third, second or first most important, for that context.

In overview, the students' considered rankings were neither related simply to the context nor the students' school year (age) or gender. Students' preferred safeguards for each context were related to a context by year interaction. So again, because of the interactions and the complex patterns of rankings, we took the analyses to a finer level, to examine the relative importance of the whole set for each context separately. This examination of rankings within each context complemented and extended the ratings of individual safeguards across contexts.

The overall analysis was a 5 School Year by 2 Gender between subjects Multivariate analysis of variance (MANOVA) with 2 within subjects factors of 3 contexts and 13 safeguards, using the same statistical procedures as those for ratings. We note that these are ordinal data, and again, we set the alpha conservatively at .01. (Note 1). Again, transformation did not achieve normal distributions.

There was a significant three-way interaction for context by safeguard by Year, $F(96, 12984) = 3.18, p = .000$; significant two-way interactions for Context by Safeguard, $F(24, 12984) = 16.23, p = .000$; Context by Year, $F(8, 1082) = 3.33, p = .001$; Safeguard by Year, $F(48, 12984) = 2.60, p = .000$; and main effects for the within subject factors of Context, $F(2, 1082) = 665.77, p = .000$, and Safeguard, $F(12, 12984) = 35.73, p = .000$. The students' gender had no effect, neither did the gender of the young offenders in the stories, so we omitted gender from further analyses, noting that the Year 12 and university samples were totally female.

Preferences Among the Safeguards for Court Encounters

Within the court context, students' preferences involved an interaction for safeguard by year, $F(48, 6528) = 2.79, p = .000$. Although there was a main effect for the within subject factor of safeguard, $F(12, 6528) = 64.19, p = .000$, there was no main effect for year. This means that there were year-related differences in the preferences for some, but not all, safeguards when a young person was before the magistrate in court. We examined the patterns of rankings of individual safeguards for year groups by analysing the interactions for individual safeguards against the overall mean (the grand mean that was very close to $\underline{1}$, given the construction of the ranking scores). This form of analysis allowed us to identify individual safeguards that showed patterns of rankings that differed from the means for the five year groups.

There were five safeguards with significant safeguard by year interactions, and they are illustrated against the year group means of means in Figure 10. The means for all 13 safeguards are shown in Table 5. The total sample means for the other 8 safeguards (that had no safeguard by year interactions) are shown in their preferred rank ordering for all 549 students in Figure 11.

 TABLE 5 AND FIGURES 10 & 11 ABOUT HERE

Safeguard by School Year Interactions for Court

As shown in Figure 10, there were trends towards higher preferences with increasing school year for the magistrate explains, $F(4, 544) = 3.51, p = .008$, and the magistrate makes an effort to be fair, $F(4, 544) = 6.75, p = .000$. For three other safeguards, in contrast, the trends were towards lower preferences with increasing school year: the magistrate's confidentiality, $F(4, 544) = 3.30, p = .011$, the child has a say, $F(4, 544) = 4.21, p = .002$, and the child can appeal, $F(4, 544) = 4.00, p = .003$.

Thus it would seem that older students were relying on the behaviour of the magistrate to give the young offender explanations and to make an effort to be fair, but they were not relying on the child's ability to influence the court in the hearing or by an appeal. Older students also were realistically less concerned about confidentiality, given that there always are other people in the courtroom.

Even noting that the two older groups were all female, there is evidence of some particular discriminations among Year 11 and university students. The trends for Year 11 students were in the two different directions, with younger (Year 7 and 9) students not making those discriminative judgments. By way of check, an additional MANOVA analysis for the three younger years revealed no interaction with safeguard involving gender, and no main effect for gender amongst the Year 7, 9 and 11 groups which involved both boys and girls.

Rank Orderings of Courtroom Safeguards

Figure 11 shows the trends for the 549 students for the other safeguards for which there were no year-related differences. Two, the magistrate knowing the child is sorry and is calm were in the middle range, close to the mean ($p = 416$ and $.627$ respectively for comparisons with the overall mean). In contrast, rank scores were far above the mean for two safeguards focused on the magistrate's demeanour, involving consistency, $F(1, 544) = 64.66, p = .000$, and neutrality, $F(1, 544) = 92.49, p = .001$. On the importance of these two safeguards there was agreement across the sample. Also ranked highly was the magistrate knows the child has not offended before, $F(1, 544) = 15.12, p = .000$.

Students across the five school years generally agreed in giving lower preferences to three other formal procedural safeguards: the child is able to ask questions, $F(1, 544) = 27.18, p = .000$; someone to speak up, $F(1, 544) = 62.09, p = .000$; and a quick decision, $F(1, 544) = 138.58, p = .000$. Again, the young offender's voice was seen as relatively unimportant, whether it was expressed in person or through a representative.

In summary, the safeguards institutionalised to give individual offenders in the judicial system were not highly prized by these young participants, especially the offender's right to have someone speak up for them or to appeal against a harsh decision. That these institutionalised criteria were ranked low by older as well as young students works contrary to the suggestion that they were rejected simply out of ignorance of what makes proceedings just in the courts. Rather, it appears that the students' courtroom safeguards of choice were those that focused on the magistrate's demeanour towards the young offender. These safeguards involved being consistently even-handed, trying to be fair, giving an

explanation, knowing of the young person's remorse and being calm and not angry. These obviously relational criteria speak to the ability of an authority figure to allow the offender a position in the hearing (Lind & Tyler, 1992). That the magistrate's neutrality and knowledge of the young offender's clean record were consistently ranked higher than access to an appeal and a representative means there was some understanding of appropriate courtroom activities, and therefore makes the rejection of representation and appeal stand out very clearly.

A further check confirmed that these distinctions were not simply a reflection of early deletions (because of their low ratings) of the formal safeguards from the set for ranking. For example, of the 438 students who highly rated the magistrate's neutrality, 20% (88) gave it their first ranking. In contrast, of the 253 who highly rated representation, and could have ranked it highly, only 8% (19) ranked it first, and of the 162 who highly rated appeal, only 4% (6) ranked it first. Clearly these latter two criteria were not seen as important for the court proceedings by more than just a few students. The distinctions are still quite marked when initial rejections are excluded.

Preferences Among Safeguards for Encounters at School

At school, students' preferences involved an interaction of Safeguard by Year, $F(48, 6528) = 3.78, p = .000$. There was a strong main effect for the within subject factor of Safeguard, $F(12, 6528) = 73.47, p = .000$, but no main effect for Year. Year groups had different preferences of safeguards for a young offender's encounter with a teacher. Consequently, we examined the patterns of interactions for safeguard by year group, against the overall means. The mean rankings for five years are shown in Table 5, and four significant interactions are illustrated in Figure 12. The total sample's means for the other nine safeguards are shown in rank order in Figure 13.

 FIGURES 12 & 13 ABOUT HERE

Safeguard by Year Interactions at School

As shown in Figure 12, the trends were for students in later years to prefer two safeguards related to the teacher's demeanour: the teacher explains, $F(4, 544) = 14.11, p = .000$; and makes an effort to be fair, $F(4, 544) = 4.74, p = .001$. There was a distinct peak in year-related preferences for the teacher to be calm, with Year 11 students valuing it particularly, $F(4, 544) = 5.70, p = .000$. In contrast, the teacher knows that the child had not stolen before was given progressively less importance by older year groups, $F(4, 544) = 4.31, p = .002$. A check for Year 7, 9 and 11 Groups again revealed no interaction or main effect involving gender.

Rank Orderings of Safeguards for School

Figure 13 shows the trends for the other 9 safeguards for which there were no year-related differences. The rank scores of the total sample were higher than the mean, for four safeguards related to the teacher's behaviour and knowledge: the teacher is consistent, $F(1, 544) = 191.37, p = .000$; knows the child is sorry, $F(1, 544) = 12.41, p = .000$; is neutral, $F(1, 544) = 9.57, p = .002$; and keeps confidentiality, $F(1, 544) = 7.12, p = .008$. Four other safeguards related to the young offender were consistently ranked below the mean: the child can ask questions, $F(1, 544) = 37.57, p = .000$; has a say, $F(1, 544) = 113.94, p = .000$; can appeal, $F(1, 544) = 327.22, p = .000$; and has someone to speak up, $F(1, 544) = 243.47, p = .000$. A quick decision also was given a low ranking, $F(1, 544) = 121.02, p = .000$.

In summary, formal procedural safeguards to guarantee a young offender participation and a voice in proceedings were not valued for school-based encounters. Only safeguards that involved the teacher's action and demeanour were given high rankings at all. Even the teacher's knowledge of the young offender's clean record was given little relative importance, with the older girls especially dismissive of this knowledge criterion. In contrast, the older students wanted the teacher to explain what s/he was deciding, and together with the younger students, they also wanted the teacher to act towards this offender as s/he would to any other in similar circumstances. Different aspects of a voice for the student appeared to be dismissed.

These data reveal some student expectations of how teachers should handle disciplinary encounters. We need to know why student participation was so under-valued. Are students simply not expecting they will have a voice in disciplinary encounters, or, do they consider that any questioning would be counter-productive? Some young people suggested that this would be the case in follow-up interviews. The Year 11 students' special concern with the teacher's calmness also invites attention. Is this a further indicator of handing over the procedures to the teacher, with the expectation that the teacher will behave appropriately? Alternatively, does it reflect a greater concern, with increasing maturity, for a more considerate interpersonal style from the adults who interact with students daily? If that is the case, why does the emphasis not extend to girls in older years? Are they now experiencing greater courtesy and understanding, or have they given up looking for it? There are some particular indicators of age-related emphases that will require replication with additional samples.

Preferences for Safeguards for Mother/child Encounters at Home

Within the home context, students' preferences were related to an interaction for Safeguard by Year, $F(48, 6528) = 3.59, p = .000$. There was a strong main effect for the within subject factor of Safeguard, $F(12, 6528) = 91.83, p = .000$, but no main effect for Year. The mean rankings for five years' patterns of rankings are shown in Table 5, and the interactions are illustrated in Figure 14. The sample means for the other eight safeguards are shown in rank order in Figure 15.

FIGURES 14 & 15 ABOUT HERE

Safeguard by Year Interactions at Home

As shown in Figure 14, there was a trend towards greater preferences in the later years for the mother explains, $F(4, 544) = 10.02, p = .000$, and makes an effort to be fair, $F(4, 544) = 3.23, p = .012$. Again, there was a peak in Year 11 students' preferences for the mother to be calm, $F(4, 544) = 4.68, p = .001$. These preferences are similar to those for a teacher/student encounter.

Older students gave less importance to the mother knowing the child had not stolen before, $F(4, 544) = 4.13, p = .003$. Also progressing towards lower rankings for older years, while obtaining very low rank scores from all years, was someone to speak up, $F(4, 544) = 3.84, p = .004$. Reliance on the mother's explanation was strongly preferred, especially by older students. There were no significant interactions or main effects related to gender for students in Years 7, 9 and 11.

Rank Orderings of Safeguards at Home

Figure 14 shows the trends for the eight safeguards with no associated effects of year. The rank scores of the total sample were higher than the mean for two: the mother is consistent, $F(4, 544) = 155.16, p = .000$; knows the child is sorry, $F(1, 544) = 93.19, p = .000$. The mother's neutrality and the child able to ask questions both were given middle-order rankings, and were not significantly different to the mean, ($p = .466, .179$, respectively). Consistently lower than the mean were the mother's confidentiality, $F(1, 544) = 54.06, p = .000$, and the child has a say, $F(1, 544) = 49.40, p = .000$; and can appeal, $F(1, 544) = 202.54, p = .000$. A quick decision also was not preferred, $F(1, 544) = 123.05, p = .000$.

In summary, the preferences for mother/child encounters were similar to those for teacher/student encounters at school, with Year 11 students again especially concerned about adult temperament (calmness). Safeguards involving the child's participation were given no relative importance, with most students focusing on the mother's explanation, consistency and knowledge of her child's remorse. Older year groups preferred relational, adult actions over the criteria involving a child's participation or voice. The young offenders were not thought to need someone else in the family to represent them when talking with their mothers, or to need to be able to appeal against her punishment. Overall, then, the institutional criteria designed to give an offender participation and a voice were shunned in all three contexts when criteria related to the adult's demeanour were available.

In light of these patterns of preferences, we proceeded to directly examine young people's ratings and rankings of the United Nation's Goals for formal hearings for young offenders. We focused students' attention specifically on the most formal of the encounters – the court hearing for the young shoplifter, asking how important it was for the magistrate to treat the young offender in ways expressed in the UN procedural goals (Method Section).

What procedural goals should a magistrate consider when dealing with a young offender? Rankings of UN Procedural Goals

For these analyses, we went directly to the girls' rankings of the full set of five UN goals: not using the ratings because participants ranked all 5 goals. We analysed the ranking responses from 596 girls, computing mean rank scores (ranging from 0 = last ranked to 4 = first ranked) for Year groups: Years 8 and 10 at the Private Girls' College (CPC) and from Years 7, 9, 11 and 12 at the Catholic Girls' College (GCC), and the ranking responses from the 172 first year university young women. Confining the analyses to girls who responded to the same, initial form of expression of the UN goals (as shown in Column 2 of Table 3), we were able to examine any year-related patterns of rankings from the beginning to the end of secondary school and into the first year of university. (The State Co-educational students did not respond to the UN goals, and the Catholic Co-education and Boys' Colleges responded to the second version shown in Table 3).

There were year differences in the ranking ordering of the 5 UN Goals. On analysis, there was an interaction for the between subjects factor of Year with the within subject factor of Goal, $F(24, 2356) = 4.43, p = .000$, and a main effect for Goal, $F(24, 2356) = 69.10, p = .000$. The mean rankings of the first version of the goals are shown for the seven year groups of girls in Table 6(a).

 TABLE 6 (a & b) ABOUT HERE

In light of the interaction, we examined the year group rank scores for the seven year groups, this time asking if older year groups had different responses to the individual goals than younger year groups. We also used individual Chi-squares to support the ANOVAS. Overall, the most preferred goal for the magistrate was that he should help the young offender to have respect for the rights of others ($M: 2.54, SD = 1.34$), and second was that the magistrate should promote the young offender's dignity and worth ($M: 2.23, SD = 1.35$).

For both these goals there were differences in the rank scores of the year groups, $F(6, 589) = 6.24, p = .000$ and $F(6, 589) = 3.88, p = .001$ respectively, with both showing the same two significant comparisons. Year 10 gave both goals a higher mean rank score than Years 7, 8 and 9 combined; but university women gave both a lower rank score than all the school years combined, with the alpha level set at $p = .01$. The individual year means as shown in Table 6(a).

The third overall ranking was that the magistrate should take account of the offender's age ($M: 2.14, SD = 1.50$), and for that goal there were no significant year differences. There was a difference in the mean rank scores of the year groups for the 4th ranking goal that the magistrate help the young offender to be reintegrated into society, $F(6, 589) = 4.27, p = .000$ ($M: 1.76, SD = 1.23$). Year 10's mean rank score different from Years 7, 8 and 9 combined, but for this goal, it was lower. Year 11's mean rank score also was lower than

the combined mean for all younger years, but the university women gave it a higher mean rank score (Table 6a).

The goal with the lowest overall ranking was the one expressing a constructive role for the young offender ($M: 1.33, SD = 1.33$), and there was a year group difference, $F(6, 589) = 8.18, p = .000$. The comparisons again were for Year 10 and university. Year 10's mean rank score was lower than the combined mean for Years 7, 8, and 9, while the university women's was higher than all school year groups combined.

In summary, the pattern of the rank scores approximated an inverted "U" for the two most popular goals (respect for the rights of others and dignity for the offender), with the younger and older year groups (year 7 and university) giving them less prominence, and with the positive change occurring at Year 10 (Table 6). In contrast, the patterns for reintegration and constructive goals involved a negative change at Year 10, with the university women treating these goals more favourably.

The patterns did not simply mean that the restorative and constructive ideas were not harder for younger girls to understand it would seem. The most distinctive preferences came from Year 10 and university students, with the latter group likely to be making informed choices. Moreover, we had checked the illustrations and the wording were suitable with pilot participants. The statements, in fact, did seem to be conveying the idea of a young offender being brought back into society and being helped to take a constructive role. Most Grade 6 girls had understood these ideas. The patterns of responses cannot easily be dismissed as a function of expression. It would seem that 15 year old girls have some distinct views on outcomes for offenders, and that it is not until later adolescence that outcomes that affect a young offender's longer-term relations with society come to the fore. As a first investigation of the CROC (1989) pronouncements of goals for jurisdictions dealing with young offenders, these data indicate the need to explore more deeply the meanings they suggest to young people at different ages, and the reasons behind these girls' preferences.

As a first exploration, we searched for any relationship between the responses to the UN goals and court safeguards, using regression analyses (linear models for ratings), and cluster analysis and logistic regressions for the ordinal ranking data. In each set of analyses for the 596 girls (first version), neither the ratings or the rankings of the UN Goals revealed any systematic relationship between goals and the procedural safeguards. It was appropriate, therefore, to ask if this non-association was due to the single gender-sampling. To check that possibility, we turned to a sample of boys and girls all from one school. The careful piloting of new expressions is reported in the Method Section, and the rewording is shown in Table 3, column 3.

For this set of analyses, the sample was 96 boys and girls from Year 7 and 74 from Year 9 of the same Regional Catholic Co-educational College (Table 2). This allowed us to test, for students from the same school culture, any gender differences as well as any differences across two years with about two years difference in their mean ages (Mean Age: Year 7 = 12 years, 7 months ($SD = 0.69$); Year 9 = 15 years, 1 month ($SD = 0.74$). These analyses are reported in Sarity Dodson's (2002) honours thesis.

There were no distinctions among the UN Goals related to whether the students were boys or girls or whether they were in Year 7 or Year 9. The rank orders for all 170 students are shown in Table 6(b). Once again, respect for the rights of others was ranked highest by these boys and girls. Social reintegration, however, was ranked second, followed by dignity, attention to the young offender's age, and again last, a constructive role in society for the young offender. The new expression of the reintegration goal may have made it more acceptable or more understandable to the boys and girls, although the mean rank scores are not greatly different from those for the first version. The emphases also were not greatly changed in the new sample.

Again, we tested for any relationship between UN Goals and courtroom safeguards, using regression analyses and cluster analyses. The analyses of the ranking data revealed no systematic relations between the rankings of UN goals and courtroom procedural safeguards. When we used the ratings of the reworded UN goals and the ratings of the courtroom safeguards, there were some modest patterns of relationship, although the regression coefficients were modest. Only for the goal of respect for other people's rights did the adjusted regression reach .25, and for goal of promoting the dignity of the offender, .21. The other coefficients were below .20.

Perhaps the most interesting feature was that just two safeguards significantly contributed to the regression equations for the three UN Goals: respect for others, the young offender's dignity, and constructive role in society. The associated safeguards were magistrate's explanation and the young offender's say (Note 2). Other safeguards contributed in various ways, but with the regression equations so modest, strong inferences are not advisable. We will replicate these analyses using larger samples. Without making too much of these modest associations, it seems that communication between the magistrate and the young offender resonates with the students' interpretations of the United Nation's concerns.

At this stage, it appears that young people generally seem to agree on what the justice system should be trying to achieve in dealing with young offenders. There may be some other factors making reformation more important than restoration to the community. Given that, as the safeguard data indicate, they are mostly relying on the adult world to create appropriate conditions for disciplinary encounters, then it is not discordant for them to take a reformatory approach to the administration of justice. Young offenders need to respect the rights and freedoms of others. They also need respect in the process. What happens to young offenders following a hearing may be an aspect of disciplinary proceedings that is experienced less in the adult/child encounters of most secondary students. We do not know how restoration and integration are usually addressed in schools, or in homes.

The analysis of the UN Goals opens up an area of investigation for disciplinary systems, asking how young offenders are re-integrated in various social institutions, if at all, and asking what perceptions young people themselves hold of the outcomes of hearings they have observed. Further analyses are called for, as well, to determine if adult explanations and offender voice persist as the best indicators for how to preserve respect for offenders and for the community when penalising young offenders. This area of young people's perceptions of disciplinary processes is potentially fruitful for policy-makers and practitioners working with young people in different social organizations.

DISCUSSION

This report began with the claim that it is important to know what young people think about procedural safeguards for adult/child disciplinary encounters. Such knowledge is useful for current practice in social institutions and for policy-making that encourages more informed and active participation by young people. We asked, therefore, if secondary students of different ages have preferences among a set of safeguards known to be important for other young people and for adults (Hicks & Lawrence, 1993; Tyler, 2000). We also asked if the social context of a disciplinary encounter makes any difference to the significance of procedural criteria as individual safeguards, and relatively to each other.

An innovative computer-based methodology made it possible to systematically examine young people's judgments about a set of procedural criteria that are well-recognised as significant for public life and group identity (Lind & Tyler, 1992; Thibaut & Walker, 1978). Young research participants could actively engage with the concepts of procedural criteria and goals. They could make levels of discrimination between the procedural criteria (distinguishing a highly valued subset, then rank ordering them to show their relative weight). The research environment supported considered choices with accessible information, practise in making judgments and feedback of their choices. In each of three situations, an adult/child disciplinary encounter followed young offenders' acts of taking something that did not belong to them. For each encounter, the severity of the young person's offence did not influence the choice of more and less important procedural safeguards for the post-offence discussions. Procedural factors had an importance of their own, as they have in organisational research (Lind & Tyler, 1988; Tyler, 2000).

The major findings cluster around secondary students' strong and persistent preferences for procedural safeguards related, in particular ways, to the context where a disciplinary encounter takes place, and to a student's own age and gender. Overwhelmingly, however, the safeguards ensuring that adults behave towards young offenders in even-handed, fair, and well communicated ways were most important to these young people. They preferred them over safeguards ensuring that a young offender be given active participation or a voice in the proceedings. Essentially, these youngsters preferred to rely on an authoritative adult acting fairly, than on an offender actively participating in the proceedings with a voice.

Whether authoritative adults are as remote and unfamiliar as a magistrate, or as close and familiar as a mother, young people between the ages of 12 and 24 years of age expect them to treat a young offender the same way they would treat anyone else who had committed the same offence. Consistency across offenders constitutes a very clear criterion for protecting the interests of a young offender. It speaks to a youthful sense of fairness that allows young people to feel they can predict what will happen if they find themselves in trouble. A predictable, even-handed adult is preferable to one who may agonise over how to fit the punishment to the individual offender. Equal treatment determines how things should be done, and not any adult discriminations across individuals, whether such discriminations be favourable or unfavourable. A young person knows where s/he stands with a consistent and even-handed authority figure, and that assurance matters.

Along with this consistency, older students were concerned about explanatory talk, especially from a mother. Together with another highly valued safeguard of adult neutrality, explanation conveys the message of the young person's standing in the system. Similarly, adults were expected to make an effort to be fair in the encounter, not to be on anyone's side, and in the case of familiar adults like mothers and teachers, to be calm while conducting a hearing. An even-handed, neutral and non-partisan style of discipline creates the sense of a "level playing field" where each member has the same chance as another. Even if the adult does not like you, s/he will treat you the same as anyone else, and that sense conveys a powerful message that you belong (Lind & Tyler, 1992, p. 141).

In contrast, and with surprising agreement, these young people placed low in their lists of preferences several safeguards that express the explicit intent of granting people access and fair participation in social meetings and hearings. The right to a voice and a representative constitute basic requirements of the good conduct of judicial, organisational and public life (Leventhal, 1980; Thibaut & Walker, 1975; Woodhouse, 2001). The CROC (1989), for instance, specifically emphasised the right to have a parent present. The right to speak up, appeal and to obtain relevant information is endemic to any just treatment of an accused person (Thibaut & Walker, 1975). These participation safeguards express the formal criteria for giving the powerless some control over procedures that could otherwise become entirely hierarchical.

The value of having a voice and participatory rights, while designed to afford power to the vulnerable, goes beyond control. The right to speak marks out a participant with the kind of respect denied the voiceless. Voicelessness signifies alienation, and the exclusion that Cashmore and Bussey's (1994) young offenders felt when their lawyers failed, in their opinion, to present their views to the court. Yet, the present students gave little weight to the young offender's exercise of participation and communication rights, when they could give their primary weight to the adult's fair behaviour. Expressions of the offender's contributions to proceedings did not rise to anywhere near the top of the students' preferential rankings in any circumstances, even in parent/child discussion.

The relative importance of several other safeguards shifted around, mostly in relation to particular adult/child encounters. Confidentiality, for example, was a special criterion for teachers to observe, but not magistrates. The trustworthiness of a teacher has implications for ongoing relations with other staff and students outside the immediate dyad, and implications for matters beyond the immediate disciplinary situation (e.g., ongoing academic and sporting interactions). Older students acknowledged the unlikelihood of obtaining complete confidentiality in the courtroom, although further studies need to clarify if they understood the difference between closed court and public hearings. If younger students were thinking of strict, internal privacy for normal court hearings, then their concerns indicate their lack of knowledge about the protection afforded children's court clients.

Contextual and age-related variability in some safeguards' ratings and rankings meant that neither the most preferred, the least preferred, nor the moveable middle-range safeguards could be reasonably reduced to two or more different unifying factors. Most of the safeguards performed individually as a specific criterion with a significance of its own

(e.g., a quick decision, while not highly preferred, nonetheless was highly rated). As Lind and Tyler (1988) claimed, procedural safeguards are multifaceted in their sensitivity to situational issues, and are not reducible to a single concept of procedural fairness. It seems, as well, that procedural safeguards are sensitive to the changing perspectives of adolescents of varying ages. Increasing years bring new sensitivities, specifically a new sensitivity to parental explanations and calmness. A few extra years also brings a decreasing sensitivity to confidentiality in the court and the home, but not at school. Older boys were less sensitive to adult demeanour than older girls (as we had found previously, Hicks & Lawrence, 2003): a gender difference that may be significant for older adolescents' involvement in social institutions.

The treatment of the five United Nations Goals fits comfortably with this general focus on adult authority, although there was no close association between the courtroom safeguards and the CROC's (1989) goals for dealing with the youthful accused. We could have expected that having worked over the safeguards, young participants would have been alerted to the young offender's need for being treated with dignity and respect. To a degree, that need was acknowledged in their rankings of the goals. But more attractive, overall, was the goal for the magistrate to help the young offender to respect the rights and freedoms of other people. That particular goal is consistent with an adult-oriented, top-down view of how young offenders should be treated. Offenders need to relate to society and its rules. It will be remembered that this young offender had stolen from a shop. Other people's rights were at stake in the hearing, and the preferred outcome for the young offender was seen in terms of reformation and education about other people's rights. That consideration for the young person within the hearing was given closer attention by students who had entered Year 10 speaks to some development in procedural emphases that warrants further investigation. By university, there is a shift towards longer-term restoration for the offender.

Youthful assumptions seem to require in the short-term that young offenders need to look outside themselves to adult-controlled processes. According to these participants, protection, needs and rights have an outward, socially-oriented perspective. A young offender should expect protection of her interests from an authoritative adult. In court, s/he should expect the authoritative magistrate to guide her to work towards respecting others as well as towards protecting her sense of dignity in the process. That the goals of restoring an offender to society were less popular may be another facet of a non-participatory view of institutional life.

In effect, then, in the minds of these young people an authoritative adult's actions and demeanour provide the basis for safeguarding disciplinary encounters. In relational terms, if an adult is conducting the hearing properly, the young person is being treated with the respect due to someone who has a place in the system, despite his or her presenting bad behaviour. The behaviour of the adult authority, even if it is tough, maintains social inclusion for the offender. Yet, if it were living up to these youthful expectations, the adult world's exercise of procedural fairness would not have earned the scathing criticism it has in this country (e.g., ALRC/HRC, 1997; Cronin, 1997; Goddard, 1999; Nicholson, 1998; Sidoti, 1998). Either young people are simply content to invest procedural protection to the adults in authority, or they don't know it could be done differently.

With procedural safeguards categorised into two sets, the set comprising adult contributions are more important to young people. The other set comprising youthful contributions are far less important. Confirmatory evidence for this split can be found in our earlier work, although in those studies, we had not asked participants to make the kind of relative judgments obtained in the present studies. Nevertheless, the Hicks and Lawrence (1993) data pointed to two different forms in the 20 procedural criteria that were rated, in a paper and pencil format, by a large sample of Year 7 and Year 9 students in response to the story of a young offender brought to court.

On close inspection, the ten procedural criteria forming the unidimensional Children's Procedural Justice Scale also were criteria that expressed adult activities – the magistrate's effort to be fair, impartial, confidential, calm, polite, and knowledge of the young person's prior record and present remorse. Additional items not related to the magistrate's activities actually involved further adult action: the participation by the young offender's mother, father and legal representative. The type of safeguard that involved the child's participation simply did not fit the statistical criteria for the unidimensional scale. Instead, child participation criteria, although important, stood apart from the adult-based set. Among the other, non-fitting criteria were those related to the offender's voice (e.g., the offender's explanation, the magistrate answers the young person's questions, the young person explains what happened).

In the present study, we carefully used an active instead of passive form for the young offender's activities (e.g., substituting "the child is able to ask questions" for "the magistrate to answer any questions that you asked him"), but other secondary students had made similar distinctions between adult-focused and child-focused procedural criteria. The distinction between preferred and non-preferred safeguards in the current data goes further than the earlier questionnaire study could go, asking for layers of choices and providing the students support to make considered judgments. Nevertheless, the seeds of their dependency on authority were already appearing in the earlier responses of reliance on adults rather than on one's own ability to intervene in the process. The dichotomy is real.

Any definitive explanation of this adult-based and child-based split must await further studies focusing on *why* the benevolence of an adult authority is preferred over child participation, or indeed, over the participation of a child's representative, possibly a parent. We cannot yet determine if the presence of one set of criteria entirely abrogates the need for the other, or if less preferred criteria must always be included in the set. Since they were given high initial ratings despite being ranked low in participants' lists, their contribution cannot be dismissed outright. Testing that possibility requires a different database. Our group is currently investigating the effects of contrasting sets of adult-focused and child-focused safeguards, using experimentally controlled scenarios where the adult and child sets of criteria are varied on their presence and absence.

Why, then, this reliance on the adult authority's propriety, and what are the implications of these findings for dealing with young people in our social institutions? Adolescence is usually construed as a time of increasing independence from the adult management of one's affairs and greater self-reliance in decision-making (e.g., Arnett, 1999; Coleman & Hendry, 1999; Lightfoot, 1997). Yet, no special longing for independence or personal

agency arose in these data. Admittedly, the older boys' responses give some hints of a disassociation from adult institutional authority, but the generally expressed norm involves relying on adults to do things properly rather than assuming any active youthful role.

On the surface it may appear that adult-initiated procedures simply dominate because they are able to give a young offender the sense of belonging to society or to the local institution – a sense of being respected as a member of the institution and worthy of unbiased consideration, as specified in the Tyler and Lind (1992) relational model. The adult activities these young people endorsed obviously do play a crucial part in preserving a young person's sense of belonging and social identity. Acknowledging their relational significance, however, does not suggest why they should so strongly outstrip youthful participation.

Clearly, any person without a voice is not being acknowledged as a fully functioning member of a social group. Inability to ask questions or to be able to make some form of definite contribution surely must damage the social identification of the vulnerable and powerless. Consequently, the answer cannot lie in seeing the adult-based safeguards as relational, and child participation as non-relational. Standing and acceptance are attached to voice and representation. Respect and social inclusion cannot reasonably be divorced from being able to contribute to the discussion, unless the price of inclusion is blind obedience and dependence on authority. As Heuer, Penrod, Hafer, & Cohn (2002) suggest, the relational model may need a broader interpretation. A voice is part of one's standing.

In terms of granting a young person standing (Tyler & Lind, 1992), all the 13 procedural safeguards used in these studies properly fit under the relational umbrella. Adopting any one of them speaks to the young person's place in society and the particular social institution. Neglecting any one severely weakens the respect and belonging afforded the same young person. Yet in the minds of these young people, it is the province of the adult figure to take care of a young offender's procedural needs: that achieving those needs can be handled adequately from the top without requiring youthful intervention. Such reliance on the authority figure's goodwill and good conduct is at the very least parental in form, and implies a form of a parentalism that promotes non-participation by members of the group. Such an extreme model of parent/child relations must be faulty.

Good family interactions and good parenting are inclusive of younger members' views and communicative powers (e.g., Arnett, 1999; Fondacaro, Dunkle, & Pathak, 1998; Grusec, Rudy, & Martini, 1997). Family life that gives no participatory rights to young members can only leave them vulnerable to misdirected adult power. Not all parents are fair. Not all legitimate authorities are protective of the rights and needs of children and adolescents. Some young people face disappointment if they expect benign benevolence to act as a sufficient guarantor of fair dealings.

Authority-based safeguards, for instance, do not automatically guarantee adolescent satisfaction, although satisfaction should be an outcome of safeguarding fair procedures (Landis & Goodstein, 1987; Tyler, 2000). The National Children's and Youth Law Centre (2001) reported a national survey revealing that most of the 66 students who were expelled or suspended from school thought they had been treated unfairly (82%), were not informed

of ways to challenge the decision (79%) and were not told about their rights during the process. The centre recommended that school senior staff be given training in procedural fairness principles and their application to expulsion, and among other things, government monitoring and ombudsman processes. They did not recommend, however, that students also may need education about procedural fairness. The present data speak directly to that need. Young people themselves need to be able to act before judgments are made about their affairs by adult authorities, rather than to be able to express their dissatisfaction afterwards.

CONCLUSIONS AND IMPLICATIONS

It must be a matter of concern for those developing procedural policies for public institutions that young people place such little value on the participatory criteria that are designed to grant people their procedural rights. We need to know far more about youthful views on social processes involving them and their peers when they are in trouble or in need of advocacy (Ruegger, 2001). We also need to know more about the kinds of educational practices that give students greater involvement in decisions that affect their lives and affect our social institutions.

In terms of further research, we are currently conducting investigations specifically designed to examine whether the presence of a consistent and communicative adult in a disciplinary situation actually does eliminate the need for active participation and voice in young people's thinking. We are asking whether student participation becomes a greater felt need only in cases where authoritative adults are inconsistent or uncommunicative about their decisions: if adults do not fulfil their expected protective and inclusive roles. One current study has the potential for bringing together the important Cashmore and Bussey (1994) finding of young people's disquiet with the strong evidence of procedural fairness as the basis of adult satisfaction (cp. Tyler et al., 1997). Further, we are asking young people about their direct experience of disciplinary proceedings, and whether there are some experiential reasons for relying on adult actions for safeguards. Young people's satisfaction with different levels of adult and adolescent participation in court proceedings is another extension. These extensions, with their built-in replications of present trends, are important both theoretically and practically. As well as suggesting specific areas for intervention and education, they will address some grey areas in the meaning of relational safeguards, for instance, whether the relational basis of procedural fairness involves similar processes for young people and adults. The place of youthful participation and voice in giving confidence of one's standing and belonging now needs to be specifically targeted.

In Australia and beyond, there have been a number of critical moves to reform the way that justice is administered to children and adolescents (e.g., Australian Government 1995; Davies & Seymour, 1997; Law Society of NSW, 2000; Victorian Children and Young Persons Act, 1989). In many respects, the reforms have preceded exhaustive, systematic investigations of youthful understanding and developmental potential. Accordingly, the present findings are critical for the examination of the effectiveness of systemic change. Young people cannot automatically be assumed to share the United Nations and judicial reformers' views about the significance of their voice and participation rights. We now

need to ask why there is a disjunction between what system reformers are trying to achieve by way of child-friendly processes and what young people think they need. Institutionally, we need to re-examine any presumptions that young people are progressively introduced into democratic participation. Within that agenda must be questions focusing on how youthful induction is organised, and how well young people understand and approve adult moves to protect and include them.

In moves for reform, we may have left behind many young people. Obviously, many of them will never enter court as offenders. Like many adults, they will remain ignorant of the workings of the justice system. Increasing numbers, however, do become embroiled in family break-ups and some admirable work has been done to prepare them as better informants and plaintiffs (see Meyers, 1996 for a perceptive review). However, the orientation of young citizens into judicial processes still appears to be in its early days. Even if most students know little about courtroom processes, it remains appropriate to ask why adult authority dominates in familiar settings where more give and take could be expected.

We have not focused, in this report, on the need for educating young people about their involvement in social institutions. Rather, we have provided a comprehensive empirical basis for that type of educational discussion. The discussion must involve young people's expectations, as they have been revealed in these studies, and how those expectations may best be incorporated in systemic reform. Youthful procedural judgments and preferences must be taken seriously in any moves to enhance procedural fairness in social institutions. Young people hold and express strong views about what may preserve their rights and interests. How their beliefs develop, and where they are likely to take them in encounters with authoritative adults now must engage our attention and action.

NOTES

- Note 1. Transforming the safeguard ratings because of skewness towards positive ratings did not gain a normal multivariate distribution although the transformations did produce effects similar to those for the untransformed ratings.
- Note 2. Full results of multiple regression analyses are available from the authors.

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Table 1.

Thirteen Procedural Safeguards for Adult/Child disciplinary Encounters.

| Procedural Safeguard for Adult/Child Encounter | Label |
|--|-------------------------------------|
| For the adult ^a to act the same way if someone else had done the same. | Adult to be consistent |
| For the adult to explain to the child ^b why s/he is being punished. | Adult to explain |
| For the adult to know that the young-person has never stolen anything before. ^c | Adult knows child never stolen |
| For the adult to know that the young-person was sorry for what s/he had done and that s/he would not do it again. ^c | Adult knows child's remorse |
| For the adult not to be on anyone's side but neutral. ^c | Adult to be neutral |
| For the adult to be calm and not angry. ^c | Adult to be calm |
| For the adult to make an effort to be fair. ^c | Adult to make effort to be fair |
| For the child to be able to ask questions about the adult's decision. | Child to be able to ask questions |
| For the child to be able to say s/he thinks the adult's decision is unfair or too harsh. | Child to be able to appeal |
| For the decision to be made quickly and not be delayed. | Decision made quickly |
| What happened was known only by the child and adult and no one else was told. ^c | Confidentiality |
| For the child to have some say about what would happen to him/her. | Child to have a say |
| For someone else to speak up for the child (such as a parent, family member) ^c | Someone to speak up: Representation |

Key. ^a = in each context, the adult is identified as the: mother, teacher or magistrate;

^b = the child is identified as Sarah, Tom etc, according to experimental condition;

^c = safeguard from Hicks and Lawrence (1993) Children’s Procedural Justice Scale.

Table 2.

Five Procedural Goals from the UN Convention on the Rights of the Child (1989) for Dealing with Young Offenders, as Presented in Two Versions of the Program.

| UN Procedural Goal (CROC, 1989) | Version I. People in authority should: | Revised Version. People in authority should: |
|--|---|--|
| To promote the child’s sense of dignity and worth | help young people to feel that they are important and have value as a person. | help the young person to feel valued as a person. |
| To take into account the child’s age | keep in mind the young person’s age. | consider the young person’s age |
| To reinforce the child’s respect for the human rights and fundamental freedoms of others | help the young person to respect the rights of other people. | help the young person to respect the rights of other people. |
| To promote the child’s reintegration into society | help the young person belong to their community again and not feel rejected. | help the young person belong to their community again and not feel rejected |
| To promote the child’s assumption of a constructive role in society | encourage the young person to become helpful and productive in their community. | encourage the young person to become helpful and productive in their community |

Table 3.

Mean Ratings of Thirteen Procedural Safeguards for Court, School, Home by 633 Students.

| Procedural safeguard: | YEAR & NO. | Court | | School | | Home | |
|--|-------------|-------|------|--------|------|------|------|
| | | M | SD | M | SD | M | SD |
| For the adult to act the same way if someone else had done the same. | Yr 7 (238) | 4.30 | 1.21 | 4.39 | 1.12 | 4.39 | 1.06 |
| | Yr 8 (63) | 4.32 | 1.16 | 4.46 | 1.10 | 4.51 | 1.11 |
| | Yr 9 (186) | 4.14 | 1.36 | 4.34 | 1.15 | 4.54 | .97 |
| | Yr 10 (65) | 4.62 | .93 | 4.66 | 1.00 | 4.85 | .51 |
| | Yr 11 (81) | 4.30 | 1.34 | 4.44 | 1.18 | 4.58 | 1.00 |
| | Total (633) | 4.29 | 1.24 | 4.42 | 1.12 | 4.52 | .99 |
| For the adult to explain to the child why s/he is being punished. | Yr 7 | 4.26 | 1.09 | 4.18 | 1.16 | 4.21 | 1.19 |
| | Yr 8 | 4.25 | .97 | 4.14 | 1.23 | 4.43 | 1.00 |
| | Yr 9 | 4.10 | 1.29 | 3.97 | 1.16 | 4.18 | 1.20 |
| | Yr 10 | 4.43 | .81 | 4.25 | .95 | 4.55 | .88 |
| | Yr 11 | 4.38 | .98 | 4.07 | 1.06 | 4.32 | 1.09 |
| | Total | 4.25 | 1.11 | 4.11 | 1.14 | 4.27 | 1.14 |
| For the adult to know that the child has never stolen anything before. | Yr 7 | 3.79 | 1.37 | 3.67 | 1.39 | 3.76 | 1.47 |
| | Yr 8 | 3.81 | 1.46 | 3.33 | 1.70 | 3.92 | 1.26 |
| | Yr 9 | 3.72 | 1.61 | 3.56 | 1.48 | 3.89 | 1.34 |
| | Yr 10 | 3.98 | 1.53 | 3.62 | 1.57 | 4.08 | 1.36 |
| | Yr 11 | 4.19 | 1.28 | 3.52 | 1.67 | 4.05 | 1.31 |
| | Total | 3.84 | 1.46 | 3.58 | 1.50 | 3.89 | 1.38 |

| | | | | | | | |
|--|-------|------|------|------|------|------|------|
| For the adult to know that the child was sorry for what s/he had done and that s/he would not do it again. | Yr 7 | 3.88 | 1.42 | 4.03 | 1.29 | 4.42 | .98 |
| | Yr 8 | 4.05 | .96 | 4.25 | 1.32 | 4.59 | .71 |
| | Yr 9 | 3.76 | 1.34 | 4.11 | 1.10 | 4.49 | .77 |
| | Yr 10 | 4.00 | 1.21 | 4.29 | .91 | 4.65 | .67 |
| | Yr 11 | 4.14 | 1.03 | 4.26 | .85 | 4.65 | .64 |
| | Total | 3.91 | 1.29 | 4.13 | 1.16 | 4.51 | .83 |
| For the adult not to be on anyone's side but neutral. | Yr 7 | 4.14 | 1.34 | 3.99 | 1.34 | 3.84 | 1.36 |
| | Yr 8 | 4.41 | .96 | 4.41 | 1.12 | 4.19 | 1.39 |
| | Yr 9 | 4.18 | 1.40 | 4.00 | 1.29 | 3.95 | 1.32 |
| | Yr 10 | 4.65 | .72 | 4.37 | 1.13 | 4.38 | 1.09 |
| | Yr 11 | 4.16 | 1.29 | 4.14 | 1.27 | 4.11 | 1.16 |
| | Total | 4.23 | 1.27 | 4.09 | 1.28 | 4.00 | 1.31 |
| For the adult to be calm and not angry. | Yr 7 | 3.80 | 1.35 | 3.79 | 1.39 | 3.79 | 1.34 |
| | Yr 8 | 3.95 | 1.29 | 4.08 | 1.02 | 4.11 | 1.09 |
| | Yr 9 | 3.81 | 1.38 | 3.91 | 1.21 | 3.87 | 1.20 |
| | Yr 10 | 4.29 | 1.22 | 4.22 | 1.17 | 4.03 | 1.32 |
| | Yr 11 | 4.26 | 1.03 | 4.37 | .91 | 4.23 | .99 |
| | Total | 3.93 | 1.31 | 3.97 | 1.24 | 3.93 | 1.24 |

(table continues)

Table 3.

Mean Ratings of Thirteen Procedural Safeguards for Court, School, Home (continued).

| Procedural safeguard: | YEAR & NO. | Court | | School | | Home | |
|--|------------|-------|------|--------|------|------|------|
| | | M | SD | M | SD | M | SD |
| For the adult to make an effort to be fair. | Yr 7 | 4.01 | 1.25 | 3.91 | 1.27 | 3.90 | 1.29 |
| | Yr 8 | 4.33 | 1.00 | 4.33 | 1.00 | 4.41 | 1.01 |
| | Yr 9 | 4.01 | 1.30 | 3.96 | 1.13 | 4.12 | 1.05 |
| | Yr 10 | 4.37 | 1.17 | 4.31 | 1.13 | 4.55 | .79 |
| | Yr 11 | 4.20 | 1.09 | 4.00 | 1.32 | 4.42 | .89 |
| | Total | 4.10 | 1.22 | 4.02 | 1.21 | 4.15 | 1.13 |
| For the child to be able to ask questions about the adult's decision. | Yr 7 | 3.83 | 1.30 | 3.70 | 1.29 | 3.94 | 1.26 |
| | Yr 8 | 3.40 | 1.42 | 3.81 | 1.15 | 3.90 | 1.28 |
| | Yr 9 | 3.40 | 1.59 | 3.58 | 1.39 | 4.12 | 1.12 |
| | Yr 10 | 3.48 | 1.47 | 3.80 | 1.21 | 4.32 | .97 |
| | Yr 11 | 3.63 | 1.51 | 3.59 | 1.28 | 4.04 | 1.13 |
| | Total | 3.60 | 1.45 | 3.67 | 1.30 | 4.04 | 1.18 |
| For the child to be able to say s/he thinks the adult's decision is unfair or too harsh. | Yr 7 | 3.10 | 1.60 | 3.01 | 1.63 | 3.15 | 1.58 |
| | Yr 8 | 2.79 | 1.62 | 3.29 | 1.37 | 3.40 | 1.37 |
| | Yr 9 | 2.75 | 1.75 | 3.01 | 1.61 | 3.16 | 1.57 |
| | Yr 10 | 2.63 | 1.58 | 3.28 | 1.27 | 3.55 | 1.25 |
| | Yr 11 | 2.77 | 1.51 | 2.77 | 1.57 | 3.27 | 1.43 |
| | Total | 2.88 | 1.64 | 3.03 | 1.56 | 3.24 | 1.51 |
| For the decision to be made quickly and not be delayed. | Yr 7 | 3.54 | 1.37 | 3.33 | 1.52 | 3.39 | 1.47 |
| | Yr 8 | 3.56 | 1.27 | 3.33 | 1.32 | 3.54 | 1.50 |

| | | | | | | | | |
|---|--|------|------|------|------|------|------|------|
| | Yr 9 | 3.47 | 1.53 | 3.44 | 1.50 | 3.39 | 1.44 | |
| | Yr 10 | 3.46 | 1.32 | 3.43 | 1.33 | 3.52 | 1.29 | |
| | Yr 11 | 3.17 | 1.49 | 3.16 | 1.47 | 3.12 | 1.38 | |
| | Total | 3.47 | 1.42 | 3.35 | 1.47 | 3.39 | 1.44 | |
| What happened was known only by the child and adult and no one else was told. | Yr 7 | 3.71 | 1.48 | 3.69 | 1.48 | 3.74 | 1.32 | |
| | Yr 8 | 3.56 | 1.56 | 4.21 | 1.21 | 3.60 | 1.52 | |
| | Yr 9 | 3.65 | 1.53 | 3.94 | 1.33 | 3.69 | 1.38 | |
| | Yr 10 | 3.43 | 1.63 | 4.02 | 1.43 | 3.52 | 1.36 | |
| | Yr 11 | 3.70 | 1.54 | 3.88 | 1.39 | 3.58 | 1.23 | |
| | Total | 3.65 | 1.52 | 3.87 | 1.40 | 3.67 | 1.35 | |
| | For the child to have some say about what would happen to him/her. | Yr 7 | 3.60 | 1.45 | 3.52 | 1.44 | 3.52 | 1.51 |
| | | Yr 8 | 3.32 | 1.50 | 3.30 | 1.48 | 3.70 | 1.29 |
| Yr 9 | | 3.11 | 1.68 | 3.31 | 1.48 | 3.42 | 1.51 | |
| Yr 10 | | 2.69 | 1.66 | 3.15 | 1.39 | 3.71 | 1.09 | |
| Yr 11 | | 3.20 | 1.43 | 3.22 | 1.39 | 3.65 | 1.23 | |
| Total | | 3.28 | 1.57 | 3.36 | 1.45 | 3.55 | 1.42 | |
| For someone else to speak up for the child. | | Yr 7 | 3.57 | 1.47 | 3.06 | 1.47 | 2.63 | 1.63 |
| | Yr 8 | 3.32 | 1.49 | 2.79 | 1.63 | 2.22 | 1.54 | |
| | Yr 9 | 3.16 | 1.64 | 2.80 | 1.65 | 2.36 | 1.57 | |
| | Yr 10 | 2.82 | 1.59 | 2.52 | 1.49 | 2.54 | 1.58 | |
| | Yr 11 | 3.41 | 1.46 | 2.78 | 1.57 | 2.37 | 1.50 | |
| | Total | 3.33 | 1.55 | 2.87 | 1.56 | 2.47 | 1.59 | |

Table 4.
Patterns in 633 Students' Ratings of 13 Procedural Safeguards.

| Pattern of Rating | Safeguards with Each Pattern | Major Differences in Importance: | Statistical Effects & and Significance |
|---|--------------------------------|---|---|
| CONTEXT-RELATED DIFFERENCES FOR 10 SAFEGUARDS | | | |
| Context X School Year X Gender interaction | Adult to be consistent | Less for older boys at school; less for Yr 8 & 10 boys at home | $F(8, 1246) = 2.61, *$ |
| Context X School Year interaction | Child able to ask questions | Less at court for all except Yr 7; less at school than home for Yrs 9, 10, 11 | $F(8, 1246) = 2.43, *$ |
| Context X School Year interaction, and also X Gender | Child to have a say | At court, less for older years; but more for boys; more for girls at home | $F(8, 1246) = 2.50, *$ $F(2, 1246) = 4.96, *$ |
| Context X Gender interaction | Adult to Explain | Less for boys at home | $F(2, 1246) = 4.95, *$ |
| Context difference, and also School Year X Gender interaction | Confidentiality | More at school, but less for older boys. | $F(2, 1246) = 7.94, **$ |
| | Someone to speak up | More at court, but less for older boys than girls | $F(2, 1246) = 32.04, **$ |
| | Adult knows child never stolen | Less at school; less for older boys but more for older girls | $F(2, 1246) = 12.52, **$ |
| Context difference, and also Gender difference | Adult to be neutral | More at court, and less for boys. | $F(2, 1246) = 7.03, *$ $F(1, 623) = 5.71, *$ |
| | Adult knows child's remorse | Less at court < school < home, less for boys | $F(2, 1246) = 34.37, **$ $F(1, 623) = 12.28, **$ |
| | Child to be able to appeal | Less at court, and less for boys | $F(2, 1246) = 10.93, **$ $F(1, 623) = 6.54, *$ |

| NO CONTEXT-RELATED DIFFERENCES FOR THREE SAFEGUARDS | | | |
|---|---------------------------------|--|-----------------------|
| No Context difference, but School Year X Gender interaction | Adult to make effort to be fair | Similar across contexts, but less for older boys | $F(4, 623) = 4.05, *$ |
| No Context difference, but a Gender difference | Adult to be calm | Less for boys | $F(1, 623) = 8.28, *$ |
| No Context or other differences | Decision to be made quickly | No differences | - |

** $p \leq .001$, * $p \leq .01$

Table 5.

Mean Rankings of Thirteen Procedural Safeguards for Court, School, Home by 549 Students.

| Procedural safeguard: | YEAR & NO. | Court | | School | | Home | |
|---|-------------|-------|------|--------|------|------|------|
| | | M | SD | M | SD | M | SD |
| For the adult to act the same way if someone else had done the same. | Yr 7 (200) | 1.81 | 1.45 | 2.16 | 1.45 | 1.85 | 1.37 |
| | Yr 9 (165) | 1.67 | 1.49 | 2.10 | 1.51 | 1.88 | 1.36 |
| | Yr 11 (81) | 1.47 | 1.18 | 1.98 | 1.29 | 1.85 | 1.30 |
| | Yr 12 (31) | 1.77 | 1.41 | 2.26 | 1.44 | 2.16 | 1.37 |
| | Univ (72) | 1.56 | 1.42 | 2.04 | 1.34 | 1.93 | 1.24 |
| | Total (549) | 1.68 | 1.42 | 2.11 | 1.43 | 1.89 | 1.34 |
| For the adult to explain to the child why s/he is being punished. | Yr 7 | 1.62 | 1.34 | 1.49 | 1.35 | 1.65 | 1.35 |
| | Yr 9 | 1.42 | 1.26 | 1.17 | 1.22 | 1.48 | 1.38 |
| | Yr 11 | 1.64 | 1.31 | 1.26 | 1.39 | 1.77 | 1.47 |
| | Yr 12 | 2.00 | 1.37 | 1.48 | 1.18 | 2.03 | 1.43 |
| | University | 2.08 | 1.41 | 2.53 | 1.49 | 2.65 | 1.32 |
| | Total | 1.64 | 1.33 | 1.49 | 1.39 | 1.77 | 1.42 |
| For the adult to know that the child has never stolen anything before. | Yr 7 | 1.07 | 1.30 | .95 | 1.12 | .96 | 1.07 |
| | Yr 9 | 1.19 | 1.32 | .93 | 1.15 | .94 | 1.10 |
| | Yr 11 | 1.59 | 1.40 | .68 | .76 | .73 | .72 |
| | Yr 12 | 1.45 | 1.43 | .61 | .95 | .68 | .75 |
| | University | 1.26 | 1.17 | .47 | .58 | .47 | .53 |
| | Total | 1.23 | 1.32 | .83 | 1.03 | .84 | .98 |
| For the adult to know that the child was sorry for what s/he had done and that s/he would | Yr 7 | 1.32 | 1.36 | 1.54 | 1.44 | 1.85 | 1.40 |
| | Yr 9 | 1.04 | 1.22 | 1.36 | 1.24 | 1.82 | 1.38 |

| | | | | | | | |
|---|------------|------|------|------|------|------|------|
| not do it again. | Yr 11 | 1.21 | 1.26 | 1.35 | 1.35 | 1.88 | 1.21 |
| | Yr 12 | .94 | 1.06 | 1.19 | 1.38 | 1.77 | 1.31 |
| | University | 1.01 | 1.17 | 1.01 | 1.12 | 1.28 | 1.10 |
| | Total | 1.16 | 1.27 | 1.37 | 1.33 | 1.76 | 1.33 |
| For the adult not to be on anyone's side but neutral. | Yr 7 | 1.45 | 1.28 | 1.20 | 1.14 | 1.08 | 1.19 |
| | Yr 9 | 1.79 | 1.45 | 1.36 | 1.30 | 1.26 | 1.34 |
| | Yr 11 | 1.68 | 1.45 | 1.40 | 1.19 | 1.12 | 1.14 |
| | Yr 12 | 1.87 | 1.43 | 1.13 | 1.31 | .71 | 1.01 |
| | University | 1.94 | 1.24 | 1.12 | .98 | .81 | .78 |
| | Total | 1.68 | 1.37 | 1.26 | 1.19 | 1.09 | 1.19 |
| For the adult to be calm and not angry. | Yr 7 | 1.02 | 1.21 | 1.13 | 1.28 | 1.19 | 1.35 |
| | Yr 9 | .99 | 1.07 | 1.30 | 1.34 | 1.22 | 1.44 |
| | Yr 11 | 1.36 | 1.32 | 1.94 | 1.40 | 1.90 | 1.69 |
| | Yr 12 | .81 | .87 | 1.39 | 1.20 | 1.55 | 1.41 |
| | University | .94 | .80 | 1.36 | 1.31 | 1.53 | 1.49 |
| | Total | 1.04 | 1.13 | 1.35 | 1.34 | 1.37 | 1.47 |
| For the adult to make an effort to be fair. | Yr 7 | 1.09 | 1.17 | 1.07 | 1.15 | 1.04 | 1.20 |
| | Yr 9 | 1.21 | 1.22 | 1.12 | 1.05 | 1.10 | 1.10 |
| | Yr 11 | 1.30 | 1.22 | 1.22 | 1.24 | 1.30 | 1.07 |
| | Yr 12 | 1.58 | 1.29 | 1.52 | 1.21 | 1.23 | 1.18 |
| | University | 1.90 | 1.30 | 1.67 | 1.15 | 1.56 | 1.29 |
| | Total | 1.29 | 1.24 | 1.21 | 1.15 | 1.18 | 1.17 |

(table continues)

Table 5.

Mean Rankings of Thirteen Procedural Safeguards for Court, School, Home (continued).

| Procedural safeguard: | YEAR & NO. | Court | | School | | Home | |
|--|------------|-------|------|--------|------|------|------|
| | | M | SD | M | SD | M | SD |
| For the child to be able to ask questions about the adult's decision. | Yr 7 | .93 | 1.05 | .84 | 1.02 | .90 | .98 |
| | Yr 9 | .72 | 1.03 | .73 | .90 | .92 | .89 |
| | Yr 11 | .77 | .87 | .78 | 1.02 | .79 | .82 |
| | Yr 12 | .90 | 1.11 | .65 | .66 | 1.16 | 1.04 |
| | University | .61 | .85 | .76 | .80 | 1.11 | .90 |
| | Total | .80 | 1.00 | .78 | .94 | .93 | .93 |
| For the child to be able to say s/he thinks the adult's decision is unfair or too harsh. | Yr 7 | .47 | .73 | .47 | .78 | .51 | .80 |
| | Yr 9 | .44 | .83 | .50 | .79 | .62 | .97 |
| | Yr 11 | .25 | .56 | .37 | .68 | .42 | .67 |
| | Yr 12 | .26 | .63 | .39 | .56 | .48 | .51 |
| | University | .18 | .39 | .24 | .46 | .29 | .57 |
| | Total | .38 | .71 | .43 | .73 | .50 | .81 |
| For the decision to be made quickly and not be delayed. | Yr 7 | .58 | .86 | .55 | .69 | .68 | .90 |
| | Yr 9 | .65 | .90 | .83 | 1.06 | .53 | .78 |
| | Yr 11 | .38 | .51 | .37 | .58 | .35 | .74 |
| | Yr 12 | .74 | .96 | .58 | .92 | .55 | .68 |
| | University | .47 | .60 | .60 | .74 | .68 | .93 |
| | Total | .57 | .81 | .62 | .84 | .58 | .84 |
| What happened was known only by the child and adult and no one else was told. | Yr 7 | 1.01 | 1.12 | 1.11 | 1.22 | .85 | 1.01 |
| | Yr 9 | 1.05 | 1.22 | 1.24 | 1.25 | .82 | 1.07 |

| | | | | | | | |
|--|------------|-----|------|------|------|------|------|
| | Yr 11 | .91 | 1.12 | 1.31 | 1.27 | .48 | .79 |
| | Yr 12 | .58 | .67 | 1.19 | 1.45 | .65 | 1.08 |
| | University | .60 | .97 | 1.25 | 1.17 | .50 | .98 |
| | Total | .93 | 1.12 | 1.20 | 1.24 | .73 | 1.01 |
| For the child to have some say about what would happen to him/her. | Yr 7 | .71 | .90 | .69 | .92 | .81 | 1.08 |
| | Yr 9 | .64 | .98 | .72 | 1.01 | .72 | .97 |
| | Yr 11 | .42 | .72 | .47 | .74 | .65 | 1.07 |
| | Yr 12 | .29 | .53 | .48 | .81 | .65 | 1.02 |
| | University | .36 | .83 | .38 | .88 | .53 | .98 |
| | Total | .57 | .88 | .61 | .92 | .71 | 1.03 |
| For someone else to speak up for the child. | Yr 7 | .78 | .97 | .46 | .79 | .34 | .74 |
| | Yr 9 | .53 | .86 | .41 | .73 | .19 | .49 |
| | Yr 11 | .70 | 1.13 | .46 | .92 | .14 | .47 |
| | Yr 12 | .61 | .72 | .61 | 1.12 | .13 | .34 |
| | University | .69 | 1.02 | .22 | .48 | 5.56 | .23 |
| | Total | .67 | .96 | .42 | .79 | .21 | .57 |

Table 6.

Mean Rankings of Five United Nations Goals.

(a) Mean Rankings of First Version, for 596 Girls.

| | Respect for rights others | Reintegration Into Society | Account for Age | Constructive Role | Dignity |
|-------|------------------------------|-------------------------------|--------------------|----------------------|-------------|
| Year: | | | | | |
| Yr 7 | 4.27 (.83) | 4.31 (.91) | 3.97 (1.13) | 4.12 (.98) | 3.68 (.92) |
| Yr 8 | 4.34 (1.12) | 4.46 (.89) | 4.00 (1.21) | 4.18 (.90) | 4.01 (1.09) |
| Yr 9 | 4.12 (1.06) | 4.16 (1.00) | 4.35 (.96) | 3.93 (1.03) | 3.78 (1.07) |
| Yr 10 | 4.54 (.68) | 4.52 (.85) | 4.20 (1.00) | 4.11 (.87) | 4.28 (.77) |
| Yr 11 | 4.49 (.83) | 4.50 (.83) | 4.26 (.83) | 4.23 (1.03) | 4.19 (.82) |
| Yr 12 | 4.46 (.71) | 4.34 (.76) | 4.24 (.86) | 4.05 (.92) | 3.88 (1.17) |
| Univ. | 4.60 (.68) | 4.56 (.80) | 4.30 (.85) | 4.16 (.80) | 4.15 (.83) |
| Total | 4.44 (.85) | 4.44 (.87) | 4.21 (.97) | 4.12 (.92) | 4.04 (.94) |

(b) Mean Rankings of Second Version, for Boys and Girls from Year 7 (96) and Year 9 (74) at a Catholic Co-educational Secondary College.

| | | | | | |
|-------|--------------|-------------|-------------|-------------|--------------|
| Yr 7 | 3.16 (1.40) | 3.14 (1.42) | 2.93 (1.58) | 2.86 (1.33) | 2.92 (1.34) |
| Yr 9 | 3.31 (1.47) | 2.93 (1.36) | 3.05 (1.56) | 2.64 (1.30) | 3.07 (1.33) |
| Total | 3.22 (1.43) | 3.05 (1.39) | 2.98 (1.57) | 2.76 (1.32) | 2/98 (1.57) |



Figure 1. Screens Showing the Home Story, and Examples of Rating Task.

(© J. A. Lawrence; reproduced from Lawrence, Lin, Hicks, Campbell & Vincent, 2000).

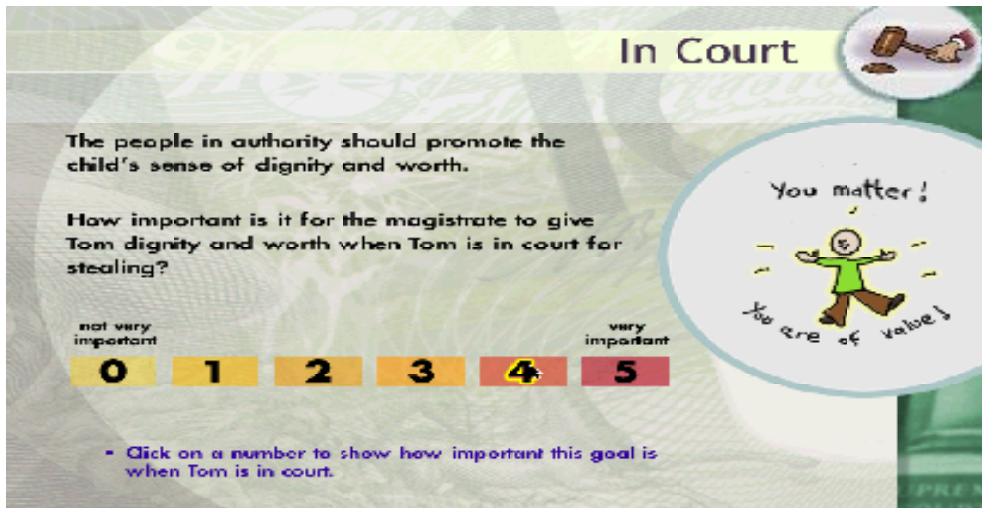


Figure 2. Example of United Nations Goal as Presented for Rating.

(© J. A. Lawrence; reproduced from Lawrence, Lin, Hicks, Campbell & Vincent, 2000).

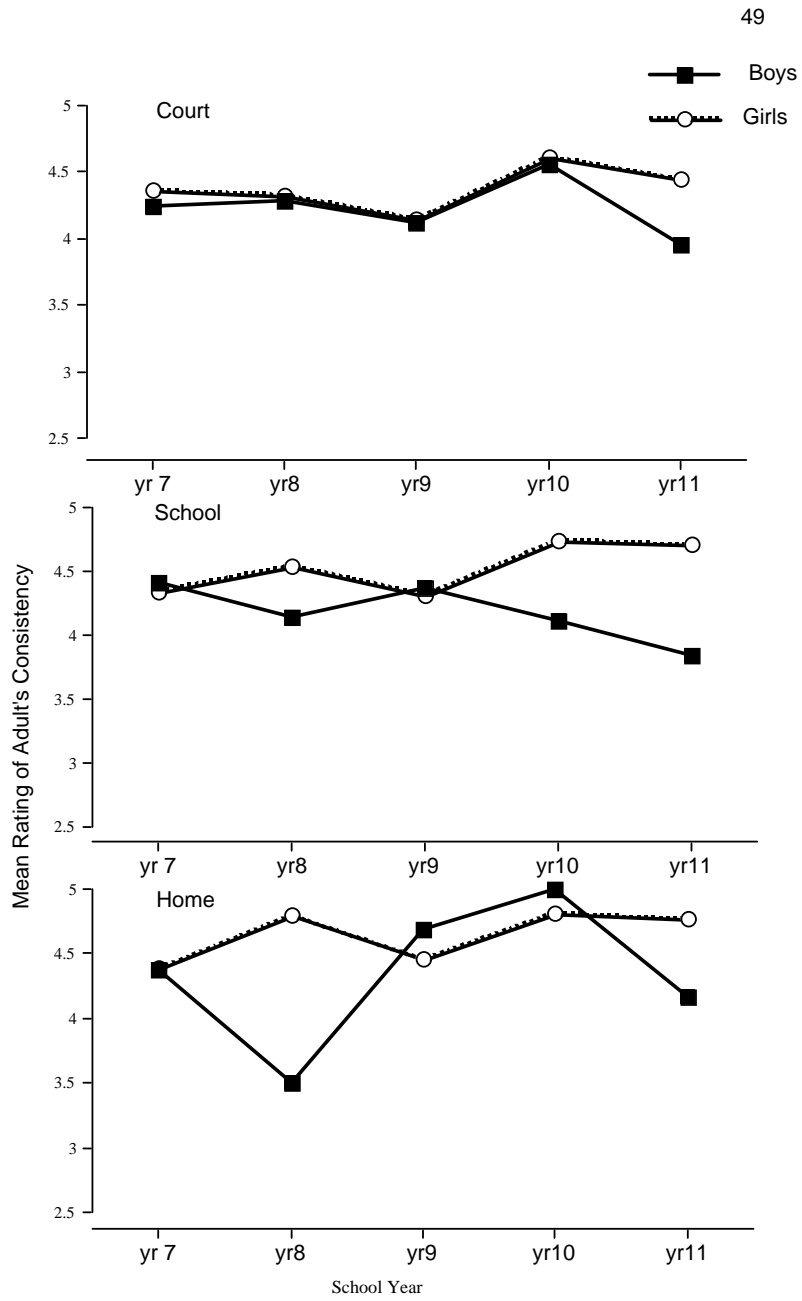


Figure 3. Context by Year by Gender Interaction for Mean Ratings of The Adult's Consistency.

50

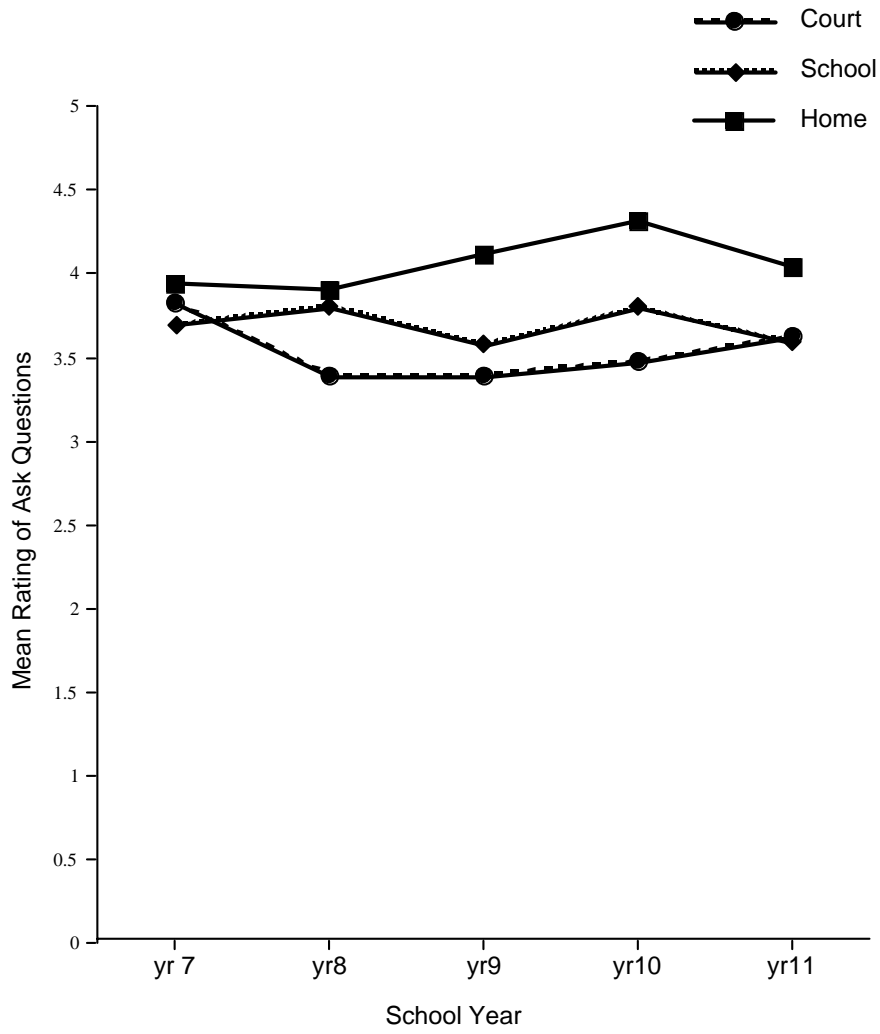


Figure 4. Context by Year Interaction for Mean Ratings of The Child is Able to Ask Questions.

51

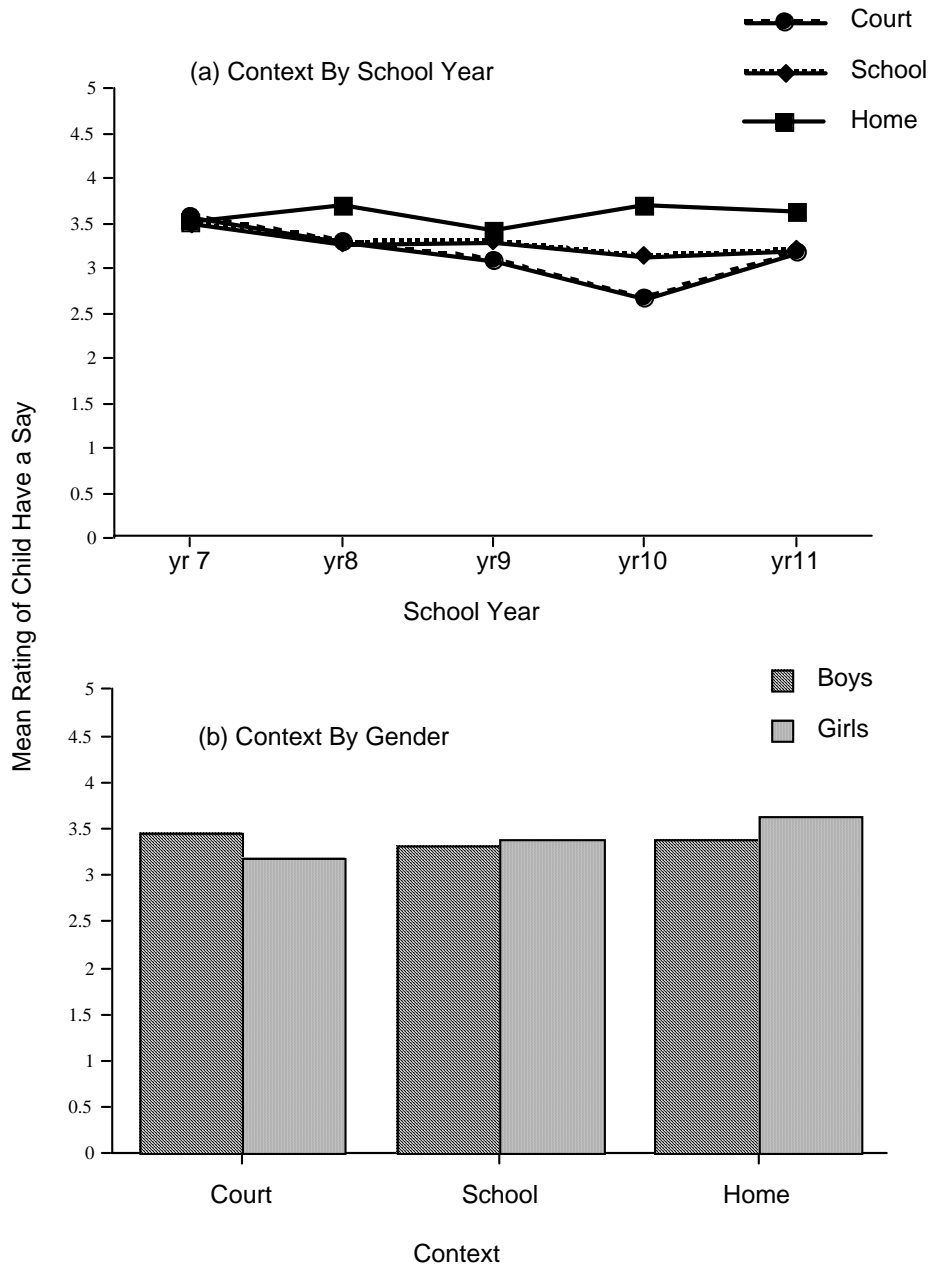


Figure 5. Interactions with Context for Mean Ratings of The Child is Able to Have a Say.

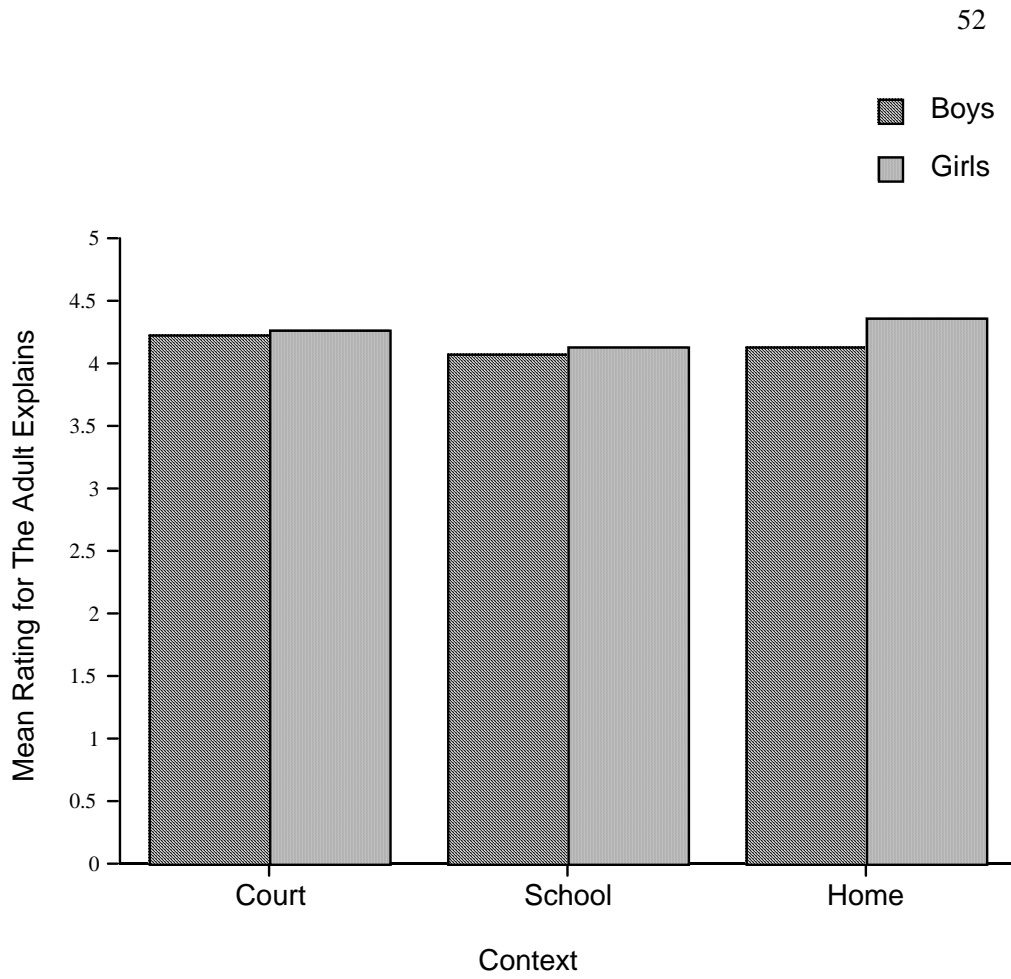


Figure 6. Context by Gender Interaction for The Adult Explains.

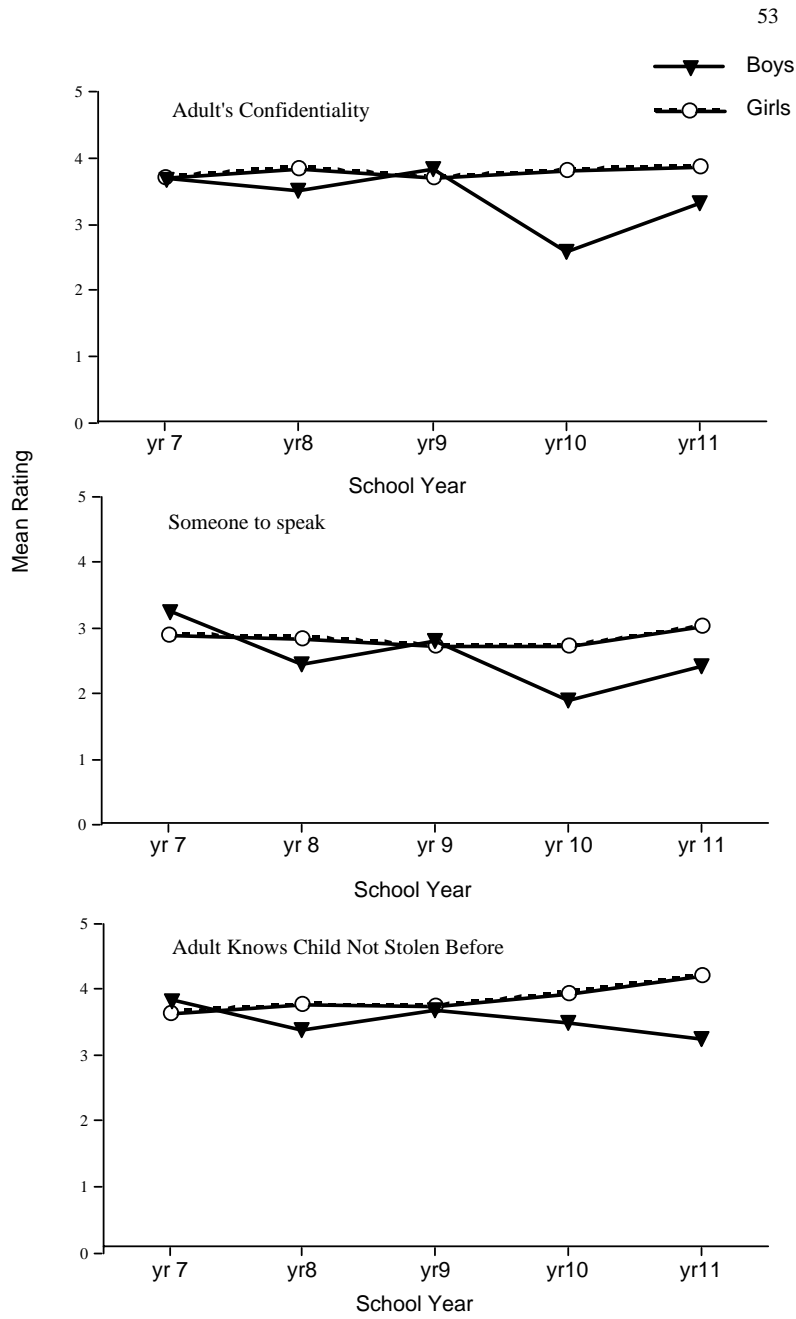


Figure 7. Three Context by Gender Interactions.

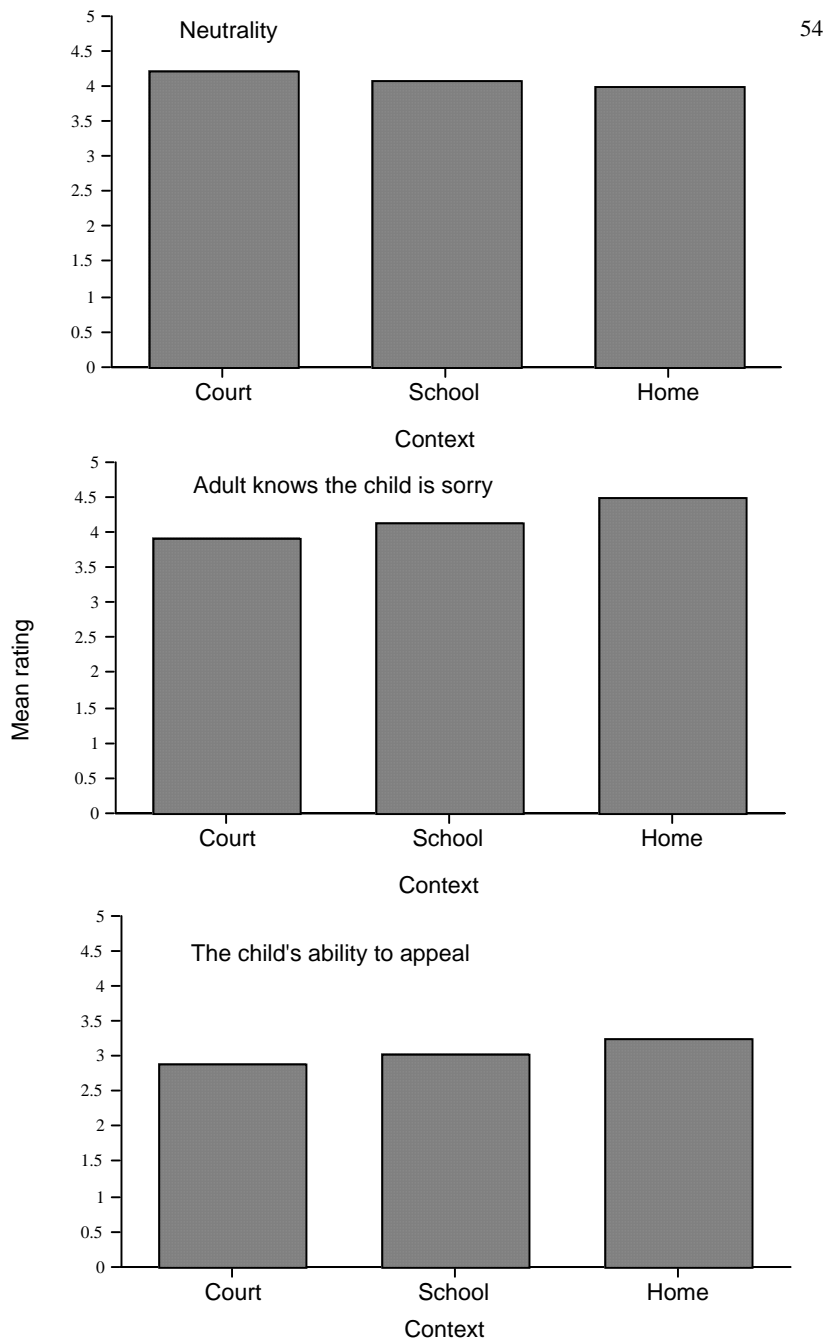


Figure 8. Context Effects for the Adult's Neutrality, Knowing the Child is Sorry, and the Child's Ability to Appeal.

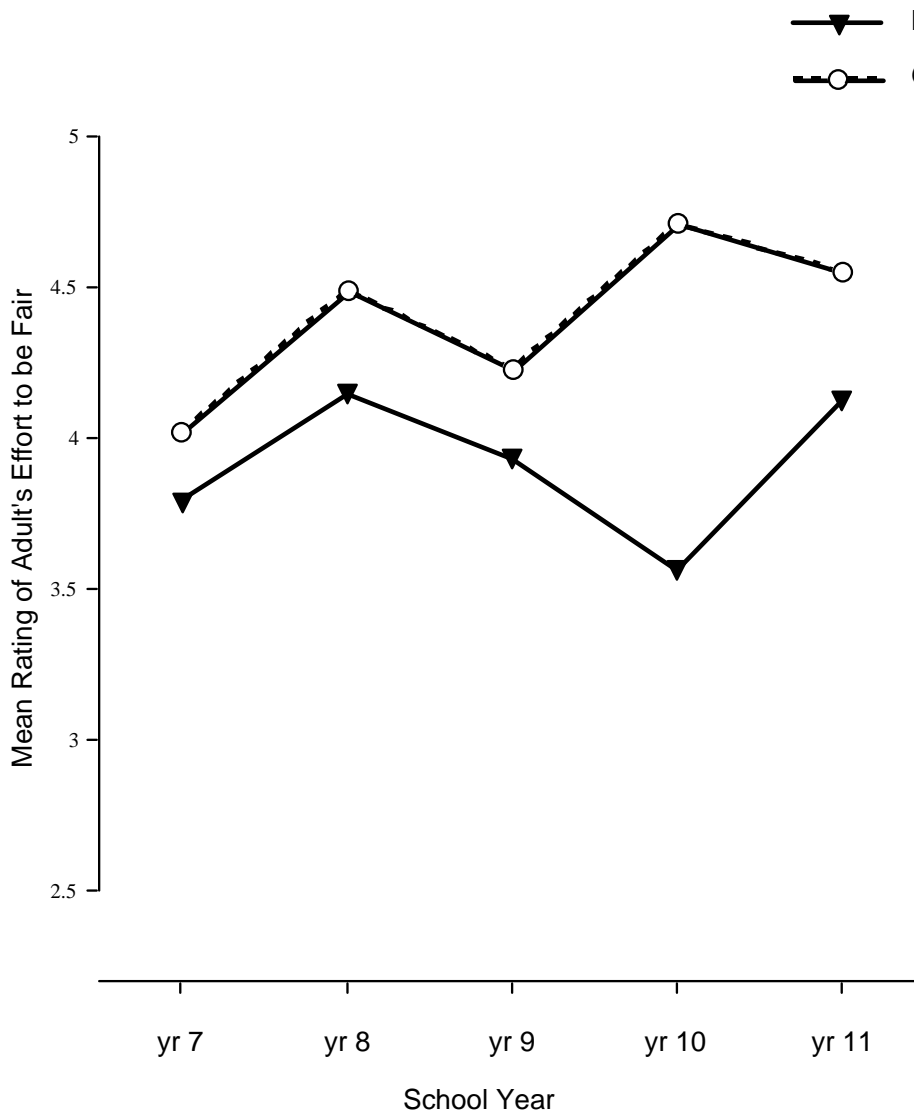


Figure 9. Interaction of Year by Gender for the Adult's Effort to be Fair.

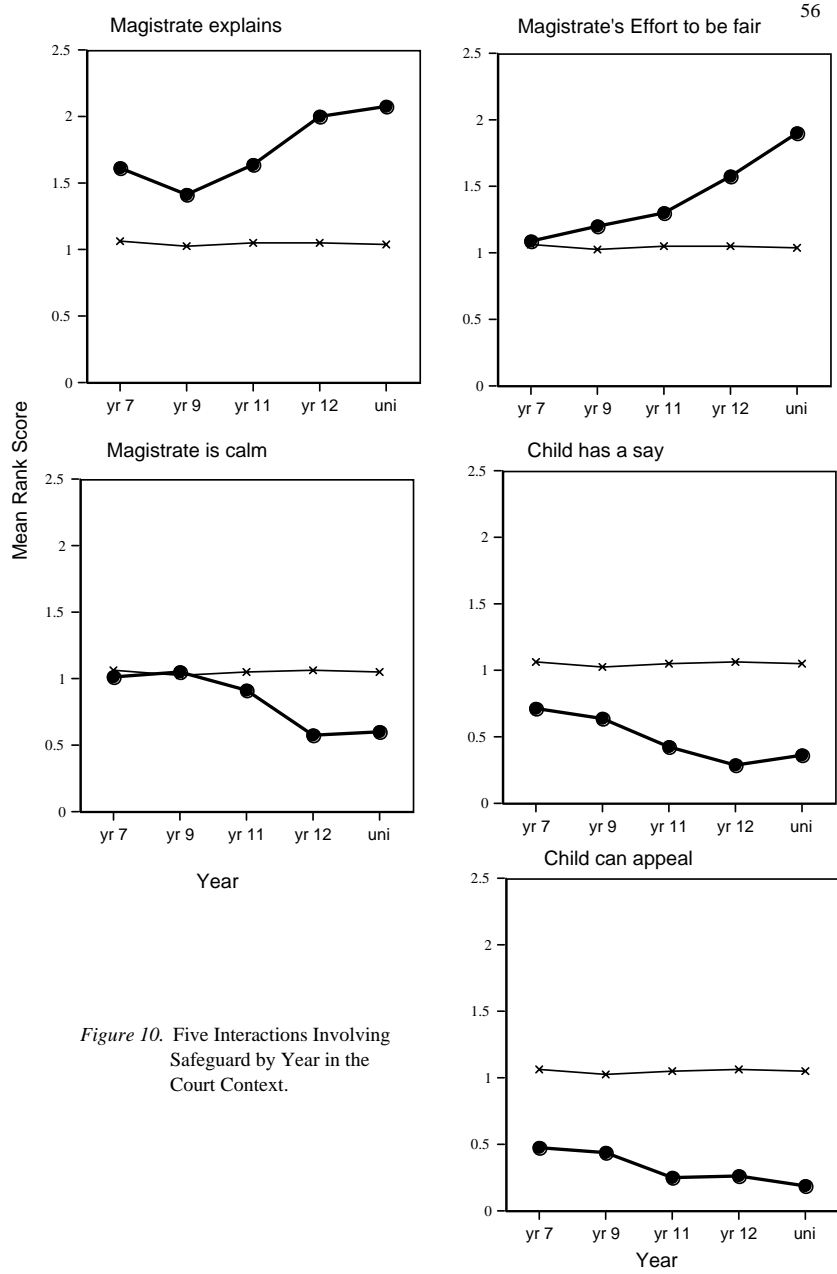
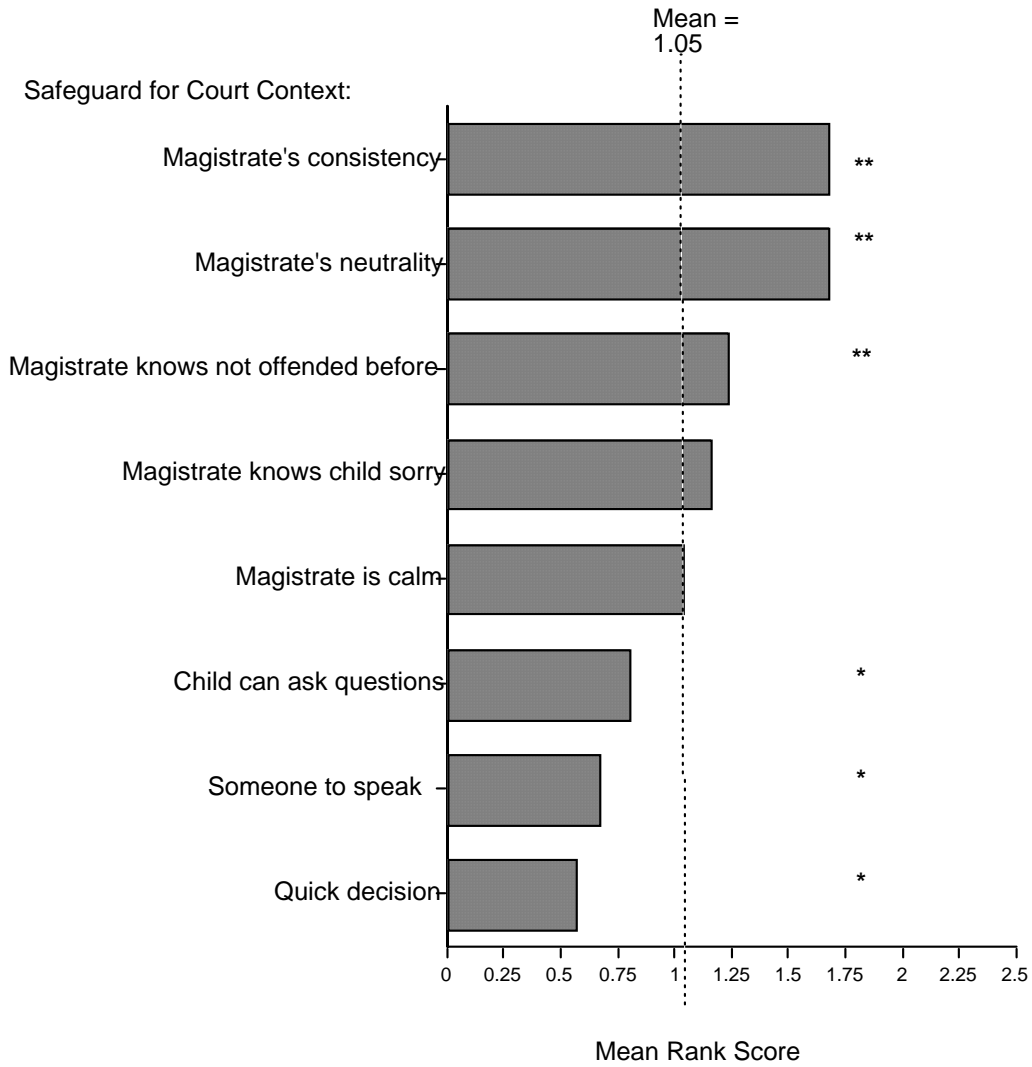


Figure 10. Five Interactions Involving Safeguard by Year in the Court Context.



Key: ** Individual mean rank score > Mean of means;
 * Individual mean rank score < Mean of means.

Figure 11. Rank Order Scores of Eight Safeguards for the Court Context, for 549 Secondary Students.

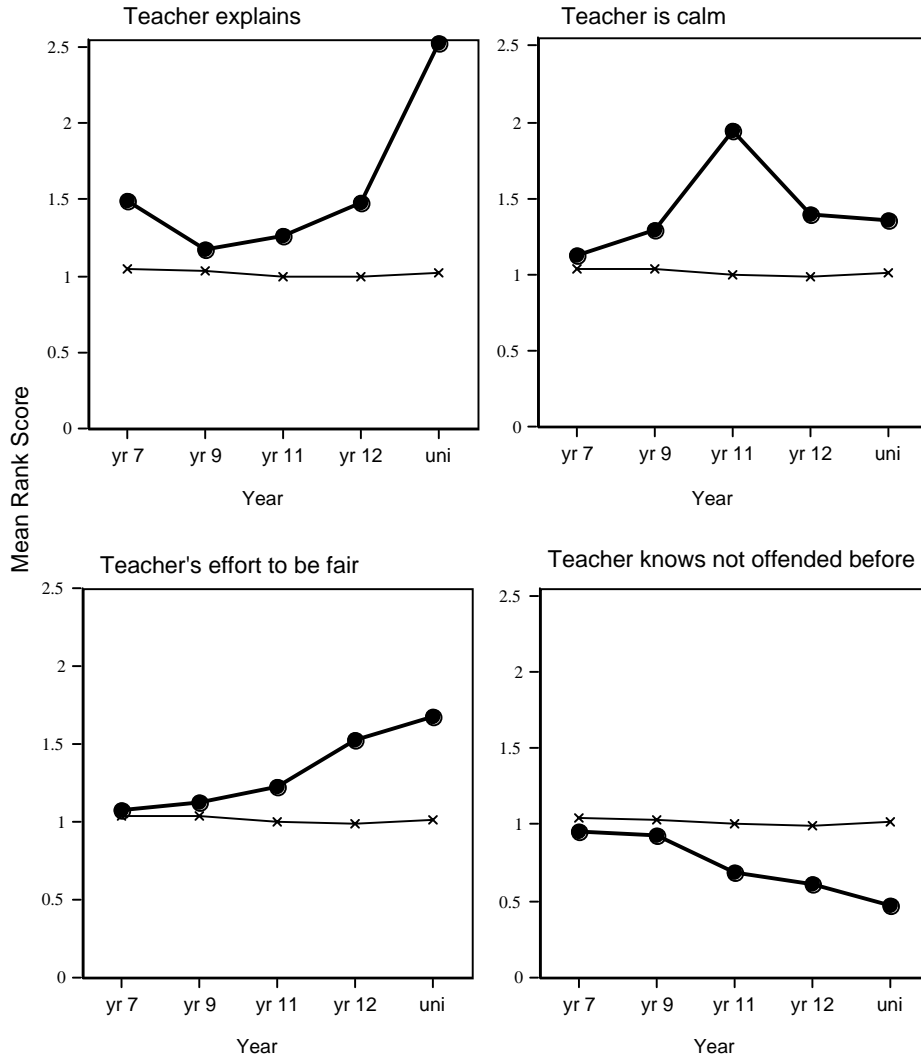
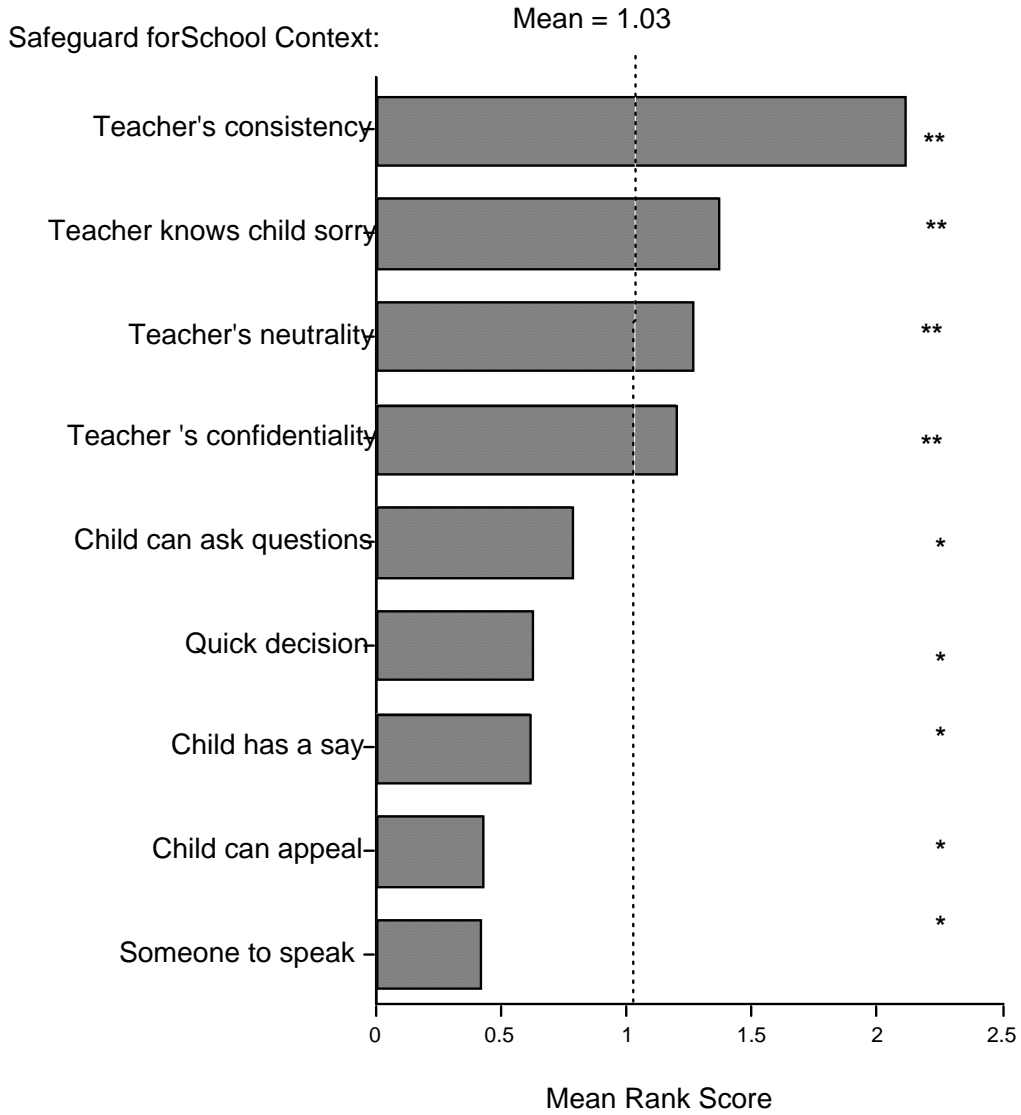


Figure 12. Four Interactions Involving Safeguard by Year in the School Context.



Key. ** Individual mean rank score > Mean of means;
 * Individual mean rank score < Mean of means.

Figure 13. Rank Order Scores of Nine Safeguards for the School Context, for 549 Secondary Students.

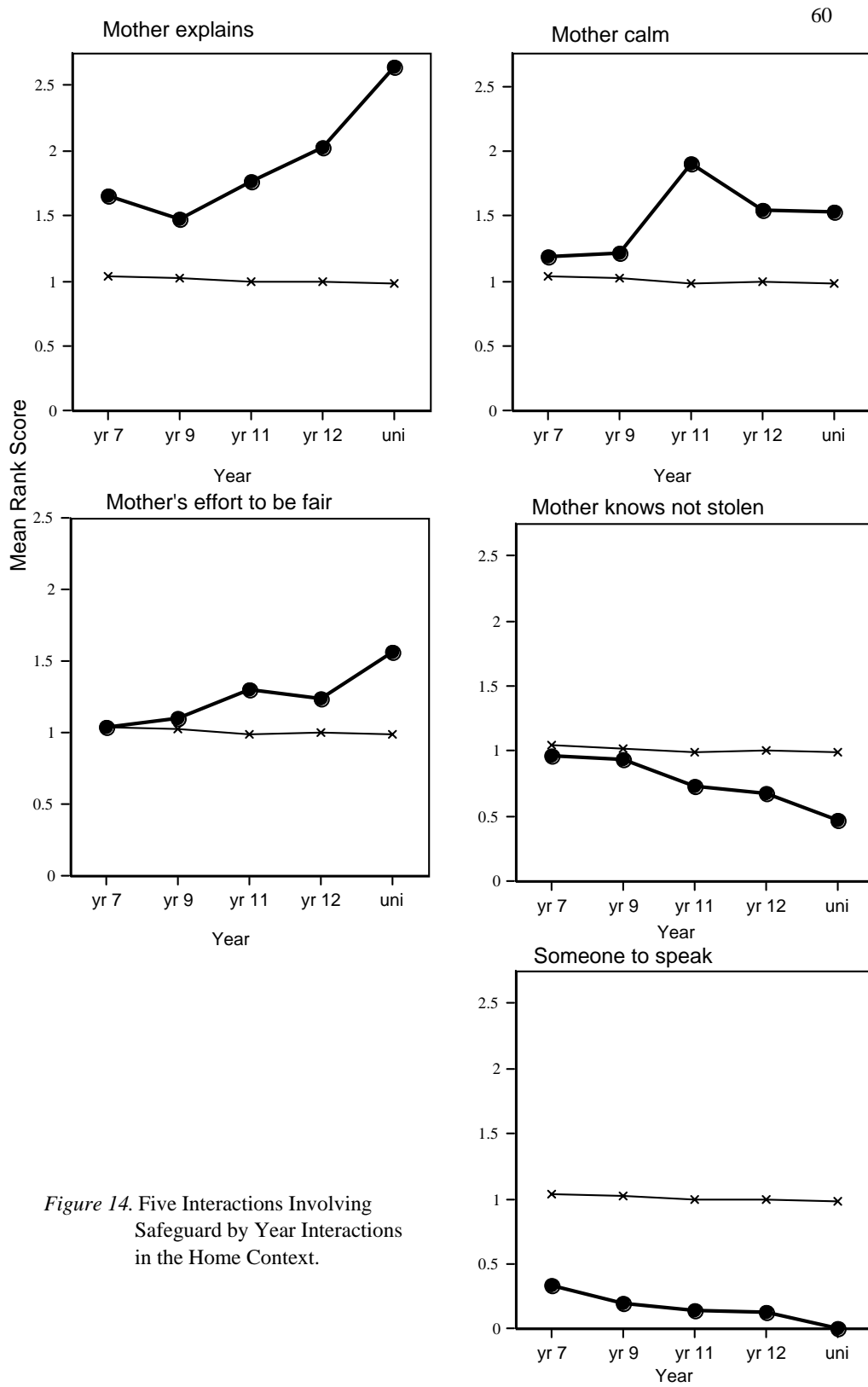
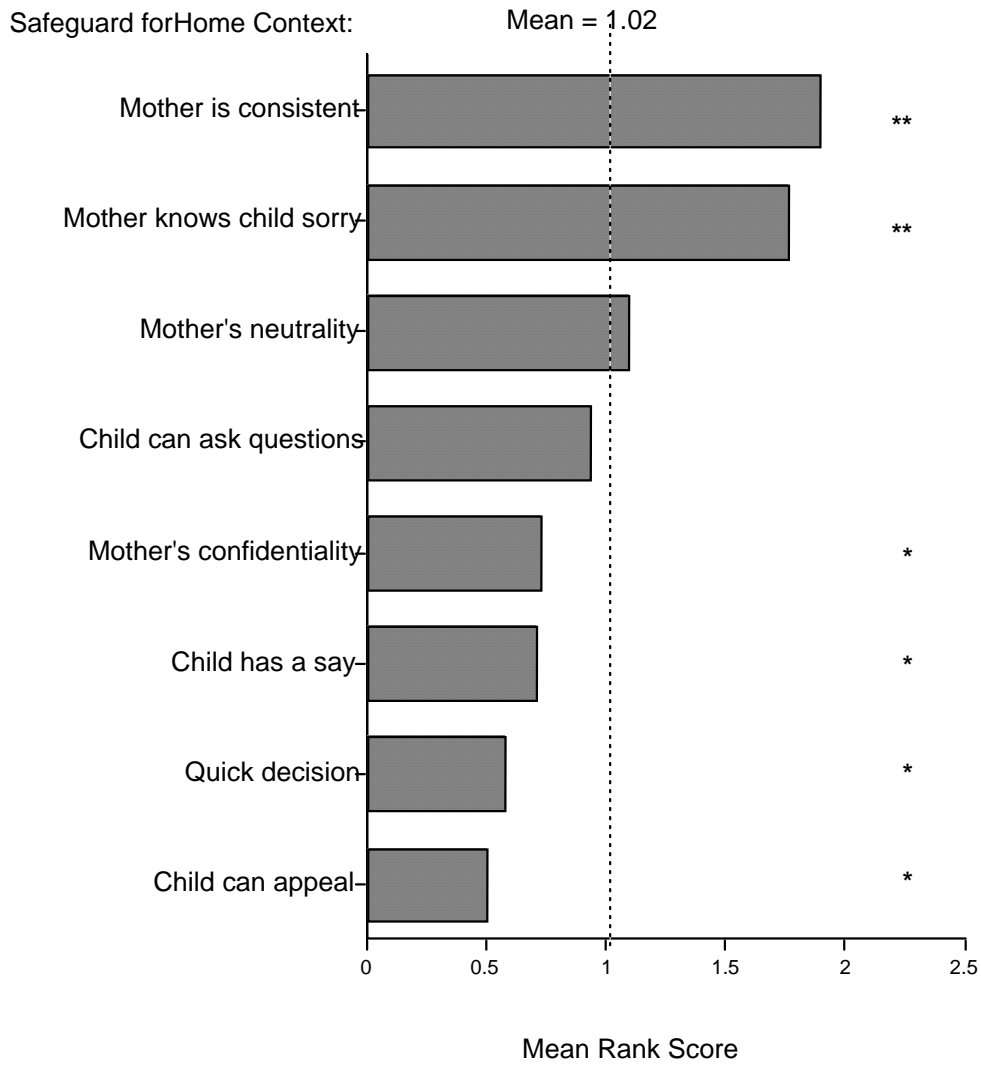


Figure 14. Five Interactions Involving Safeguard by Year Interactions in the Home Context.



Key. ** Individual mean rank score > Mean of means;
 * Individual mean rank score < Mean of means.

Figure 15. Rank Order Scores of Eight Safeguards for the Home Context, for 549 Secondary Students.