

Final Report: Sentencing Practices for Sexual Assault and Rape Offences

For:

Queensland Sentencing Advisory Council,
Department of Justice and Attorney General,
Queensland Government

By:

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Executive Summary

The Queensland Sentencing Advisory Council has engaged Griffith University to perform reviews of the available literature related to sentencing practices in sexual assault and rape (or equivalent) offences. Toward this objective, this Final Report includes the following chapters.

In **Chapter 1: Background**, a background to the project is provided. We briefly outline how the work of the Council supports and extends the work previously undertaken by the Women's Safety and Justice Taskforce. This chapter further describes the impetus to produce this Report with the aim of highlighting best practices in sentencing sexual violence offences. Ideally, such approaches to the allocation of punishment should achieve the objective of public safety while also appropriately considering victims' justice needs and community perspectives in the embodiment of varying penological principles.

In **Chapter 2: Introduction**, we provide readers with an introduction to the offences of sexual assault and rape. Included in this chapter is coverage of the available victim and perpetrator statistics related to these crimes. We communicate a brief review of the dominant criminological theories that account for offending aetiology and desistance, helping to provide a backdrop against which readers can better understand the research that addresses the (in)effectiveness of and (dis)satisfaction with sentencing approaches described later in the Report.

In **Chapter 3: Rapid Evidence Assessment Methodology**, we detail the methodology employed in our two rapid evidence assessments (REAs). Such reviews are a form of research summary that employ a transparent, structured, and systematic process to identify, screen, categorise, and synthesise research related to a particular topic. Our search strategy for both reviews included 8 academic databases, 6 legal databases, and 29 research repositories/websites. In total, 58 experts across 8 domains were identified with their Google Scholar profiles searched. Forward citation searches and reference harvesting was employed where appropriate. Search terms were developed in consultation with content area experts and the Council. As summarised in our PRISMA flow chart, 26,241 records were uploaded, 15,817 titles were screened, and 417 documents were screened, resulting in 177 studies from 180 documents.

Within this chapter we further unpack the overarching results of our reviews. We provide an overview of the study characteristics that resulted from our methods described in the preceding chapter. Specifically, we describe that the research that populates our two REAs is drawn from nine countries, most frequently from the United States. The bulk of the included research is from journal articles, with most outputs being published within the past decade. For REA 1, 84% of the included research draws on administrative data, while for REA 2, 78% of the included studies present survey data.

In **Chapter 4: Evaluations of Sentencing Practices**, the studies in our first rapid evidence assessment are described and synthesised. Here, we draw together the available research that explores the evidence of effectiveness of various sentencing approaches in cases of sexual

assault and rape offences. In most instances, that includes a review of how specific penalties impact recidivism outcomes. For this REA, we identified 50 studies from 53 documents that met the inclusion criteria. We first describe the research evaluating traditional sentencing approaches ($n = 8$), namely imprisonment ($n = 2$) and community supervision ($n = 6$). We then review the studies that evaluate various sentencing supplements and alternative sanctions ($n = 42$), including electronic monitoring ($n = 2$), registration and community notification ($n = 22$), residency restrictions ($n = 5$), compulsory treatment ($n = 9$), polygraphy ($n = 3$), and restorative justice ($n = 1$). Collectively, the quantity and quality of available evaluation evidence relating to sentencing effectiveness are limited.

For our second REA, our search and screening procedures identified 127 unique studies. We report on these across two chapters (noting that five studies appear in both results chapters).

In **Chapter 5: Victim Perceptions of Sentencing** we describe the studies that investigate the attitudes of survivors of sexual violence toward matters of sentencing. We identified 22 studies relevant to victim perceptions, unpacking their satisfaction with sentencing, perceived appropriateness of sentencing options, and alternative approaches to justice. This research largely shows that victims want different things from sentencing than what may be expected, often looking for their voice to be heard rather than for offenders to be punished harshly. As individuals may have different justice needs, in line with other research, we conclude that victims may be best served by enabling them to choose from a suite of options regarding sentencing.

In **Chapter 6: Community Perceptions of Sentencing**, we communicate our review of the 111 studies specific to community perspectives, generally investigating punitiveness, leniency, and appropriateness. The chapter includes reviews of research from Australia ($n = 17$), Canada ($n = 4$), the United Kingdom ($n = 12$), and the United States ($n = 67$), in addition to research from other countries ($n = 5$) or cross-national in scope ($n = 6$). Research generally finds that the public is punitive when asked about sentencing abstractly but become less so (sometimes even less than the judiciary) when asked about specific real-world cases. In relation to specific sanctions, although some segments of the community express a preference for custodial penalties for certain offences, much of the research we reviewed reveals that the public is generally open about sentencing options.

In **Chapter 7: Discussion**, we draw the information presented throughout the Report together, stipulating a proposed policy agenda that emerges from our reviews of the available evidence. Specifically, we suggest that (1) more rigorous research is required, (2) applied research should be pursued, preferably within researcher-practitioner partnerships, (3) justice system decision-making should not be fuelled by penal populism, (4) practitioners and policymakers must distinguish between process and outcome under an umbrella of procedural justice, (5) justice innovations must be carefully considered (and ideally evaluated) before widescale implementation, (6) practitioners, policymakers, and the public more broadly must distinguish between penalties (such as prison) as punishment versus penalties *for* punishment, (7) treatment should be evidence-based, (8) desistance can and should be facilitated, (9) penalties

may prove complementary, helping to meet diverse needs of stakeholders, and (10) sentencing should ideally fulfil several functions.

The policy agenda we forward for sentencing sexual violence is a direct response to the evident gaps in the available research findings. These recommendations, taken together, provide a comprehensive strategy for enhancing sentencing practices in cases of sexual assault and rape. Their core focus lies in the significance of research and collaborative efforts, recognising that to have evidence-based policies, we must first establish a foundation of valid and reliable evidence. By embracing these recommendations, it is the opinion of this Report's authors that Queensland can progress toward a criminal justice system that is not only more equitable and effective but also in alignment with the values of our community.

Acknowledgements

The authors wish to acknowledge the research assistance of Alex Roveda, Michelle Wiltshire, Diksha Sapkota, Michelle Cooper, and Adam Ervine for their work on components of the reviews contained in this Final Report. The production of this Report would not have been possible without their dedication and hard work.

We further extend our gratitude to the contributors that informed the scope and context of this project. We would especially like to thank representatives from the Queensland Sentencing Advisory Council for their guidance.

Dedication

To the tireless advocates and activists who confront the shadows of gender inequality and gendered violence: Your commitment to dismantling these injustices has changed hearts and minds in ways that make our communities safer. May this Report serve as a testament to your efforts, and may it inspire collective action to create a future where every individual can thrive, unburdened by fear or prejudice.

To the devoted criminal justice practitioners and policymakers whose steadfast efforts shape the official response to cases of sexual assault and rape: Your allegiance to fairness and sensitivity strengthens the foundation upon which victims can rebuild their lives. This Report stands as a tribute to your invaluable work, and we hope that its contents inspire continued conversation and collaboration that contribute toward an equitable and cogent legal landscape.

To those whose actions have caused irreparable harm, yet who themselves have been denied opportunities for transformation and healing: The research reviewed throughout this Report reminds us that justice requires proportionality and accountability. We aim to inspire a system that acknowledges the humanity in every individual, striving toward communities where constituents see that change is possible and the cycle of violence can be broken.

To all survivors of sexual violence, whose courage, resilience, and fortitude have inspired our pursuit of a more just justice system: Your strength serves as a beacon, lighting the paths toward a future where every voice is heard and where fairness and compassion inform our definitions of righteousness. This Report is dedicated to your unwavering spirit and the hope of a world with less bias and more empathy.

Disclaimers

The content included in this Final Report has been communicated as completely and accurately as possible. The information provided in this Report reflects the authors' expertise and the evidence in the available research related to sentencing for sex-based offending. This Final Report does not represent the official position of the Queensland Sentencing Advisory Council or the Queensland Government.

Content Warning

Sexual violence is a confronting issue. The content in this Report may be triggering for some individuals. Readers are encouraged to exercise caution and self-care in reviewing the information included in the chapters that follow. Support services are available.

1800RESPECT (1800 737 732; www.1800respect.org.au) is a National Sexual Assault, Family & Domestic Violence Counselling Line for any Australian who has experienced, or is at risk of, family and domestic violence and/or sexual assault. The service is available 24 hours per day, 7 days per week.

Lifeline (13 11 14; www.lifeline.org.au) provides 24-hour crisis support and suicide prevention services. The national hotline can help to put callers into contact with local assistance agencies.

DVConnect Sexual Assault Helpline (1800 010 120; <https://www.dvconnect.org/sexual-assault-helpline/>) is a Queensland telephone service that provides counselling to women, men, and young people who have experienced or are concerned someone they know has experienced sexual assault or abuse. The service is available 7 days per week from 7:30 a.m. to 11:30 p.m.

A Note on Language

This Report describes research publications and policy / legal documents that discuss matters of crime and justice. We use terms such as 'victim', 'survivor', 'offender', and 'perpetrator', often employing the same language utilised in the source documents we draw upon. We wish to note, however, that we do not intend these words as pejorative or as reductionist labels. We recognise that a crime does not define a person beyond that context, and we intend no disrespect in our use of this terminology.

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Chapter 1: Background

In this chapter, we provide a background to the project. We provide a concise overview of how the Council's efforts reinforce and broaden the initiatives previously undertaken by the Women's Safety and Justice Taskforce. This chapter also elaborates on the prompts to produce this Report, in which we aim to showcase research regarding the sentencing of sexual assault and rape offences.

Key Points

- ❖ Sexual violence is a far-reaching issue requiring thoughtful prevention and intervention tactics.
- ❖ The Australian Bureau of Statistics (2023a) Personal Safety Survey reports that more than 2.7 million Australians have experienced sexual violence by the age of 15.
- ❖ There is inconsistent evidence regarding trends in offending and victimisation, as the offences of sexual assault and rape are underreported.
- ❖ Drawing on the Terms of Reference provided to the Queensland Sentencing Advisory Council, this Report reviews the available literature related to sentencing practices in sexual assault and rape (or equivalent) offences.

Current Context

The effects of sexual assault and rape offences are far-reaching, constituting critical health, welfare, and social justice issues in Australia. Victims may incur physical injuries or reproductive health effects, experience disruptions to their lifestyle or daily activities (such as nutrition or sleep), and often experience long-lasting mental health consequences (Australian Institute of Health and Welfare (AIHW), 2020). More broadly, community wellbeing is also adversely affected through factors such as fear of crime, harmful social attitudes that enable gender-based violence, and the economic and opportunity costs associated with crime prevention, law enforcement, and support services related to sexual violence (World Health Organization (WHO), 2019).

The Personal Safety Survey (PSS) conducted by the Australian Bureau of Statistics (ABS, 2023a) reported that more than 2.7 million Australians had experienced sexual violence by the age of 15, equating to 1 in 5 women (22%, or 2.2 million) and 1 in 16 men (6.1%, or 582,400). This is an increase from the nearly 2 million victims of sexual violence reported in the 2016 survey (ABS, 2017). Regarding prevalence, 1.9% of women over the age of 18 reported experiencing an incident of sexual violence in the preceding 12 months, a statistically significant increase from the rate of 1.2% ten years prior (ABS, 2023a).

Indeed, although there is evidence to suggest that rates of sexual assault victimisation have increased, the matter is ambiguous and contentious. The number of police-recorded victims of sexual assault has consistently risen across the past decade (ABS, 2023c). Yet it is unclear whether the rise in the rate – from 85.6 per 100,000 persons in 2012 to 123.7 in 2022 – reflects an increased incidence of sexual violence, a greater propensity to report victimisation, alterations in definitions and data recording protocols, or some unknown combination of these and other factors.

In any event, experts concur that the prevalence of sexual violence is much higher than reflected in official statistics (Tidmarsh & Hamilton, 2020). For instance, the 2016 PSS estimated that 87% of sexual assaults experienced by women are never reported to the police (ABS, 2017), with victims encountering many internal and external barriers to help-seeking or official reporting (AIHW, 2020). The ABS (2017) reports that of women who experienced sexual assault and did not contact police, one-quarter indicated that it was due to shame or embarrassment, one-third of respondents felt they could handle the situation privately, and one-third of women believed the offence was not serious enough to warrant criminal justice action (ABS, 2017).

Perhaps related to victims' decision of whether to report the offence perpetrated against them, there remain many concerning attitudes that influence our collective response to sex-based offending (Webster et al., 2017). Yet the recent #MeToo movement and other social justice causes related to the reduction of gender-based violence have brought many of these issues to the fore (Fileborn & Loney-Howes, 2019). While some jurisdictions describe an increase in official complaints made to the police because of this enhanced awareness (Fitzgerald, 2021), there are also reports that social media trends are normalising harmful sex-based stereotypes and behaviours (Politoff et al., 2019).

Summarily, it is evident that the broader sociopolitical contexts in which these offences occur and are prosecuted are evolving. Such conditions require individuals, communities, and organisations to carefully (re)consider the most appropriate measures for responding to sexual violence. Toward this end, this Final Report reviews the available literature related to sentencing practices in sexual assault and rape (or equivalent) offences. Greater detail regarding the impetus for such a Report are described in the subsections that follow.

Women's Safety and Justice Taskforce

Against this backdrop, the Women's Safety and Justice Taskforce was established in 2021 by the Queensland Government to undertake an independent, consultative, comprehensive review of the experiences of women in the criminal justice system. The Taskforce, chaired by the Honourable Margaret McMurdo AC, made far-reaching recommendations to the Attorney-General and Minister for Justice, Minister for Women and Minister for the Prevention of Domestic and Family Violence.

In their first publication, *Hear Her Voice – Report 1*, the Taskforce forwarded 89 recommendations flowing from their work examining coercive control and the need for a specific offence of ‘commit domestic violence’.

In their second publication, *Hear Her Voice – Report 2*, the Taskforce reviewed the experiences of women and girls across Queensland’s criminal justice system. The Taskforce made 188 recommendations for reform to improve the experiences of females accessing the justice system as victim-survivors of sexual violence or as accused persons or offenders.

Queensland Sentencing Advisory Council

The Queensland Sentencing Advisory Council, established under Queensland’s *Penalties and Sentences Act 1992*, undertakes independent research, provides requested advice to the Attorney-General on matters related to sentencing, and promotes the community’s understanding of sentencing.

In May 2023, the Attorney-General, Minister for Justice, Minister for Women and Minister for the Prevention of Domestic and Family Violence requested the Council’s advice on “sentencing practices for sexual assault and rape offences”.

The Council’s work supports and extends the work previously undertaken by the Women’s Safety and Justice Taskforce. Specifically, the Council has been asked to examine contemporary sentencing frameworks in sexual assault and rape cases, to explore how this sentencing guidance has changed over time, and to review offence, penalty and sentencing frameworks in other jurisdictions and any evidence of the impact of any reforms on sentencing practices.

Scope and Definitions

Within its Terms of Reference, the Attorney-General, Minister for Justice, Minister for Women and Minister for the Prevention of Domestic and Family Violence has asked the Queensland Sentencing Advisory Council to focus on sentencing practices in relation to the offences of sexual assault and rape specifically. We briefly highlight matters of scope below.

Offence Categories and Offences of Rape and Sexual Assault under the Criminal Code

The Terms of Reference focus on two offences in Queensland’s *Criminal Code*: sexual assault (s 352) and rape (s 349). The literature reviews within this Final Report focus primarily on these offences rather than a consideration of sex-based offending more broadly. Toward this end, we draw on the state’s legal definitions of rape and sexual assault in our reviews of the available research.

Importantly, however, readers must note that research publications do not always specify the type of sexual offence the study pertains to. Indeed, some studies use general categories of sex offending, while others specify offences that are similar but different to sexual assault and rape

specifically (e.g. engaging in penile intercourse with a child under 16, indecent acts, making child exploitation material). Moreover, many studies report findings from multiple jurisdictions, each of whom may operationalise these offences differently.

Readers should also take care when interpreting the ANZSOC (Australia and New Zealand Standard Offence Classification; ABS, 2011) code for sexual assault. The ANZSOC code for sexual assault (subdivision 031) is defined as “physical contact, or intent of contact, of a sexual nature directed toward another person where that person does not give consent, gives consent as a result of intimidation or deception, or consent is proscribed (i.e. the person is legally deemed incapable of giving consent because of youth, temporary/permanent (mental) incapacity or there is a familial relationship)”. Readers should note that this differs from the Queensland definition of sexual assault.

Throughout this Report, we aim to specify the offences that formed part of the research we describe and synthesise; that is, we rely on the same terminology used in the primary studies to which we refer. When this is not possible, we revert to broader terms such as ‘sexual violence’ or ‘sexual offending’. We reserve the use of the terms ‘sexual assault’ and ‘rape’ to describing research that also uses these phrases, noting that the legal definitions of the offences in the location of the study may differ to the Queensland offences.

Unfortunately, it is not always possible to discern whether or how the offences or penalties are different than the crime and justice definitions used in Queensland. Accordingly, readers should exercise caution in drawing cross-jurisdiction comparisons of studies describing sexual assault and rape specifically.

Age

Where appropriate, our reviews have incorporated research on children that can be generalised to adults. The reviews do not include sentencing made under the *Youth Justice Act 1992* (Qld), although the research includes sentencing practices that relates to children that can be applied to young adults (aged 18-25).

The age of consent is the legal threshold that determines when a young individual is deemed to possess sufficient comprehension of the potential hazards associated with sexual activities, enabling them to freely grant their consent to participate in such activities (AIHW, 2020). In Australia, the age of consent is 16 years in most jurisdictions (it is 17 years in South Australia and Tasmania; Australian Institute of Family Studies, 2021). In most instances, our reviews do not include research regarding sexual offending involving child victims. Where possible, we specify when studies report findings from research participants that fall below these legal thresholds.

Jurisdiction

The literature reviews contained in this Final Report consider offence, penalty, and sentencing frameworks (including alternative criminal justice system responses) in other Australian states

and territories. To the extent feasible, we concentrate our summaries and detailed descriptions on research drawn from an Australian context.

However, we further consider the sentencing guidance in relevant international jurisdictions. As described in *Chapter 3: Rapid Evidence Assessment Methodology*, our procedures for searching and screening the available evidence was restricted to the research performed in OECD (Organisation for Economic Cooperation and Development) countries.

In parts of the Report, we describe research from Canada, New Zealand, the United Kingdom, and the United States. Where our scope was expanded to allow for further studies to be examined, we make this extended jurisdictional coverage clear. As described above, throughout the Report, we aim to make clear how each study quantifies sexual offending. However, readers must note that the definitions of sexual assault and rape may differ across jurisdictions.

Sentencing

This Final Report is focused on sentencing. Importantly, however, there are many factors that can influence sentencing outcomes in cases of sexual assault and rape.

For instance, research frequently explores concepts such as culpability and blame (Anderson & Doherty, 2008; Bohner, Eyssel, Pina, Siebler, & Viki, 2009; Hammond, Berry, & Rodriguez, 2011; Newcombe, Van Den Eynde, Hafner, & Jolly, 2008), perceived dangerousness of offenders and associated risk assessments (Petrunik, 2003; Sjöstedt & Långström, 2002; Sreenivasan, Kirkish, Garrick, Weinberger, Phenix, 2000; Stuart, McKimmie, & Masser, 2019), and offender treatment focused on risk reduction (Kim, Benekos, & Merlo, 2016; Lacombe, 2008; Lösel & Schmucker, 2005; Schmucker & Lösel, 2008).

While our Report touches on some of this research where contextually relevant, our reviews are focused largely on legal dispositions. Throughout this Report, we describe the sentences handed down by courts in cases involving sexual violence, while at times incorporating the available empirical evidence that unpacks the above-mentioned characteristics that impact sentencing outcomes.

Preventive Detention

Within the research related to the management of sexual offending, considerable empirical and ethical attention is paid to the use of indefinite imprisonment. For instance, according to the *Dangerous Prisoners (Sexual Offenders) Act 2003* (DPSOA), Queensland permits the continued detention of sex offenders assessed as being at an unacceptably high risk of reoffending (Mercado & Ogloff, 2007). Addressing matters of preventive detention of sex offenders (in a post-sentence capacity) is beyond the scope of this Report.

Structure of Report

To address the Council's Terms of Reference, proceeding this background chapter, our Report contains the following chapters.

Chapter 2: Introduction establishes the topic, covering the available administrative data that describes a snapshot of sexual assault and rape victimisation and offending. The chapter further summarises the available research regarding offending aetiology and desistance from sexual offending.

Chapter 3: Rapid Evidence Assessment Methodology lays out the methodology employed for the Report's two rapid evidence assessments, the full results of which are communicated in Chapters 7, 8, and 9. We further provide a high-level overview of the results obtained through the execution of our search and screening procedures.

Chapter 4: Evaluations of Sentencing Practices details the results obtained in our review of research that evaluates the effectiveness of sentences legislatively or judicially prescribed in response to sexual violence offences.

Chapter 5: Victim Perceptions of Sentencing describes the available research that explores the attitudes of survivors of sexual violence toward sentencing matters.

Chapter 6: Community Perceptions of Sentencing describes the research that explores public opinion in relation to the sentencing of persons convicted for sexual violence offences.

Chapter 7: Discussion reviews the research collected and synthesised within the Report, summarising the available evidence and providing ten points within a proposed policy agenda for sentencing practices in cases of sexual assault and rape in Queensland.

To aid readers in the navigation and digestion of the research described in this Report, we have further provided three forms of condensed reviews of the information detailed in a particular chapter.

- *Key Points* are provided at the outset of each chapter to provide high-level takeaway points for readers. These points summarise the central conclusions of the chapter, helping to orient the reader to the content therein.
- *Highlights* are included in our three rapid evidence assessments described in Chapters 5, 6, and 7, which communicate some of the interesting and impactful findings uncovered in the research more wholly described within that chapter. These highlights provide readers with quick coverage of the critical results obtained in each review.
- *Summaries* are supplied in Chapters 5, 6, and 7 to help amalgamate the research findings detailed in each major subsection within the results of the Report's rapid evidence assessments. These callout boxes synthesise the evaluations included in our reviews in addition to the broader research relevant to each topic.

Chapter 2: Introduction

In this chapter, we provide an overview of the available administrative data in Australia that describes the victims and offenders of sexual violence. We further briefly describe the leading criminological evidence that explains the offences of sexual assault and rape before then summarising the research on reoffending and desistance amongst individuals who sexually offend.

Key Points

- ❖ Statistics regarding the prevalence of sexual assault and rape must be interpreted cautiously, as sex-based offending is underreported.
- ❖ The Australian Bureau of Statistics (2023c) recently reported its highest-ever rate of sexual assault victimisation at 124 victims per 100,000 persons in 2022.
- ❖ Sexual violence is gendered, as most known victims are female and most known perpetrators are male.
- ❖ The causes of sexual assault and rape are multifaceted and complex, although there are empirically derived correlates for these offences.
- ❖ Recidivism rates for sex-based offending are low, and most persons incarcerated for sexual offending do not commit a known reoffence.

Victims of Sexual Offences

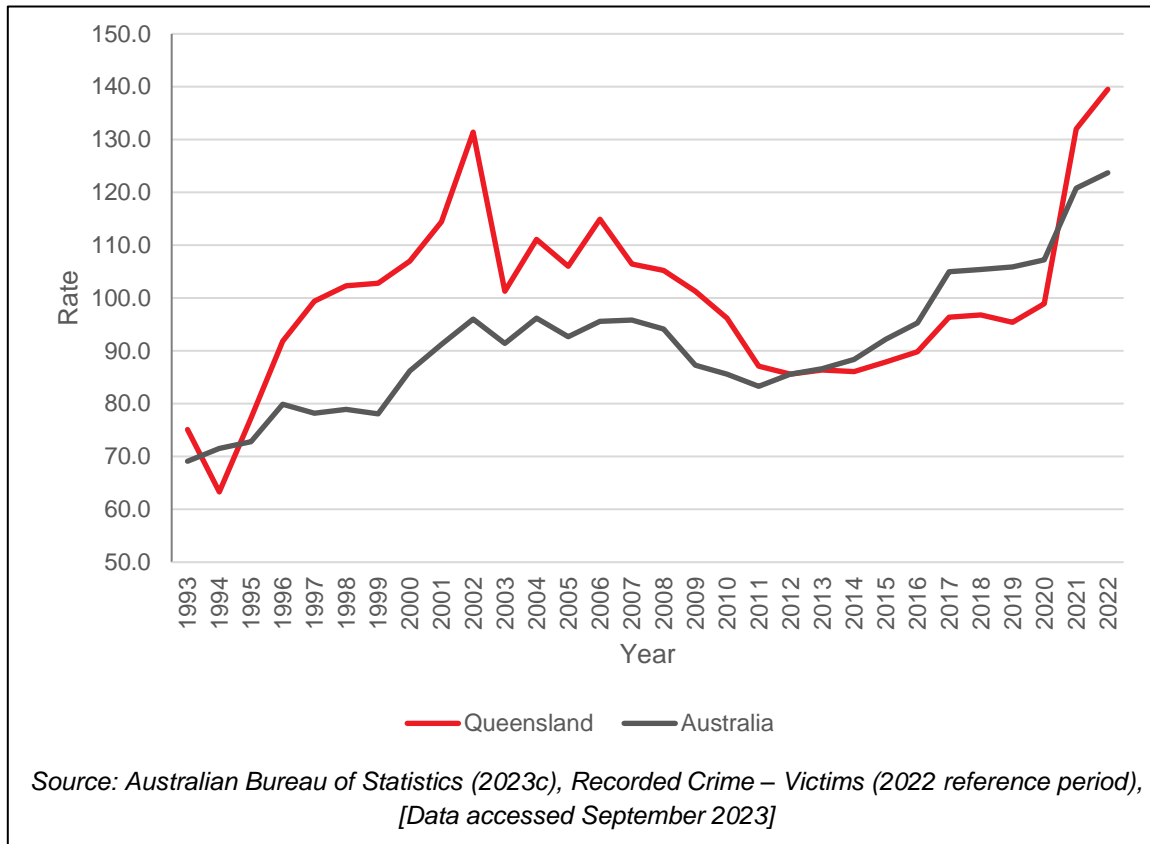
Sex-based offences are largely underreported. Consequently, data regarding the rates of offending, victimisation, and reporting to police should be interpreted cautiously. As described by Tarczon and Quadara, “A range of factors such as barriers to disclosure, the low rate of reporting to police, varying definitions of sexual assault and abuse, and the complexity of recording and counting such information make this a particularly hidden type of violence” (2012, p. 1).

Indeed, research consistently finds that most victims of sexual assault and rape do not disclose the offence to authorities (Julich, Sturgess, McGregory, & Nicholas, 2013; Leonard, Mitchell, Pitts, & Patel, 2008; Loney-Howes, Heydon, & O’Neill, 2022; Orchowski, Grocott, Bogen, Ilegbusi, Amstadter, & Nugent, 2022; Phillips & Vandenbroek, 2014; Taylor & Gassner, 2010; Taylor & Putt, 2007). Yet official statistics may help to provide “important but limited application” of the landscape of sexual offending and victimisation in Australia (Tarczon & Quadara, 2012, p. 1).

In its annual reporting of recorded crime victims, the Australian Bureau of Statistics (2023c) reported the highest-ever rate of sexual assault victimisation in its 30-year recording history, at 124 victims per 100,000 persons in 2022 (compared to a rate of 69 victims in 1993; see also Tarczon & Quadara, 2012). The national and Queensland sexual assault victimisation rates are

displayed below in Figure 1. The Queensland rate was 75.1 victims per 100,000 persons in 1993, representing an 85% increase to 139.5 in 2022.

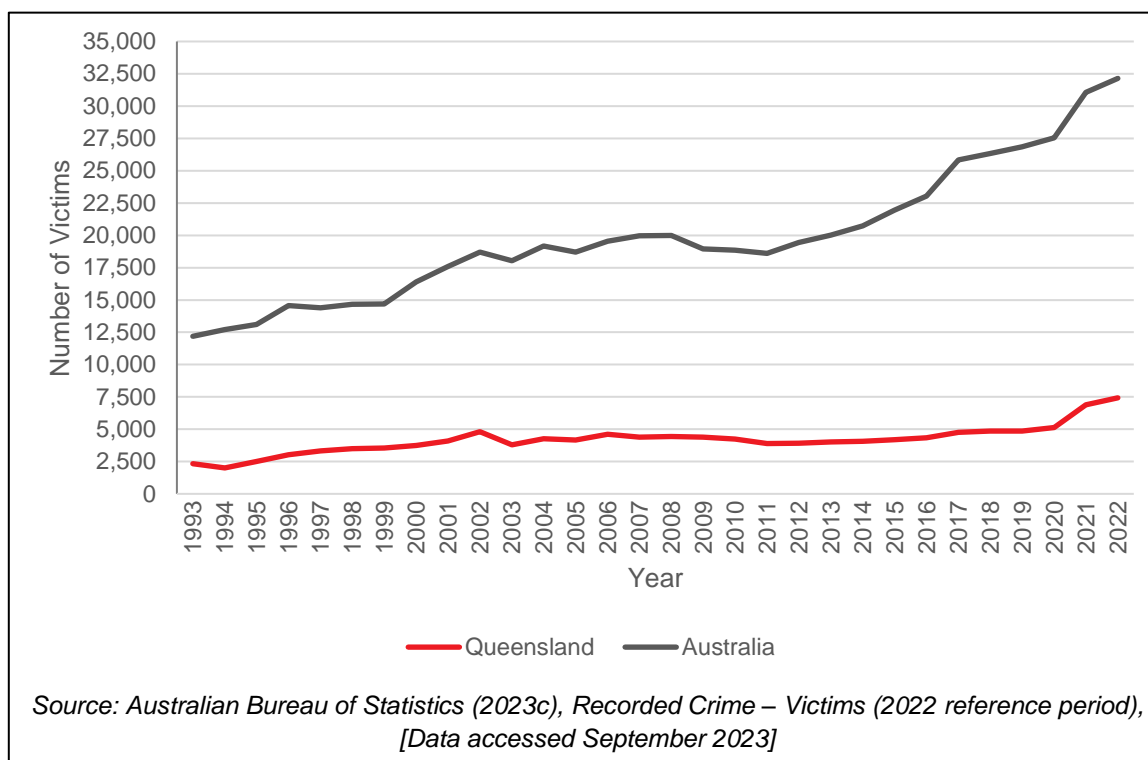
Figure 1: Sexual Assault Victimization Rates in Queensland and Australia, 1993 to 2022



Drawing on these same data, in 2022, there were 32,146 victims of sexual assault as recorded by police (ABS, 2023c). The number of sexual assault offences reported to police in Queensland and nationally is displayed in Figure 2 below. In Queensland, there were 7,431 victims of sexual assault recorded in 2022, a roughly 220% increase from 2,324 offences 30 years prior.

The offence is highly gendered, as evidenced in the victimisation data provided by the ABS (2023c). Most victims are female (84%), representing a victimisation rate more than five times that of males (206 victims per 100,000 females compared to 39 victims per 100,000 males). Certain segments of the community have higher rates of victimisation than their overall representation in the population, including people with a disability, LGBTQI+ persons, Aboriginal and Torres Strait Islander individuals, and women from culturally and linguistically diverse backgrounds (Department of Child Safety, Youth and Women, 2020; Leonard, Mitchell, Pitts, & Patel, 2008; Taylor & Putt, 2007).

Figure 2: Sexual Assault Victimization in Queensland and Australia, 1993 to 2022

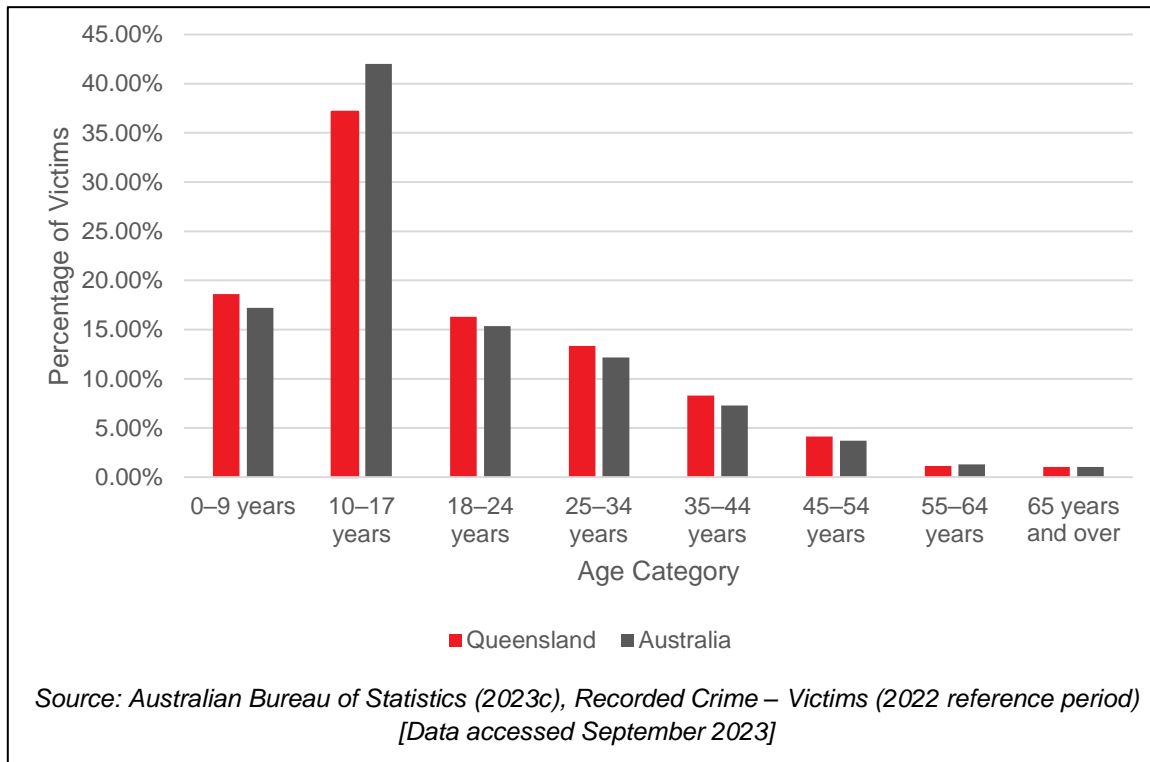


In most instances, the victimisation data provided by the ABS (2023c) demonstrate that the characteristics of Queensland sexual assault victims mirror those in Australia more broadly. For instance, in Queensland, 93% of sexual assaults did not involve the use of a weapon (94% nationally), 70% of offences were reported within a year of the incident (69% nationally), 66% occurred in a residential location (65% nationally), and 35% of offences were related to domestic and family violence (36% nationally).

As displayed in Figure 3, more than half of sexual assault victims in Queensland (56%) and Australia (58%) were under the age of 18 at the time of the offence (ABS, 2023c).

In Queensland, 69.5% of sexual assault victims who reported the offence to police did so within one year of the incident; the proportion is slightly higher for female victims (70.4%) compared to male victims (64.6%). This time-to-report is comparable to the national average of 69.1% of victims filing an official complaint within 12 months of the offence (ABS, 2023c).

Figure 3: Age of Victims of Sexual Assault in Queensland and Australia



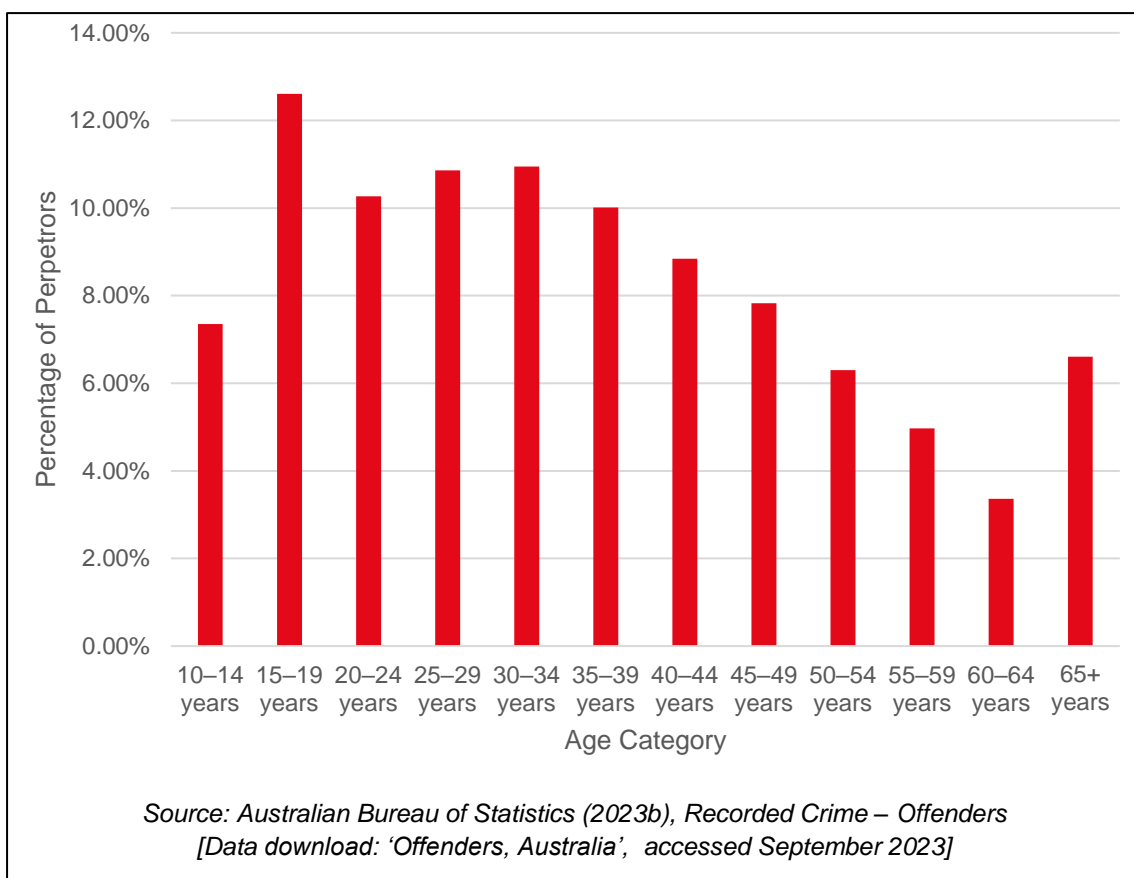
Perpetrators of Sexual Offences

The perpetration of sexual assault is also highly gendered. According to the offender-focused recorded crime data reported by the ABS (2023b), of the 8,995 persons proceeded against for sexual assault and related offences in 2021-22, 8,402 (93.41%) were male. In Queensland, 2,241 offenders proceeded against by police for sexual assault and related offences were male, equating to 90.73% (ABS, 2023b). In the 2021-2022 reporting year, the ABS (2023b) indicated that the national rate for sexual assault and related offences for males is 75.2 per 100,000 males (the rate is 5.2 for females). The Queensland rate of sexual assault and related offences for males is 98.3 (compared to a female rate of 9.9 per 100,000 females). In its report of statistics for sexual assault offenders specifically (excludes information from the ‘related offences’ data category), the ABS (2022) indicated that 97% of sexual assault offenders proceeded against by police were male.

These ABS (2022) data further convey that nationally, of adults proceeded against by police between 2010-11 and 2019-20, 75% had been proceeded against once in a one-year period, 14% were proceeded against twice, and 11% were proceeded against three or more times. The average number of times sexual assault offenders (aged 18 years and over) were proceeded against in a 12-month period was 1.6 (ABS, 2022).

As displayed in Figure 4, the age of perpetrators of sexual assault and related offences is somewhat normally distributed. Across the period 2010-11 to 2019-20, the mean age for male sexual assault offenders is 34 years compared to a mean age of 26 years for female perpetrators of sexual assault (ABS, 2022).

Figure 4: Age Distribution of Perpetrators of Sexual Assault and Related Offences in Australia, 2021-22



In their spotlight on rape offences specifically, the Queensland Sentencing Advisory Council (2022) reported that the mean age of persons sentenced for rape as their most serious offence was 31.6 years. They conclude that “most sentenced rape (MSO) cases involved young, predominantly male children in their teenage years and adults in their early twenties” (p. 5), with the most common age group being 14-17 years and the number of persons sentenced decreasing consistently each year after the age of 40.

Of the prisoners in Australian custodial correctional centres serving sentences for sexual assault (ABS, 2022), 99% were male, 80% were Australian born, 32% had been imprisoned previously (for any offence type), and they had a median age of 44 years. The imprisonment rate for sexual assault in 2019 was 51.7 male prisoners per 100,000 adult males, an increase from 39.7 in 2010 (ABS, 2022).

Drugs and alcohol frequently feature in the perpetration of sexual violence (Wall & Quadara, 2014). The Drug Use Monitoring in Australia (DUMA) program administered by the Australian Institute of Criminology interviewed 125 individuals in police custody for sexual assault (Australian Institute of Health and Welfare, 2020). Of these detainees, 8% believed illicit drug use contributed to their offence, 28% believed that alcohol contributed, and 4% believed that a combination of drugs and alcohol contributed. Roughly 17% tested positive to one or more drugs.

Offending Aetiology

While there are many purposes of sentencing (see Queensland Sentencing Advisory Council, 2023; Cullen & Jonson, 2012), the empirical evidence suggests that if we want to reduce reoffending, we must target for change the factors that caused the offending in the first place (Cullen & Jonson, 2012). If one of the goals of a criminal sanction is to thwart recidivism, then the justice system must address the dynamic criminogenic needs of offenders (Andrews & Bonta, 2010). Accordingly, it is important to identify the underlying causes or contributors of sexual offending to effectively prevent or respond to sexual violence.

Yet predicting the likelihood of an individual committing sexual assault or rape is challenging due to the intricate interplay of factors and diverse pathways which precede such behaviour. The correlates of sexual offending generally differ quite dramatically from public perception (Gelb, 2006), who most strongly believe that poor morality or sexual deviance are to blame for sexual violence (Call, 2019). Realistically, sexual violence is a complex issue with multiple causes, and it often results from a combination of individual, interpersonal, societal, and cultural factors (Gelb, 2007; Greathouse, Saunders, Matthews, Keller, & Miller, 2015; Lauritsen, 2011). It is critical to note, however, that the responsibility for sexual violence always lies with the perpetrator, and that their behaviours are never justifiable.

Persons that commit sex-based offences are not a homogenous group, but rather have different individual characteristics and patterns of behaviour (Douglas, Hillyard, & Macklin, 2022; Simons, 2015). Moreover, we likely know more about the causes of offending for more 'visible' types of offences or in cases where the perpetrator has been identified (Gelb, 2007) than for cases that are less likely to be disclosed (and therefore less likely to be prosecuted and less likely to be researched in the context of sentencing). Yet combined, there are several factors associated with the perpetration of sexual assault and rape, which research demonstrates can be successfully targeted for intervention toward primary prevention and limiting reoffending (Robertiello & Terry, 2007).

A review of the available evidence demonstrates that there is no single predictor of or pathway to sexual assault. Rather, the perpetration of sexual assault is associated with multiple factors, such as childhood abuse victimisation, substance use, attitudes and cognitions (e.g. rape myth acceptance, hostility toward women, hypermasculinity, subscription to beliefs about traditional gender roles), and interpersonal skills (e.g. social skills deficits, limited empathy, inappropriate attachment styles; Greathouse, Saunders, Matthews, Keller, & Miller, 2015).

Similarly, there is not a singular compelling general theory of rape offending (Simons, 2015). Compared to individuals who commit child sexual abuse, those who engage in rape tend to be younger, have stronger social skills, have higher self-esteem, and often have experiences of multiple intimate relationships (Gannon & Ward, 2008). The criminogenic needs of persons convicted of rape include susceptibility to negative peer influences, issues with self-regulation in both sexual and general contexts, and the presence of attitudes that support sexual offences, such as justifications for their actions and feelings of sexual entitlement (Craissati, 2005).

Collectively, studies show that gender inequality and traditional gender norms can contribute to these offences, particularly in areas with poor guardianship and weak institutional control (Lauritsen, 2011). In such instances, men ‘perform’ their gender with an emphasis on respect and heterosexual prowess which can lead to expressions of violence (Miller, 2008). The World Health Organization (2010, p. 31) reports that “the unequal position of women in a particular relationship and in society (which is underwritten by ideologies of male superiority), and the normative use of violence to resolve conflicts (and during political struggles)” are two risk factors that are seemingly strongly linked with sexual violence.

For the purposes of this Report, two central conclusions can be drawn from the state of criminological knowledge regarding the causes of sexual assault and rape. First, because the foundations for these offences are multifaceted, the responses to sexual violence must similarly be multipronged. As a result, any ‘one-size-fits-all’ approach to primary prevention and reoffending reduction is unlikely to be successful, and responses must be appropriately individually tailored. Second, given the known criminogenic risks and needs of the perpetrators of these offences, certain sentences are unlikely to be ‘effective’. Although there are many motivations when courts consider a sentence (see, for example, Queensland Sentencing Advisory Council, 2023), there is limited utility regarding rehabilitation or reducing recidivism when sentences are primarily oriented towards punishment or control.

Desistance

The difference between public opinion about crime and justice matters and the available empirical evidence can be broad, although this is particularly pronounced in the case of sexual violence (Call, 2019; Gelb, 2006). As reported by Gelb, “while sex offenders are commonly classified as ‘deviant predators’, in reality most sexual offending is perpetrated by men connected to their victims as family or friends, operating under a façade of ‘normal’ relationships” (2007, p. 9).

Moreover, the sexual recidivism rates of sex offenders (as measured by rates of rearrest, reconviction and reimprisonment over a three-year period) are relatively low (Langan, Schmitt, & Durose, 2003), particularly comparatively (Przybylski, 2015). Australian research frequently reveals that the rate of reoffending for offenders convicted of sexual violence is lower than for other offences (Gelb, 2007). Official recidivism rates vary according to definitions and data sources, but estimates are relatively low, ranging from 2-35% across studies (Lievore, 2004).

Taken together, recent global meta-analyses suggest that less than 10% of people incarcerated for sexual violence will reoffend (Hanson, Lee, & Thornton, 2022). The authors summarise how “previous reviews have observed sexual recidivism rates of between 5% and 15% after 5 years, increasing 10%-20% when the follow-up is extended to 10 years”, whereby Helmus, Hanson, Murrie, and Zabarauckas (2021) reported “an average sexual recidivism rate of 4.2% among 13 studies published between 2013 and 2021 (combined sample of 48,025)” (Hanson, Lee, & Thornton, 2022, p. 3).

Importantly, research with sexually offending populations must contend with many of the conceptual and methodological challenges encountered with studies of other offender cohorts. Specifically, “the dark figure is substantial, and as a consequence the disparity between recidivism defined as a new legal charge or conviction for a sex crime and recidivism defined as actually committing a new sexual crime is large” (Scurich & John, 2019, p. 158). Given this gap between the objective recidivism rate and the recidivism of self-report offending or offending that makes its way to the attention of criminal justice authorities, researchers have identified varying data collection and interrogation protocols. Summarily, experts contend that the best way to discern whether and how people have stopped offending is to ask them.

Using such methods, two decades of research on desistance from general offending and now more than ten years of targeted interviews with people convicted of sex offences suggests that desistance from sexual offending transpires in similar ways to desistance from non-sexual offending (Harris, 2017). Research demonstrates that desistance from sexual offending is best characterised by one of three main patterns of desistance: natural, internal, and external (Harris, 2017).

Natural desistance is characterised by aging out of crime and considers the natural process of maturation. The theory of natural desistance suggests that offenders tend to age out of crime naturally, that is, without formal intervention. This perspective is most notably promoted by the “General Theory Crime” (Gottfredson & Hirschi, 1990) that features the age-crime curve. The age-crime curve is a stable finding across samples (regardless of jurisdiction, type of offence, or type of offender). Crime is overwhelmingly a youthful behaviour, and the theory of natural desistance emphasises the processes of maturation and aging. The trigger for change can come from an epiphany about the negative consequences associated with a life of crime or a desire to never return to prison, but it can also be an incremental process whereby an alternative to offending simply becomes a possibility. Whether gradual or instantaneous, this process of identity transformation involves “knifing off”—a rational decision to separate one’s criminal past from one’s law-abiding future (Maruna & Roy, 2007).

Internal desistance describes the power of personal agency and cognitive transformation in one’s life and implies a conscious decision and ability to change (Giordano, Cernkovich, & Rudolph, 2002). Often the process includes the reconstruction of the past into a positive, redemptive narrative, most notably described through stirring tales of moving away from crime and overcoming obstacles to community reintegration (Maruna, 2001). Internal desistance is especially salient in cases involving substance abuse where an individual might describe hitting rock bottom and realising the error of their ways. This desistance narrative is especially powerful.

External desistance refers to the influence of informal social control such as obtaining stakes in conformity (having something to lose) and developing social bonds (e.g. meeting and marrying someone, settling down and having children, pursuing education, finding stable employment, or joining the military). The age-graded theory of informal social control proposes that turning points are an important part of the desistance process and highlights the important interaction between human agency and life events (Laub & Sampson, 2003; Sampson & Laub, 1993). The

primary turning points include marriage, military involvement, employment, and neighbourhood change. The underlying importance of turning points is that they provide a separation from the past. They signal new situations that provide supervision and increased social support, a change in one's routine activities, and opportunities for identity transformation (Schaefer, Cullen, & Eck, 2016).

Research demonstrates that (ex-)offenders use several strategies to help them desist from crime (Williams & Schaefer, 2021). In her research with men who sexually offend, Harris (2017) recently presented three overarching strategies: retirement, regulation, and recovery.

The Retirement Strategy emphasises a natural style of desistance reminiscent of what criminologists call 'aging out' or 'knifing off'. There were two specific approaches here: resign and rebuild. Men who 'resigned' simply gave up, very consciously withdrawing from their old life which often featured a prolific and versatile criminal career. The other men who described 'retiring' did so equally voluntarily and straightforwardly but had also demonstrated deliberate efforts to rebuild their lives and rebound in a way that invokes the more recent literature on post traumatic growth.

The Regulation Strategy characterised desistance as being a product of the men's ability to navigate and adapt to the increasingly restrictive rules and requirements set forth by law. There were four specific approaches within this strategy: restricted, rehearsed, resistant, and reclusive. The men who described desisting through 'restrictions' did so by monitoring themselves hypervigilantly and ensuring that they followed the strict rules to which they were subject. The strategy of 'rehearsal' emphasised a nuanced but more internal locus of control. The rehearsed desisters were active in group therapy and could readily recite the treatment scripts they had been taught, but any true rehabilitation was overshadowed by their fear of restrictions and relapse. The men who used the remaining strategies were similarly acquiescent to rules and regulations but were notably either 'resistant' or 'reclusive'. The resistant strategy was characterised by the deterrence of further sanctions but also an utter rejection of both the criminal justice system and psychotherapy. The men who used this strategy were extraordinarily pessimistic and almost militant in their blatant disregard for guidelines or conditions. Finally, the reclusive desisters demanded isolation and seclusion. They strongly favoured solitude and had resolved to obey the law by removing themselves from society. They seldom engaged with their community and almost never left their residence.

The Recovery Strategy was used by men who characterised their desistance process in terms of recovery in two distinct ways: through "rehabilitation" and through "resilience." The men who followed a rehabilitative path were profoundly and positively impacted by their experience of therapy and treatment and were especially keen to proselytise about their transformation. As per the dictionary definition of rehabilitation, they had restored themselves to some degree of normal life through appropriate training. They appeared to have achieved some level of cognitive transformation (albeit with the stigmatising label of "at-risk sexual predator" still firmly attached). A strong hallmark of this strategy was that many of the "rehabilitated" men also mentored other men in their treatment groups and were motivated to help others and give back. The "resilient" men demonstrated a similarly commanding confidence to live offence-free lives,

but the change was subtle and internal. They were equally certain of their total recovery, but insistent that it had occurred independent of psychotherapy.

Understanding these desistance pathways and strategies can be useful in explaining why particular sanctions and interventions do and do not work. In later parts of this Report, we draw attention back to these frameworks for helping to contextualise the reported (in)effectiveness of specific sentencing options amongst perpetrators of sexual violence.

Readers should note that self-reported offending can provide insights missed by official data sources, helping to overcome the dark figure of crime (Scurich & John, 2019). However, they are not without limitations, as they rely on offenders providing an accurate and truthful account (Smallbone & Wortley, 2000). Researchers frequently rely on data triangulation to help remedy the fact that most crime and justice data is hampered by one drawback or another. For these reasons, expert guidance about recidivism and desistance should be prioritised, as such expertise is likely to present our most accurate and holistic understanding of sexual offending available (Harris, 2017).

Chapter 3: Rapid Evidence Assessment Methodology

In this chapter, we describe the methodology employed toward the completion of two rapid evidence assessments (REAs). The first REA focused on evidence of effectiveness in relation to sentences for sexual assault and rape (or equivalent) offences. The second REA focused on victim and community perceptions of sentencing for these offences. We further provide an overview of the results produced from these two REAs. In the subsections below, we describe the scope and procedures used in completing these two reviews.

Key Points

- ❖ Rapid evidence assessments (REAs) include processes that use targeted literature searches to identify and synthesise the available research about a topic.
- ❖ REAs are less rigorous than systematic reviews but more rigorous than ad hoc searches and literature summaries.
- ❖ DistillerSR and Excel were used to manage and code the search results.
- ❖ Search locations and approaches included academic databases, legal databases, grey literature, expert lists, and forward citation searches and reference harvesting.
- ❖ Most of the identified studies for REA 1 and REA 2 were performed with a focus on the United States context.
- ❖ Most of the studies identified for the REAs were journal articles.
- ❖ Half of the studies were performed in the preceding decade.
- ❖ Most of the studies for REA 1 were based on administrative data, while most of the studies for REA 2 were performed using survey data.
- ❖ The most common sentencing approach empirically evaluated in the included studies was offender registration and community notification.

Rapid Evidence Assessments (REAs)

Rapid evidence assessments (REAs) are an approach to evidence synthesis that utilises a transparent and systematic methodology to locate and evaluate relevant research. These evidence summaries offer an alternative to systematic reviews which are often more time consuming and resource intensive. Both systematic reviews and REAs adhere to a similar methodological process which incorporate the steps of (1) formulating a search strategy (including search locations and search terms), (2) evaluating studies based on pre-determined criteria for inclusion/exclusion, and (3) coding and synthesising eligible studies (Centre for Evidence Management, 2019).

Unlike traditional systematic reviews, the focus of an REA is for a *rapid* assessment of the available literature, usually to inform policy and practice. As such, certain shortcuts are required to expedite the review process. Specifically, REAs tend to have a more targeted search strategy (i.e. fewer search locations), allow for less piloting, and typically do not include quality appraisal. Given these constraints, REAs provide a thorough yet non exhaustive synthesis of the available literature. Yet the robust methodology that guides REAs can mitigate biases inherent in standard literature reviews and enable future replication/updates.

Scope

This Report contains two distinct REAs in line with the scope of work commissioned by the Queensland Sentencing Advisory Council.

In REA 1, we provide a review of evidence-based approaches to the sentencing of adults (and to the extent that is relevant, children) convicted of sexual assault, rape, or equivalent offences. The results are presented in *Chapter 4: Evaluations of Sentencing Practices*.

In REA 2, we describe the research relevant to community and victim perceptions of sentencing practices for sexual assault, rape, or equivalent offences. The results are partitioned into two chapters: *Chapter 5: Victim Perceptions of Sentencing* and *Chapter 6: Community Perceptions of Sentencing*.

Two separate searches were executed for the REAs. To expediate the review process, the results of both searches were uploaded into DistillerSR. Once duplicates were removed, both REAs were screened and coded simultaneously. Below we describe the benefits and drawbacks of REAs before detailing the search strategy, eligibility criteria and screening processes that underpin these reviews.

Search Strategy

Our search strategy for both reviews included 8 academic databases, 6 legal databases and 29 research repositories or websites. These search locations are outlined in Table 1.

Table 1: Search Locations for Rapid Evidence Assessments

Source Type	Sources
Academic databases	EBSCO <ul style="list-style-type: none"> Criminal Justice Abstracts HeinOnline <ul style="list-style-type: none"> Criminal Justice Journals Informit <ul style="list-style-type: none"> Australian Criminology DB (CINCH)* ProQuest <ul style="list-style-type: none"> Criminal justice database Psychology database Social science database Web of Science <ul style="list-style-type: none"> Social Science Citation Index

Source Type	Sources
	<ul style="list-style-type: none"> Arts & Humanities Index
Legal databases	<ul style="list-style-type: none"> Attorney-General's Information Service (AGIS) AustLII GovPubs Index to Legal Periodicals Lexis Advance Pacific Westlaw
Grey literature (Websites and Research Repositories)	<ul style="list-style-type: none"> Australia's National Research Organisation for Women's Safety (ANROWS) https://www.anrows.org.au/ Australian Institute of Criminology https://www.aic.gov.au/ Australian Law Reform Commission https://www.alrc.gov.au/ Campbell Collaboration https://www.campbellcollaboration.org/ Centre for Advancing Correctional Excellence https://www.gmuace.org/ Centre for Innovative Justice https://www.rmit.edu.au/about/schools-colleges/graduate-school-of-business-and-law/research/centre-for-innovative-justice Crime solutions.gov https://crimesolutions.ojp.gov/ Cochrane library https://www.cochranelibrary.com/ Correctional Service Canada https://www.canada.ca/en/correctional-service.html The Jury Projects https://www.utas.edu.au/law/research/the-jury-projects Law and Justice Foundation of New South Wales http://www.lawfoundation.net.au/ Law Reform Commission New South Wales https://www.lawreform.justice.nsw.gov.au/ Law Reform Commission Northern Territory https://justice.nt.gov.au/law-reform-reviews/law-reform-committee-and-contacts/nt-law-reform-committee Law Reform Commission Queensland https://www.qirc.qld.gov.au/ Law Reform Commission Victoria https://www.lawreform.vic.gov.au/ Law Reform Commission Western Australia www.wa.gov.au/organisation/law-reform-commission-of-western-australia National Criminal Justice Reference Service https://www.ojp.gov/ncjrs National Institute of Corrections https://nicic.gov/ New South Wales Corrective Services (Collaborative Reports) https://correctiveservices.dcj.nsw.gov.au/ New Zealand Correctional Service https://www.corrections.govt.nz/ Prison Research Centre https://www.prc.crim.cam.ac.uk/ Public Safety Canada https://www.publicsafety.gc.ca/index-en.aspx New South Wales Sentencing (Advisory) Council https://sentencingcouncil.nsw.gov.au/ Queensland Sentencing (Advisory) Council https://www.sentencingcouncil.qld.gov.au/ Tasmania Sentencing (Advisory) Council https://www.sentencingcouncil.tas.gov.au/ Victoria Sentencing (Advisory) Council https://www.sentencingcouncil.vic.gov.au/

Source Type	Sources
	<ul style="list-style-type: none"> UK Government Research https://www.gov.uk/government/organisations/uk-research-and-innovation Victoria Law Foundation https://victorialawfoundation.org.au/research Victorian Corrections, Prisons and Parole https://www.justice.vic.gov.au/justice-system/corrections-prisons-and-parole

In addition, we compiled a comprehensive list of national and international experts across eight domains. As displayed in Table 2, our list included 58 experts and spanned the areas of (1) sentencing and sanctions for sex-based offences, (2) sexual offending, (3) sexual victimisation, (4) sex based criminal cases, (5) law reform and justice innovation, (6) prevention and intervention, (7) public opinion, and (8) judicial officials. We searched the Google Profiles of the 58 experts to locate additional research that may have not appeared in other search results; 13 experts did not have Google Scholar profiles available (designated with an asterisk in Table 5).

Table 2: Identified Experts List for Rapid Evidence Assessments

Area of Expertise	Research or Industry Expert
Sentencing and Sanctions for Sex-Based Offences	<ul style="list-style-type: none"> Chris Lobanov-Rostovsky* Cyrus Tata Danielle Arlanda Harris Ingeborg Sandbukt* Jay Gormley Kate Warner Kelly Socia Nicholas Burgess* Nicole Pittman* Rachel McPherson
Sexual Offending	<ul style="list-style-type: none"> Barbara Krahé* James Ogilvie Kelly Richards Michael Flood Nadine McKillop Ray Knight Simon Hackett Susan Rayment-McHugh
Victimisation	<ul style="list-style-type: none"> Amanda Robinson* Edna Erez* Jonathan Doak Mary Iliadis Pamela Tontodonato Robyn Holder Suzanne Brown-McBride*
Sex-Based Criminal Cases	<ul style="list-style-type: none"> Annie Cossins Bianca Klettke Elizabeth McDonald* Jennifer Temkin Judith Cashmore Lily Trimboli* Mary Heath Rachael Burgin

Area of Expertise	Research or Industry Expert
Law Reform and Justice Innovation	<ul style="list-style-type: none"> • Arie Freiberg • Asher Flynn • Elena Marchetti • Karen Gelb • Kathleen Daly • Shirley Julich
Prevention and Intervention	<ul style="list-style-type: none"> • Jill Levenson • Friedrich Lösel • Martin Schmucker • Michael Seto • Moira Carmody • Randolph Grace • Sarah Brown
Public Opinion	<ul style="list-style-type: none"> • Amy Anderson • Andy Harris* • Calli Cain • Caroline Spiranovic • David Indermaur* • Gwenda Willis • Julianne Roberts • Justin Pickett • Lorana Bartels • Lynne Roberts • Mike Hough
Judicial Officials	<ul style="list-style-type: none"> • Liesl Chapman*

Given the scarcity of available research for REA 1, we additionally carried out forward citation searches and reference harvesting of eligible studies. Combined, these search strategies are summarised in Table 3 below.

Table 3: Search Locations and Approaches

Search Location	Approach
Academic databases	Searched on title and abstract for full set of search terms with the exception of HeinOnline where the full text was searched.
Legal databases	Limited search functions within these search locations. Legal Periodicals was searched with full terms on title and abstract. Other locations were searched where possible with offence terms.
Grey literature	All research documents on each website were hand searched for relevance to sentencing. Relevant documents were uploaded into DistillerSR for further review.
Expert list	Google Scholar profiles were hand searched for each expert listed (excepting those who did not have a profile).
Forward citation searches and reference harvesting	Forward citation searches were carried out using Google Scholar. Reference harvesting involved hand searching each article reference list and uploading relevant articles into DistillerSR.

Search terms were developed in consultation with content area experts and the Council. Terms were piloted prior to the full search being executed. Boolean OR operators were used to combine terms *within* sets and Boolean AND operators were used to combine terms *between* sets.

For REA 1, search terms included Set 1 (Offence Terms), Set 2 (Sentencing Terms) and Set 3 (Evaluation Terms). For REA 2, search terms included Set 1 (Offence Terms), Set 2 (Sentencing Terms), Set 3 (Victim and Community Terms) and Set 4 (Wellbeing and Perceptions Terms). These search terms are detailed in Table 4.

Two separate searches were executed. Search results were then cleaned and combined to reduce duplication in the screening stage.

Eligibility Criteria (REA 1)

Studies located in the systematic search were screened against a series of predetermined eligibility criteria. To be eligible for either review, each study must satisfy *all* criteria. However, several studies were considered 'near misses'. Given the relatively limited research available, we include a list of 'notable exclusions' ($n = 8$). These studies were typically excluded due to either (1) relying on older data sources (i.e. all data pre-dates 2000) or (2) not including a suitable comparator (see *Notable Exclusions* in *Chapter 4: Evaluations of Sentencing Practices* for full list).

Types of Outcomes

We were primarily interested in the impact of sentencing on recidivism at the individual level. Recidivism amongst sexual offenders can be conceptualised as both sexual reoffending and non-sexual reoffending. Recidivism can be operationalised in variety of ways including technical violations, rearrests, new charges, and reconvictions. Follow-up periods in the literature can range from short-term (1-2 years) to long-term (10-30 years) lengths. Recidivism can be measured as a binary variable (yes/no), frequency (number of incidents), or days to failure (number of days in the community prior to reoffending).

In addition to recidivism, we were interested in other measures of anti-social behaviour including disclosures, cognitions or attitudes, substance abuse or misuse, and offender wellbeing or mental health. Studies that evaluate the impact of sentencing on meso- and macro-level crime trends were also considered eligible. Studies that consider the link between sentencing and other outcomes such as housing mobility, employability, fear of crime and actions taken by community members were deemed out of scope.

Table 4: Search Terms for REA 1 and REA 2

SET 1: Offence Terms	SET 2: Sentencing Terms	SET 3: Evaluation Terms (REA 1 Only)	SET 4: Victim and Community Terms (REA 2 Only)	SET 5: Perceptions/Wellbeing Terms (REA 2 Only)	
"act of indecency" "act* with intent to commit sexual act" "assault by penetration" "assault with intent to commit sexual act" "buggery and sodomy" "child sex* abuse" "child molest*" "forcible intercourse" "gross indecency" "indecent act" "indecent assault" "indecent dealing" "non-consensual continuation of sexual intercourse" rape* rapist* "sex* abuse" "sexual activity without consent" "sexual assault" "sex* crime*" "sexual intercourse without consent" "sexual interference" "sexual penetration without consent" "sex offend*" "sex* offence*" "sexual touching" "sexual violation" "unlawful sexual connection" "sexual violence"	"community service" convict* correction* court* custod* detain* detention* divert* diversion* "electronic monitoring" enforc* felon* fine* gaol* "home detention" imprison* incarcer* "intensive correction" jail* judge* justice legislat* "licence" magistrate* mandat*	misdemean* notification ordinance order* parole* penal* plea* prison* probat* prohibit* program* punish* registr* rehab* restorative restrict* ruling* sanction* sentenc* supervis* suspended surveillance treat* verdict*	"comparison condition**" "comparison group**" "control condition*" "control group*" effective efficac* evaluat* experiment* intervent* "matched group**" program* "quasi experiment**" "quasi-experiment" random* RCT treatment* trial*	complainant* community public survivor* victim*	adequacy anxiety attitude* belief* cooperat* depression harm* legitimacy lenien* perception* PTSD punitive* redeemability satisfaction seriousness severity stress* support* trauma view* wellbeing "willingness to report" wrongfulness

Types of Participants

Studies with adult samples (and to the extent that it is relevant children) convicted of sexual assault, rape, or equivalent offences were included. Victims could be either adults or children. Studies were included in instances where sex offenders were referred to broadly without providing offence-specific details. Similarly, studies were included in cases where the sample included both eligible and non-eligible sexual offences (for example, both rape and child exploitation materials).

Types of Sentencing Approaches and Interventions

In line with the project scope as outlined by Council, we include studies which report on sentencing approaches/interventions for sexual assault and rape that aim to achieve one of the purposes of sentencing (deterrence, denunciation, just punishment, community protection, and/or rehabilitation). Studies that assessed the efficacy of treatment programs were not included. Rather, treatment was only included if the treatment was mandated. Similarly, studies that considered the effectiveness of treatment in the community versus in custody were deemed eligible. Studies that discussed sentencing approaches to sexual offences broadly were included.

Types of Study Design

Randomised controlled trials (RCTs) represent the gold standard of research for determining causality. However, conducting an RCT in criminal justice settings – especially in relation to sentencing – is operationally challenging at best and unethical at worst.

To minimise threats to internal validity (that is, to increase confidence that the relationship being studied is causal: that the independent variable is impacting the dependent variable), we limited our eligible studies to quantitative impact evaluations of an eligible sentencing approach or intervention with a comparator. This enabled us to quantify the impact of a sentence relatively.

Study Location, Timeframe, and Language

To allow for the most up to date synthesis, eligible studies must be published and include data from 2000 onwards.

Given time constraints, studies were required to be written in English.

To ensure the findings would hold relevance to the Australian context, we restricted our study locations to constituent countries of the Organization for Economic Cooperation and Development (OECD; see: <https://www.oecd.org/about/members-and-partners/>).

Eligibility Criteria (REA 2)

As with REA 1, our second rapid evidence assessment employed several eligibility criteria for the studies identified in our searches. These criteria are described in the subsections that follow.

Types of Studies

We were primarily interested in studies that explored victim and community attitudes toward sentencing options for sexual assault and rape. Key themes related to perceptions of sentencing appropriateness, support for certain sentencing options, and general levels of punitiveness. We additionally include studies that consider other outcomes for victims such as mental health and wellbeing because of sentencing and perceptions of the criminal justice system (i.e. procedural fairness in the sentencing process).

Studies that measured attitudes towards sex offenders more broadly were excluded. Studies that included measures of eligible concepts within multi-item scales were also excluded.

Types of Participants

Eligible participants include victims/survivors of sexual assault and rape as well as community members. Studies with juror samples (including mock juries) were classed as eligible given that jurors are representatives of the community. Similarly, studies with university students were deemed eligible. However, it should be noted that studies which draw on student samples reflect the views of a subset of the public.

Studies focused on the views of criminal justice practitioners (those working in police, courts, corrections) were excluded.

Types of Study Design

We were interested in primary research studies that used either qualitative or quantitative data. Reviews without primary data (or meta-analysis) were excluded.

Study Location, Timeframe, and Language

Eligible studies were published from and include data from 2000 onwards, written in English, and report on a sample from an OECD country.

Search Results

Studies located in the two systematic searches were uploaded into DistillerSR - a web-based reference management software designed to streamline the systematic review process (Evidence Partners, 2022). Our searches captured $n = 15,566$ records (REA 1), $n = 10,400$

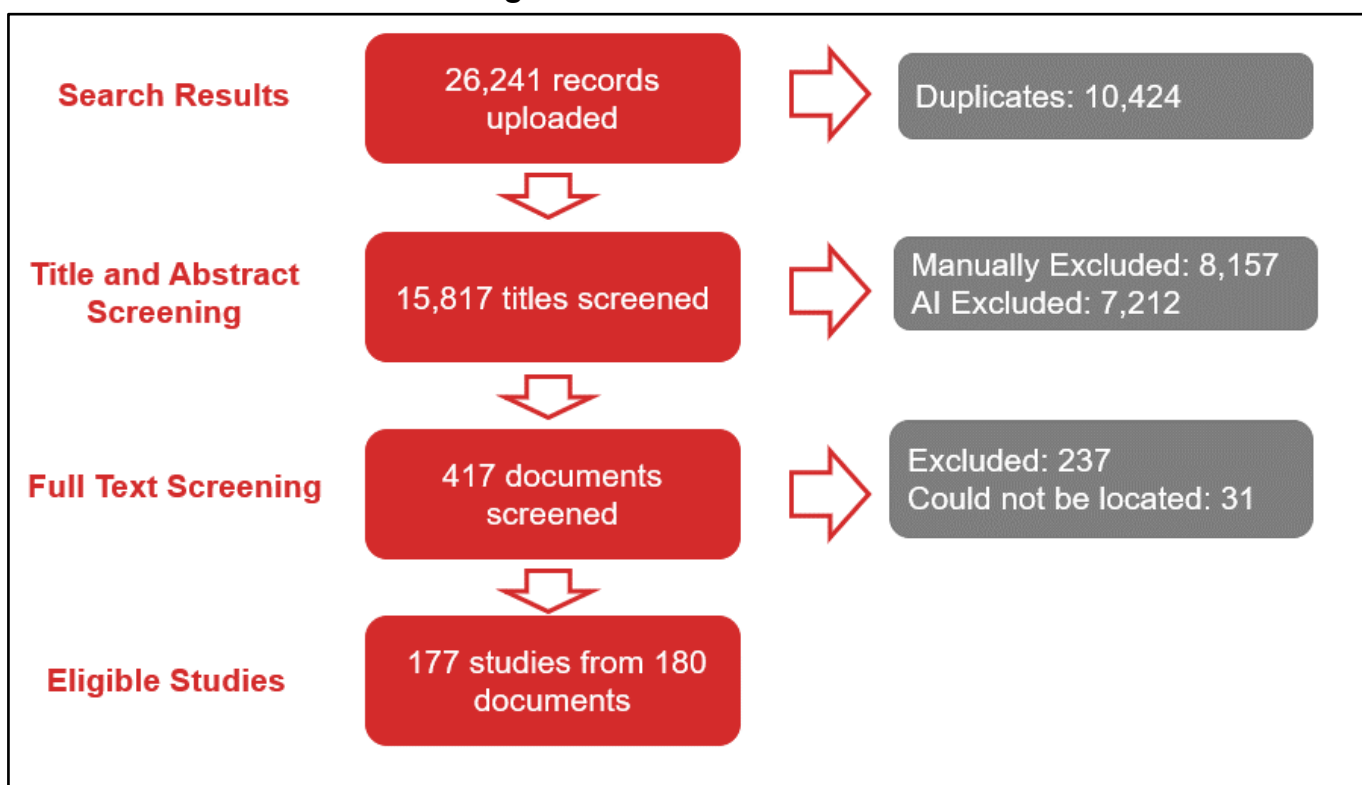
records (REA 2), $n = 185$ (Experts List), $n = 62$ (Grey Literature), $n = 28$ (Forward Citation and Reference Harvesting). Prior to screening, we used the duplicate detection function in DistillerSR to identify and quarantine duplicate documents ($n = 10,424$).

Once duplicates were removed, 15,817 records were available for Title and Abstract screening. Standardised screening companions were developed to ensure consistency across screeners. Using the DAISY rank feature, documents were screened until the point that 95% of all potentially eligible records were included. The DAISY rank, is a machine learning tool that reorders references based on their likelihood of inclusion. In the early stages of the review, we carried out searches in our DistillerSR database to ‘teach’ the AI which studies met our criteria. Once the first few hundred studies were screened, DistillerSR began the reranking process, pushing similar studies to the top of the pile. Once we reached 95%, we carried out additional crosschecks on key terms related to the review. This AI function is increasingly being used by researchers to expediate the review process (Sydes, Hine, Higginson, Dugan, & Mazerolle, 2022). In total, $n = 8,605$ records were manually screened (54.4%), and $n = 7,212$ records were excluded based on AI prediction.

Full-text documents for 417 records included at Title and Abstract screening were located. Thirty-one studies could not be located or are currently on order. Upon reviewing full-text documents, 237 documents were excluded. A total of 177 studies from 180 documents met the full eligibility criteria for either REA 1 ($n = 50$ studies, 53 documents) or REA 2 ($n = 127$ studies).

PRISMA flowcharts provide a visual representation of the systematic process underpinning a rapid evidence assessment. Our PRISMA flowchart in Figure 5, presents a detailed overview of this stepwise process.

Figure 5: PRISMA Flowchart



Coding, Analyses, and Reporting

Eligible studies were coded in Microsoft Excel against 14 unique items, providing rich information related to study details, methodology, and results. These items are listed in Table 5 below.

Table 5: Coding Form

Broad Coding Category	Specific Coding Item
Study Details	<ul style="list-style-type: none">• Year• Jurisdiction• Country• Document Type• Study Focus
Methods	<ul style="list-style-type: none">• Data Source (Broad)• Data Source (please specify)• Sample description• Sample size• Outcome• Intervention description (REA 1)• Intervention comparator (REA 1)• Analytic method
Results	<ul style="list-style-type: none">• Key findings

Eligible studies were categorised based on conceptually distinct interventions or outcomes. These categories were iteratively defined and described. We commenced our coding with a preliminary coding scheme devised from preceding stages of the research process (i.e. title and abstract and full-text screening). At times, individual studies were re-categorised, or groups of studies were collapsed or divided.

In synthesising and reporting the available research, we prioritised two forms of evidence. First, we have highlighted the most robust forms of empirical evidence identified in our reviews. Namely, we sought to detail the research findings drawn from systematic reviews, meta-analyses, and studies that employed rigorous research designs (such as randomised controlled trials or high-quality quasi-experiments). Second, we have drawn attention to the research findings from Australian studies. Where this is not possible, where appropriate we instead applied the international evidence to the Australian context.

Descriptives of Eligible Studies

Table 6 provides a descriptive overview of the eligible studies for REA 1 ($n = 50$ studies from 53 documents) and REA 2 ($n = 127$ studies).

Table 6: Descriptive Overview of Eligible Studies

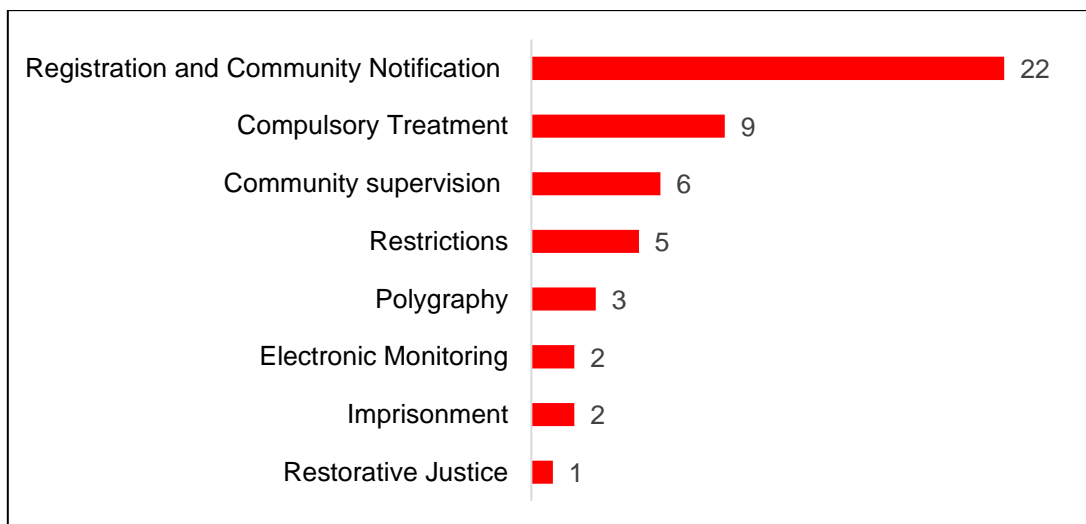
	REA 1		REA 2	
	<i>n</i>	%	<i>n</i>	%
Study Location				
Australia	1	2.00%	25	19.69%
Canada	3	6.00%	5	3.94%
Germany	1	2.00%	1	0.79%
Ireland	0	0.00%	1	0.79%
Israel	0	0.00%	3	2.36%
Netherlands	1	2.00%	0	0.00%
Norway	0	0.00%	1	0.79%
United Kingdom	2	4.00%	14	11.02%
United States	40	80.00%	70	55.12%
Cross-national	2	4.00%	7	5.51%
Document Type				
Book / book chapter	0	0.00%	1	0.79%
Dissertation / thesis	5	10.00%	20	15.74%
Journal article	43	88.00%	92	72.44%
Report	1	2.00%	13	10.24%
Newsletter	0	0.00%	1	0.79%
Publication Data				
2000 – 2012	26	52.00%	43	20.38%
2013 – 2023	24	48.00%	84	79.62%
Data Source				
Official administrative data	42	84.00%	0	0.00%
Interviews/Focus Groups	0	0.00%	17	13.36%
Surveys	1	2.00%	99	77.95%
Multiple	4	8.00%	4	3.15%
Meta-analysis	3	6.00%	0	0.00%
Other	0	0.00%	7	5.51%

The majority of studies for both reviews were focused on the United States context (80.00% and 55.12% respectively). Beyond the United States, we located research for both reviews from Canada (6.00% and 3.94%), Australia (2.00% and 19.69%), and the United Kingdom (4.00% and 11.02%). For REA 1, we included just one study from Germany and one from the Netherlands. For REA 2, we located two studies for Israel and Northern Ireland and one study for Germany and Norway. Lastly, we included a small number of cross-national studies where at least two national contexts were examined (4.00% and 5.51% respectively). While we limited our study locations to OECD countries only ($n = 38$), just 9 countries are represented in total across the two reviews (excluding cross-national comparisons). This may be reflective of English language inclusion criteria rather than a lack of research in non-English speaking countries.

In relation to document type, most studies were journal articles (88.00% and 72.44%), followed by dissertations (10.00% and 15.74%) and reports (2.00% and 10.24%). For REA 1, studies were almost evenly split in their publication date, with 48.00% published in the last decade. By comparison, over three quarters of studies (79.62%) for REA 2 were published in the last 10 years. Data sources varied by review. Most studies in REA 1 relied on official administrative

data sources (84.00%) whereas most studies in REA 2 analysed survey data (77.95%). Figure 6 provides a thematic overview of the number of studies identified according to the sentencing approach investigated.

Figure 6: Thematic Overview of the Sentencing Approach or Intervention in Eligible Studies from REA 1 (n = 50)



Chapter 4: Evaluations of Sentencing Practices

In this chapter, we present the results of our first rapid evidence assessment (REA). Following our procedures detailed in *Chapter 3: Rapid Evidence Assessment Methodology*, in the sections hereafter we describe evidence-based approaches to sentencing in sexual assault and rape offences.

Toward this end, we review the research largely as it relates to recidivism reduction. That is, in questioning whether a sentence ‘works’, researchers frequently evaluate the impact of a sanction on reoffending. It is critical to recognise, however, that this utilitarian end will not always reflect the underlying goal(s) of sentencing (Cullen & Jonson, 2012), as there are many principles of punishment that courts seek to invoke (*Penalties and Sentences Act 1992 (Qld)*). Indeed, the penalties specified by legislation help to communicate many important purposes of sentencing (Queensland Sentencing Advisory Council, 2023). Thus, the effectiveness of any sentence must be weighed against its objective(s), the needs of victims, community perspectives and preferences, and public safety (Day, Ross, & McLachlan, 2021).

Accordingly, conclusions about the utility of penalties should be drawn cautiously and contextually.

Key Points

- ❖ Whether an intervention ‘works’ depends on the goal of the program, practice, or policy.
- ❖ Our rapid evidence assessment identified 8 studies that evaluate the impact of sentences legislatively or judicially prescribed in response to sexual assault, rape, or equivalent offences.
- ❖ The REA identified 42 studies that explore the effectiveness of supplements to traditional sentences or alternative justice practices.
- ❖ The effects of many interventions are contingent on what they entail and how they are delivered. The efficacy of certain sentencing approaches in the management of sex offenders may be improved by packaging sanctions in effective community supervision or offender treatment programs.

Summary of Studies

It is difficult to find empirical evidence that relates to Queensland specifically, and research conducted with rigour and relevance is largely lacking (Day, Ross, & McLachlan, 2021). Summarily, studies included in this review pertained to sentencing frameworks or specific sanctions that are legislatively or judicially prescribed in response to sexual assault, rape, or equivalent offences. Stated conversely, studies that evaluated the efficacy of post-sentencing or

voluntary interventions were deemed out of scope for this review. Notably, to be eligible for inclusion, studies must have been published from 2000 onward, had to have been a quantitative impact evaluation, and were required to have a comparator (a group or condition that is used as a reference point to compare with the group or condition under investigation).

While we encountered many research outputs that included generic descriptions of sentences in cases of sexual violence, we required more specific research methodologies to discern whether a given sanction was 'effective'. For instance, a study must have compared one sanction against another (e.g. an exploration of sexually violent ideation between persons sentenced to prison versus probation), two or more time points (e.g. studies of the recidivism rate of ex-prisoners before and after the introduction of a mandatory custodial treatment scheme), or two groups of individuals (e.g. an investigation of compliance with supervision stipulations between first-time versus repeat offenders). Overall, such research designs were relatively rare.

Moreover, to be eligible for inclusion, the study needed to specify the composition of the sample insofar that the offence type(s) of the participants could be determined. The studies contained in this REA detail the offence type(s) being researched, whereby the participants' offence type being analysed – either overtly or incidentally – included sexual assault, rape, or a comparable conviction. At times, the research we identified did not include this degree of granularity, which meant that a study could not be included in this review because it was not possible to accurately gauge the specific offence types under investigation.

Given these scoping constraints, it is perhaps unsurprising that the availability of quality research outputs is limited. That said, the research described and amalgamated in this chapter represents the strongest available evidence about the impact and utility of sentencing in cases of sexual assault and rape. Toward this end, we identified 50 studies overall that met the inclusion criteria for this REA.

In the subsections that follow, we first describe the evidence reported in studies related to the effectiveness of traditional sentences used in penalty schemes for persons convicted of a sex-based offences ($n = 8$). Namely, these include imprisonment ($n = 2$) and community supervision ($n = 6$). These studies are summarised in Table 7 (and are designated by a hashtag preceding their entry in the end-of-Report reference list). This section further includes information from a desktop review of evidence related to monetary penalties in cases of sexual violence.

We then provide a review of the studies identified in the REA that relate to nontraditional sentences ($n = 42$). These interventions largely relate to things that supplement traditional sentences, being frequently used as 'add-ons' to routine penalties. For example, the intervention may be added as a condition to a community-supervision order. Within this section, we also include interventions relating to alternative approaches to the sentencing of sexual offenders. The nontraditional sentences that emerged from our REA include electronic monitoring ($n = 2$), registration and community notification ($n = 22$), residence restrictions ($n = 5$), compulsory treatment ($n = 9$), polygraphy ($n = 3$), and restorative justice ($n = 1$). These studies are summarised in Table 8 (and are designated by an asterisk in the reference list).

Further, we briefly describe other approaches to sentencing that are used or may be of interest yet lack sufficient empirical evidence for formal inclusion in this review.

Evidence of Effectiveness: Traditional Sentences

Several philosophies in penology help to guide a court's response to a conviction for criminal behaviour (Cullen & Jonson, 2012; Queensland Sentencing Advisory Council, 2023). These enduring principles underpin the rationale for punishment, shaping policies and practices in the allocation and administration of punishment for offending (Schaefer & Williams, 2019). Implicit assumptions are embedded within these sentences; thus, whether a specific sanction 'works' depends in large part on what it aims to achieve (Cullen & Jonson, 2012; MacKenzie, 2006).

The effectiveness of each principle's approach hinges on its intended design for punishment (Schaefer & Rynne, 2020). For instance, does the sentence handed down by the court aim to rebalance the scales of justice (retribution), dissuade the perpetrator or would-be offenders from committing a comparable offence (deterrence), immobilise the individual so that they cannot break the law for a specified period of time (incapacitation), address their criminogenic needs so that the person's root causes of offending are effectively treated (rehabilitation), or achieve some other purpose (e.g. to denounce, restore, manage)?

In responding to such a query, oftentimes the correctional pendulum swings between the two poles of 'welfare' (treatment and service provision) versus 'law and order' (punishment and control; Cullen & Gilbert, 2013; Schaefer & Brewer, 2022). Perhaps the most frequently invoked symbol of effectiveness relates to the 'bottom line' of recidivism reduction (Cullen, Jonson, & Mears, 2017), possibly because it helps to signify that any preferred utilitarian objective has been achieved. That is, proponents of deterrence and advocates for rehabilitation can equally claim that a given sentence was successful when they rely on a shared measure (i.e. the minimisation or prevention of reoffending).

Crucially, other considerations are relevant, as well, such as efficiency (Bull, 2010), victim satisfaction (see *Chapter 5: Victim Perceptions of Sentencing*), or community perceptions (see *Chapter 6: Community Perceptions of Sentencing*). In this chapter, however, we focus nearly exclusively on the empirical evidence as it relates to the impact of a criminal sentence on reported recidivism and related outcomes (e.g. antisocial cognitions; Andrews & Bonta, 2010).

In the subsections that follow, we describe the studies identified in this REA that relate to traditional sentences. Specifically, we provide a review of the impact of imprisonment and community supervision on reported reoffending of a sexual nature.

Highlights

- Different philosophies in penology shape the objectives of criminal sentences, with effectiveness dependent upon the intended purpose, such as retribution, deterrence, incapacitation, rehabilitation, or others.

- Imprisonment is theorised to reduce recidivism through deterrence, incapacitation, and treatment, but studies on its impact on sexual offenders' recidivism yield inconsistent results and rarely attribute any outcomes to a specific punishment philosophy.
- Community supervision for offenders can be effective under some circumstances, with studies showing lower recidivism rates compared to imprisonment, especially when accompanied by quality treatment and post-release supervision.
- Best practices in community supervision align with the risk-need-responsivity (RNR) model, emphasising tailored interventions based on the assessment of risk and criminogenic needs, addressing the underlying causes of offending (Andrews & Bonta, 2010).
- Opportunity-reduction supervision, which focuses on avoiding triggers and temptations within crime opportunities, can be particularly effective in helping offenders reduce their risks of reoffending.
- Many individuals with high-risk profiles for sexual recidivism can be managed safely in the community with appropriate supervision and interventions that target identified dynamic risks and criminogenic needs.
- There are gaps in the available evidence regarding the sentencing of individuals convicted of sexual offences, as we did not identify any research that evaluates the effectiveness of many standard penalties (e.g. suspended sentences, probation), and many existing evaluations have significant methodological limitations affecting the interpretation of findings.

Imprisonment

Conceptually, imprisonment is hypothesised to be associated with recidivism reduction through three general mechanisms, consistent with dominant penological principles (Cullen & Jonson, 2012; Schaefer & Williams, 2019; Sydes, Eggins, & Mazerolle, 2018): (1) offenders are specifically deterred because prison is a noxious experience whereby a return to custody must be avoided through reformed conduct, (2) offenders are incapacitated and crime is prevented through the restriction of freedoms, and (3) offenders undergo treatment facilitated by corrective services during their sentenced stay in custody. While these explanatory pathways are sensible within generalist offending populations, it is reasonable to suspect that the experience and impact of imprisonment may differ amongst cohorts of individuals convicted of sexual assault or rape.

Within this REA, we identified two studies that met the inclusion criteria. These studies enabled us to explicitly investigate the impact of imprisonment on reoffending for the perpetrators of sexual offences.

First, a 2018 study performed by Hsieh, Hamilton, and Zgoba in New Jersey demonstrated that the length of the custodial sentence (not including prisoners civilly committed upon expiry of their sentence) did *not* impact known rates of sex-based recidivism, operationalised as a revocation of parole or a return to custody. As expected, sentence length was positively correlated with the prisoner's actuarially assessed risk of reoffending, and those with higher risk scores were more likely to reoffend.

Second, a 2022 study conducted in Toronto by Moss, Stephens, and Seto explored four types of recidivism amongst a sample drawn from an archival database. The dataset included men charged or convicted of at least one sexual offence who were assessed at a sexual behaviour clinic. Except for sexual recidivism, custodial sentences were associated with higher reoffending probabilities. Individuals who had served custodial sentences of less than two years showed an elevated likelihood of non-sexual reoffending compared to those who were not incarcerated. The influence of custodial sentences and sentence duration on recidivism prediction became less clear when considering the type of sexual offence and actuarial risk.

Taken together, there is inconsistent evidence about the effect of imprisonment on recidivism. Generally, studies report that recidivism rates for sexually offending cohorts are relatively low (see the section on *Desistance*). For instance, global meta-analyses report that fewer than 10% of persons imprisoned for sexual violence reoffend (Hanson, Lee, & Thornton, 2022). Yet the above-referenced studies suggest that imprisonment may be criminogenic in some respects. Given these mixed findings, combined with the small number of studies identified in the REA, below we provide a brief review of the empirical evidence related to the general impact of imprisonment.

General Evidence on the Effect of Custodial Penalties

As described throughout this Report, custodial sentences are common in reported cases of sexual violence. Yet the effectiveness of imprisonment for individuals convicted of sexual assault and rape is a complex and debated topic. There is evidence that, overall, prison does not reduce recidivism. In reviewing this evidence, Cullen, Jonson, and Nagin conclude that “it appears that imprisonment is a crude strategy that does not address the underlying causes of recidivism and thus that has no, or even criminogenic, effects on offenders” (2011, p. 57). In a comparable study, they report that “the great majority of studies point to a null or criminogenic effect of the prison experience on subsequent offending” (Nagin, Cullen, & Jonson, 2009, p. 178). Similarly, the Queensland Productivity Commission (2019) reports that prisons are not effective at rehabilitating offenders and may inadvertently increase rates of reoffending.

A systematic review concluded that imprisonment is no more effective than non-custodial penalties in reducing reoffending (Villettaz, Gillieron, & Killias, 2015). Yet research findings vary, and some studies have shown mixed results on the impact of imprisonment on reducing recidivism amongst sexual offenders. Some research suggests that imprisonment can serve as a deterrent, discouraging potential offenders from committing sexual offences. For example, a study by Langan, Schmitt, and Durose (2003) conducted in the United States found that longer prison sentences were associated with lower recidivism rates for sexual offenders (see also Sydes, Eggins, & Mazerolle, 2018). However, an Australian study found that the threat of longer periods in custody did not serve as a specific or general deterrent for violent (nonsexual) offenders (Menéndez & Weatherburn, 2016).

It is possible that studies fail to find such an effect of any sanction or intervention given the low base rate of recidivism amongst this special offender population to begin with (Lievore, 2004). Gelb, for instance, surmises that, “part of the difficulty of evaluating treatment effects for sex

offenders is the apparently low base rates of sex offender recidivism – low recorded rates even among untreated offenders make it difficult to find a statistically significant treatment effect” (2007, p. 34). Stated simply, if imprisonment is the ‘go-to’ sentence for many cases of sexual violence, and if such a small proportion of ex-prisoners are reoffending generally, it is quite difficult to distinguish whether certain aspects of imprisonment (e.g. sentence length, security classification, custodial climate) are meaningfully reducing this percentage even further.

As described in the subsection on *Desistance* in *Chapter 2: Introduction*, recidivism rates (according to official statistics) for individuals convicted of sex-based offences are low. Research indicates that sexual violence is underreported by victims (ABS, 2017; QGSO, 2022), particularly difficult to investigate and prosecute, and known to suffer from especially low clearance rates. These elements make the accurate calculation of sexual reoffending very difficult. However, official statistics (drawn from police, courts, and corrections data) suggest that once released from prison, most perpetrators of these offences do *not* carry out an act of sexual recidivism (Hanson, Lee, & Thornton, 2022).

As an illustration, a study by Rettenberger and colleagues (2015) in Austria found that just 4% of this subgroup of offenders committed a sexual reoffence within five years of release from custody. In a comparable study that assessed sexual offenders' risk of sexual recidivism over a 20-year period, Hanson and colleagues (2014) famously identified that the risk of sexual recidivism was greatest in the time immediately after release, progressively decreasing with longer offence-free periods in the community. For instance, the 5-year sexual recidivism rate for high-risk sex offenders dropped from 22% post-release to just 4.2% after 10 years of living in the community without offending. Recidivism rates for low-risk offenders remained dependably low (less than 5%) across time frames.

This is consistent with research which demonstrates that official recidivism estimates amongst individuals who sexually offend are relatively small to begin with (particularly compared with other offences; Gelb, 2007; Hanson, Lee, & Thornton, 2022; Harris, 2017). Combined with evidence about the criminogenic effects of incarceration and the high costs of the imprisonment binge (Cullen, Myer, & Latessa, 2009; Schlicht, 2023), we must carefully consider whether lengthy custodial sentences for cases of sexual assault and rape can be sufficiently justified.

Summary

Research indicates that recidivism rates for persons who commit acts of sexual violence are relatively low, although the nature of underreporting in cases of sexual assault and rape complicate our understanding of reoffending. Studies show that imprisonment may incidentally increase recidivism risk, although there may be other purposes served by incarcerating individuals who sexually offend. As imprisonment is the default sentence for persons convicted of serious sexual offences, efforts should be made to make the custodial experience less criminogenic and more therapeutic, along with provisions for re-entry support for ex-prisoners.

Community Supervision

We identified six studies as part of this REA that evaluated the effectiveness of community-based supervision for people with sexual offence convictions. Overall, the findings of individual studies may be representative of how closely a particular sanction adhered to best practices in community corrections (Guevara & Solomon, 2009; see also Cullen, Jonson, & Mears, 2017).

A 2017 project performed with offenders in a juvenile court in Ohio was reported by Brusman Lovins, Yoder, and Berry. The researchers reported that the youth supervised under the comprehensive community model (featuring a specialised court docket with dedicated staff, treatment services, and tailored assessment and case management tools) had fewer felony-level (i.e. serious crime) reoffences than those in the comparison group featuring standard community supervision.

A study by Buttars, Huss, and Brack (2016) conducted in the midwestern United States compared the known recidivism of offenders sentenced to intensive supervision ($n = 472$), residential treatment ($n = 302$), and standard probation ($n = 111$). There were no substantive or statistically significant differences in reoffending after creating propensity score matched groups. Somewhat surprisingly, although the intensive supervision subsample contained the highest risk offenders, they exhibited the lowest recidivism rate amongst the study's population. Offenders in the residential group were the most likely to incur revocations upon release.

Lussier and Gress (2014) reported on a post-release intensive supervision program in British Columbia. Within the experimental group, participants were more likely to breach the conditions of their order compared to standard parole stipulations. While those assessed as high-risk sexual offenders were more likely to breach their order, this did not extend to rates of known general or sexual recidivism.

A comparable 2014 study by Lussier, Gress, Deslauriers-Varin, and Amirault studying high-risk sex offenders in Canada identified statistically significant differences in recidivism between individuals within this same intensive supervision program (ISP). The researchers reported that a lower proportion of the treatment group reoffended compared to the control group. While sexual recidivism was low, participants in the ISP program exhibited a higher hazard rate of technical violations as recorded by probation officers.

Stalans and Olson (2010) compared sexual and violent recidivism amongst subsamples of prisoners and probationers in Chicago, finding that they had a comparable time-to-arrest after statistically controlling for various risk factors. The two groups had roughly equivalent rates of sexual recidivism after the supervision periods had expired. The authors reasoned that “the comparison of prison and probation samples may not be informative about whether incarceration deters sexual offending due to the fact that probation supervision may be able to detect additional crimes and that the samples are very different on a wide array of characteristics” (p. 91).

A 2009 PhD thesis performed by Williams-Taylor examined the Specially Targeted Offenders Project (STOP) in New York City. The intensive supervision program demonstrated no

significant differences in reoffending rates, leading the author to question whether the supervision program should continue given its lack of evident effectiveness.

Combined, the research evidence about the utility of community supervision can be challenging to interpret, as the interventions under study differ quite markedly. There is general evidence that intensive supervision or other control-oriented approaches are ineffective, often producing high rates of technical violations of order conditions and revocation (Cullen, Wright, & Applegate, 1996; MacKenzie, 2006; Petersilia & Turner, 1993). This finding could be interpreted as the result of more closely watching supervisees and therefore a product of the more stringent stipulations placed upon them. At the same time, however, there is evidence that community supervision can be effective (Cullen, Jonson, & Mears, 2017; Schaefer, Cullen, & Eck, 2016). Toward this end, below we provide a brief review of the research about ‘what works’ in community supervision.

Best Practices in Community Supervision

Some studies have indicated that imprisonment alone may not be sufficient to prevent sexual offenders from reoffending, and while imprisonment may be an important imposition symbolically, the importance of community correctional options cannot be understated (Cullen, Jonson, & Mears, 2017). Especially compared to custodial sentences, community supervision typically produces lower recidivism rates amongst offenders (Yukhnenko, Wolf, Blackwood, & Fazel, 2019). Amongst sex-based offending, specifically, unconditional release is associated with increased recidivism (Smallbone & McHugh, 2010). Meta-analytic reviews demonstrate that imprisonment and sentence length do not matter as much as factors such as quality treatment programs (Lösel & Schmucker, 2005; see *General Effectiveness of Treatment for Sexual Offending*) and post-release supervision (Hanson & Morton-Bourgon, 2005).

Australian evidence (Tait, 2001) likewise demonstrates that community supervision can be effective, particularly compared to sentencing offenders to imprisonment (without a supervision component). A New South Wales study found that individuals who were granted parole exhibited longer periods of compliance before engaging in new criminal activity. Additionally, they were less prone to committing new serious offences and displayed lower overall rates of reoffending compared to individuals with similar risk factors for reoffending who were unconditionally released into the community (Wan, Poynton, & Weatherburn, 2016; see also Smallbone & McHugh, 2010). Importantly, the time spent on community supervision may make a difference contingent on the quality of treatment and supervision provided during that time (Galouzis, Meyer, & Day, 2020; Schaefer, Cullen, & Eck, 2016), with Queensland reports urging greater support for parole (Queensland Productivity Commission, 2021; Sofronoff, 2016).

The Queensland Government Statistician’s Office (2020) reports that nearly 3/4 of all community-based orders are completed successfully. In the 2016-17 reporting period, 79.3% of all probation orders, 74.5% of intensive correction orders, and 65.9% of community service orders were successfully completed. Importantly, however, completion rates varied according to many *Special Populations and Specific Responsibility* considerations.

The evidence related to community corrections has grown in scope and sophistication in recent generations of penology research (see, for example, Gelb, Stobbs, & Hogg, 2019), resulting in the emergence of many best practices in the non-custodial supervision of offenders (Cullen & Jonson, 2012; Cullen, Jonson, & Mears, 2017; Schaefer & Brewer, 2022; Schaefer, Cullen, & Eck, 2016; Schaefer, Eck, & Cullen, 2014; Sydes, Eggins, & Mazerolle, 2018). Notable frameworks that help to guide such practices (briefly described below) include the *principles of effective correctional intervention* (sometimes referred to as the risk-need-responsivity (RNR) model) and *core correctional practices* (Andrews & Bonta, 2010; Andrews, Bonta, & Hoge, 1990; Andrews, Bonta, & Wormith, 2006; Andrews & Dowden, 2007; Andrews, Zinger, Hoge, Bonta, Gendreau, & Cullen, 1990; Bonta et al., 2011; Bonta, Rugge, Scott, Bourgon, & Yessine, 2008; Clawson & Guevara, 2011; Cullen, 2002; Cullen & Gendreau, 2000, 2001; Gendreau, 1996; Gendreau, Cullen, & Bonta, 1994; Gendreau, Smith, & French, 2006; MacKenzie, 2006; Robinson, Lowenkamp, Holsinger, VanBenschoten, Alexander, & Oleson, 2012; Robinson, VanBenschoten, Alexander, & Lowenkamp, 2011; Smith, Gendreau, & Swartz, 2009; Taxman, 2002, 2006, 2008, 2011, 2012).

Principles of Effective Correctional Intervention (RNR)

From the hundreds of studies that helped to form part of the ‘what works’ movement in correctional research, correctional sanctions are most successful when they are based on social learning, are structured, and build human capital. In line with these findings, three best practices receive strong empirical support: the risk principle (the intensity of any intervention ought to be commensurate with the likelihood reoffending), the need principle (interventions must target the root causes of the offending), and the responsivity principle (practitioners and policymakers should use approaches that clients will be responsive to).

Core Correctional Practices

A social psychological approach to criminal conduct has implications for the sanctions that are likely to be effective with forensic clients. Interventions that rely on the contingencies of conditioning and enhance the therapeutic integrity between the practitioner and the client can work to enhance the efficacy of the RNR approach. Recidivism is reduced when practitioners use anti-criminal modelling tactics, acts of effective disapproval and reinforcement, effective use of authority, structured learning, cognitive restructuring, problem-solving, and quality interpersonal skills (such as warmth, openness, trust, non-judgment, and respect).

Central to the content of this Report, these penological frameworks have been applied and adapted to sexual offending (Hanson, Bourgon, Helmus, & Hodgson, 2009; Smid, Kamphuis, Wever, & Van Beek, 2013; Yates & Ward, 2008). Consistent with the RNR framework, scholars have demonstrated that recidivism can be effectively minimised when correctional practices (1) match the dosage of the intervention to the level of reoffending risk, (2) target for intervention the underlying causes of sexual offending, and (3) tailor the intervention to the unique circumstances of the individual offender (Harkins & Beech, 2007; Robertiello & Terry, 2007).

In relation to the risk principle specifically, there is consistent empirical evidence that actuarial risk assessment outperforms unstructured clinical judgment (Andrews & Bonta, 2010), and this may be particularly important in cases where non-specialist community supervisors (e.g.

probation case workers, parole officers, re-entry coordinators, halfway house counsellors) are tasked with routinely and reliably gauging the dynamic risk of sex offenders.

Toward this end, offender supervisors require tools that guide their case management decision-making (Gleicher, Manchak, & Cullen, 2013; Hanson, Harris, Scott, & Helmus, 2007) so that they can effectively balance dual demands around behaviour control and behaviour change (Mackey, Appleton, Lee, Skidmore, & Taxman, 2022). This is especially the case given the research that showcases how community corrections staff may adopt control-emphatic supervision strategies (e.g. tactics that prioritise compliance and provide “a shorter leash”) following informal assessments (i.e. personal perceptions) of risk and liability in the case of sexual offending (Viglione, 2019, p. 663).

Opportunity-Reduction Supervision

Importantly, supervised release offers a transition period that aids reintegration, particularly when used in ways that support the formation of a prosocial identity and skill development rather than emphasising surveillance regarding adherence to supervision stipulations (Ambroziak, Vincent, Kahn, Mundt, & Thornton, 2023). Indeed, research indicates that the identification, avoidance, and resistance of crime opportunities – ideally embedded within a routine activity approach (Schaefer, 2021) – can help community-supervised offenders to reduce their risks for relapse or reoffending (Schaefer & Little, 2020).

This is especially the case because offender propensity can be challenging to effectively address, particularly given the deep-seated causes of sexual violence (see *Offending Aetiology*) and the comparatively limited time in which offenders have contact with corrective services (Schaefer, Cullen, & Eck, 2016; Schaefer, Williams, & Moir, 2022).

Accordingly, opportunity-reduction supervision (achieved through the application of crime science principles to community correctional practices) offers a useful framework for helping forensic clients to sidestep the triggers that may lead to recidivism (Schaefer, 2018; Schaefer, Townsley, & Hutchins, 2022a, 2022b). Specifically, “in relapse prevention, sex offenders are taught to identify and deal with high-risk situations that might precipitate sexual offending” (Wortley, 2001, p. 66), including the control of known triggers.

This evidence combined, there is strong reason to suspect that, “even among those suspected or deemed high risk for sexual recidivism, the vast majority can be managed safely in the community under supervision” (Ambroziak, Vincent, Kahn, Mundt, & Thornton, 2023, p. 94). Many of these individuals are better described as opportunistic rather than predatory, and it is therefore sensible to suspect that reoffending can be thwarted through crime prevention tactics that effectively alleviate offence precipitators or limit the person’s exposure to tempting crime opportunities (Wortley & Smallbone, 2006).

Summary

Community supervision can be effective, although research demonstrates that recidivism rates vary according to what the community-based order entails. Control-oriented schemes (such as intensive supervision) tend to be less effective, producing high rates of technical violations of stringent order conditions. Community supervision best reduces recidivism when the sanction adheres to the principles of effective correctional intervention and core correctional practices. Supervision that emphasises relapse prevention and assists offenders to identify, avoid, and resist crime opportunities may be more useful for individuals who have sexually offended.

Monetary Penalties

Our REA did not produce any research results reporting on the effectiveness of monetary penalties, including legal fees, fines, victim compensation, or restitution. Moreover, a desktop review likewise did not reveal much evidence about the impact of fines on primary crime prevention or the deterrent effect toward reoffences. We were unsuccessful in locating evidence about the utility of monetary sanctions in cases of sexual violence.

In general, research on the effects of financial penalties on recidivism is very limited (Piquero & Jennings, 2017). Broadly, some research suggests that monetary penalties can have a limited impact on recidivism, while others argue that their effectiveness depends on various factors, including the nature of the offence, the individual's socioeconomic status, and the size of the fine relative to the offender's financial capacity.

One study of fines for juvenile offenders identified that these sanctions increased recidivism (Piquero & Jennings, 2017). Other studies have found that making restitution payments is more strongly correlated with favourable outcomes compared to other financial penalties (Heinz, Galaway, & Hudson, 1976; Outlaw & Ruback, 1999). Moreover, the proportion of the fine amount paid is influential in outcomes such as order revocation (Haynes, Cares, & Ruback, 2014; Jacobs & Moore, 1994; Outlaw & Ruback, 1999).

While some studies show that fines may reduce recidivism compared to imprisonment or probation alone, the finding is complicated by the fact that the individuals most likely to receive such a sentence are relatively low risk to begin with (Gordon & Glaser, 1991). Australian research has demonstrated that fines do not have a specific deterrent effect (for drug use, Alexeev & Weatherburn, 2022) and that the amount of the fine is largely inconsequential (for driving offences, Moffatt & Poynton, 2007) and drink driving offences, Weatherburn & Moffatt, 2011) but can in fact increase returns to court for certain offences (Tait, 2001). A study performed in Queensland revealed that compliance with fines (for speeding) varied by social norms of neighbourhood characteristics (Zahnw, Bennett, Bates, Antrobus, & Irvine, 2022).

In addition to these research findings, monetary penalties can disproportionately affect individuals from lower socioeconomic backgrounds, leading to increased financial strain and potential barriers to compliance, which may contribute to continued criminal behaviour.

Moreover, imposing fines on individuals who are unable to pay can lead to a cycle of debt and further entrenchment in the criminal justice system (Quilter & Hogg, 2018).

Instead of solely relying on monetary penalties, experts advocate for a multifaceted approach to reduce recidivism, including targeted interventions, treatment programs, rehabilitation, education, and community-based support services (Cullen, Jonson, & Mears, 2017; Schaefer, Cullen, & Eck, 2016). These efforts are believed to be more effective in addressing the underlying causes of criminal behaviour and breaking the cycle of repeat offences.

Summary

Research did not find sufficient evidence to assess the effectiveness of monetary penalties, including fines and legal fees, in preventing crime or deterring reoffences, particularly in cases of sexual violence. Some studies suggest that the impact of fines on recidivism varies depending on factors such as the nature of the offense, socioeconomic status, and the size of the fine relative to the offender's financial capacity. Experts recommend a multifaceted approach to penalising offenders that better addresses their risks of reoffending and criminogenic needs.

Evidence Gaps

It is somewhat surprising that our REA identified just eight studies of formal sentences for sex offenders. It would be reasonable to expect that more research would be available given the heightened degree of attention paid to this cohort by the public and criminal justice agencies, alongside the many interventions imposed on these individuals across the globe. The studies identified in this component of the REA reveal more about what we do *not* know about the sentencing of sex offenders.

For instance, many people convicted of rape are sentenced to a period of imprisonment. Yet we do not have clear research on the impact of these custodial sentences on reoffending. There is no information available regarding the effects of different types of prisons (e.g. security level, prison 'generation', or protective custody) on subsequent sex offending. Moreover, available studies are largely unable to disentangle the impact of prison itself versus what happens to an individual while incarcerated (e.g. vocational and educational opportunities, treatment programs, family involvement, re-entry support). Additionally, given the long sentences sex offenders frequently receive, it is possible that they are being 'selectively incapacitated' and 'aging out' of crime rather than being specifically deterred by incarceration (see the section on *Desistance*). Evidently, these interpretations further complicate research that aims to discern the impact of prison on post-release sex offending.

The result is a blunt reality: Many offenders convicted of serious sex offences are sentenced to prison, yet we know *very little* about how this intervention affects their post-release offending, especially in comparison to non-custodial interventions. Similarly, our reviews failed to identify research that compares the reoffending trajectories of people released on supervision versus those released at liberty. Taken together, the available research on relapse prevention supports the argument that scaffolding and support provided by supervised release is more effective in

reducing recidivism than unsupervised release. We further could not locate studies that evaluated suspended sentences or fines. There were very few studies that compared sanctions (e.g. reoffending rates for offenders sentenced to probation versus prison), making it virtually impossible to assert which sanctions are most effective. This research gap is understandable given the higher likelihood of sexual offenders to receive custodial penalties than non-custodial sanctions.

Consequently, it is difficult to identify 'what works' in the sentencing of persons convicted of sexual assault and rape offences. As explored in *Chapter 7: Discussion*, additional research is required. This is particularly the case given that we did not identify *any* Australian research relating to the impact of imprisonment or community supervision on the reoffending trajectories of sex offenders. It is probable that the Australian context differs in ways that may impact the delivery of an intervention or the effects it will have. As a result, we urge readers to approach matters of sentencing for sexual assault and rape perpetrators cautiously, as there is insufficient evidence on which to make informed decisions.

Evidence of Effectiveness: Sentence Supplements and Alternative Sanctions

In addition to the traditional sentences of imprisonment and community supervision described above, we further identified several studies in our REA that provide a supplement to these more routine sentences (such as the provision of a condition on a parole order that the offender must be electronically monitored) or serve as an alternative approach to justice. These studies are reviewed and summarised in the subsections that follow.

Highlights

- Research on the impact of electronic monitoring is mixed, with some studies showing positive effects, especially when combined with other interventions.
- Sex offender registration and notification (SORN) laws have proliferated but face controversy regarding their efficacy, as most studies find that SORN policies are not associated with reduced reoffending, regardless of case characteristics or study design.
- Sex offender restrictions (which impose limitations on where sex offenders can live or work) face legal challenges and debates due to concerns about their effectiveness, potential broadness, and negative impacts on reintegration.
- Research on compulsory treatment (which requires convicted sex offenders to participate in therapy or rehabilitation programs as part of their sentence) indicates mixed results, with some studies suggesting effectiveness, while critics raise concerns about coercion and treatment quality.
- Polygraph tests are used in sex offender management for risk assessment, treatment monitoring, and compliance. Studies on the impact of polygraphy vary, with some suggesting increased disclosures and risk assessment changes, while others show limited effects on recidivism.
- One study in South Australia compared youth processed through restorative justice conferences with those in the traditional court system, finding that youth in restorative justice had lower

recidivism rates, although the study could not fully account for differences in criminal histories and referral to therapeutic services (Daly, Bouhours, Broadhurst, & Loh, 2013).

Electronic Monitoring

Commencing in the 1980s, interest in the electronic monitoring of offenders grew exponentially, largely in response to problems associated with booming prison populations. Critical to discussions on electronic monitoring are the implicit assumptions made by criminal justice agencies and related stakeholders. When correctional interventions are developed, they reflect the designers' understanding of the underlying theories of why people offend. Specifically, whether electronic monitoring has utility depends on whether (1) the administering agency has accurately identified the underlying reason why that cohort of offenders commits crime (factors known as 'criminogenic needs'), and (2) the intervention is useful in targeting those factors.

The administration of electronic monitoring across agencies and jurisdictions is greatly heterogeneous; these differences are largely mirroring the developers' underlying theory of offending. Generally, electronic monitoring of sex offenders is a supervision and surveillance technique that involves the use of electronic devices to track the movements and activities of individuals convicted of sex offences. This technology is often used as part of the supervision and management of sex offenders in the community, especially those on parole or post-release supervision. Electronic monitoring serves purposes such as location tracking, compliance monitoring, enhanced supervision, and risk assessment.

Some proponents argue that electronic monitoring can help facilitate the reintegration of sex offenders into society by allowing them to live in the community while still being subject to oversight and restrictions. Conversely, critics have raised concerns about the potential infringement on privacy rights, the cost of implementing and maintaining such systems, and the need for proper training and oversight of the technology to ensure its accuracy and fairness.

MacKenzie's (1997) systematic review examined the research evidence related to electronic monitoring and home confinement. In the most empirically rigorous studies she reviewed, the results showed that electronic monitoring increased revocations and arrests. She concludes that many evaluations that show positive effects of electronic monitoring do so because they either lack a comparison group or began with already low-risk offenders.

For general offending (i.e. not exclusive to sex-based offences), meta-analyses and other reviews often reveal that electronic monitoring fails to produce the desired effects (Belur, Thornton, Tompson, Manning, Sidebottom, & Bowers, 2017; Gendreau, Goggin, Cullen, & Andrews, 2000; Renzema & Mayo-Wilson, 2005). Renzema and Mayo-Wilson concluded that "there was no overall impact on recidivism at the longest follow-up period of each study" (2005, p. 230).

Specific to the use of EM on sex offenders, we identified two studies that met the inclusion criteria for this rapid evidence assessment. The studies each investigated the impact of electronic monitoring on various operationalisations of recidivism.

In a 2015 study performed in California, Turner, Chamberlain, Jannetta, and Hess reported on a pilot program that followed 94 high-risk sex offenders subject to GPS monitoring and 91 comparable perpetrators on a specialised caseload. Offenders electronically monitored were less likely to fail to register as a sex offender, marginally less likely to abscond, and somewhat less likely to be found guilty of committing a new offence (although there was no difference in the type of offence).

Gies, Gainey, and Healey's (2016) Californian study assessed the impact of California's lifetime GPS monitoring of high-risk sex offenders. The results of their quasi-experiment demonstrate that GPS-monitored offenders exhibited improved outcomes compared to a propensity score matched control group. Significant effects were found across several forms of technical violations, arrests, and convictions.

Looking at the available evidence more broadly, the results are disparate: While some evaluations of electronic monitoring show beneficial effects for some offence types and in some circumstances, other studies fail to produce the intended outcomes (Gendreau et al., 2000; Lee, Aos, Drake, Pennucci, Miller, & Anderson, 2012; Renzema & Mayo-Wilson, 2005; Roman, Liberman, Taxy, & Downey, 2012). In a review of the available evidence, DeMichele (2021) suggests that electronic monitoring can not only improve supervision outcomes but can also improve an individual's experience under community correctional control. This conclusion is not universally reported, however, as much qualitative research indicates that electronic monitoring is not routinely positively interpreted by offenders experiencing the sanction (Payne & Gainey, 1998; Richter, Ryser, & Hostettler, 2021).

The meta-analysis by Belur and colleagues concluded that, "across 17 studies, EM of offenders does not have a statistically significant effect on reducing re-offending" (2017, p. 5). Their findings do indicate, however, that electronic monitoring has worked in some instances, particularly with paroled sex offenders, when it is used as an alternative to incarceration, and when it is combined with other responses (particularly rehabilitative interventions and certain social support services). Toward this end, Renzema & Mayo-Wilson, 2005 suggest that, "if EM is going to be used to address a budget crisis, to relieve prison crowding, or to increase offender accountability, EM should be coupled with programs that are likely to reduce recidivism" (2005, p. 232).

Summary

Evaluations of electronic monitoring across general offending cohorts frequently demonstrate no substantive effects on reoffending. Studies of the impact of electronic monitoring on sex offenders show promising results, although policymakers should interpret this evidence cautiously, as it is based on only two evaluations from California. Experts suggest that electronic monitoring may be most effective when packaged with other intervention components, such as effective supervision practices and treatment programs.

Registration and Community Notification

Sexual violence is a serious matter requiring serious policy efforts to prevent and manage these offences. At the same time, however, concerns about these offences have prompted a great degree of public pressure for governments and criminal justice agencies to address the issue. Unfortunately, this pressure has resulted in a form of penal populism, whereby policies are effected despite a lack of evidence about their efficacy (at best) or in the face of compelling evidence that such policies are consistently ineffective.

A prominent example of such policies falls under the umbrella of Sex Offender Registration and Notification (SORN) laws. Over the past three decades, such policies have proliferated criminal justice systems in many parts of the world, becoming entrenched in the sociopolitical climate of each culture (Zgoba & Mitchell, 2021). Registration and notification laws receive widespread support from the public, law enforcement, and policymakers (Bierie, 2016; Levenson, D'Amora, & Hern, 2007; Tewksbury & Lees, 2007; see also *Chapter 5: Victim Perceptions of Sentencing*), observed in displays of media attention and political endorsement (Zgoba & Mitchell, 2021).

Registration policies look somewhat different depending on the jurisdiction where they are developed and implemented. Sex offender registration is a legal requirement, where individuals convicted of certain sex-related offences are mandated to provide their personal information to law enforcement agencies. This information is then entered into a database frequently known as a sex offender registry. The length of time a sex offender is required to remain on the registry varies by jurisdiction and may depend on factors such as the nature of the offence and the individual's risk assessment. In some cases, registration can be a lifelong requirement.

In many instances, registration schemes include an element of mandatory reporting, in which convicted offenders are required by law to report their personal details to law enforcement agencies (such as their name, address, photograph, fingerprints (and sometimes DNA), physical description, vehicle information, and details about their conviction). In some areas, law enforcement agencies perform compliance checks, verifying that registered offenders are adhering to their reporting and registration requirements; failure to comply can result in legal consequences, including re-arrest. Some registration systems categorise sex offenders into different tiers based on the severity of their offences. More serious offences often result in longer and more stringent registration requirements.

In some areas, community notification schemes are in place in addition to or as a substitute to the register. In most instances, community notification refers to the register being publicly accessible through online databases, enabling concerned citizens to search for registered sex offenders in their area. In other places, community notification may take the form of offenders or law enforcement officials notifying neighbours, schools, and community organisations about the presence of a sex offender in their vicinity. This notification is intended to raise awareness and help individuals take precautions.

While registration and notification policies are popular, these laws are often controversial. Supporters argue that they provide essential information to protect communities and allow law enforcement to monitor potentially dangerous individuals. Critics raise concerns about the

potential for public harassment and vigilantism, the impact on the rehabilitation and reintegration of offenders, and the inclusion of lower-risk individuals on the registry. Laws and regulations related to sex offender registration vary widely from one jurisdiction to another, reflecting differing approaches to balancing public safety and individual rights.

Correctional policy ought to be evidence-based (Cullen & Jonson, 2012; Cullen, Myer, & Latessa, 2009; Latessa, Cullen, & Gendreau, 2002). Fortunately, a considerable number of evaluations of registries and notification schemes have been performed, enabling policymakers to engage in decision-making processes that are guided by the results of these studies.

For this rapid evidence assessment, we located 22 studies that empirically explored the effects of offender registries and community notification.

Critically, readers should note that all 22 evaluations were performed in the United States, and the findings should thus be interpreted with this caveat in mind. For context, in the American system, SORN schemes vary across jurisdictions (local and state). Most often, the registries are publicly accessible, thereby serving as a form of 'community notification'. For the purposes of this review, we were unable to independently evaluate registration schemes and community notification schemes.

A meta-analysis summarising 25 years of research was performed by Zgoba and Mitchell (2021). Using a methodologically rigorous approach, the authors computed 42 effect sizes from 18 studies (many of which are included in this REA) that included nearly 500,000 ex-prisoner participants. Their analyses demonstrated that registration and notification policies have had no appreciable impact on reoffending. The included studies had no effect on recidivism irrespective of whether this was operationalised as rearrest or new convictions, and likewise observed no significant effects when predicting sexual or nonsexual reoffences.

Summarily, research largely reveals that offender registries and community notification policies have negligible impacts on reoffending rates. Although a minority of studies suggest certain benefits, such as delaying new offences, these outcomes were study-specific and not always replicable. An Australian-based review of the research related to registries concluded that they may have a minor deterrent effect on first-time offenders but they do not reduce recidivism, and while they have strong public support they do not reduce fear of crime (Napier, Dowling, Morgan, & Talbot, 2018).

Summary

Sex offender registration and notification (SORN) policies are politically popular, as the community falsely assumes that these policies enhance public safety. Evaluations of these policies largely demonstrate that they have had no appreciable impact on reoffending.

Restrictions

Sex offender restrictions, also known as sex offender ordinances, are laws that impose limitations on where individuals convicted of sex offences can live or work. These restrictions are intended to enhance public safety by reducing the proximity of sex offenders to places where children and vulnerable populations gather. While the specifics of these restrictions can vary widely from one jurisdiction to another, common aspects include:

- Residency exclusion zones: Many sex offender restrictions prohibit registered sex offenders from residing within a certain distance of places where children commonly congregate, such as schools, parks, playgrounds, and daycare centres.
- Loitering or presence in certain areas: Some restrictions may prohibit sex offenders from loitering or being present in specified areas, particularly those frequented by children.
- Employment restrictions: In some cases, sex offender restrictions extend to employment. Offenders may be barred from working in jobs that involve contact with children or vulnerable individuals, such as teaching, coaching, or childcare.
- Probation or parole conditions: Sex offender restrictions can be imposed as a condition of a community corrections order, and individuals under supervision must comply with these restrictions as part of their release or supervision.
- Registration Requirements: Sex offenders are typically required to report their residence and any changes in residence to law enforcement, making it easier for authorities to monitor compliance with residency restrictions.

It is important to note that the legality and effectiveness of sex offender restrictions have been the subject of considerable debate and legal challenges. Critics argue that these restrictions can be overly broad, counterproductive, and may make it difficult for sex offenders to reintegrate into society, find stable housing, and maintain employment, which can increase their risk of reoffending (Levenson, 2003). Moreover, some research suggests that residency restrictions may not significantly reduce recidivism or enhance public safety (Pacheco & Barnes, 2013).

We identified five studies that evaluated the impact of residence restrictions in the United States, each of which explored somewhat distinct outcome variables.

Using a large sample of sex offenders on the South Carolina register ($n = 11,304$), a thesis by Cann (2017) examined whether residence restriction increases the likelihood of homelessness and recidivism. Analyses revealed that recidivism is markedly higher for the individuals who were registered and homeless than for the registrants who had not experienced such housing instability.

In their investigation of parolee outcomes before and after the introduction of legislation that restricts residency for sex offenders, Huebner, Kras, Rydberg, Bynum, Grommon, & Pleggenkuhle (2014) identified a statistically significant increase in reconvictions after controlling for relevant factors.

A 2017 study by Kang included a large sample ($n = 34,528$) of male offenders, finding that residence restrictions increased the likelihood of convictions for new property crimes. The impact of the restriction policy on repeat sex offences was relatively modest, although the

research identified that residency restrictions best reduce repeat sex offences amongst young persons and individuals recently released from custody.

An article by Nobles, Levenson, and Youstin (2012) detailed an evaluation of the effectiveness of residence restrictions in the prevention of sexual recidivism. Their analyses revealed a statistically non-significant association between the timing of the policy and arrests or sex offender recidivism.

Socia's (2013) study utilised Uniform Crime Reports across 19 years and from 49 American states, concluding "that when a state residence restriction was present, regardless of how it was measured, rates of UCR forcible rape were higher than when the policy was not present" (p. 205).

Combined, research on the impact of residence restrictions on recidivism for sex offenders has yielded generally unsupportive results (Pacheco & Barnes, 2013). While these restrictions are often intended to enhance public safety, the actual effects on recidivism leave much to be desired.

For instance, there is limited evidence of the effectiveness of such restrictions (Savage & Windsor, 2018; Socia & Stamatel, 2010), there are many unintended consequences of these policies (including factors such as housing instability, stigma, and reintegration hurdles that often *increase* reoffending risk; Levenson, 2003), the restrictions may create a false sense of security amongst the public and inadvertently increase victimisation (Meloy, Miller, & Curtis, 2008), and these measures frequently shift resources from evidence-based approaches to more punitive penological practices (Socia & Stamatel, 2010).

Summary

The research evidence regarding the impact of restrictions on sex offender recidivism is relatively weak. While these restrictions may have some potential benefits, they also come with many drawbacks and inadvertent outcomes. A more comprehensive and evidence-based approach to sex offender management that addresses the underlying causes of offending and promotes rehabilitation is generally considered more effective in reducing recidivism and enhancing community safety.

Compulsory Treatment

Compulsory treatment refers to a legal requirement that individuals convicted of sex offences must participate in specific therapeutic or rehabilitative programs as part of their sentence or as a condition of their parole or probation. The primary goals of mandatory treatment for sex offenders are to reduce the risk of reoffending, promote rehabilitation, and protect the community. Compulsory treatment may form part of court-ordered treatment, be a condition of probation or parole, or be a required custodial correctional program (sometimes to 'earn' parole eligibility). Offenders in treatment are typically closely monitored for attendance and active

participation. Non-compliance may result in legal consequences, such as probation or parole violations or a return to custody.

Prior to or during treatment, individuals may undergo risk assessments to determine their likelihood of reoffending. This assessment helps tailor the treatment plan to the specific needs and risks of the offender. Treatment for sex offenders can take various forms, including individual therapy, group therapy, cognitive-behavioural therapy (CBT), relapse prevention programs, and psychoeducation. The choice of treatment modality often depends on the individual's needs and the nature of their offence. The duration of mandatory treatment can vary widely based on the severity of the offence, the individual's progress, and legal requirements. Treatment may be relatively short-term or extend over several years.

Mandatory treatment for sex offenders is a complex and controversial area of criminal justice (Marshall, Fernandez, Marshall, & Serran, 2006). While proponents argue that it can be effective in reducing recidivism and enhancing public safety, critics raise concerns about the potential infringement on offenders' rights, the risk of ineffective or harmful treatment, and the need for evidence-based approaches. The development and implementation of treatment programs for sex offenders vary from one jurisdiction to another, and they are subject to ongoing research and evaluation.

These considerations in mind, Australian corrections agencies routinely utilise high-intensity treatment programs for individuals convicted of sex-based offences (Heseltine, Sarre, & Day, 2011). Importantly, however, these programs are often premised on voluntariness.

Executing the methodology for this rapid evidence assessment, our search produced nine studies of compulsory (i.e. court-ordered) treatment. Here, we refer to rehabilitative programming that forms part or all of a legal disposition.

Two meta-analyses concluded that treatment for sex offenders can be highly effective. The first, completed by Lösel and Schmucker (2005), identified 69 studies with 80 independent comparisons. The cumulative sample size amounted to 22,181 participants, comparing the outcomes of those who completed treatment and those who did not. A wide spectrum of positive and negative effect sizes emerged, generally showcasing the benefits of correctional treatment, reflected in a 37% difference in sexual recidivism between the treatment and control groups. Treatments involving methods such as castration and hormonal medication yielded more substantial effects when contrasted with psychosocial interventions. Amid the psychological interventions, cognitive-behavioural strategies exhibited the most robust impact, while non-behavioural treatments showcased negligible influences.

Their meta-analysis was updated one decade later (Schmucker & Lösel, 2015). The average effect size for sexual recidivism was smaller than in their earlier meta-analysis but remained statistically significant, translating to a relative reduction in reoffending of 26.3%. While the overall effect was robust despite outliers, the effect sizes exhibited marked heterogeneity. Enhanced effects were seen with cognitive-behavioural and multisystemic treatments. Notably, prison-based treatment didn't yield a significant average effect, but positive outcomes were seen in certain prison studies.

Grady, Edwards, Pettus-Davis, and Abramson (2013) explored whether treatment voluntariness impacted the observed outcomes of a US-based study. A common criticism of research related to offender rehabilitation relates to 'self-selection bias', broadly meaning that it can be difficult to discern whether any positive effects observed in a treatment program are due to the content of the intervention or the underlying differences between the subsamples (e.g. whereby program participants may be more committed conscientious, compliant, etc). Using propensity score matching to establish an appropriate comparison group, their findings revealed that while there were several differences between the two groups in terms of risk (as measured by the STATIC-99 instrument), there were no discernible differences in the recidivism rates of the subsamples.

Zeidler's (2016) US-based doctoral dissertation explored the influence of court-mandated 'psychoneuroimmunology' and 'psychoeducation' on the recidivism of probationers and parolees versus those who received only the latter category of treatment. The findings revealed that a higher dosage of treatment (of 24 months) was more strongly associated with decreased recidivism.

A Dutch study reported by Smid, Kamphuis, Wever, and Van Beek (2016) examined the recidivism outcomes of sex offenders discharged from high-intensity inpatient treatment and a random sample of 25% of adult male sex offenders discharged from prison without being referred to any form of treatment. The authors found no significant differences on sexual recidivism between the treatment and control group, although treated sex offenders had a significantly lower violent recidivism rate than untreated sex offenders. Moderate- and high-risk sex offenders who were treated reoffended at significantly lower rates than their untreated counterparts.

A study by von Franqué and Briken (2021) investigated whether men who had committed child sexual abuse in Germany and had been sentenced by the court to complete treatment demonstrated different outcomes than a comparable group of offenders who volunteered for such treatment. There was no statistically significant difference between the two groups, as measured by psychometric assessment scores pre- and post-treatment. The participants in both groups showed positive improvements under treatment.

Zgoba and Levenson (2008) analysed administrative data to compare the recidivism rates of sexual offenders released from prison ($n = 150$) compared to individuals released from a treatment centre ($n = 150$). The authors report that the entire sample of sexual offenders had a 25% rearrest rate for sexual reoffences over an average 7-year follow-up window. There were no differences in sexual recidivism between treated and untreated groups.

In an analysis of data from this same treatment centre, Zgoba, Sager, and Witt (2003) report that the 10-year reconviction rates for sexual offences were low, with just 8.6% of offenders from a specialised treatment centre being convicted for a new sexual offence compared to 12.7% for sexual offenders in the general prison population who did not receive this same treatment. There was a comparable difference in reoffence rates for non-sexual offences, with 25.8% for the treatment group and 44.1% for the comparison group.

Meta-analyses reveal that treatment for individuals convicted of sex-based offences can be effective (Lösel & Schmucker, 2005; Schmucker & Lösel, 2015). However, this effect is not observed in every study that evaluates the impact of treatment for sex offenders. Moreover, the inherently coercive nature of legally mandated treatment casts scepticism over the observed outcomes. The heterogeneity in evaluation results may reveal that 'moderating effects' matter. That is, treatment itself will not be universally rehabilitative; rather, the content and mode of treatment are important (Andrews & Bonta, 2010; Cullen & Gendreau, 2001). Accordingly, in the subsection that follows, we provide a cursory overview of the more general evidence about sex offender treatment.

General Effectiveness of Treatment for Sexual Offending

Enhancing efforts to prevent recidivism amongst individuals who have sexually offended is a primary concern for corrections agencies and communities alike, given the substantial threat to public safety they are thought to pose. In addition to primary prevention efforts, considerable resources are invested in treatment programs that are geared toward reoffending risk reduction.

A review of treatment programs targeted toward sex offenders delivered by Queensland Corrective Services concluded that these interventions can reduce sexual and nonsexual recidivism (McKillop, Rayment-McHugh, Prenzler, & Christensen, 2019; see also Smallbone & McHugh, 2010). Several systematic reviews and meta-analyses have been conducted to ascertain the overall effectiveness of treatment programs specific to sex offending, generally communicating promising findings (Hanson, Bourgon, Helmus, & Hodgson, 2009; Reitzel & Carbonell, 2006; Schmucker & Lösel, 2017).

A more recent review by Schmucker and Lösel (2017) focused on randomised controlled trials (RCTs) and high-quality quasi-experimental studies with matched comparison groups. Their meta-analysis, encompassing 29 comparison groups from 27 studies, highlighted lower recidivism rates among treated sex offenders. The treated group had a 26% reduced reoffending probability after treatment. Unlike their previous work, pharmacological treatment evaluations were excluded, and only psychosocial treatments, particularly cognitive-behavioural therapy (CBT), were analysed. CBT demonstrated a moderate yet significant effect on recidivism. Multi-Systemic Therapy (MST) showed strong effects for juvenile sex offender treatment, outperforming prior reviews in this population (Reitzel & Carbonell, 2006). Varied effects were observed among different correctional settings, with community-based programs exhibiting greater efficacy than custody-based interventions. Group programs with integrated individual sessions were found to be most suitable for addressing offender needs.

Previous analyses have explored the significance of the risk, need, responsivity (RNR) principles within sex offender therapy. Hanson and colleagues (2009), in their examination of 23 studies, classified interventions according to their adherence to RNR principles. Programs were categorised as adhering to the risk principle when concentrating on high-risk offenders, the need principle if treatment objectives aimed to curb recidivism, and the responsivity principle if the delivery matched participants' learning styles. In their evaluation of sexual and general recidivism rates, Hanson and colleagues (2009) discovered that treated offenders displayed

lower probabilities of reengaging in criminal behaviour compared to untreated offenders. Moreover, interventions aligned with RNR principles demonstrated the highest efficacy.

Summary

Research findings regularly reveal that treatment for sex offenders can be highly effective. The impact of treatment varies according to its content and delivery, however, with programs demonstrating greater effects when they adhere to the principles of effective correctional intervention. Moreover, the ethical considerations of coerced treatment must be weighed against the rehabilitative ideal and demands for public safety.

Polygraphy

Within sex offender management, polygraphy (sometimes referred to as lie detector testing) is periodically used as a tool in the management of sex offenders, particularly within certain criminal justice systems and treatment programs. Its use varies by jurisdiction and program, and there are both proponents and critics of its application in this context.

Broadly, the use of polygraphy in the management of sex offenders typically serves the purposes of risk assessment, treatment and monitoring, supervision and compliance checking, and accountability assurances (Heil & English, 2009). It is important to note that the use of polygraphy in the management of sex offenders is not without controversy and limitations. Namely, opponents of these practices voice concerns about the accuracy and reliability of the tool, worries over false positives and negatives, its damage to the therapeutic relationship, and the generally unethical mechanisms of infringing on an individual's rights and their privacy (Branaman & Gallagher, 2005; Meijer, Verschuere, Merckelbach, & Crombez, 2008).

These considerations momentarily aside, we located three studies within this REA that evaluated the impact of polygraphy on recidivism.

A 2013 United Kingdom study by Gannon, Wood, Pina, Tyler, Barnoux, and Vasquez evaluated the impact of mandatory polygraph tests according to criminal justice practitioners. Amongst the offender managers surveyed, they reported that a higher proportion of offenders being polygraphed made disclosures and that these sex offenders made more disclosures overall. However, the seriousness of such disclosures did not differ between those polygraphed and offenders not being comparably tested.

Research completed by Grubin (2010) in England indicated that the use of polygraph by probation staff resulted in reported increases in assessed risk. Case managers of polygraphed offenders were more likely to observe treatment changes than staff overseeing clients who were not comparably tested, with most staff describing the tool as helpful to their supervision strategies.

McGrath, Cumming, Hoke, and Bonn-Miller (2007) reported that of the seven categories of recidivism evaluated for the project, only one variable reached statistical significance. Namely,

fewer individuals in the polygraph group (2.9%) were charged with a new non-sexual violent reoffence compared to those who were not polygraph tested (11.5%). Importantly, the authors note that the information obtained during polygraph exams was never used to charge the recidivists with further offences.

Overall, polygraphy is sometimes used as a tool in the management of sex offenders to assess risk, monitor behaviour, and encourage and gauge compliance. However, its effectiveness and ethical implications are subjects of ongoing debate (Meijer, Verschuere, Merckelbach, & Crombez, 2008). Thus, it is essential to carefully consider the potential benefits and drawbacks when incorporating polygraphy into sex offender management strategies. Indeed, Kotsoglou and Oswald propose “a moratorium on any further use of the polygraph by the State, in order to thoroughly evaluate its effect on the integrity of the legal order, human rights and, more generally, the Rationalist aspirations of the penal system” (2021, p. 189).

Summary

The application of polygraph (i.e. ‘lie detection’) tests in the oversight of sex offenders is suggested to help authorities evaluate risk levels, facilitate treatment, and monitor behaviour and enhance compliance. Evaluations show that polygraphy was perceived by justice practitioners as assisting with the production of offender disclosures and treatment effects. While there is promising evidence regarding the use of polygraphy as a tool in broader supervision or treatment frameworks, there are ethical concerns about its symbolism, impact on correctional clients, and false positives / negatives produced by the technology.

Restorative Justice

Restorative justice is a philosophical and practical approach to addressing crime that focuses on repairing the harm caused to individuals, relationships, and communities rather than solely punishing the offender (Cullen & Jonson, 2012). It seeks to involve all stakeholders, including victims, offenders, and the community, in a process aimed at reconciliation, healing, and reintegration. Daly (2002, 2006, 2011) argues that restorative justice may provide a promising approach to responding to sexually violent offences. Indeed, as we explore further in *Chapter 5: Victim Perceptions of Sentencing*, there is support for restorative justice practices amongst victims and the public.

We located one study that explored the impact of restorative justice conferencing involving sex offences.

Daly, Bouhours, Broadhurst, and Loh (2013) compared the recidivism of youth in South Australia proceeded against in court versus conference. While youth processed through the traditional court system had higher rates of recidivism, these differences were largely explained by the more extensive and serious criminal histories of the youth in court, while those managed through conferencing were also referred to more therapeutic services. Unfortunately, given the limitations of the research design and the small sample size, it was not possible for the research

team to disentangle whether these factors fully accounted for the distinct reoffending patterns between the two groups.

Summary

Restorative justice practices may hold promise as a novel approach to the sentencing of individuals who have committed sexual offences. Evaluation results on the impact of such practices on reoffending are very slim, although there is broader evidence that victims are supportive of restorative justice.

Research on Other Justice Practices

In addition to the above-described criminal sentences and the evidence related to their effectiveness, there are other legal dispositions that did not produce any results that met the inclusion criteria of our rapid evidence assessment methodology. However, as the overarching research in these areas may still be of use, below we very briefly summarise the available evidence-base that we identified for other penalties or interventions.

Readers should note that the research that follows must be interpreted carefully for several reasons.

First, the research may relate to general offending (rather than sex offending specifically). The effects of these studies may not be relevant to persons convicted of sexual assault and rape, as their unique *Offending Aetiology* and *Desistance* considerations may interact with a sanction in ways that differ from other offender cohorts.

Next, the studies may not have a strong research design (and thus, the validity and reliability of the results may be questionable, particularly when there is no comparator). It is difficult to gauge the efficacy of an intervention when there is nothing to compare it to.

Third, the research may be from a time or place that has less relevance to the current Report and Council's Terms of Reference (see *Scope and Definitions*). Much of the research we reviewed was performed in the United States; while the country has many similarities to Australia, there is also reason to believe that the sociopolitical cultures and criminal justice landscape differ in important ways. Accordingly, it can be difficult to apply the research findings from these studies to the sentencing practices used in Australia.

Finally, the justice practices that follow are not traditional sentences. For instance, some of these interventions relate to the post-sentence management of sex offenders, while other interventions relate to alternate responses to individuals who sexually offend.

With these considerations in mind, readers must be cautious in their interpretation and translation of justice practices described in the subsections that follow.

Highlights

- Civil commitment, preventive detention, and indefinite detention lack strong research support.

- Many studies of civil commitment schemes have limitations, including the absence of control groups, making it challenging to assess their impact on reoffending. Additionally, the high cost and potential violation of civil rights associated with these practices raise concerns.
- Medical interventions such as medication and chemical castration have shown promise in reducing the risk of reoffending among individuals convicted of sex-based offences, although there are serious ethical concerns regarding these treatments.
- The Circles of Support and Accountability (COSA) program, designed to aid high-risk sexual offenders transitioning back into society, has demonstrated effectiveness in reducing reoffending rates.
- Research on the effectiveness of monetary penalties, including legal fees, fines, victim compensation, or restitution, is limited, although some studies suggest that fines may not be an effective deterrent and can disproportionately affect those from lower socioeconomic backgrounds.
- Swift, certain, and fair (SCF) programs, within a broader problem-solving courts model, have faced ethical and effectiveness concerns; they emphasise deterrence, with critics arguing that they may infringe on defendants' rights and fail to produce strong empirical evidence.
- Recent meta-analysis results indicate a small overall effect size for SCF programs, with moderator analyses generally showing weak or null findings.

Civil Commitment and Preventive Detention

Using our screening procedures and coding rules (see *Eligibility Criteria (REA 1)*), studies exploring civil commitment and preventive detention were ruled as out of scope. Specifically, civil commitment and preventive detention are not sentences as such, and our review did not identify any studies that explicitly investigated the impact of such an intervention as a sentence in and of itself. Rather, civil commitment is ordinarily used in a post-sentence capacity.

Although somewhat distinct, schemes involving civil commitment, preventive detention, and indefinite detention have grown in popularity across the past two decades (Cohen & Jeglic, 2007; Mercado & Ogloff, 2007), including in Australia. Queensland, for instance, has a *Preventive Detention* scheme. Such practices, which ordinarily involve the involuntary confinement of individuals deemed to pose an unacceptably high risk of reoffending (usually after the completion of their criminal sentences), reveal generally unsupportive research findings.

Unfortunately, however, many of the available studies lack a control or comparison group, making the interpretation of such descriptive results challenging (Cohen & Jeglic, 2007). For example, Ambroziak and colleagues (2023) report that only 1.5% of sexually violent persons civilly committed in Wisconsin sexually reoffended within 2.5 years of release. Without a control group, however, it is difficult to estimate the effects of imprisonment (or community supervision following release) on technical violations, actuarial risk, reoffences, or returns to custody.

There are further difficulties related to the validity and reliability of risk assessment instruments with sexually offending populations (Boccaccini, Murrie, Caperton, & Hawes, 2009; Heilbrun,

Ogloff, & Picarello, 1999). Moreover, as reported by Lobanov-Rostovsky, “very few civil commitment programs have released sufficient numbers of offenders to allow researchers to study the impact of civil commitment in a meaningful way” (2015, p. 3).

These practical limitations in mind, it is very difficult to glean the overarching impact of these schemes on reoffending, with the available results of limited value. For example, Duwe (2014) found that intermediate sanctions may have been more effective (economically and in terms of community safety) given that less than 10% of civilly committed sex offenders were forecasted to have reoffended sexually within four years.

A study by Schram and Milloy (1998) tracked a cohort of sex offenders who were released without being subjected to civil commitment despite the recommendations in those cases. Their findings revealed that only 28% of the released individuals reoffended, implying that nearly three-quarters of those who would have been subjected to civil commitment might not have reoffended had they been released.

In a large-scale study of more than 3,000 offenders, Mercado, Jeglic, Markus, Hanson, & Levenson (2011) compared recidivism between individuals selected for commitment as a Sexually Violent Predator (SVP) in New Jersey versus those not civilly committed. Those who underwent civil commitment were found to be at significantly higher risk of a reoffence according to actuarial measures and rates of sexual recidivism. The authors conclude (p. 6) that,

“given the exceptionally high cost of SVP commitment and the fact that most new sexual offenses are not committed by known offenders, policymakers should be encouraged to better balance estimated crime prevention associated with SVP commitment with that of primary prevention techniques that may cast a wider net in terms of reducing sexual violence in the community.”

Analyses by Ackerman, Sacks, and Greenberg (2012) suggest that legislation related to the management of sex offenders is of little instrumental use, showing that civil commitment (alongside other measures such as registration and community notification) fails to serve as a general deterrent in the reduction of rape.

Moreover, Janus’ (2000) calculations indicate that civil commitment is likely to cost millions of dollars per year once staff and support costs are included, far outpacing the economies of imprisonment or intensive treatment. These results raise significant civil rights concerns (Miller, 2010); particularly if the majority of civilly committed sex offenders may not pose a substantial risk of reoffending, subjecting them to prolonged commitment beyond their legal sentences is inhumane at best (Cohen & Jeglic, 2007). Such policies appear to be driven by penal populism and fears about risk and harm in sexual recidivism (Pratt, 2006), calling into question how criminal justice practitioners render judgments about civil commitment (McLawsen, Scalora, & Darrow, 2012).

Summary

Civil commitment, preventive detention, and indefinite detention schemes are used by many jurisdictions to prolong the period of incarceration of an individual convicted of an act of sexual violence. These schemes are thought to enhance public safety by incapacitating those at-risk of reoffending. Most studies have methodological limitations affecting the interpretation of results, although much of the research regarding civil commitment demonstrate unsupportive findings.

Medical Interventions

Throughout our desktop review and as part of our screening for the rapid evidence assessments, we encountered some research that described the use of medical interventions for the treatment of individuals convicted of sex-based offences. These studies were frequently not evaluations, but rather featured a description of the medical-based interventions that offenders were required to undergo or that they pursued voluntarily (generally related to the use of medication to reduce sexual urges or produce impotence, sometimes referred to as chemical castration). Moreover, we excluded any studies of medical interventions as they often relate to the post-sentencing management of sex offenders.

Broadly, medical interventions for sex offenders are treatment approaches that involve the use of medical and pharmaceutical methods to address the underlying factors contributing to their sexually offending behaviour. These interventions are typically used in conjunction with psychotherapeutic and behavioural treatments as part of a comprehensive approach to the management and rehabilitation of sex offenders.

Critically, medical interventions for sex offenders are typically used in specialised and highly regulated contexts. The decision to use medical interventions is made on a case-by-case basis and should involve thorough assessment, evaluation, and informed consent.

Compulsory medical interventions for sex offenders are generally oriented around the following categories:

- Pharmacotherapy: Anti-androgen medication: Some sex offenders may be prescribed anti-androgen medications, such as medroxyprogesterone acetate (MPA) or cyproterone acetate, which reduce the production of testosterone and other sex hormones. This can lead to a decreased sex drive and potentially reduce the risk of reoffending. Selective serotonin reuptake inhibitors (SSRIs), commonly used as antidepressants, have been prescribed to some sex offenders to manage impulsive and compulsive behaviours. These medications can help control intrusive sexual thoughts and urges.
- Hormone therapy: Chemical castration involves the use of medications to reduce an individual's sex drive and sexual arousal. This can be achieved through the administration of anti-androgen drugs or hormonal agents that suppress sex hormones.
- Psychiatric medications: In cases where a sex offender has co-occurring mental health disorders, antipsychotic medications may be prescribed to manage symptoms and reduce the risk of reoffending.

- Libido-reducing medications: Some medications, such as leuprolide acetate, may be used to reduce sexual urges and compulsive behaviours.
- Substance abuse treatment: If substance abuse is a contributing factor to the offending behaviour, treatment for substance abuse disorders may be part of the comprehensive intervention.

Medical interventions for sex offenders are often viewed as adjuncts to psychotherapeutic and behavioural treatments rather than standalone solutions. These interventions are usually implemented as part of a comprehensive risk management plan with the goal of reducing the risk of reoffending and promoting rehabilitation while respecting the rights and dignity of the individual receiving treatment.

In a 2006 study, Maletzky, Tolan, and McFarland reported the impact of hormonal injections (medroxyprogesterone acetate (MPA), brand name Depo-Provera) on the recidivism of 275 male sex offenders. The researchers reported that those who received MPA were significantly less likely to reoffend or violate parole conditions than those who did not.

A 2005 meta-analysis by Lösel and Schmucker found that most of the included studies revealed benefits of treatment for sex offenders. Their analyses revealed that treated offenders exhibited 37% less sex-based reoffending than individuals within control groups. Given the very strong effect of surgical castration ($OR = 15.34, p < .001$) and hormonal medications ($OR = 3.08, p < .01$), the benefits of these medical interventions superseded those presented by psychosocial treatments.

Summary

Compulsory medical interventions for sex offenders may be effective at reducing reoffending. Yet there are many judicial and ethical challenges associated with legally mandated medical or pharmaceutical treatments. More broadly, further research is required to better understand the effects of mandatory medical interventions on offender propensity, recidivism, and physical and psychological wellbeing.

Circles of Support and Accountability (CoSA)

Research highlights the public's strong opinions about releasing sex offenders into the community, complicating their reintegration process (Wilson, Picheca, & Prinzo, 2007). The Circles of Support and Accountability (CoSA) program, initially designed to aid high-risk sexual offenders transitioning back into society after imprisonment, seeks to provide pro-social backing and advocacy for reformed sex offenders (Wilson, Cortoni & McWhinnie, 2009). Rooted in restorative justice principles, CoSA involves community volunteers forming an inner circle around participants, complemented by an outer circle of professionals (Wilson, Picheca, & Prinzo, 2007).

While executing the search for this rapid evidence assessment, we identified four evaluations of CoSA (Bates, Williams, Wilson & Wilson, 2014; Höing, Vogelvang & Bogaerts, 2017; Wilson,

Picheca, & Prinzo, 2007; Wilson, Cortoni, & McWhinnie, 2009). As this program is not an approach to sentencing as such, it has not been included in the results for this REA. However, the program may be of interest to readers of this Report. Accordingly, we provide a brief coverage of the results of available evaluations.

Initial research by Wilson and colleagues (2007) shows CoSA's effectiveness, leading to significantly reduced reoffending rates compared to control groups, notably a 70% decline in sexual recidivism. Subsequent findings (Wilson, Cortoni, & McWhinnie, 2009) reveal an 83% reduction in sexual recidivism and a 73% reduction in violent recidivism among CoSA participants compared to controls. The success of CoSA extends beyond Canada, with English and Dutch studies demonstrating positive outcomes. Bates and colleagues (2014) observed lower violent and sexual reconviction rates among CoSA participants in England, while in the Netherlands, Höing, Vogelvang & Bogaerts (2017) similarly reported favourable changes in offenders due to CoSA initiatives.

An evaluation of the CoSA program in Adelaide suggests that the approach has been effective in providing social support, addressing justifications for offending, reducing stressors, and assisting core members in meeting release requirements to prevent reoffending (Richards, Death, & McCartan, 2020). However, the study also identifies challenges, such as defining suitable core members and clarifying the roles of paid staff and volunteers, and recommends program expansion, increased volunteer participation, improved training, enhanced communication, and securing more funding and support for its development. Additionally, a research and evaluation framework has been established to document the program's outcomes.

Summary

The Circles of Support and Accountability (CoSA) program, rooted in restorative justice principles, aims to aid high-risk sexual offenders' transition back into society by providing pro-social support through community volunteers and professionals forming inner and outer circles around participants. Evaluations of CoSA have shown its effectiveness, with significant reductions in sexual and violent recidivism rates compared to control groups. The program highlights the importance of supporting offenders as they re-enter the community following a period of imprisonment.

Problem-Solving Courts

Problem-solving courts are specialised judicial programs designed to address the underlying causes of certain types of offences with the goal of reducing recidivism and improving outcomes for both offenders and the community. These courts take a more holistic and therapeutic approach to the justice system, focusing on coordination, collaboration, and case management. In the Australian context, problem-solving courts most commonly target problematic alcohol and drug use, forensic mental health, domestic and family violence, and Indigenous justice (Schaefer & Beriman, 2019; Schaefer & Egan, 2022).

Swift, Certain, and Fair Courts

Project HOPE (which stands for 'Hawaii's Opportunity Probation with Enforcement') is a program based on the 'swift, certain, and fair' (SCF) paradigm. The program gained attention for its unique strategy of using immediate and certain sanctions for probation violations, with the aim of deterring further offending and promoting compliance with probation conditions. Key features of the approach include swift and certain sanctions, transparency in decision-making, routine drug testing, case management and service provision, the use of positive reinforcement, and the targeting of high-risk (often high-risk but low-harm) offenders (Bartels, 2016, 2017). The underlying philosophy of Project HOPE is that a consistent and immediate response to relapses and misconduct will lead to increased compliance with court orders and supervision conditions, thereby reducing recidivism and enhancing community safety.

Although Project HOPE has received considerable popular attention, critics raise legitimate concerns about the effectiveness and ethics of SCF programs (Cook, 2016; Duriez, Cullen, & Manchak, 2014). Notably, there are potential unintended consequences of these legal models, and the enthusiasm many express for Project HOPE appears to supersede the need to ensure that defendants' / supervisees' rights are safeguarded (Cullen, Pratt, & Turanovic, 2016; Pattavina, Long, Petrich, Byrne, Cullen, & Taxman, 2023).

Australia has recently introduced justice initiatives inspired by the SCF model, as seen in programs like COMMIT (Compliance Management or Incarceration in the Territory), which is based on Project HOPE. While some have passionately argued that these programs align with the principles of therapeutic jurisprudence, procedural justice, and desistance (e.g. Bartels, 2016, 2017, 2019), others contend that they exhibit distinct ideological and procedural characteristics that separate them from other courts in the problem-solving movement (Schaefer & Beriman, 2019).

While problem-solving courts and SCF programs both involve judicial oversight and prioritise accountability, problem-solving courts centre on targeted collaborative intervention (Bowen & Whitehead, 2015), whereas the emphasis of SCF programs is deterrence. Problem-solving courts help to address criminogenic needs (Andrews & Bonta, 2010; Schaefer & Egan, 2022), while SCF programs rely on the long-discredited notion that increased control will resolve the issue of offending (Pattavina, Long, Petrich, Byrne, Cullen, & Taxman, 2023). The apparent "underlying progressive orientation" of Project HOPE should not mislead observers into perceiving SCF programs as benevolent or focused on rehabilitation (Cullen, Pratt, & Turanovic, 2016, p. 1215).

Indeed, research has shown that Project HOPE has not produced supportive empirical evidence (Lattimore, MacKenzie, Zajac, Dawes, Arsenault, & Tueller, 2016) despite the vocal advocacy the model frequently invokes. A recent meta-analysis performed by Pattavina and colleagues (2023) synthesised the results of 18 studies that evaluated the SCF approach. The overall effect size was small (-.058), with moderator analyses generally demonstrating weak or null findings.

Although there are sporadic reports that sex offenders are permitted under HOPE / SCF models (see, for example, Bartels, 2016), we were unable to identify any research about the utility of

any form of problem-solving court for perpetrators of sexual violence (see also Centre for Innovative Justice, 2017).

Summary

Problem-solving courts in Australia target various issues like substance abuse, mental health, domestic violence, and Indigenous justice. Project HOPE, based on 'swift, certain, and fair' principles, uses immediate sanctions for probation violations to reduce recidivism, but it has faced criticism for potential ethical concerns and lack of strong empirical evidence for its effectiveness. Unlike problem-solving courts that focus on intervention and addressing criminogenic needs, SCF programs prioritise deterrence and control, which are shown to be ineffective at reducing reoffending.

Chapter Summary

The research reviewed in this rapid evidence assessment demonstrates many promising practices. Perhaps most critically, we can readily identify that studies in a shared category can report divergent findings. Consequently, the conclusions that are drawn are not about 'what works' in the traditional sense, but rather whether sentences are meeting their specified objectives. For instance, while we have explored research largely in relation to recidivism reduction, not all sentences claim to have this as their driving aim (Queensland Sentencing Advisory Council, 2023).

Of note, and as explored further in *Chapter 7: Discussion*, most of the research we reviewed was performed in the United States. Of the Australian research, none of the studies included in this REA were performed in Queensland. Research evidence should ideally help to reflect the context in which said evidence would be embedded should it be implemented. Prior to the adoption of sentences that have demonstrated evidence of effectiveness elsewhere, then, local research should form part of a feasibility investigation.

Notable Exclusions

The following references were excluded from the results of our rapid evidence assessment recounted in this chapter. These research outputs nearly met the eligibility criteria outlined in *Chapter 3: Rapid Evidence Assessment Methodology*, yet were ultimately not included following full-text screening. Most frequently, the proceeding studies were excluded because they analysed data from before 2000 (even when published after this date), thereby making them ineligible for coding and synthesis. In other instances, there was no apparent control group in the study, resulting in it being screened out prior to the composition of this chapter.

Ambroziak, G., Vincent, S. R., Kahn, R. E., Mundt, J. C., & Thornton, D. (2023).

Recidivism and violations among sexually violent persons on supervised release. *Psychology, Public Policy, and Law*, 29(1), 93-105.

- Berenson, J. A., & Appelbaum, P. S. (2011). A geospatial analysis of the impact of sex offender residency restrictions in two New York counties. *Law and Human Behavior, 35*(3), 235-246.
- Budd, K., & Desmond, S. A. (2014). Sex offenders and sex crime recidivism: Investigating the role of sentence length and time served. *International Journal of Offender Therapy and Comparative Criminology, 58*(12), 1481-1499.
- Harris, D. A., Knight, R. A., Smallbone, S., & Dennison, S. (2011). Postrelease specialization and versatility in sexual offenders referred for civil commitment. *Sexual Abuse, 23*(2), 243-259.
- Nunes, K. L., Firestone, P., Wexler, A. F., Jensen, T. L., & Bradford, J. M. (2007). Incarceration and recidivism among sexual offenders. *Law and Human Behavior, 31*(3), 305-318.
- Ryan, S., Eldridge, A., Duffy, C., Crawley, E., & O'Brien, C. (2022). Resettle intensive intervention and risk management service (IIRMS): A pathway to desistance? *Journal of Forensic Practice, 24*(4), 364-375.
- Stalans, L. J., Seng, M., Yarnold, P. R. (2002). *Long-term impact evaluation of specialized sex-offender probation programs in Lake, DuPage & Winnebago counties*. Illinois Criminal Justice Information Authority.
- Zgoba, K. M., & Levenson, J. (2008). Variations in the recidivism of treated and nontreated sexual offenders in New Jersey: An examination of three time frames. *Victims & Offenders, 3*(1), 10-30.

Table 7: Summary of Eligible Studies of Evaluations of Traditional Sentencing Approaches (n = 8)

Author(s) (Year)	Country	Document Type	Data Source(s)	Sample(s)	Outcome(s)	Sentencing Approach(es)
Imprisonment (n = 2)						
Hsieh, Hamilton, & Zgoba (2018)	United States	Journal article	Official administrative data	Male convicted sex offenders who had been sentenced to prison (n = 671)	(1) Revocation; (2) sexual recidivism – rearrest; (3) any prison return. Minimum follow-up period was 5 years	Prison term as a continuous measure (i.e. sentence length)
Moss, Stephens, & Seto (2022)	Canada	Journal article	Official administrative data	Men assessed at a large sexual behaviour clinic from 1995–2011. All individuals committed at least one sexual offence that resulted in charges or convictions. Custodial sentence n = 463; non- custodial sentence n = 196	(1) Sexual recidivism; (2) nonsexual violent recidivism; (3) combined sexual/violent recidivism and (4) any recidivism	Sentence type: compared custodial to all non-custodial sentences/ Custodial sentence length: (1) those who served no time in custody; (2) those who served a sentence of less than two years in custody and (3) those who served a sentence of two years or more in custody
Community Supervision (n = 6)						
Brusman Lovins, Yoder, & Berry (2017)	United States	Journal article	Official administrative data	Compared historic youth data (n = 195) and contemporary sample (n = 205)	Recidivism measured as any new arrest and any new felony arrest within two years	(1) Community outreach, education, and relationship building; (2) a specialised docket, multi-disciplinary team approach and multisystem integration; (3) use of validated general risk assessment and juvenile sex offender tools; (4) community service provision through respected behavioural care centre
Buttars, Huss, & Brack (2015)	United States	Journal article	Official administrative data	885 sex offenders assigned supervision (n = 472 intensive supervision, n = 302 residential treatment, and n = 111 standard probation)	Recidivism is measured as general, violent, sexually violent, nonsexual violent, sexual as well as revocations	Intensive supervision, electronic monitoring, GPS and polygraph
Lussier & Gress (2014)	Canada	Journal article	Official administrative data	Supervised by a specialised team (n = 39) and supervised by regular	Technical violations and general recidivism defined as any new conviction in	CHROME risk management program designed to provide enhanced services (treatment) and supervision upon

Author(s) (Year)	Country	Document Type	Data Source(s)	Sample(s)	Outcome(s)	Sentencing Approach(es)
				probation services ($n = 130$)	British Columbia which <i>requires supervision</i>	reintegration in community, based around a relapse prevention model
Lussier, Gress, Deslauriers-Varin, & Amirault (2014)	Canada	Journal article	Official administrative data	Post-Chrome Treatment $n = 31$ Control $n = 82$ Pre-Chrome Control $n = 141$ and a Pre-Chrome Pseudo-Control Group $n = 15$	New conviction for any crime (including technical violations), new conviction for nonviolent and nonsexual crime, new conviction for any nonsexual violent crime, new conviction for a sexual crime, and any technical violations of specific sex offender orders	CHROME risk management program designed to provide enhanced services (treatment) and supervision upon reintegration in community, based around a relapse prevention model
Stalans & Olson (2010)	United States	Report	Official administrative data	Male sex offenders (released between 1997 and 2000) sentenced for aggravated criminal sexual assault, criminal sexual assault, aggravated criminal sexual abuse, or pornography; follow up (mean = 10 years; 3 probation, 7 post-sentence) prison sample ($n = 358$) versus probation ($n = 846$)	Sexual recidivism and violent recidivism - defined as any new arrest for a sex crime or violent crime	Release from prison versus probation
Williams-Taylor (2009)	United States	Dissertation / thesis	Official administrative data	Male and female sex offending adults and juveniles (2005); STOP offenders ($n = 719$) and non-STOP offenders ($n = 4,729$)	Arrest for any new offence, arrest for a violent felony crime, arrest for a new sexual crime, or failing to register as required by statute	Specially Targeted Offenders Project (STOP) - effort between numerous justice agencies - supervision and monitoring

Table 8: Summary of Eligible Studies of Evaluations of Sentencing Supplements and Alternative Sanctions (n = 42)

Author(s) (Year)	Country	Document Type	Data Source(s)	Sample(s)	Outcome(s)	Sentencing Approach(es)
Electronic Monitoring (n = 2)						
Gies, Gainey, & Healy (2016)	United States	Journal article	Official administrative data, surveys, and GPS tracking data	Sex offenders released from prison between January 2006–March 2009 who were paroled in-state. Matched sample of 516 parolees (n = 258 treatment and n = 258 control)	Recidivism is measured as (1) violation of parole; (2) rearrest; (3) reconviction and; (4) return to prison custody	Traditional parole supervision plus placement on GPS monitoring technology
Turner, Chamberlain, Jannetta, & Hess (2015)	United States	Journal article	Official administrative data	n = 94 high risk sex offenders monitored by GPS and n = 91 high risk sex offenders on specialised caseloads	Any violation, any technical violation, any criminal violation at 12-month follow-up	Parolees were required to wear an ankle device that recorded data by the minute; data was transmitted every ten minutes; if an incident occurred (i.e. breach of a restricted area), the unit would transmit an alert
Registration/Notification (n = 22)						
Agan (2011)	United States	Journal article	Official administrative data	n = 15 states. n = 4,428 sex offenders not registered on release compared to n = 5,195 sex offenders who had to register	The natural log of the rape incidence rate and the natural log of the sex offense arrest rate	Sex offender notification and registration requirements
Bouffard & Askew (2017)	United States	Journal article	Official administrative data	n = 69,510 sex offence cases from 1977 to 2012	Monthly rates of sex offending and reoffending for sexual and non-sexual assault	SORN registration laws in Texas
Burlingame (2012)	United States	Dissertation / Thesis	Official administrative data	A random sample was drawn from n = 399 juvenile sex offenders and analysis was done on n = 45 registered juvenile sex offenders compared to n = 46 nonregistered juvenile sex offenders (total)	Deterrence/ recidivism	Juvenile registration

Author(s) (Year)	Country	Document Type	Data Source(s)	Sample(s)	Outcome(s)	Sentencing Approach(es)
				sample size of analysis <i>n</i> = 91)		
Cohen & Spidell (2016)	United States	Journal article	Official administrative data	<i>n</i> = 94 federal judicial districts, <i>n</i> = 7,416 male sex offenders released from federal prison and placed on supervision between 2007 and 2013	Recidivism operationalised as any arrest for new crimes (technical violations of supervision were excluded)	SORNA registration laws
Duwe & Donnay (2008)	United States	Journal article	Official administrative data	<i>n</i> = 155 for the notification group, <i>n</i> = 125 for the prenotification group	Recidivism measured and categorised into sexual, non-sexual, and any: rearrests, reconvictions, and reincarcerations.	Megan's Law, Community Notification Act
Freeman (2012)	United States	Journal article	Official administrative data	<i>n</i> = 10,592 for notification group, <i>n</i> = 6,573 non-notification group	Rearrest for a registerable sexual offence and rearrest for any nonsexual offence	Megan's law
Fundack (2019)	United States	Dissertation / Thesis	Official administrative data	<i>n</i> = 1,985 registered sex offenders listed on the Maryland Sexual Offender Registry, from 1991-2016	General recidivism defined as the commission of subsequent offence	Sex offender notification and registration requirements
Letourneau & Armstrong (2008)	United States	Journal article	Official administrative data	<i>n</i> = 111 matched pairs	New sexual offence convictions	Comparison between registered and non registered juveniles
Letourneau, Bandyopadhyay, Armstrong, & Sinha (2010)	United States	Journal article	Official administrative data	Juvenile sex offenders <i>n</i> = 3,148	Sex crime charges	South Carolina's SORN notification laws for juveniles
Letourneau, Levenson, Bandyopadhyay, Armstrong, & Sinha (2010)	United States	Journal article	Official administrative data	Sex crimes <i>n</i> = 19,060	New charges for sex crimes, person, and nonperson offences. New convictions for sex crimes, person, and nonperson offences	North Carolina's SORN notification policy

Author(s) (Year)	Country	Document Type	Data Source(s)	Sample(s)	Outcome(s)	Sentencing Approach(es)
Levenson & Zgoba (2016)	United States	Journal article	Official administrative data	$n = 1$ state and 20 years (1990 – 2010)	Annual aggregated crime counts for five offences Included arrests for felony sex offences, non-sexual assaults, robberies, drug offences, and DUI (Driving under the Influence) offences	Florida's mandatory registration
Levenson, Letourneau, Armstrong, & Zgoba (2009)	United States	Journal article	Official administrative data	$n = 294$ sex offenders who failed to register compared to $n = 2,676$ registered sex offenders	General recidivism - including any nonsexual offense for which an arrest or charge occurred. Sexual recidivism - a sexual offense for which an arrest or charge occurred	Whether failing to register versus registering (and subsequently the registry itself) had any impact on the recidivism of offenders, not including failure to register as an offence
Maddan, Miller, Walker, & Marshall (2011)	United States	Journal article	Official administrative data	Treatment group $n = 2,165$ Comparison group $n = 755$	Re-arrests and reconviction of a registerable sex offence or general offence over a five-year period	Megan's Law, as implemented in the State of Arkansas
Maurelli & Ronan (2013)	United States	Journal article	Official administrative data	Forcible rape crime data for $n = 50$ states from 1960 - 2008	Forcible rape	Sex offender notification and registration
Prescott & Rockoff (2011)	United States	Journal article	Official administrative data	$n = 328,260$ sex offences from 15 states (rape and sexual assault comprised 37.9% of offences and forced fondling (41.8%))	Recorded sex offences, assaults, and other crimes	Sex offender notification and registration requirements
Sandler, Freeman, & Socia (2008)	United States	Journal article	Official administrative data	21 years of New York State monthly arrest counts. Jan 1986 (10 years before SORA), to December 2006 (10 years after SORA) total of 252 months	Arrest counts (registerable sex offences, rape, child molestations) as well as arrests by convicted offenders	New York's SORA notification laws

Author(s) (Year)	Country	Document Type	Data Source(s)	Sample(s)	Outcome(s)	Sentencing Approach(es)
Tewksbury, Jennings, & Zgoba (2012)	United States	Journal article	Official administrative data	The pre-SORN group (1990–1994) $n = 247$ offenders, post-SORN group (1996–2000) $n = 248$ offenders	Re-arrests in an 8 year follow up period	New Jersey's SORN notification policy
Vasquez, Maddan, & Walker (2008)	United States	Journal article	Official administrative data	$n = 10$ states, monthly incidents (range 72 to 120 months) for 1990-2000	Monthly state-level uniform crime reports rape data	Megan's Law
Zevitz (2006)	United States	Journal article	Official administrative data	Extensive notification group $n = 47$, limited notification group $n = 166$	Rearrests and returns to prison, with or without a new conviction and new sentence. Resentencing prison for new crimes committed, or any returns due to having violated a condition of release	Megan's Law policies enacted in Wisconsin
Zgoba & Mitchell (2021)	United States	Journal article	Meta-analysis	$n = 18$ articles, including 474,640 formerly incarcerated individuals, $n = 42$ effect sizes	Recidivism" as indicated by failure to register, revocation, arrest, charges, conviction, or incarceration	Sex offender notification and registration requirements
Zgoba, Veysey, & Dalessandro (2009)	United States	Journal article	Official administrative data	Pre-Megan's Law $n = 250$ offenders, post-Megan's Law $n = 300$ offenders	(1) Recidivism; (2) time to first re-arrest; and (3) level of harm	Megan's Law enacted in New Jersey
Zgoba, Jennings, & Salerno (2018)	United States	Journal article	Official administrative data	Pre SORN implementation $n = 250$ and post SORN implementation $n = 300$ (3 cases dropped from final sample)	Sexual and general recidivism (follow up period ranging 10 to 29 years)	Megan's Law in New Jersey
Restricted Residence ($n = 5$)						
Cann (2017)	United States	Dissertation/Theses	Official administrative data	$n = 11,304$ registrants	Recidivism (subsequent conviction)	Pre/post comparison of sex offender residence restriction legislation.

Author(s) (Year)	Country	Document Type	Data Source(s)	Sample(s)	Outcome(s)	Sentencing Approach(es)
Huebner, Kras, Rydberg, Bynum, Grommon & Pleggenkuhle (2014)	United States	Journal article	Official administrative data	Four groups by two states. Michigan (Sex offenders pre-restrictions $n = 1244$ and post $n = 352$, non sex offenders $n = 1331$, $n = 320$). Missouri (sex offenders pre $n = 881$, post $n = 848$; non sex offenders pre $n = 1063$, post $n = 816$)	Technical violations, new conviction, rearrests (as well as days to each form of recidivism)	Whether the parolee was released during the residence restrictions (0 = pre-restriction release; 1 = post-restriction release).
Kang (2017)	United States	Journal article	Official administrative data	Offenders convicted of a felony and released from prison between December 2004 and December 2008 $n = 34,528$ all offenders (sex offender sample size not specified)	Recidivism separated into new conviction for felony, misdemeanor, violent crime, property crime, drug crime, or sex offence - new conviction within 2 years	North Carolina's residency restriction policy for sex offenders
Nobles, Levenson, & Youstin (2012)	United States	Journal article	Official administrative data	All individuals arrested between March 1, 2003 and December 31, 2007 for sex-related offences - July 1, 2005 is the intervention point for implementation of residency restriction. $n = 8,597$ unique cases and $n = 2,630$ individual unique offenders	Monthly rates of sex offences and sexual recidivism/reoffending	Florida's residency restrictions; sex offenders prohibited from residing within 2500 feet of any school, public library, daycare centre or playground
Socia (2013)	United States	Journal article	Official administrative data	Annual rape counts by state ($n = 49$ states plus District of Columbia) over 19 years	State-level Uniform crime reports forcible rape per 100,000 persons	States with and without residence restrictions
Compulsory Treatment ($n = 9$)						
Grady, Edwards, Pettus-Davis &	United States	Journal article	Official administrative data	Volunteers: $n = 161$, Non-Volunteers: $n = 443$,	Recidivism as defined by a new nonviolent conviction that resulted in a new	Those completing voluntary treatment, those completing non-voluntary treatment, those with no treatment

Author(s) (Year)	Country	Document Type	Data Source(s)	Sample(s)	Outcome(s)	Sentencing Approach(es)
Abramson (2012)				No Treatment: <i>n</i> = 282	period of incarceration or supervision, a new conviction for sex crime, or nonsexual violent crime	
Lösel & Schmucker (2005)	Cross-national	Journal article	Meta-analysis	<i>n</i> = 69 studies with 80 comparisons	Sexual recidivism	Moderator analysis considered voluntary versus non-voluntary treatment
Schmucker & Lösel (2015)	Cross-National	Journal article	Meta-analysis	<i>n</i> = 29 eligible comparisons	All recidivism, arrest, charge, conviction, incarceration, and sexual as well as non-sexual offences	Moderator analysis considered voluntary versus non-voluntary treatment; also considered treatment setting (prison or community)
Smid, Kamphuis, Wever, & Van Beek (2016)	Netherlands	Journal article	Official administrative data	Offenders discharged from high-intensity inpatient treatment between 1996 and 2002 (<i>n</i> = 90) and a random sample of male sex offenders discharged from prison between 1996 and 2002 who were not referred to treatment (<i>n</i> = 176)	Sexual recidivism. Follow up period ranged from 51 months to 201 months	High intensity inpatient treatment compared to prison sentence without referral to treatment.
von Franqué & Briken (2021)	Germany	Journal article	Official administrative data	Offenders who had been ordered to treatment by the court and offenders voluntarily attending (volunteers has not been convicted or charged). <i>n</i> = 22 voluntary, <i>n</i> = 22 involuntary	Treatment scores, namely risk assessments, responsivity and treatment progress	Mandated/compulsory treatment versus voluntary treatment.
Zeidler (2016)	United States	Dissertation / Thesis	Official administrative data and surveys	Males identified as probationers and parolees under formal supervision. <i>n</i> = 65 experimental, <i>n</i> = 21 control group	Recidivism risk based on risk assessment scores	Psychoneuroimmunology, namely psychoeducation from cognitive-behavioural therapy.
Zgoba & Levenson (2008)	United States	Journal article	Official administrative data	Sexual offenders released from prison <i>n</i> = 150 and sex offenders	Recidivism 3-, 5- and 10-years post-release	The Adult Diagnostic and Treatment Centre (ADTC; referred to as a sex offender specific prison), a specialised

Author(s) (Year)	Country	Document Type	Data Source(s)	Sample(s)	Outcome(s)	Sentencing Approach(es)
				released from a treatment centre <i>n</i> = 150		offender facility compared to standard prison sentence
Zgoba, Sager, & Witt (2003)	United States	Journal article	Official administrative data	<i>n</i> = 460 incarcerated sex offenders receiving treatment at ADTC vs <i>n</i> = 250 general population no treatment	Recidivism 10 years post-treatment	The ADTC (referred to as a sex offender specific prison), a specialised offender facility, compared to a standard prison sentence.
Zgoba & Simon (2005)	United States	Journal article	Official administrative data	<i>n</i> = 495 ADTC sample; <i>n</i> = 223 general prison sample	Overall sexual and non-sexual recidivism	The ADTC (referred to as a sex offender specific prison), a specialised offender facility, compared to a standard prison sentence
Polygraphy (<i>n</i> = 3)						
Gannon, Wood, Pina, Tyler, Barnoux, & Vasquez (2013)	United Kingdom	Journal article	Survey	Offender managers of <i>n</i> = 332 polygraph sexual offenders and <i>n</i> = 303 sexual offenders on usual community supervision	Number of disclosures, seriousness of disclosure, action taken following disclosure	Tests were conducted to assess offenders' compliance with supervision conditions. Results indicate whether or not deception was detected during the test
Grubin (2010)	United Kingdom	Journal article	Official administrative data and surveys	<i>n</i> = 183 polygraph parolees <i>n</i> = 180 comparison in probation areas where polygraph was not introduced	New disclosures, disclosure seriousness	Polygraph tests that were included as part of supervision; process included a pre-test interview, the exam itself and a post-test interview
McGrath, Cumming, Hoke, & Bonn-Miller (2007)	United States	Journal article	Official administrative data and interviews	Adult males who had committed sexual offences placed on community supervision (1995 – 2001); sample comprised rapists, child molesters, incest offenders and non-contact offenders (<i>n</i> = 104 treatment and <i>n</i> = 104 matched control)	Recidivism (sexual, violent, or other offences)	Treatment group: cognitive-behavioural treatment, correctional supervision, and periodic polygraph compliance exams; control group: sex offenders who received the same type of treatment and supervision services without polygraph tests
Restorative Justice (<i>n</i> = 1)						

Author(s) (Year)	Country	Document Type	Data Source(s)	Sample(s)	Outcome(s)	Sentencing Approach(es)
Daly, Bouhours, Broadhurst, & Loh (2013)	Australia	Journal article	Official administrative data	Youth sexual offenders. Total offenders ($n = 365$); court ($n = 209$), conference ($n = 115$) and caution ($n = 41$)	Sexual and general reoffending	Courts, restorative justice conference and formal caution

Chapter 5: Victim Perceptions of Sentencing

In this chapter, we present the results of our rapid evidence assessment of the research that describes victim perceptions of sentencing practices for sexual assault, rape, and equivalent offences.

Key Points

- ❖ We identified 22 studies that investigated the perceptions of victims about sentencing in cases of sexual violence.
- ❖ Victims of sexual violence are often dissatisfied with the sentencing process and outcomes, especially when they feel unheard.
- ❖ Contrary to expectations, victims are generally open to various sentencing options, including rehabilitative approaches, not solely seeking retributive outcomes.
- ❖ As different people may have different justice needs, victims may be best served by enabling them to choose from a suite of options.

Summary of Studies

We identified 127 studies that met the inclusion criteria for this REA (see *Chapter 3: Rapid Evidence Assessment Methodology* for the procedures used to identify, screen, and code these studies). Our procedures uncovered 22 studies of victim perceptions of sentencing (designated by a plus sign preceding their entry in the end-of-Report reference list), a summary of which is provided in Table 9 at the end of this chapter. Readers should note that 5 studies are included in this chapter as well as *Chapter 6: Community Perceptions of Sentencing*, but are included in both summary tables (Tables 12 and 13) for completeness.

Victim Perceptions of Sentencing

The studies located for this review that relate to victim perceptions corresponded to three categories (two studies used research methods that embody more than one theme). First, we identified nine studies that explore victims' satisfaction with the sentences handed down by the court in their cases. Second, we found eight studies that investigated the perceptions of survivors of sexual violence about the appropriateness of various sentencing options. Third, we located seven studies that investigated victims' attitudes toward alternate approaches to justice, most dominantly in relation to the possible utility of restorative justice in responding to cases of sexual assault and rape. Each of these categories and the studies included therein are described in turn below.

Highlights

- Research reveals that victims are largely dissatisfied with sentencing processes and outcomes.

- Studies show that victims are not wed to specific sentences in many instances, but rather seek to have their perspectives accounted for during sentencing.
- Victims who observed their impact statement being read before the court expressed greater satisfaction with the sentence handed down (Tasmanian Sentencing Advisory Council, 2015).
- Victims of sexual assault indicated that their perspectives should be considered at sentencing but strongly believed that the type and severity of the sentence should be the sole responsibility of the judge (Victims of Crime Coordinator, 2009).
- The suggested lengths of imprisonment provided by victims in an Australian study were very close to the actual sentences handed down by judges (Deville & Le Grand, 2015).
- Victims express mixed views regarding the best timing and function of restorative justice in cases of sexual violence, although most felt that conferencing should occur post-sentencing (Marsh & Wager, 2015).
- Because different people may have different justice needs, victims may be best served by enabling them to choose from a suite of options (Victorian Law Reform Commission, 2021a).

Satisfaction with Sentencing

Research demonstrates that victims' satisfaction with the *process* of sentencing differs from their satisfaction with the *outcomes* of sentencing (Iliadis, 2020), and that survivors value recognition and understanding more than the actual sentence (Ellard & Campbell, 2020). Accordingly, it is useful to recognise the motivations for victims' participation in the sentencing process. Konradi and Burger (2000, p. 381) described that their research sample of rape survivors:

“sought to influence what sentence their assailant received (to obtain substantive justice); to engage the criminal justice process, including expressing ownership of the dispute claimed by the state (to obtain procedural justice); to reduce the imbalance of power with the defendant established in the rape; and to resolve emotional aspects of the rape experience not specific to the assailant.”

Toward this end, then, it is possible that when victims express dissatisfaction with a sentence, this stems from a sense that their own objectives have not been met (Daly, 2011; KPMG, 2023). Indeed, victims of sexual violence have individualised perspectives and preferences about the most appropriate sentence for their perpetrator. While they may be invited to participate in sentencing in some capacity (e.g. the provision of a victim impact statement), they are confronted with the reality that sentencing is largely constrained by legislative guidelines or the professional discretion of the judge, which in itself can lead to dissatisfaction (Koss, 2006).

As part of this REA, we identified nine studies that explored the satisfaction of victims of sexual violence in response to sentencing. Across the studies included in this review, the evidence indicates that victims are largely dissatisfied with the sentencing process and outcomes.

A recent report by KPMG (2023) described interviews with 34 sexual assault victims in New South Wales which explored how they experienced criminal justice processes. The research

indicated that criminal trials negatively affect the wellbeing of complainants. Additionally, interview participants described feeling forgotten and lacking support following these formal court processes.

In an Australian study, Davies and Bartels (2021) performed interviews with six survivors of sexual violence, exploring victims' experiences of impact statements and sentencing alongside the barriers that may prevent the effective sharing of information between victims and justice professionals. Their study identified communication difficulties that disabled justice professionals from keeping victims appropriately informed of the justice process, including sentencing. The victims in this research reported feeling uninformed, not in control, and unclear of their role in sentencing.

In a doctoral dissertation, Burke (2008) interviewed 12 women who had been the victims of sexual assault. Of the nine women whose cases were prosecuted, seven expressed dissatisfaction with the sentence their perpetrator(s) received. The interview respondents tended to compare the sentence given to the offender in their case with sentences awarded in other crimes with which they were familiar, concluding that “the legal system was not fair” (p. 178). The victims perceived that plea bargaining led to more lenient sentences (see also Wren & Bartels, 2014), and that the ‘societal status’ of the offender and the victim affected the length of the sentence.

In a report produced for the Scottish Sentencing Council, Biggs, Reid, Attygalle, Vosnaki, McPherson, and Tata (2021) performed interviews with survivors of sexual offences. Victims believed that sentencing for sexual offences is too lenient. Participants believed that greater consistency and transparency in sentencing were needed. Moreover, survivors of sexual offences thought that certain factors should carry more weight in sentencing, including the seriousness of the offence, the harm caused, and the impact on the victim. Survivors requested greater support during the sentencing process, including assistance with the production of a victim impact statement, information about sentencing, the reasons for the sentence handed down, and the support available to victims and their families.

Herman (2005) conducted in-depth interviews with 22 victims of varying forms of sexual violence. Her participants sought resolution to the offences through traditional legal means as well as through informal channels, with most reporting that they were unable to achieve a satisfactory outcome. The survivors in this study described that “the informal sanctions of family and community were generally even less effective than formal legal sanctions for repairing the harms of sexual and domestic violence” (p. 19), although informal social controls were generally preferred over traditional sentences. Of those who believed that they ‘prevailed’ in court, this was frequently attributed to their privileged status relative to the offender. When asked what disposition would be ideal, most participants did not endorse rehabilitative or retributive options. Rather, the victims in this study reported that denunciation was significant, as it “affirmed the solidarity of the community with the victim and transferred the burden of disgrace from victim to offender” (pp. 20-21), thereby serving as an important symbol of restoration and vindication.

In a report produced for the Sentencing Council for England and Wales, Nicholls, Mitchell, Simpson, Webster, and Hester (2012) explored the attitudes of victims toward sentencing

sexual offences. In interviews with 46 survivors or their parent/guardians, participants consistently explained how a sentence could not change or make up for the offence that had occurred. A noticeable division emerged amongst victims based on their levels of contentment with the sentence imposed. Those who expressed satisfaction attributed it to the duration of the custodial sentence handed down, remarks from the judge underscoring the offender's responsibility and the gravity of the offence, as well as the extent of support and guidance received throughout the investigation and court proceedings. In contrast, individuals who experienced significant dissatisfaction primarily focused on what they perceived as lenient sentences, even in cases where they had accessed some measure of support and guidance. Notably, the most deeply dissatisfied individuals were those who perceived both the process and the sentence as inadequate. Victims of various forms of sexual assault believed that it warranted a slightly lesser sentence than rape to meet the proportionality principle.

The Northern Ireland Statistics and Research Agency (2016) published a summary of their key findings following interviews with 12 victims of sexual abuse and violence. In 11 of the cases, a plea or verdict of guilty was recorded. Of those, 5 offenders received a custodial sentence, 5 received a suspended sentence, and 1 received a probation order. Interview participants summarised the sentences as inadequate. Many of the participants expressed that they thought the sentence in their case was not proportionate to the severity of the offence and the serious impact it had on them. In cases where a suspended sentence was handed down, the victims believed that the perpetrator should have had to have spent a portion of that time in prison. Many felt that it should not be allowable for offenders to spend 50% of their custodial sentence in the community. Some individuals communicated that perpetrators get off too easily and should not be granted leniency in sentencing in exchange for a guilty plea. Others felt that offenders were able to successfully 'play the system' to receive a lighter sentence, such as through health concerns, family circumstances, or public image.

In its Final Report on sex offence sentencing, the Tasmanian Sentencing Advisory Council (2015) notes that while sentences for these offences are not always appropriate, merely increasing the penalties is unlikely to meaningfully sway victim satisfaction. The Council reported that information collected in their forums indicated that victims who observed their impact statement being read before the court expressed greater satisfaction with the sentence handed down.

A report produced by the Victims of Crime Coordinator in the Australian Capital Territory (2009) described the results of two interrelated research projects. In the first component, qualitative interviews were performed with seven victims of sexual assault to explore their experiences with the criminal justice system. In the second project, the participants responded to survey questions about the utility of procedural justice in responding to sexual offending. Although the sample size of the survey is too small to draw firm conclusions, when asked, "How important is it that the court gives a sentence to the offender that is appropriate to the crime?", all four of the respondents indicated that this is "very important". All the interview respondents felt that their perspectives should be considered at sentencing but strongly believed that the type and severity of the sentence should be the sole responsibility of the judge. Generally, however,

participants expressed that “the offender should be made to seek some kind of rehabilitative treatment as part of their sentence” (p. 33).

Combined, these studies showcase the perceived inadequacy of sentencing for the individuals victimised through sexual offending. While there is evidence that victims find sentences to be too lenient, there is perhaps more persuasive evidence that victims are more strongly dissatisfied with the degree of procedural justice that was present during court processes. The Australian studies are consistent with this broader theme, showcasing how survivors of sexual offending desire a voice in the process.

Summary

Studies that investigate victims' perceptions of the sentences handed down to the perpetrators of sexual violence reveal that they are largely dissatisfied with the sentencing process and the outcomes in their cases. Research findings indicate that survivors communicate the greatest degree of dissatisfaction when they feel as though their voices had not been heard, showcasing the importance of procedural justice beyond (or in addition to) concerns relating to retributive justice.

Perceived Appropriateness of Sentencing Options

When investigating the appropriateness of various sanctions for sexual offending, research demonstrates that victims frequently want different things from sentencing (Daly, 2011; Ellard & Campbell, 2020; Iliadis, 2020). As described in the preceding subsection and in other parts of this Report, individuals who have been victimised by sexual violence are in many ways dissatisfied with the sentences in their cases. Accordingly, researchers have begun to investigate the degree to which victims of sexual offences would be (dis)satisfied with alternate sentencing options.

We identified eight studies that explored victims' perceptions of the appropriateness of different legal outcomes. Across this research, victims demonstrated that they have some degree of openness to varying approaches to sentencing. Two studies specified that victims believed that custodial dispositions were most appropriate for sexual offences (though they were open to other 'add-ons'), while others demonstrated less certainty about a preference for particular legal outcomes.

An Australian study by Richards, Death, and Ronken (2023) included interviews with 33 female sexual assault victims to explore their perspectives on post-release measures for sex offenders returning to the community following a custodial sentence. While attitudes varied, victims were concerned with the perpetrator receiving consequences for their misconduct rather than the particulars of different sentencing options.

The Scottish Sentencing Council report (Biggs, Reid, Attygalle, Vosnaki, McPherson, & Tata, 2021) identified that many survivors felt that prison could be a fitting sentence, also providing support for notification schemes and rehabilitation, contingent on factors such as the severity of the offence and the age of the victim. Amongst victims, they felt that a custodial sentence was

appropriate for any sexual offence, while the public expressed greater variation and uncertainty in their views (e.g. that voyeurism should not receive imprisonment as a penalty, that rape should not always receive a custodial sentence).

Semi-structured interviews were completed with 22 survivors of sexual assault by Clark (2010). Participants identified that 'justice' was represented in different principles of punishment, with each individual opting for different sentencing approaches. Victims did not necessarily want imprisonment or other punitive outcomes for perpetrators. Satisfaction with sentencing was not about specific sanctions, but rather about the vindication and voice that the sentencing process afforded victims.

In an American survey of 598 victims of sexual violence recruited from an online message board, Craun and Simmons (2012) explored attitudes toward offender registries. Participants were hesitant to support notions of crime prevention, with only 38% agreeing that registries protect the public from sex offences. Rather, two-thirds indicated that registration produces a false sense of security. At the same time, however, 80% of survey respondents agreed with the statement that, "regardless of their relationship to the victim all sex offenders should be on the registry" (p. 320).

Deville and Le Grand (2015) asked their 115 research participants to rate four cases of sexual assault (male child sexual assault, female child sexual assault, opportunity rape, and "blitz" rape) on the appropriateness of sentences (community service, probation, and imprisonment). Their analyses assessed whether respondents who had been victims of sexual assault favoured different punishments than non-victims. Contrary to expectations, overall, there was considerable homogeneity in the results. Prior victimisation did not alter the likelihood of preferring restorative versus retributive justice, nor did gender or education level. Generally, any form of rehabilitation received support. Community service and probation were generally deemed inappropriate, while the suggested lengths of imprisonment provided by respondents were remarkably close to the actual sentences provided by judges for the cases upon which the vignettes were based.

A study performed by McGlynn, Downes, and Westmarland (2017) included workshops and interviews with 20 survivors of sexual violence. Although traditional sentences offered 'symbolic weight' for victims, these consequences were also deemed to have clear limitations. Research participants expressed difficulty in ranking the relative importance of varying forms of punishment, with one survivor summarising, "I don't think in a situation like that you're ever satisfied with what happens, ever...It doesn't matter what happens, he could be given life in prison and it would never take away what happened to you and it would never bring back that person that was taken away from me" (p. 188). Victims explained that ideally, offenders ought to "face more meaningful consequences to underline better the significance of the harm caused" (p. 189).

In further analyses of these same data, McGlynn and Westmarland (2019) developed a concept of 'kaleidoscopic justice'. When asked to explain justice, 20 survivors of sexual violence expressed uncertainty. Rather, the authors explained that "victim-survivors did not automatically go to the tropes of convictions and punishment which would have been the 'easy' response.

Instead, what arose from discussions were myriad perceptions, ideas and suggestions which might, in some shape or combination, provide - for some - a sense of justice” (p. 6). The research participants conveyed that consequences mattered, symbolically and emphatically, rather than the specifics of a sanction.

Amongst the victims of sexual violence interviewed by Nicholls and colleagues (2012), there was a preference for custodial sentences because they were perceived to protect the public, provide healing time and space for the victim, reflect the harm caused, send a message about the seriousness of the crime, and enable time for treatment for the perpetrator. However, survivors and their guardians felt that rehabilitation may be of use, in addition to post-release registries and electronic monitoring, restriction orders, restorative justice, and financial compensation. Yet importantly, the participants tended to favour imprisonment with other ‘add-ons’ during and after a period of incarceration.

Combined, these findings are consistent with the research exploring the satisfaction of victims in relation to the sentence handed down in their individual case. In the studies described in this section, where survivors of sexual violence consider different sentencing options, research respondents exhibited openness and a desire for validation more than a stringent demand for a specific sentence.

Summary

Given that many studies show that victims of sexual offending are dissatisfied with sentencing, other research investigates survivors' perceptions of appropriateness for different sentencing options. While some studies revealed that participants felt imprisonment was most fitting, victims were not as retributive as expected. Rather, findings indicate that victims are generally supportive of rehabilitative approaches and are open to many different sentences.

Alternative Approaches to Justice

In relation to sentencing for sexual violence, public perception is frequently that the recognition of harm is represented in the length of a prison sentence, whereby “criminal justice responses which are not punitive are seen to be unresponsive to victims’/women’s harms” (Martin, 1998, p. 170). While perhaps well-intentioned, imposing on survivors assumptions about what justice entails fails to meet *their* needs (Flynn, 2015).

Sadly, in sexual offence matters, the experiences of complainants “may stand in contrast with the efforts and intent of policymakers” (KPMG, 2023, p. v). While perhaps counter to expectations, victims do not always interpret formal legal sanctions as justice served (McGlynn & Westmarland, 2019). Rather, survivors of sexual assault and rape express support for many alternative approaches to justice, particularly restorative justice (see Centre for Innovative Justice, 2014, 2021; Daly, 2011; Flynn, 2015; Koss, 2006; Koss & Achilles, 2008; McGlynn, Downes, & Westmarland, 2017).

We identified seven studies that explored victims' perceptions of these different approaches to justice.

Specifically, these studies explored the perspectives of survivors about restorative justice. Within these studies, victims of sexual violence express mixed feelings. That said, most of this research demonstrates that many (though not all) victims support the possibility of post-sentence conferences, particularly in certain situations or when given conditions are met.

Hadar and Gal (2023) interviewed 16 survivors of sexual violence about their experiences with restorative justice in Israel. Their thematic analysis demonstrated that restorative justice following sexual victimisation promoted accountability, humanisation, gratitude, and forgiveness for victims and perpetrators alike.

A report by Loff, Naylor, and Bishop (2019) described the results of a Victorian pilot project designed to assess the utility of a restorative justice model for survivors of sexual violence. Their study indicated that victims were motivated to participate because they wanted to be heard and to receive acknowledgement of the harms inflicted upon them. Participants reporting feeling supported throughout the process. The authors conclude that, "one finding that does emerge strongly, though not unconditionally, is that all participants believe that a process similar to the one they experienced should be made available to SVs (survivor-victims) and the persons who have harmed them" (p. 40).

A web-based survey was conducted by Marsh and Wager (2015) to determine the appropriateness of restorative justice conferencing for victims in cases of sexual violence, with 40 of the 121 community participants identifying as survivors of such offences. Of survivors, 71% indicated that they would welcome the opportunity for victims to be able to choose to meet with the perpetrator in a restorative justice conference setting. Over one-half (56%) of victims indicated that they would like conferencing as an addition to conventional criminal justice procedures, while 30% preferred conferencing as an alternative to court (these individuals tended to be victims who did not report their assault to police). Victims of sexual violence reported mixed views about the best timing and function of restorative justice, although the most common response was that conferencing should occur post-sentencing. Survivors' attitudes were slightly less optimistic and enthusiastic than non-victims. For instance, survivors expressed less support for victims asking the offender direct questions (62% vs 79%), and less agreement with the notion that offenders would better understand the harm they had caused as a result of a conference (51% vs 64%).

A small thesis project by McEvoy (2009) explored the perspectives of four female sexual assault victims in relation to a restorative justice program. Following an analysis of interview data, the author concluded that the community-based justice initiative can offer healing to victims.

In a report produced for the Sentencing Council for England and Wales, researchers identified that there was mixed support for restorative justice amongst survivors of sexual violence and their guardians (Nicholls, Mitchell, Simpson, Webster, & Hester, 2012). Victims believed that the perpetrator "explaining why they had committed the offence and apologising for the harm

caused” (p. 30) could be therapeutic, although there were others that strongly opposed the suggestion and wanted no contact with the perpetrator that caused their victimisation.

The Victorian Law Reform Commission (2021a) produced an extensive report on “Improving the Justice System Response to Sexual Offences”. Their inquiry explored the best ways of responding to these offences, including the justice needs of victims and alternate approaches to justice. Their report explains that because different people may have different justice needs, victims may be best served by enabling them to choose from a suite of options. Such options would help to satisfy needs around information, participation, voice, validation, denunciation, and support. Throughout their inquiry, victim survivors explained how “the injustice of sexual violence can never be fixed through the criminal justice process” (p. 32), and that justice extends beyond legal accountability. The report describes a range of justice options for sexual offences, including restorative justice, financial assistance and truth telling, civil litigation, victim support, and primary offending and recidivism reduction.

To support the production of this report, the Commission (2021b) published a summary of data received from an online questionnaire completed by people with experiences of sexual assault. Of the 67 responses, participants included individuals identifying as LGBTQI ($n = 24$), people identifying as having a disability ($n = 10$), individuals in regional and rural communities ($n = 10$), migrants or refugees ($n = 4$), and Aboriginal and Torres Strait Islander persons ($n = 3$). Some respondents expressed dissatisfaction with the perceived lenience of the sentence, particularly where custodial sanctions were avoided. Several individuals “supported the idea of restorative justice processes with appropriate victim support, typically in a context where they had a relationship with the offender” (p. 31). Restorative justice was described as potentially useful in achieving specific deterrence, allowing the victim a voice in the process, and affording survivors an apology that could help to overcome shame. Some individuals communicated that they wanted justice in the form of an admission of guilt rather than a prison sentence. Others proposed alternatives such as a tribunal, long-term counselling, mandatory rehabilitation or community service, specialist courts, legal representation for victims, and financial compensation.

More broadly, the research reviewed within this REA shows that while victims frequently show a preference for custodial sentences, they remain open to other options. Rather than approaching sentencing as a one-size-fits-all (or fits-most) exercise, the studies reviewed as part of this rapid evidence assessment suggest that flexibility ought to be afforded to victims. The research revealed that victims are not as punitive as perhaps anticipated and are instead generally open to alternate approaches to sentencing perpetrators of sexual offences.

Summary

In the context of sentencing for sexual violence, public perception often equates justice with long prison sentences, but this approach may not meet the needs of survivors. Contrary to expectations, survivors of sexual assault often express support for alternative approaches to justice, particularly restorative justice. While some victims prefer custodial sentences, research suggests that they are generally open to more flexible and diverse sentencing options, challenging the idea of a universally satisfying approach to addressing sexual offences.

Methodological Limitations and Implications

The research findings reviewed in this chapter showcase some of the dynamic perspectives victims of sexual violence espouse in relation to sentencing. Indeed, some of the studies we reviewed suggested that victims are punitive initially or in response to broad questions, but that these attitudes soften or evolve as research methodologies peel back the layers of victim perceptions. Considering such findings, we encourage researchers to design studies that can attend to some of these nuances.

Research performed with victims of crime is crucial for understanding their experiences, needs, and the impact of crime on individuals and communities. However, like any research, there are several limitations associated with studies involving crime victims that future studies should aspire to overcome.

Most notably, many of the studies reviewed here suffer from selection bias. As many crime victims do not report their victimisation to authorities or may not wish to self-disclose their victim status for researchers, this can lead to a biased sample of reported cases. Such research excludes those who remain silent, which can produce a skewed representation of victims' perspectives. Indeed, much of the research relies on convenience samples, which may not accurately represent the broader population of crime victims; survivors of sexual violence who agree to participate in research may differ from those who decline in important ways.

Additionally, victim-based research suffers from problems of recall bias. Victims may have difficulty accurately recalling and reporting details of the crime, especially if it occurred some time ago. Moreover, memory can be influenced by trauma or stress, leading to inaccurate representations of victims' justice experiences and needs. Relatedly, the reliance of research on self-report should be reconsidered in future scholarship.

Participants may further be influenced by factors relating to social desirability. Victims may respond to research questions in ways they believe are acceptable or expected.

Many victim studies have relatively small sample sizes, which can limit the generalisability of findings to larger populations, as these studies are unlikely to capture the diversity of victim experiences. Indeed, the experience of victimisation can vary significantly depending on many extra-individual factors, and research may not capture these nuances adequately. That said, it

is evident that the identification and recruitment of victims of sexual assault and rape presents very real challenges to researchers.

Policymakers need to be aware of these limitations when interpreting and applying the findings of research drawing on victim perceptions. Combining various research methods, being transparent about limitations, and conducting studies that prioritise the wellbeing of participants can help mitigate some of these challenges.

Chapter Summary

This chapter presented findings from a rapid evidence assessment concerning victim perceptions of sentencing practices for sexual offences. Research indicates that victims prioritise recognition and understanding over the actual sentencing outcome, although motivations for participation in the sentencing process and desired objectives vary. While victims' preferences for sentencing outcomes differ, they generally express openness to various approaches, including custodial sentences and alternatives. Many survivors of sexual assault endorse alternative practices such as restorative justice, which may help to better meet their needs. While some victims do prefer incarceration for offenders, research indicates that they are generally receptive to a wider range of sentencing options, challenging the notion of a one-size-fits-all approach to how the justice system ought to respond to cases of sexual violence.

Table 9: Summary of Eligible Studies of Victim Perceptions (n = 22)

Author(s) (Year)	Country	Document Type	Data Source(s)	Sample(s)	Key Theme(s)
Biggs, Reid, Attygalle, Vosnaki, McPherson, & Tata (2021)	Scotland	Report	Interview / focus groups	Focus groups (n = 20) and interviews (n = 5) with victims	Explored the views of victims, their experiences, and expectations of the criminal justice process
Burke (2008)	United States	Dissertation / thesis	Interview	Sexually assaulted women (n = 12)	Focused on the experience of victims and their participation in the criminal court process, with an emphasis on the impact of the offender's sentencing outcome in cases where prosecution was successful
Clark (2010)	Australia	Journal article	Interview	Adult/victim survivors of sexual assaults (n = 22)	Explored victims/survivors' criminal justice needs and experiences seeking justice
Craun & Simmons (2012)	United States	Journal article	Survey	Sexual assault victims (n = 598)	Explored victims' opinions on registries regarding their actual and perceived effectiveness, and whether mandatory registration should be impacted by offender/victim relationship
Davies & Bartels (2021)	Australia	Book chapter	Interview	Sexual assault victims (n = 6)	Victims' experiences of impact statements and sentencing, and the barriers that may prevent the effective sharing of information between victims and justice professionals
Devilley & Le Grand (2015)	Australia	Journal article	Survey	Sexual assault victims (17.39%) and community members who have known someone who has been a victim (52.17%) or knows someone who has been accused (28.7%) (n = 115)	Explored perceptions regarding sentencing options, treatment, and the appropriateness of sentences for different sex offences
Hadar & Gal (2023)	Israel	Journal article	Interview	Sexual assault victims (n = 16)	Focused on the experiences of victims regarding their participation in restorative justice programs with the offending person

<i>Author(s) (Year)</i>	<i>Country</i>	<i>Document Type</i>	<i>Data Source(s)</i>	<i>Sample(s)</i>	<i>Key Theme(s)</i>
Herman (2005)	United States	Journal article	Interview	Sexual assault victims ($n = 22$)	Explored victims' experiences and expectations of the criminal justice system, focusing on both retributive and restorative models
KPMG (2023)	Australia	Report	Interview	Sexual assault victims ($n = 34$)	Experiences in the NSW criminal justice system for people who have experienced sexual violence, including how processes are directly experienced on the ground, rather than as described in policy or legislation, given these experiences may stand in contrast with the efforts and intent of policymakers
Loff, Naylor & Bishop (2019)	Australia	Report	Survey, interviews, and case studies	Survivors of sexual abuse ($n = 8$)	Survivor experiences of restorative justice
Marsh & Wager (2015)	United Kingdom	Journal article	Online survey	Victims and community members ($n = 1310$)	Perspective of both the public and survivors of sexual violence with regards to the application of restorative justice practices in cases involving sexual violence
McEvoy (2009)	Canada	Dissertation / thesis	Interview	Female sexual assault victims ($n = 4$) and male offenders ($n = 9$)	Victims' experiences of participation in a restorative justice program were investigated, focusing on perceived effectiveness
McGlynn, Downes & Westmarland (2017)	Cross-national (United States & New Zealand)	Journal article	Interview	Sexually assaulted women ($n = 20$)	Victims' perceptions of conventional criminal justice systems to debate introducing more innovative means of securing justice, including a range of restorative approaches
McGlynn & Westmarland (2019)	United Kingdom	Journal article	Interview	Sexual violence victims ($n = 20$)	Explored victims' perceptions of justice reforms, practices, and processes, and their experience of the justice system
Nicholls, Mitchell, Simpson, Webster, & Hester (2012)	United Kingdom	Report	Interview	Sexual assault victims / family of victims ($n = 46$) and community members ($n = 82$)	Examined views of victims regarding appropriateness of sentencing outcomes and perceived effectiveness

<i>Author(s) (Year)</i>	<i>Country</i>	<i>Document Type</i>	<i>Data Source(s)</i>	<i>Sample(s)</i>	<i>Key Theme(s)</i>
Northern Ireland Statistics & Research Agency (2016)	Northern Ireland	Report	Interview	Sexual abuse/violence victims ($n = 12$)	Explored victim's opinions on sentencing outcomes, their process and experience in court, and their satisfaction around imposed sentences
Richards, Death, & Ronken (2023)	Australia	Journal article	Interview	Female sexual assault victims ($n = 33$)	Explored victim recommendations and perceptions surrounding post-release measures and restrictions for sex offenders
Tasmanian Sentencing Advisory Council (2015)	Australia	Report	Inquiry	Online submissions ($n = 11$)	Measuring the public perception of the appropriateness of sentences imposed for sexual offences
Victorian Law Reform Commission (2021a)	Australia	Report	Inquiry	Community consultations (including victims: $n = 99$) and submissions ($n = 71$)	Focused on improving the justice system's response to sexual offences, including exploring sentencing practices, alternatives to the justice system, and victim's experiences and perceptions of justice
Victorian Law Reform Commission (2021b)	Australia	Report	Online feedback	$n = 75$ unique contributors	Focused on justice systems response to sexual offences, including perspectives on restorative justice
Victims of Crime Coordinator (2009)	Australia	Report	Interview	Interviews ($n = 7$) and surveys ($n = 4$) with sexual abuse victims	Explored victims' opinions on the criminal justice system including whether their views should be considered in respect to sentencing

Chapter 6: Community Perceptions of Sentencing

In this chapter, we present the results of our rapid evidence assessment of the research that describes community perceptions of sentencing practices for sexual assault, rape, and equivalent offences.

Key Points

- ❖ We identified 111 studies that investigated the perceptions of the community about sentencing in cases of sexual violence.
- ❖ Public perceptions about sentencing for sexual offences are multifaceted, frequently representing a balance between punishment, rehabilitation, and community protection.
- ❖ Public views on sentencing are influenced by individual demographics, personal experiences, and the circumstances of the offence, including the degree to which the community subscribes to misconceptions about the causes of sexual offending.
- ❖ Much of the public opinion research reviewed for this REA suffers from serious methodological limitations that influence the interpretation of findings and provide implications for future studies.

Summary of Studies

We identified 127 studies that met the inclusion criteria for this REA (see *Chapter 3: Rapid Evidence Assessment Methodology* for the procedures used to identify, screen, and code these studies). We located 111 studies of community perspectives related to sentencing (designated by a caret preceding their entry in the end-of-Report reference list), summarised in Table 10.

Community Perceptions of Sentencing: A Global Review

The large number of studies identified within our rapid evidence assessment lends itself to an international comparison of public opinion research related to the sentencing of persons convicted of sex-based offences. Toward this end, in the subsections that follow, we categorise the studies according to the country (or constellation of countries) where the research was performed.

Highlights

- Research shows that the public considers many of the same factors as judges when considering sentencing, such as culpability and harm.

- Studies reveal that members of the community prescribe sentences that are largely consistent with those handed down by courts.
- Research findings demonstrate that the public is frequently punitive in the abstract but become less so when faced with specifics about crime and justice.
- Australian public opinion research about sentencing in cases of sexual violence appears largely consistent with the results obtained in studies performed in other countries and contexts.
- Two studies (from the United Kingdom and Canada) reveal that the community seriously questions the appropriateness of community supervision for perpetrators of sex offences.
- The public is frequently in support of offender registries and community notification, even when presented with evidence that the registries are not effective in preventing offending.
- Many studies find that the public supports compulsory treatment for perpetrators of sexual violence although they also express scepticism regarding offenders' capacity to change.

Punitiveness and Punishment Preferences by Study Location

Research demonstrates that the Australian public can be highly punitive, often disapproving of the sentences imposed by courts for believing that they are too lenient (Roberts & Indermaur, 2007; Roberts & Stalans, 2000; Roberts, Stalans, Indermaur, & Hough, 2003), although there is evidence that the public demand for punitive sanctions is declining (Gelb, 2008; Indermaur & Roberts, 2005). At the same time, the public also expresses strong support for alternatives to imprisonment, conveying that attitudes about sentencing tend to be complex and nuanced (Mackenzie et al., 2012).

Much of the research we identified relates to public opinion about sentencing generally or about sex offenders generally. Although inferences can be drawn, there is limited research that directly evaluates the public's perception of *sentencing* in cases of sexual violence (Tasmanian Sentencing Advisory Council, 2015).

Generally, research showcases that the public tends to be particularly harsh in relation to sex-based offending. The theoretical literature has identified three models potentially explaining this high degree of punitiveness in public opinion about sex offences (Pickett, Mancini, & Mears, 2013). The 'victim-oriented concerns' model explains that the community is vengeful because victims tend to be young, female, and thought to be permanently damaged by the offence. The 'sex offender stereotypes' model sees these perpetrators as evil predators who lack remorse or the capacity for reform. The 'risk-management concerns' model emphasises the prevention of offending against the backdrop of perceived increases in sexual violence.

The research outputs we reviewed for this category of studies largely demonstrated that public attitudes toward the sentencing of the perpetrators of sexual offences are heavily influenced by rape myths. Although broadly the community is punitive in their preference for harsh sanctions for offenders convicted of sexual assault or rape, these opinions are nuanced. Specifically, the public largely considers many of the same factors as magistrates and judges, such as culpability and harm. Moreover, the sentences selected by the public are largely consistent with those handed down in court.

Given the large number of publications identified for this category, we describe the results below in relation to the country where the research was conducted.

Considering the cultural context in which research is performed is crucial. As different cultures have distinct norms, values, and belief systems, research that disregards these cultural aspects may inadvertently misinterpret the findings, leading to biased or inaccurate results. Indeed, findings from research conducted in one cultural context may not apply universally. Understanding cultural nuances helps researchers and policymakers determine the extent to which results can be generalised to other populations (Farrow, Kelly, & Wilkinson, 2007).

Research informs policy and decision-making, yet policies that work in one cultural context may not apply to another. Recognising these differences ensures that policies are tailored to specific cultural needs, as interventions must be culturally appropriate to be effective (Andrews & Bonta, 2010). Understanding the cultural context helps consumers of research to consider how sentencing approaches may (or may not) resonate with the target population.

Australian Research

Our review identified 17 studies conducted in Australia that explore sentencing in sex offence cases.

Bartels, Gelb, Spiranovic, Warner, Roberts, and Davis (2021) present data from a large national survey of Australian public opinion related to adult sex offenders. Their results demonstrate strong public support for sex offender registers, especially for cases involving child victims. Participants also reported a strong preference for judicial discretion, however, and support for automatic registration was reduced in the case of non-custodial sentences.

Bollinger, Speidler, and Kemp (2012) administered a questionnaire to 111 community members to examine how people understand the sex offender register and how this impacts child protection in the community. Summarily, the authors concluded that participants lack knowledge about the register and overestimate the risk of recidivism. Individuals who endorsed more punitive approaches to the management of sex offenders tended to have higher estimates of such risk, with parents showing greater support for punitive sanctions.

Clark (2007) conducted a study to investigate the role that rape myths play in perceptions of rape seriousness and sentencing. The sample ($n = 61$) was presented with four hypothetical rape scenarios that differed in content only in relation to rape myths. Participants consistently referred to myths in determining sentence severity. Imprisonment was clearly the most frequently chosen sanction for offenders in every given scenario, regardless of whether it diverged from the classic rape scenario. However, the proportion of participants who nominated imprisonment was consistently higher in cases that reflected 'conventional' rape scenarios than those that challenged the stereotype, and mean sentence lengths were higher in circumstances showcasing rape myths. Alternatives to imprisonment (wholly suspended sentences, community treatment orders, intensive correction orders, fines, discharge, dismissals, and adjournments) were more frequently allocated to offenders in scenarios that deviated from the classic rape scenarios. Discharges, dismissals, adjournments, and fines were not nominated as appropriate sentences for offenders in any scenarios that reflected classic rape stereotypes. The findings show how rape myths can function directly to influence perceptions of offence seriousness,

blame and responsibility and sentencing appropriateness. Clark (2007, p. 24) concludes that “a critical element of achieving appropriate sentences for cases of sexual assault is not the introduction of more punitive measures per se, but the reshaping of understandings of seriousness and incorporating these into sentencing practices.”

In a study by Devilly and Le Grand (2015), 115 respondents were tasked with evaluating the appropriateness of sentences in four sexual assault cases, finding consistency between victims and non-victims. Participants expressed support for rehabilitative programming but expressed dissatisfaction with penalties such as community service or probation. The authors described that respondents' recommended imprisonment durations closely mirrored the sentences handed down by courts.

In a report for the Victorian Sentencing Advisory Council, Hudson (2012) explores community perceptions about the seriousness of offences. Murder (intentional) received the longest average recommended custodial sentence ($M = 9.9$), followed closely by many sex offences. Sexual penetration with a child under 12 received the longest sentence ($M = 9.5$), followed by rape ($M = 9.3$), attempted rape ($M = 8.4$), the production of child pornography ($M = 8.1$), an indecent act with a child under 16 ($M = 8.0$), sexual penetration with a child aged 12-16 and under the care, supervision, or authority of the offender ($M = 7.1$), indecent assault ($M = 4.1$), and sexual penetration with a child aged 12-16 ($M = 3.4$).

In its Final Report on sentencing for sex offences, the Tasmanian Sentencing Advisory Council (2015) suggests that legal outcomes may be unduly lenient. Their research with community members measured public perception of the appropriateness of sentences imposed for sexual offences, finding that the case characteristics (such as the age of the victim) influenced perceptions of harm.

In a Western Australia study, 61% of respondents reported a belief that a registration website should be available Australia-wide (Taylor, 2017). Many (63%) thought that having information about convicted sex offenders allowed them to be in a better position to protect their children and themselves, with 92% of respondents indicating that protecting children from harm was the responsibility of the community. However, only 32.1% of respondents thought that the website would protect children from convicted sex offenders, while 44.5% thought it would not. Likewise, 40.1% did not think the website made the community safer, and 46.9% reported it did not make them feel safer.

Lovegrove (2013) explored the attitudes of the public in relation to the sentencing of four cases presented to 470 research participants in Victoria, investigating the factors that inform opinions about sentencing. In the case of rape, participants provided leniency, citing factors such as the offender's low intellectual capabilities, his being intoxicated, his young age, his apology and immediate confession, his prospects for rehabilitation, it being his first offence, and the harmful nature of prison. Lovegrove concluded that the public undertakes many of the same considerations as judges in determining the appropriateness of a sentence, including culpability, rehabilitation, and mercy.

In a series of related projects known broadly as ‘The Jury Projects’, a team of researchers utilised jurors to gauge public perceptions of sentencing (for an overview of this research, see Sentencing Advisory Council, 2019). Such a unique methodological approach enabled the researchers to examine community sentiment in an innovative way, helping to address some of the shortcomings of traditional public opinion research. In the first arm of this body of work, the Tasmanian Jury Study, the team identified that jurors frequently expressed perceptions that the magistrate was too lenient, even in instances where their self-recommendation was substantially divergent from what the court had awarded (Warner, Davis, Walter, Bradfield, & Vermey, 2009, 2010, 2011; Warner & Davis, 2012; see also Tasmanian Sentencing Advisory Council, 2015).

Extending this work to Victoria, the team further investigated the determinants of jurors’ sentencing perspectives, finding that the gap between the jurors’ and judges’ sentences widened for certain offence types; specifically, while 50% of jurors suggested more lenient sentences than the judge, this reduced to 36% in cases of child sexual assault wherein the victim is younger than 12 (Warner, Davis, Spiranovic, Cockburn, & Freiberg, 2017). Converting this research into a national study, then, the team narrowed their focus on the perspectives of jurors in sexual offence trials, finding that the majority of jurors believed the sentence was very or fairly appropriate (Warner, Bartels, & Gelb, 2022; Warner, Bartels, Gelb, Davis, & Spiranovic, 2021; Warner, Spiranovic, Bartels, Gelb, & Roberts, 2021).

Warner, Spiranovic, Bartels, Roberts, and Gelb (2022) reported the views of jurors and the Australian public in relation to sentencing discounts for guilty pleas. There was more support for a discount in cases involving non-sexual violent offences versus sexual offences and adult versus child victims. Where a discount was supported, this most commonly was a reduction in the length of custodial sentence. Willingness to accept a sentencing discount was predicted by gender, education, punitive attitudes, offence type, and offence seriousness.

Collectively, research on public perceptions of sentencing for sexual offences in Australia reveals that rape myths (i.e. misconceptions about sexual violence) influence people’s judgments about the seriousness of sexual offending and the most appropriate sentences in those cases. At the same time, however, the public’s opinions on sentencing tend to consider many of the same factors deliberated by courts. While the community sometimes expresses that sentences are too lenient, members of the public often recommend sentences that are roughly similar to (or even more lenient than) the sentences handed down by magistrates and judges. Overall, these findings highlight the complex nature of public perceptions of sentencing for sexual offences.

Summary

Public opinion in Australia on sentencing for sexual offences is complex. Public views are influenced by rape myths, although the public often considers the same factors as the courts in sentencing. Community members’ judgments often align with (or are more lenient than) magistrates’ and judges’ sentencing decisions, highlighting the intricate nature of these perceptions.

Canadian Research

We identified four Canadian research outputs.

Three of these studies relied on university samples. One study found overarching support for incapacitation and control policies, although participants also supported rehabilitative and reintegrative responses; respondents supported a mixture of policies to best manage sex offenders, including universal incarceration, mandatory minimum sentences, long-term registries, and electronic monitoring (Corabian, Hogan, & Olver, 2022). Sparks (2021) found that participants supported specific deterrence as the most important sentencing goal and retribution as the least important, with community protection, general deterrence, and rehabilitation receiving partial support; perceptions about recidivism risk tended to drive support for more punitive policies. Olver and Barlow (2010) found that their survey respondents preferred rehabilitation (if effective) over lengthy custodial terms, with very minimal support for extremely punitive measures such as castration or indefinite detention. Meanwhile, a doctoral dissertation by Neufeld (2021) featuring vignettes and questionnaires identified no statistically significant relationship between perceptions of offence severity, sentencing, offender-victim relationship, or victim age.

Summary

Studies indicate that the Canadian public favours a combination of policies to manage sex offenders. This includes universal incarceration, mandatory minimum sentences, long-term registries, and electronic monitoring. However, there is a notable level of support for rehabilitative and reintegrative responses, as well. Overall, these studies suggest that the Canadian public's views on sex offender management are multifaceted, reflecting a mix of punitive and rehabilitative perspectives, with an emphasis on specific deterrence and community protection.

United Kingdom Research

Our review identified twelve studies performed in the United Kingdom, including the individual countries of England, Scotland, Wales, and Northern Ireland.

Collectively, research from the United Kingdom reveals multifaceted attitudes of the public towards the sentencing and management of sex offenders. Several studies have highlighted the nuanced perspectives held by different segments of the population.

Studies such as that by Biggs, Reid, Attygalle, Vosnaki, McPherson, and Tata (2021) revealed that awareness and understanding of sexual offence laws vary among participants. While many believed that serious crimes like rape, repeat offences, or those involving child victims warrant prison sentences, respondents often expressed concerns about the leniency of actual sentencing outcomes. Notably, when asked to suggest sentences for specific cases, the public's recommendations often aligned with the sentences handed down by judges, highlighting a gap between public perception and legal reality. Participants in these studies emphasised the importance of consistency, transparency, and a focus on rehabilitation and addressing offending behaviour during sentencing (Biggs et al., 2021; Black, Warren, Ormston, & Tata, 2019).

Nicholls, Mitchell, Simpson, Webster, and Hester (2012) found that the public had limited awareness of sentencing but thought the focus should be on punishment, protecting the public, acknowledging the harm caused, and in some cases to enable rehabilitation. Imprisonment was felt to embody these aims and was widely supported by research participants.

Further, research suggests that personal experiences and connections play a role in shaping attitudes towards sex offenders. Women generally hold more positive views of sex offenders than men, regardless of the type of offense (Ferguson & Ireland, 2006; Higgins & Ireland, 2009; Palasinski & Shortland, 2016). As a result of pre-existing interrelationships, some victims of sexual abuse (or those with close connections to victims) may view sex offenders less negatively than non-victims (Ferguson & Ireland, 2006). This finding underscores the impact of personal experiences on attitudes.

A survey of nearly 1,000 participants in the United Kingdom investigated the public's opinion of community reintegration for sex offenders (Brown, Deakin, & Spencer, 2008). Their findings revealed that the community has the perception that these individuals are at a high risk of reoffending and are therefore concerned about them being monitored in the community post-sentence. Respondents expected that community notification would provide increased security against predatory offenders (see also Rogers, Hirst, & Davies, 2011). The public expressed scepticism about the ability of justice professionals to adequately protect the public.

Some studies indicate that the public supports restorative justice and desires a more active role in sex offender management (Marsh & Wager, 2015). However, there are concerns about the effectiveness of limited disclosure policies and a desire for greater community involvement in the reintegration of sex offenders (McCartan, 2013).

Public perceptions of sex offender legislation, like Sarah's Law, vary depending on factors such as age, race, and parental status. While there is general support for such legislation, its effectiveness in reducing sex offences is questioned. Respondents believe that mandatory sex offender treatment prior to release from incarceration could be helpful in reducing child sexual abuse (Zgoba & Cowan, 2020).

Combined, the United Kingdom research reviewed for this REA show that the public values a balance between punishment, rehabilitation, and community protection in sentencing sexual offenders. More broadly, the community espoused concerns about sentencing inconsistencies and the lack of transparency regarding the processes of deliberating and delivering a sentence.

Summary

While some studies in the United Kingdom show that the public emphasises the importance of punishment, protecting the community, acknowledging harm, and enabling rehabilitation, others expressed concerns about sentencing leniency and favoured imprisonment. Personal experiences and connections, such as being a victim or having close ties to victims, influenced views, with women generally holding more positive opinions of sex offenders than men. The public demonstrated a perception of high reoffending risk among sex offenders, contributing to support for community monitoring and notification schemes.

United States Research

Our rapid evidence assessment methodology resulted in the identification of 67 research outputs related to sentencing sexual offences in the United States. Rather than reviewing individual studies here, given the large body of research identified in this rapid evidence assessment, below we aim to synthesise the available evidence. Details about individual studies are provided in Table 13.

American research frequently shows a high degree of concern amongst the public about sex offenders, leading to quite punitive attitudes. For instance, Budd (2012) found that 97% of their respondents believed that sex crimes should be a federal and state priority.

Research from the United States demonstrates that adherence to misconceptions about sexual offences is a strong predictor of punitiveness (King, 2019; Mitchell, Angelone, Kohlberger, & Hirschman, 2009; Pickett, Mancini, & Mears, 2013; Schwarz, Baum, & Cohen, 2022). Individuals with more conservative political views have been shown to hold more negative perceptions of sex offenders (Rosselli & Jeglic, 2017). Greater support for more punitive sex offender policy has been associated with more social distancing, higher perceptions of sex offender riskiness, offender criminal history, the age and gender of the perpetrator, and younger victim age (Kruis et al., 2023; Manchak & Fisher, 2019). Community members inaccurately believe that sex offenders have high recidivism rates, view sex offenders as a homogeneous group with regard to risk and are sceptical about the benefits of sex offender treatment (Levenson, Brannon, Fortney, & Baker, 2007; Socia & Harris, 2016).

When asked to recommend sentences, community members generally suggest sanctions that are consistent with the penalties handed down in court (Schneider, Mori, Lambert, & Wong, 2009). Drawing on online survey data provided by 1,000 participants, Socia, Ryder, and Dum (2021) find that compared to the average judicial sentence of 10 years, respondents' mean sentence recommendation was 1.29 years longer. Significantly longer sentences were given to male perpetrators and to cases with male or child victims, while female perpetrators received sentences that were on average 1.7 years shorter (see also Zack, Lang, & Dirks, 2018).

Research has found that public attitudes toward sex offender registries and community notification are generally supportive (Anderson & Sample, 2008; Budd, 2012; Budd & Mancini,

2016; Cain, Sample, & Anderson, 2017; Kernsmith, Craun, & Foster, 2009; Levenson, Brannon, Fortney, & Baker, 2007; Salerno, Stevenson, Wiley, Najdowski, Bottoms, & Doran, 2010), believing that notification schemes produce a reduction in sexual offending (Brannon, Levenson, Fortney, & Baker, 2007), with members of the public believing that the registry makes them safer (Kang, Green, Akamani, & Pinkston, 2022), even after considering evidence of their limited utility in preventing sexual reoffending (Koon-Magnin, 2015; see also Russell & Evans, 2021). Few people report accessing the register (Anderson & Sample, 2008; Evans, 2008). While there is a belief that these policies enhance community safety, there are also concerns about their fairness, privacy implications, and potential consequences (Mancini, 2014; Redlich, 2001; see also Schiavone & Jeglic, 2009). Public perceptions of sex offender registries can be influenced by factors such as gender, parental status, political ideology, and exposure to information about the limitations of these policies (Budd & Mancini, 2016; Dobbins, 2011).

Studies show tenuously positive support for residency and work restrictions (Comartin, Kernsmith, & Kernsmith, 2009; Rydberg, Dum, & Socia, 2018). At the same time, community members express doubts that housing restriction statutes are effective in reducing sexual recidivism (Schiavone & Jeglic, 2009). Researchers have found that there were no differences between victims and non-victims with respect to their attitudes toward sex offender residence restriction laws (Spoo, Kaylor, Schaaf, Rosselli, Laake, Johnson, & Jeglic, 2018).

A national US survey found that the public largely believed that electronic monitoring was very effective (32%) or somewhat effective (47%; Budd & Mancini, 2017). However, the results indicate that public views on effectiveness are influenced in part by myths about sex offending (the public believed that electronic monitoring was most effective in 'stranger danger' scenarios). Parents expressed the greatest uncertainty regarding the viability of this approach to offender management. Another survey in Virginia identified that the public largely had favourable views of electronic monitoring, although this was contingent on respondent characteristics (Button, Tewksbury, Mustaine, & Payne, 2013). Payne, DeMichele, and Okafo (2009) reported that respondents held mixed views, although electronic monitoring was not generally thought to be a punitive response to sex offending.

In relation to rehabilitation, studies show that people believe in the prospect of compulsory treatment (Mancini & Budd, 2016; Mears, Mancini, Gertz, & Bratton, 2008; Schiavone & Jeglic, 2009), although many express doubts about its effectiveness (Church, Sun, & Li, 2011; Mancini, 2014; Payne, Tewksbury, & Mustaine, 2010), prompting some to suggest that more intensive treatment efforts are required (Dooley, 2010). Knowledge about sex offenders produces more positive attitudes toward treatment (Spoo et al., 2018).

Public support for the death penalty in sex offender cases varied. Mancini and Mears (2010) reported that support for the death penalty was lower for sex offences compared to murder, with higher support when the victim was a child. Dierenfeldt, Scott, Iles, Rosenberger, and Smith (2021) also found greater support for the death penalty when the victim was a child.

Collectively, these studies demonstrate how public attitudes towards sex offender sentencing in the United States are diverse and complex. The research we reviewed indicates that perceptions of risk, beliefs about rehabilitation, and concerns about the safety of the community

influence public opinion about sentencing in cases of sexual violence. These attitudes vary among individuals, however, and can be shaped by demographic characteristics, personal experiences, and media consumption.

Summary

American research shows that while some view sentences as too lenient, there is also support for alternatives to imprisonment. Harsher opinions on sexual offences may be influenced by factors like the age and gender of victims and concerns about preventing such crimes. Rape myths significantly shape these perceptions but coexist with considerations of culpability and harm, sometimes resulting in public recommendations for sentences that align with (or are more lenient than) court decisions.

Research From Other Countries

Our rapid evidence assessment uncovered five studies from other countries: one study each from Germany, Norway, and Ireland, and two studies from Israel.

Brocke, Göldenitz, Holling, and Bilsky (2004) surveyed university students in Germany to explore attitudes towards sanctioning in general and towards severity of punishment in particular, comparing rape versus theft and assault. Their study demonstrated that role expectations can influence perceptions of harm. Participants were more lenient when the victim and offender were known to one another.

Bergstrøm, Evjetun, and Bendixen (2017) present data from a Norwegian community sample ($n = 475$) from 2005, in which participants found the typical sentencing severity of a convicted rapist too lenient. Participants preferred incapacitation overall but demonstrated both incapacitative and retributive sentiments in response to a specific rape case. Aggravating circumstances influenced the participants' judgments, while few gender or educational differences were found.

Sato and Hough (2015) performed a study in which 100 members of the Irish public watched a reconstructed rape trial, then responded to a survey about general punitiveness, attitudes toward punishment, and perceptions of sentencing. Their experiment identified that individuals being provided with expert information did not always moderate punitive attitudes.

Peleg-Koriat and Klar-Chalamish (2020) surveyed the public in Israel. While respondents voiced some concerns about the use of restorative justice in cases of sexual violence, their research shows that the community generally supports the use of restorative justice in cases of sexual violence. In a similar survey of the Israeli community, Weimann-Saks, Peleg-Koriat, & Halperin (2022) conclude that public perception is that sex offenders cannot change.

Summary

In Germany, perceptions of punishment severity in rape cases were influenced by role expectations, with more leniency when the victim and offender knew each other. Norway's study revealed that participants generally considered typical sentences for rapists too lenient and expressed a preference for both incapacitation and retribution, influenced by aggravating circumstances. In an Irish study that simulated a rape trial, expert information did not consistently temper punitive attitudes. In Israel, there was support for restorative justice processes in sexual offence cases, driven by the benefits of victim validation and choice, although concerns about harm to victims and the belief in custodial sentences were also present.

Cross-National Research

Our rapid evidence assessment identified six studies that performed cross-national comparisons of community perceptions of sentencing in cases of sexual violence.

Balvig, Gunnlaugsson, Jerre, Tham, and Kinnunen (2015) gathered data from a large sample of the public ($n = 22,307$) in Denmark, Finland, Iceland, and Sweden. Drawing on polling data collected via phone interview, postal questionnaires, and focus groups, the study's findings suggest that the public's inclination to use imprisonment as a punishment for serious offences, including violent crimes, significantly decreases when alternative measures of gauging public notions of justice are applied. This indicates that as more information about a case and proximity to the involved individuals increase, there is a decline in the tendency towards punitive measures, particularly imprisonment.

Cowan, Zgoba, Guerette, and Levenson (2021) examined the differences between United States and United Kingdom residents in relation to sex offender registries and community notification policies. Americans were more inclined to perceive community notification laws as being fair than British citizens (59.8% vs 40.2%) and expressed less tolerance of a convicted sex offender living in their neighbourhood (27.3% vs 72.7%).

In a doctoral dissertation, Kelly (2014) performed a telephone survey with 63 members of the American and Canadian publics, exploring their perceptions of sex offenders, registration, and community notification. The results suggest that public perceptions of sex offenders, registration, and community notification were similar in both areas, despite differences in relevant laws. Both groups agreed that sex offenders should be mandated to register on a national sex offender registry accessible to the public.

Kugler, Funk, Braun, and Gollwitzer (2013) surveyed more than 1,000 members of the public in the United States, Canada, and Germany in relation to their punitive attitudes about rape. The researchers reported that there were no substantive differences in attitudes about sentencing, rejecting the notion that Americans are uniquely punitive. The findings instead demonstrate general agreement about the immorality of these offences.

Jung, Allison, and Martin (2018) examined the perspectives of Americans and Canadians on the use and function of sex offender registries. The results indicated that Americans were more in favour of the availability of registries, were more accurate at identifying who should be placed on them and were more aware of the registries than Canadians.

Zack, Lang, and Dirks (2018) used thematic coding to analyse 678 online comments posted in response to five Huffington Post articles about female teachers who sexually assaulted adolescent male students. The results demonstrated that the public recognises a double standard in sentencing for female sex offenders compared to males yet contrary to expectations, the public appeared to support equality in sentencing for all sex offences regardless of the perpetrator's gender. Roughly 1/3 of the comments related to punishment, with 44.2% suggesting the need for harsher sentences. Members of the public also endorsed incapacitation but advocated for lengthier periods of imprisonment than presently awarded.

Summary

Evidence from cross national studies suggested that when the public had more information about a case and closer proximity to the individuals involved, their inclination toward punitive measures, especially imprisonment, decreased. There were also variations in attitudes between countries, such as Americans being more in favour of sex offender registries and differences in perceptions of sentencing for female sex offenders. Overall, however, there was general support for some form of punishment or incapacitation, albeit with variations in sentencing preferences.

Public Perceptions of Specific Sanctions

As the research described above demonstrates, the public is frequently punitive in the abstract but become less so when faced with specifics about crime and justice (Day, Ross, & McLachlan, 2021). In line with this trend, in relation to specific sanctions, the research we reviewed reveals that the public is generally open about sentencing options. While the community frequently expressed a preference for **custodial sentences** for some offences, they appear to be supportive of several alternate and additional legal outcomes.

Studies that investigated the public's perceptions about **community supervision** and **suspended sentences** for individuals convicted of sexual assault and rape demonstrate that the public is sceptical about the use of community-based orders. Generally, the evidence suggests that the community seriously questions the appropriateness and effectiveness of community supervision and are critical of these perpetrators being managed outside of custodial centres (Brown, Deakin & Spencer, 2008; Sanders & Roberts, 2000).

Studies that explored the public's opinion of **electronic monitoring** for perpetrators of sexual offences showed that the public shows some support for this approach, although this is nuanced (Payne, DeMichele, & Okafo, 2009). For instance, Budd and Mancini (2017) found that the public's views on effectiveness are influenced in part by myths about sex offending (the public believed that electronic monitoring was most effective in 'stranger danger' scenarios).

Further research demonstrates that support for electronic monitoring is contingent on respondent characteristics, suggesting that public education efforts are required to help the community understand how this sanction promotes public safety (Button, Tewksbury, Mustaine, & Payne, 2013).

One of the most studied penalties in the public opinion research is **sex offender notification and registration (SORN)** schemes. Sex offender registries are politically popular, and although the public shows strong support for these policies, believing that they make the community safer, the evidence of their effectiveness in preventing sexual recidivism is very weak (Levenson, Grady, & Leibowitz, 2016; Napier, Dowling, Morgan, & Talbot, 2018). The research we reviewed, drawing on more than two dozen studies, demonstrates that the public is frequently in support of offender registries and community notification, even when presented with evidence that the registries are not effective in preventing offending. The public often favours sex offender registers, but values judicial discretion in registration decisions, with support for automatic registration decreasing for non-custodial sentences. While there is a belief that these policies enhance community safety, there are also concerns about their fairness, privacy implications, and potential consequences. Public perceptions of sex offender registries can be influenced by factors such as gender, political ideology, and exposure to information about the limitations of these policies.

Studies of **residency** restrictions demonstrated mixed support overall. For example, Rydberg, Dum, & Socia (2018) found that half of their sample strongly supported the approach of restricting the locations in which registered sex offenders can reside, while more than four out of five respondents expressed at least some support for such a policy. Yet research shows that the public does not believe that housing restriction statutes are effective in reducing sexual recidivism (Schiafone & Jeglic, 2009). Further, there is some indication that there are no differences between victims and non-victims with respect to their attitudes toward sex offender residence restriction laws (Spoo, Kaylor, Schaaf, Rosselli, Laake, Johnson, & Jeglic, 2018).

Our review uncovered several studies that examined community perceptions of the utility of **mandated treatment** for sex offenders. Much of this research was performed in the United States, although there are a few studies that feature members of the Australian and European publics. Studies show that while the public doubts the effectiveness of rehabilitation programs (and these attitudes may be difficult to change, even in light of accurate information about sex offending; Engel, 2014; Mancini, 2014; Payne, Tewksbury, & Mustaine, 2010), they simultaneously believed that sex offenders should be treated and that mandatory treatment is necessary (Mancini & Budd, 2016; Zgoba & Cowan, 2020), particularly where respondents exhibited high levels of concern for victims (Church, Sun, & Li, 2011). Other research reveals that the public believes that more intensive treatment is needed to rehabilitate sex offenders (Dooley, 2010).

Our review identified a small number of studies that investigate public support for **capital punishment** in cases of sexual assault and rape. Combined, they demonstrate that community members are more punitive (expressing greater support for this sanction) when the victim is a

child compared to an adult (Mancini & Mears, 2010; Dierenfeldt, Scott, Iles, Rosenberger, & Smith, 2021).

Summary

The research on public perceptions of specific sanctions for sexual violence offences reveals complex attitudes. Generally, the public is open to various sentencing options, with a preference for custodial sentences for some offences. Support for alternatives like community supervision and suspended sentences is limited. Electronic monitoring garners some support but varies based on factors like myths about sex offending. Sex offender registries and community notification policies enjoy substantial public support despite weak evidence of their effectiveness in reducing recidivism. Residency restrictions have mixed support. Compulsory treatment for sex offenders is seen as necessary by the public, even when there is scepticism about offenders' capacity to change. Support for capital punishment in sexual assault cases is greater when the victim is a child compared to an adult.

Alternative Approaches to Justice

We identified two studies that explicitly investigated the attitudes of the public toward restorative justice approaches to sentencing sexual offences. Overall, there appears to be tentative, tenuous support for restorative justice.

The web-based survey conducted by Marsh and Wager (2015) in the United Kingdom revealed overarching support for restorative justice, with 81% of all respondents reporting that they would welcome the opportunity for the victim to meet with the offender in a conference setting. The community indicated greater agreement with this option (86%) than survivors of sexual violence who reported that they would attend a conference (71%).

Peleg-Koriat and Klar-Chalamish (2020) surveyed the public in Israel finding support for restorative justice processes in sexual offence cases. Their analyses revealed that participants saw two primary benefits to restorative justice: an opportunity for the victim to tell their story and receive validation and the victim's ability to choose how to respond to the offence. At the same time, though, some respondents believed that restorative justice was a diversion and offenders should receive custodial sentences, and others expressed that restorative justice processes may inadvertently harm the victim.

New Systematic Review Evidence

We identified a recently published systematic review and meta-analysis focused on public perceptions of community management policies for individuals convicted of sexual offences (ICSO; Sánchez de Ribera, Christensen, Trajtenberg, & Hudson, 2023). This was located following our systematic search and thus is synthesised separately.

The review included 43 studies and covered a broad range of themes. Of particular interest to this Report, is research related to community members' support and perceived effectiveness of

different policies. In terms of support, they found that more punitive policies such as life/long prison and castration were widely supported (66% [48–82]). Additionally, community members expressed high levels of support for notification (85% [76–93]), registration (81% [76–86]), residence restrictions (80% [74–85]) and GPS monitoring (73% [59–84]).

Yet despite the public showing high levels of support for these policies, their perceived effectiveness in reducing recidivism was generally lower. In other words, while the public were supportive of these policies, they were less convinced they worked to improve community safety.

Methodological Limitations and Implications

The research findings reviewed in this chapter underline the complexity of public perceptions regarding penalties for sexual offending. The studies showcase a desire for sanctions to serve multiple objectives, including achieving justice through imprisonment, aiding crime victims through financial compensation, and preventing reoffending. Given this nuance, we encourage researchers to develop more sophisticated research designs that can help to tease out these dynamics.

Indeed, many of the studies in this chapter have relied on convenience samples, including a large body of research that surveyed university students. Such methodologies come with limitations that can affect the generalisability and validity of research findings. First, convenience samples may not represent the broader population due to their inherent biases. University students often have distinct demographics, lifestyles, and educational backgrounds that may not mirror the diversity found in the general population. This can limit the applicability of research findings beyond the specific student demographic. Additionally, convenience samples may suffer from selection bias, as those who participate in research studies voluntarily may differ in important ways from those who do not, potentially skewing the results. Lastly, the overreliance on university students as participants can limit the external validity of research, making it challenging to generalise findings to other age groups or contexts. Researchers should be cautious when drawing broad conclusions based solely on convenience samples of university students and readers must consider these limitations in the interpretation of their results.

Moreover, the research we reviewed here was cross-sectional in design and relied on survey data, which also exhibits shortcomings. These studies provide a snapshot of data collected at a single point in time, making it challenging to establish causality or examine changes over time. Researchers cannot determine whether observed associations are the result of cause and effect or if they reflect underlying trends. Additionally, cross-sectional data may be subject to recall bias and may not accurately capture long-term attitudes and behaviours, as respondents rely on memory when answering questions. Relatedly, the surveys are dependent on the quality of the questions asked and the response options provided, which can introduce measurement error and limit the accuracy of the data. Additionally, cross-sectional surveys may not account for the complexity and dynamic nature of human experiences and behaviours, as they offer a static view that does not capture the evolving nature of social phenomena.

Researchers should consider complementary research designs for a more comprehensive understanding of perceptions of sentencing. For instance, compared to other study types, focus groups may provide more in-depth and nuanced insights of community member attitudes towards sex offender sentencing by allowing participants to express the underlying reasons and motivating factors for these attitudes.

Chapter Summary

This chapter presented findings from a rapid evidence assessment related to community perceptions of sentencing practices for sexual offences. Public opinion on sentencing is complex, with a tendency towards punitiveness, although nuanced views emerge when considering specifics. Rape myths significantly influence public attitudes, leading to support for punitive measures and offender registries despite evidence of their limited effectiveness. Scepticism about offender rehabilitation prevails, often without regard for accurate information, and restorative justice garners tentative support. Overall, attitudes are multifaceted, often varying according to respondent characteristics and reflecting factors such as victim age, offence type, offender responsibility, and recognition of harm. Further research is required to unpack the nuanced dynamics related to attitudes toward punishment.

Table 10: Summary of Eligible Studies of Community Perceptions (n = 111)

Author(s) (Year)	Country	Document Type	Data Source(s)	Sample(s)	Study Focus(es)
Australia (n = 17)					
Bartels, Gelb, Spiranovic, Warner, Roberts, & Davis (2021)	Australia	Journal article	Online survey	Community members (n = 306)	Public attitudes towards sex offender registration orders
Bollinger, Seidler, & Kemp (2012)	Australia	Journal article	Survey	Community members (n = 111)	Community perceptions and awareness of child protection strategies (sex offender register) and their effectiveness for reducing sexual reoffending
Clark (2007)	Australia	Newsletter article	Not described	Community members (n = 61)	Perceptions of offence seriousness and sentencing decisions for sexual assault
Deville & Le Grand (2015)	Australia	Journal article	Survey	Sexual assault victims (17.39%) and community members who have known someone who has been a victim (52.17%) or knows someone who has been accused (28.7%) (n = 115)	Explored perceptions regarding sentencing options, treatment, and the appropriateness of sentences for different sex offences
Hudson (2012)	Australia	Report	Community panel sessions	Community members (n = 244)	Attitudes towards offence seriousness (comparing different offence types including sex offences)
Lovegrove (2013)	Australia	Journal article	Presented by sentencing judges to participants	Community members (n = 470)	Public opinion on sentencing to gauge punitiveness and lenience and its implications for penal moderation in cases including rape
Tasmanian Sentencing Advisory Council (2015)	Australia	Report	Inquiry	Online submissions (n = 11)	Measuring the public perception of the appropriateness of sentences imposed for sexual offences
Taylor (2017)	Australia	Journal article	Online survey	Community members (n = 162)	Attitudes towards public sex offender registry introduced in Western Australia
Warner, Spiranovic, Bartels, Gelb, & Roberts (2021)	Australia	Journal article	Survey	Jurors (n = 343, over 127 trials)	Public perspectives on judges' reasons for sentence and the appropriateness of the sentence imposed

<i>Author(s) (Year)</i>	<i>Country</i>	<i>Document Type</i>	<i>Data Source(s)</i>	<i>Sample(s)</i>	<i>Study Focus(es)</i>
Warner, Bartels, & Gelb (2022)	Australia	Report	Survey	Jurors ($n = 989$, over 159 trials)	Differences in sentencing practices over jurisdictions
Warner, Bartels, Gelb, Davis & Spiranovic (2021)	Australia	Journal article	Survey	Jurors & community members ($n = 492$)	Juror and community member's perceptions of sentencing factors in sex offence cases
Warner & Davis (2012)	Australia	Journal article	Survey	Jurors ($n = 698$, over 162 trials)	Juror attitudes on the leniency and appropriateness of sentence imposed
Warner, Davis, Spiranovic, Cockburn, & Freiberg (2017)	Australia	Journal article	Survey	Jurors ($n = 987$, over 124 trials)	Juror views on severity and appropriateness of sentencing compared to Judge's sentence
Warner, Davis, Walter, Bradfield, & Vermeij (2009)	Australia	Journal article	Survey	Jurors ($n = 257$, over 51 trials)	Juror opinion on sentencing compared to judges' sentence
Warner, Davis, Walter, Bradfield, & Vermeij (2010)	Australia	Report	Survey and interviews	Jurors ($n = 695$ surveys and $n = 50$ interviews, over 162 trials with a guilty verdict)	Jurors' satisfaction with sentences and whether their views align with those of the judge
Warner, Davis, Walter, Bradfield, & Vermeij (2011)	Australia	Journal article	Survey	Jurors ($n = 698$, over 138 trials resulting in a guilty verdict)	Comparison between Judge and jurors sentencing appropriateness and leniency
Warner, Spiranovic, Bartels, Roberts, & Gelb (2022)	Australia	Journal article	Online survey	Juror & community members ($n = 306$)	Attitudes towards sentence discounts for early guilty pleas focusing on sexual offences
Canada ($n = 4$)					
Corabian, Hogan, & Olver (2022)	Canada	Journal article	Survey	University students ($n = 333$)	Attitudes towards sex offenders including recidivism and treatment responses, along with support for various incapacitation / control and rehabilitation / reintegration-based policies.
Neufeld (2021)	Canada	Dissertation / thesis	Survey	Community members ($n = 200$)	Examining the public's emotional responses, opinions on crime severity, and opinions on the lengths of sentence, in relation to child sexual offenders and victims, as influenced by victim age and the offender-victim relationship

Author(s) (Year)	Country	Document Type	Data Source(s)	Sample(s)	Study Focus(es)
Olver & Barlow (2010)	Canada	Journal article	Survey	University students (<i>n</i> = 78)	Attitudes towards sex offenders measuring attitudes towards treatment/rehabilitation to more punitive responses
Sparks (2021)	Canada	Journal article	Survey	University students (<i>n</i> = 376)	Attitudes towards punitive policies towards sex offenders
United Kingdom (<i>n</i> = 12)					
Biggs, Reid, Attygalle, Vosnaki, McPherson, & Tata (2021)	Scotland	Report	Interview / focus groups	Community members (<i>n</i> = 20)	Explored the views of the public in relation to sexual offences
Black, Warren, Ormston, & Tata (2019)	Scotland	Report	Telephone survey	Community members (<i>n</i> = 1,000)	Community perceptions towards sex offender sentencing
Brown, Deakin, & Spencer (2008)	United Kingdom	Journal article	Survey	Community members (<i>n</i> = 979)	Publics perceptions regarding sex offender management and reintegration into the community
Ferguson & Ireland (2006)	United Kingdom	Journal article	Survey	University students & staff (<i>n</i> = 139)	Attitudes towards individuals who commit different types of sex offence, with subsidiary aims of exploring the influence of respondent sex and the influence of personal experience of sexual abuse
Harper & Hogue (2015)	Britain	Journal article	Survey	Community members (<i>n</i> = 400)	Link between capacity to change, severity/dangerousness and sentencing and management preferences
Higgins & Ireland (2009)	Northern Ireland	Journal article	Survey	Community members (<i>n</i> = 82)	Attitudes towards sex offenders based on specific sexual offences committed against either an adult or a child
Marsh & Wager (2015)	United Kingdom	Journal article	Online survey	Victims and community members (<i>n</i> = 1310)	Perspective of both the public and survivors of sexual violence with regards to the application of restorative justice practices in cases involving sexual violence
McCartan (2013)	United Kingdom	Journal article	Interview	Community members (<i>n</i> = 35)	Attitudes towards the disclosure of sex offender information

Author(s) (Year)	Country	Document Type	Data Source(s)	Sample(s)	Study Focus(es)
Palasinski & Shortland (2016)	United Kingdom	Journal article	Online survey	Community members (<i>n</i> = 237)	Whether individual factors can predict punitive attitudes towards sexual and domestic offences and offenders
Nicholls, Mitchell, Simpson, Webster, & Hester (2012)	United Kingdom	Report	Interview	Sexual assault victims / family of victims (<i>n</i> = 46) and community members (<i>n</i> = 82)	Examined views of victims regarding appropriateness of sentencing outcomes and perceived effectiveness
Rogers, Hirst, & Davies (2011)	United Kingdom	Journal article	Mail survey	Community members (<i>n</i> = 235)	Attitudes towards punitive sanctions, treatment, and rehabilitation of sex offenders
Zgoba & Cowan (2020)	United Kingdom	Journal article	Survey	Community members (<i>n</i> = 140)	Attitudes towards the implementation of Sarah's Law involving notification and registration of sex offenders
United States (<i>n</i> = 67)					
Anderson & Sample (2008)	United States	Journal article	Telephone survey	Community members (<i>n</i> = 1,821)	Public's perception of public safety, awareness and action resulting from the sex offender community notification laws
Berryessa (2022)	United States	Journal article	Online survey	Community members (<i>n</i> = 324)	Examining if and how dual-process thinking styles predict and explain the degree to which members of the public express moral panic toward the support for existing sex offender management policies
Berryessa & Lively (2019)	United States	Journal article	Survey	Community members divided into 3 studies (<i>n</i> = 1,775)	Investigating how different forms of child sex offender stigma influences people's inclinations to endorse punitive actions in cases where individuals deemed 'bad' receive unexpected rewards
Brannon, Levenson, Fortney & Baker (2007)	United States	Journal article	Survey	Community members (<i>n</i> = 193)	Community member perceptions of community notification laws
Budd (2012)	United States	Dissertation / thesis	Telephone survey	Community members (<i>n</i> = 425)	Attitudes towards sex offenders and sex offender laws
Budd & Mancini (2016)	United States	Journal article	Telephone survey	Community members (<i>n</i> = 1,005)	Public perceptions of the effectiveness of sex offender residence restrictions including broad punitiveness and public opinions of sentencing

Author(s) (Year)	Country	Document Type	Data Source(s)	Sample(s)	Study Focus(es)
Budd & Mancini (2017)	United States	Journal article	Telephone survey	Community members (<i>n</i> = 837)	Public perceptions on the effectiveness of GPS and electronic monitoring to track convicted sex offenders to reduce recidivism
Button, Tewksbury, Mustaine, & Payne (2013)	United States	Journal article	Telephone survey	Community members (<i>n</i> = 746)	Attitudes towards community GPS and electronic monitoring policies governing sex offenders
Cain, Sample, & Anderson (2017)	United States	Journal article	Mail survey	Community members (<i>n</i> = 891)	Attitudes towards public sex offender notification laws for female sex offenders
Call (2020)	United States	Journal article	Survey	Community members <i>n</i> = 1,023	Public attitudes towards sex offender registration and notification with a distinction between significant differences in offenders and offences
Campbell & Newheiser (2019)	United States	Journal article	Survey	Female American citizens <i>n</i> = 997	Public perception and attitude change on crime control theatre (CCT) laws once made aware of their ineffectiveness
Church, Sun, & Li (2011)	United States	Journal article	Survey	University students (<i>n</i> = 316)	Attitudes towards the treatment of sex offenders, using the CATSO scale and victim concern scale as predictors
Comartin, Kernsmith, & Kernsmith (2009)	United States	Journal article	Telephone interview	Community members (<i>n</i> = 703)	Attitudes towards punitive sanctions, focusing on sex offenders post-release
Dierenfeldt, Scott, Iles, Rosenberger, & Smith (2021)	United States	Journal article	Survey	University Students (<i>n</i> = 474)	Attitudes towards support for the death penalty in cases of rape and sexual assault
Dobbins (2011)	United States	Dissertation / thesis	Survey	Community members (<i>n</i> = 199)	Attitudes towards registration and notification of sex offenders
Dooley (2010)	United States	Dissertation / thesis	Survey	Community members (<i>n</i> = 198)	Attitudes towards rehabilitation / treatment of sex offenders between public and mental health professionals
Duncan (2012)	United States	Dissertation / thesis	Survey	University students (<i>n</i> = 282)	Perceptions on sex offenders, sex offences, and sex offender management policies

Author(s) (Year)	Country	Document Type	Data Source(s)	Sample(s)	Study Focus(es)
Engel (2014)	United States	Dissertation / thesis	Survey	University students (<i>n</i> = 260)	Perceptions of legal policy, views on support of punitive measures, and effectiveness of sex offender treatment
Engel (2016)	United States	Dissertation / thesis	Survey	University students (<i>n</i> = 323)	Influences of public opinions on sex offender treatment and policy, to then inform the public best about sex offender treatment for them to gain a better understanding of the complex issue and a more accurate perception of the efficacy of treatment
Evans (2008)	United States	Dissertation / thesis	Survey	Community members (<i>n</i> = 100)	Attitudes towards sex offender registration and notification laws
Galeana (2018)	United States	Dissertation / thesis	Survey	University students (<i>n</i> = 407)	Public attitude towards lifetime sexual offender registration and examining the effects of an educational video on attitude changes
Golding, Lynch, Malik, & Foster-Gimbel (2018)	United States	Journal article	Survey	Community members (<i>n</i> = 81)	Attitudes towards plea bargaining in sentencing of sex offenders with offending against children and adult females
Guilford (2017)	United States	Dissertation / thesis	Survey	Community members (<i>n</i> = 93)	Attitudes of the general public regarding typologies of female sex offenders, including recommended severity of sentencing
Harris & Socia (2016)	United States	Journal article	Online survey	Community members (<i>n</i> = 1,000)	Opinions on whether the use of 'sex offender' label strengthens public support for policies directed at those who have perpetrated sexual crimes
Ives (2023)	United States	Dissertation / thesis	Survey	Community members (<i>n</i> = 174)	Perceptions of suitable sentence length and appropriate post sentence measures
Kang, Green, Akamani, & Pinkston (2022)	United States	Journal article	Survey	Community members (<i>n</i> = 284)	Attitudes of rural community members towards sex offender policies, practice, and the efficacy of treatment
Kernsmith, Craun, & Foster (2009)	United States	Journal article	Telephone survey	Community members (<i>n</i> = 733)	Attitudes towards sexual offenders and sex offender registration for those convicted of rape offences

Author(s) (Year)	Country	Document Type	Data Source(s)	Sample(s)	Study Focus(es)
Kernsmith, Comartin, & Kernsmith (2016)	United States	Journal article	Telephone survey	Community members (<i>n</i> = 703)	This study uses a path analysis to investigate the relationship between personal characteristics of the public, misperceptions of sex offenders, and fear, to predict agreement with post prison sex offender management policies
King (2019)	United States	Journal article	Survey	Community members (<i>n</i> = 174)	Attitudes towards sex offender policy, primarily focused on perceptions of punitiveness
King & Roberts (2017)	United States	Journal article	Online survey	Community members (<i>n</i> = 174)	Impact of offence, offender, and victim characteristics on attitudes towards sex crimes
Kleban & Jeglic (2012)	United States	Journal article	Survey	University students (<i>n</i> = 410)	Determining if a brief psychoeducational intervention could influence individuals' attitudes towards the treatment of sex offenders
Klein & Cooper (2019)	United States	Journal article	Online survey	Community members (<i>n</i> = 877)	Punitive attitudes towards sex offenders assessing whether moral panic causes people to be more punitive
Koon-Magnin (2015)	United States	Journal article	Telephone & paper survey	Community members (<i>n</i> = 430)	Perceptions and support for sex offender policies
Krauss, Cook, Song, & Umanath (2021)	United States	Journal article	Online survey	Community members (<i>n</i> = 540)	Comparing public's support and perceived effectiveness of crime control theatre (CCT) laws to five non-control crime theatre (NCCT) laws
Krauss, Cook, Umanath, Song (2022)	United States	Journal article	Online survey	Community members (<i>n</i> = 350)	Examining public views towards sex offender housing restrictions and sex offender registry laws
Kruis et al. (2023)	United States	Journal article	Online survey	Community members (<i>n</i> = 1,093)	Attitudes towards punitive sentencing including recommended sentence length, recommended fine, and support for post-release sanction
Kurus (2015)	United States	Dissertation / thesis	Online survey	Community members & university students (<i>n</i> = 405)	Public attitudes towards sex offenders, sex offender treatment, and sex offender rehabilitation potential

<i>Author(s) (Year)</i>	<i>Country</i>	<i>Document Type</i>	<i>Data Source(s)</i>	<i>Sample(s)</i>	<i>Study Focus(es)</i>
Levenson, Brannon, Fortney, & Baker (2007)	United States	Journal article	Survey	Community members (<i>n</i> = 193)	Public's perceptions about sex offenders and community protection policies
Levenson, Shields, & Singleton (2014)	United States	Journal article	Survey	Community members (<i>n</i> = 255)	Perception of the punitive nature of residence restrictions for different groups of offenders, being sex offenders and drunk drivers
Manchak & Fisher (2019)	United States	Journal article	Survey	University students (<i>n</i> = 1,277)	Attitudes towards support for sex offender policies
Mancini (2014)	United States	Journal article	Telephone poll	Community members (<i>n</i> = 1,006)	Attitudes towards sex offender registration and notification and potential for rehabilitation
Mancini & Budd (2016)	United States	Journal article	Telephone survey	Community members (<i>n</i> = 1,005)	Opinions towards whether sex offender treatment is effective compared to other punitive options, after prefaced with evidence of treatment effectiveness
Mastrocola (2020)	United States	Dissertation / thesis	Survey	Jurors (<i>n</i> = 160)	Assessed participants willingness to pay additional taxes for either rehabilitation or additional incarceration for juvenile and adult sex offenders
Mears, Mancini, Gertz, & Bratton (2008)	United States	Journal article	Telephone interview	Community members (<i>n</i> = 425)	Publics attitudes toward sex crimes and their support for policies including public sex offender registration, location restrictions, and incarceration. Also discusses sex offences against children and the levels of punitiveness in response to crimes
Mitchell, Angelone, Kohlberger, & Hirschman (2009)	United States	Journal article	Survey	University students (<i>n</i> = 171)	Examines whether knowledge of the motivation of an offender can influence participant perceptions of rape victims and perpetrator responsibility for a sexual assault
Novak (2016)	United States	Dissertation / thesis	Online survey	Community members (<i>n</i> = 206)	Impact of locus of control and fear of crime on attitudes and perceptions of the sex offender registry policies
Payne, DeMichele, & Okafo (2009)	United States	Journal article	Survey	University students (<i>n</i> = 599)	Attitudes towards electronic monitoring of sex offenders and whether attitudes differ by race

<i>Author(s) (Year)</i>	<i>Country</i>	<i>Document Type</i>	<i>Data Source(s)</i>	<i>Sample(s)</i>	<i>Study Focus(es)</i>
Payne, Tewksbury, & Mustaine (2010)	United States	Journal article	Telephone survey	Community members (<i>n</i> = 746)	Attitudes towards rehabilitating sex offenders
Pickett, Mancini, & Mears (2013)	United States	Journal article	Online survey	Community members (<i>n</i> = 537)	Explaining public opinion on the social control of sex crime including public registries, death penalties for repeat offenders and treatment for sex offenders
Quezada (2014)	United States	Dissertation / thesis	Survey	Community members (<i>n</i> = 1,171)	Attitudes on whether public notification and sex offender treatment are considered effective policies for reducing sexual offences
Rade, Desmarais, & Mitchell (2016)	United States	Journal article	Survey	Community members (<i>n</i> = 9,355)	Attitudes towards ex-offenders in the community, measuring general attitudes, stigma, punitiveness and social distance. Sex offence history was included in approximately half of the assessment
Redlich (2001)	United States	Journal article	Mail survey	Community members, law enforcement, & university students (<i>n</i> = 109)	Attitudes towards notification and registration policies and their perceived effectiveness in preventing child sex abuse
Rogers (2005)	United States	Dissertation / thesis	Survey	Community members & students (<i>n</i> = 657)	Study examined participants attitudes about punishing sex offenders and their beliefs about treatment
Rogers & Ferguson (2011)	United States	Journal article	Survey	University students (<i>n</i> = 355)	Attitudes towards the punishment of sex offenders versus non offenders, including rehabilitation attitudes towards the offender
Rosselli & Jeglic (2017)	United States	Journal article	Survey	University students (<i>n</i> = 559)	Factors impacting upon attitudes towards sex offenders, sex offender treatment, and community notification laws
Russell & Evans (2021)	United States	Journal article	Online survey	Community members (<i>n</i> = 340)	Attitudes towards sex offender registration and perceptions of safety
Rydberg, Dum, & Socia (2018)	United States	Journal article	Online survey	Community members (<i>n</i> = 970)	Examining the effect of criminological evidence on opposition to sex offender residence restrictions

Author(s) (Year)	Country	Document Type	Data Source(s)	Sample(s)	Study Focus(es)
Schiavone & Jeglic (2009)	United States	Journal article	Online survey	Community members (<i>n</i> = 115)	Attitudes towards sex offender notification and registration and how they relate to reducing recidivism
Schneider, Mori, Lambert, & Wong (2009)	United States	Journal article	Survey	University students (<i>n</i> = 764)	Attitudes towards sentencing, specifically the punishment for rape
Schwarz, Baum, & Cohen (2022)	United States	Journal article	Online survey	Community members (<i>n</i> = 1,012)	Public's understanding of rape and how it should be punished, including how the various attributes of rape incidents affect the likelihood that they are perceived as punishable crimes
Socia & Harris (2016)	United States	Journal article	Online survey	Community members (<i>n</i> = 1,000)	Community attitudes around risk/recidivism/treatment of sex offenders in relation to punitive policy approaches such as registries
Socia, Rydberg, & Dum (2021)	United States	Journal article	Online survey	Community members (<i>n</i> = 1,000)	Punitive attitudes towards individuals convicted of sex offences, measuring recommendations for prison sentence and support for post-release policies
Spoo et al. (2018)	United States	Journal article	Online survey	University students (<i>n</i> = 1,173)	Comparing attitudes toward sex offenders and their treatment, support of registration, notification, and residence restriction policies
Wevodau, Cramer, Gemberling & Clark (2016)	United States	Journal article	Survey	Jury panel members (<i>n</i> = 199)	Association between attribution of blame towards the offender and sentencing decisions
Wnuk, Chapman, & Jeglic (2006)	United States	Journal article	Survey	University students (<i>n</i> = 170)	Assessing the attitudes towards the treatment of sex offenders
Woodward (2009)	United States	Dissertation / thesis	Survey	University students (<i>n</i> = 346)	Examining how life experiences affect the views and perceptions of the efficacy of sex offender registries, sex offenders, and community notification laws

<i>Author(s) (Year)</i>	<i>Country</i>	<i>Document Type</i>	<i>Data Source(s)</i>	<i>Sample(s)</i>	<i>Study Focus(es)</i>
Wurtele (2021)	United States	Journal article	Survey	University students (<i>n</i> = 162)	Perceptions of offenders before and after a Sex Crimes Against Children course and examining the potential anti-stigmatizing effect of interacting directly with people who had committed sex crimes. Attitudes towards treatment and sentencing discussed
Research From Other Countries (<i>n</i> = 5)					
Bergstrøm, Evjetun, & Bendixen (2017)	Norway	Journal article	Mail survey	Community members (<i>n</i> = 475)	Attitudes towards sex offender sentencing policies regarding rape cases
Brocke, Göldenitz, Holling, & Bilsky (2004)	Germany	Journal article	Survey	University students (<i>n</i> = 75)	Attitudes towards severity of punishment, using the comparisons of rape vs theft/assault
Peleg-Koriat & Klar-Chalamish (2020)	Israel	Journal article	Online survey	Community members (<i>n</i> = 252)	Attitudes toward the #metoo movement regarding sex offences and restorative justice
Sato & Hough (2015)	Ireland	Journal article	Participation in a television program	Community members (<i>n</i> = 100)	Attitudes to punishment, punitiveness, and sentencing after watching a rape trial reconstruction, including sentencing
Weimann-Saks, Peleg-Koriat & Halperin (2022)	Israel	Journal article	Online survey	Community members (<i>n</i> = 608)	Examining whether there is a difference in public attitudes towards restorative justice across different types of offences, including sexual offences
Cross-National Research (<i>n</i> = 6)					
Balvig, Gunnlaugsson, Jerre, Tham, & Kinnunen (2015)	Cross-national (Scandinavia)	Journal article	Polling via phone interview, postal questionnaires, and focus groups	Community members over four countries (<i>n</i> = 22,621)	Public's attitudes towards punishment, including punitiveness towards the sentencing of rape offenders
Cowan, Zgoba, Guerette, & Levenson (2021)	Cross-national (United States and United Kingdom)	Journal article	Survey	Community members (<i>n</i> = 333; USA: <i>n</i> = 193; UK: <i>n</i> = 140)	Community attitudes towards notification and registration legislation and whether nationality has an impact
Jung, Allison, & Martin (2018)	Cross-national (United States and Canada)	Journal article	Online survey	Community members & university students (<i>n</i> = 844)	Attitudes towards the use and function of sex offender registries

Author(s) (Year)	Country	Document Type	Data Source(s)	Sample(s)	Study Focus(es)
Kelly (2014)	Cross-national (United States and Canada)	Dissertation / thesis	Telephone survey	Community members (<i>n</i> = 63)	Public perceptions of sex offenders, registration, and community notification
Kugler, Funk, Braun, & Gollwitzer (2013)	Cross-national (United States, Canada, & Germany)	Journal article	Survey	Community members (<i>n</i> = 1,041)	Explores the possibility of cultural differences in punitive attitudes including rape, across America, Germany, and Canada
Zack, Lang, & Dirks (2018)	Cross-national (Global internet)	Journal article	Comments from an online media outlet for analysis	Online comments (<i>n</i> = 678)	Perceptions of punishment towards female teacher sex offenders compared to males

Chapter 7: Discussion

In this chapter, we provide a discussion of the content of the Report. The chapter commences with a summary of the Report, providing an overview of the central conclusions within each preceding chapter. We then propose ten prongs for a future-focused policy agenda that are premised on these conclusions.

Key Points

- ❖ Sentencing in sexual violence cases is vital for justice, accountability, and closure, sending a message about the severity of such offences.
- ❖ Balancing retribution, reparation, rehabilitation, and restoration is essential for fairness, but sentencing policy should also be evidence-based.
- ❖ Sentencing practices should be evidence-based in general but should also demonstrate utility for each unique cohort of forensic clients to which the penalty is being applied.
- ❖ For evidence-based policies related to the sentencing of sexual assault and rape offences, quality evidence is first required.

Summary of Report

The significance of sentencing in cases involving sexual violence cannot be overstated, as it plays a crucial role in upholding justice, ensuring accountability, and providing a sense of closure for survivors and society at large. Sentencing decisions in these cases send a strong message about the severity with which such offences are regarded, contributing to deterrence and prevention. Equitable and appropriate sentences reflect the gravity of the harm caused to victims and the broader community, acknowledging the profound physical, emotional, and psychological impact of sexual violence.

Balancing principles of retribution, reparation, rehabilitation, and restoration is paramount to address the complex nature of these cases, fostering a legal framework that promotes fairness and discourages impunity. Ultimately, fair and sensible sentencing in instances of sexual violence not only serves as a form of reparation for survivors but also underscores society's commitment to confronting and eradicating these offences.

To help ensure that the sentences being handed down in Queensland courts are fit for purpose, the Attorney-General, Minister for Justice, Minister for Women and Minister for the Prevention of Domestic and Family Violence requested the Council's advice in May 2023 on "sentencing practices for sexual assault and rape offences".

Chapter 1 described a background to the project. It outlined how the Council's efforts build upon the work of the Women's Safety and Justice Taskforce and discussed the motivation for producing the Report, which aims to explore research related to sentencing in cases of sexual

assault and rape offences. The chapter highlighted the extensive impact of sexual assault and rape on individuals and society, noting the ambiguity surrounding victim reporting. It also touched on evolving sociopolitical contexts surrounding these offences and introduced the roles of the Women's Safety and Justice Taskforce and the Queensland Sentencing Advisory Council in addressing these issues. The chapter clarified matters of scope, definitions, and focus areas of the Report, emphasising its concentration on sentencing practices.

Chapter 2 included an introduction to the topic of sexual violence. Data on victimisation from sexual offending must be interpreted cautiously, as these are largely underreported. Factors like barriers to disclosure, low reporting rates, varying definitions, and data complexities make it a hidden form of violence. The Australian Bureau of Statistics reported a record-high rate of sexual assault victimisation in 2022 (124 victims per 100,000 persons). The government data and reports reviewed in this chapter described that sexual violence is gendered, with most known victims being female and most known perpetrators being male. The causes of sexual assault and rape were briefly explored, with relevant factors including childhood abuse, substance use, attitudes (such as rape myth acceptance), and interpersonal skills. Recidivism rates for sexual offences were communicated as being relatively low, with less than 10% of offenders incarcerated for sexual violence reoffending. Different pathways to desistance exist, including natural aging out of crime, internal cognitive transformation, and external factors like social bonds and employment. Understanding these complex dynamics regarding pathways into and out of sexual assault and rape offending is crucial for developing effective prevention and response strategies.

Chapter 3 detailed the procedures utilised toward the completion of the Report's two rapid evidence assessments (the results of which are described in Chapters 4, 5, and 6). Rapid evidence assessments (REAs) are a streamlined approach to evidence synthesis that are specifically designed for a quick assessment of available literature, often to inform policy and practice, and therefore use a more focused methodology. The chapter further provided a high-level summary of the results obtained in the two REAs featured in this Report. Most included studies were performed on the United States context. Approximately half of the studies were conducted within the last ten years.

Chapter 4 included the findings of the first rapid evidence assessment. The chapter reviewed existing research that examines the efficacy of different sentencing approaches for cases involving sexual violence, with many of these studies evaluating how particular penalties influence reoffending. The REA identified 50 relevant studies, demonstrating that the impact of sentencing varies based on the nature and delivery of the intervention. Overall, the research underscored the need to consider specific sentencing objectives beyond just reducing recidivism, although further indicated that the available evidence is significantly lacking.

Chapter 5 described the findings from the first part of our second rapid evidence assessment, exploring the perspectives of survivors of sexual violence about sentencing in such offences. This REA identified 22 studies (with five also appearing in Chapter 9). Victims generally express dissatisfaction with the sentencing process and outcomes, emphasising the importance of procedural justice and their desire for their voices to be heard. Contrary to expectations, victims

are open to various sentencing options beyond imprisonment, including rehabilitative approaches and restorative justice.

Chapter 6 described the latter part of the second REA, reviewing the 111 studies of community perceptions of sentencing in cases of sexual assault, rape, or equivalent offences (noting that five studies also appeared in Chapter 5). Public attitudes towards sexual offence sentencing are multifaceted, with some favouring harsher sentences while others support alternatives to imprisonment. Public views reflect a balance between punishment, rehabilitation, and community protection, influenced by factors like victim characteristics and concerns about prevention.

Special Populations and Specific Responsivity

Within the principles of effective correctional intervention, the responsivity principle explains that corrections practitioners should use approaches that clients will be responsive to (Andrews & Bonta, 2010). As described in the section on *Best Practices in Community Supervision*, the specific responsivity principle states that authorities should use techniques that each specific client will be responsive to, based on factors such as learning abilities and preferences, cultural considerations, and age and gender.

In line with some of these factors, the Queensland Government Statistician's Office (2020) describes that individuals are at higher odds of successfully completing a community-based order if they are female, aged 45 and above, and non-Indigenous. At the same time, however, individuals were at a lower likelihood of completing an order if they had high substance misuse needs, significant employment needs, resided in regional or remote areas, or had previously been incarcerated as juveniles.

As this small illustration demonstrates, there are specific circumstances that may impact the effectiveness of a given sanction or program. The most effective practices are observed when the clients' specific circumstances that may impact upon their experience of the intervention are attended to (Andrews & Bonta, 2010).

There are several 'special populations' of forensic clients that exhibit specific responsivity considerations that differ from 'mainstream' clients. While the importance of individual risk and needs assessments cannot be overstated, research has identified many factors that practitioners and policymakers ought to consider when designing and delivering justice interventions. Here, we briefly describe some of this research.

While the overrepresentation of Aboriginal and Torres Strait Islander people in the justice system has been thoroughly documented, less is known about whether and how interventions work in the context of **indigeneity**. A systematic review by McCalman and colleagues (2014) reported finding no intervention studies for inclusion, summarising that "there is currently insufficient evidence to confidently prescribe what works to effectively respond to Indigenous Australian sexual assault" (p. 1). While some research demonstrates that certain interventions do not work (at all or as well) with Aboriginal and Torres Strait Islander cohorts (e.g. Smallbone

& McHugh, 2010), this may be because the penalties were not delivered in accordance with matters of specific responsivity, including cultural relevance (Farrow, Kelly, & Wilkinson, 2007; Keel, 2004). Shepherd, Ogloff, and Thomas (2016), for instance, find that custodial centres are failing to adequately address the needs of Indigenous Australians (including psychological distress, substance abuse, and poor treatment adherence).

Age is one of the most thoroughly investigated covariates in crime and justice research. While it is commonly quipped that ‘crime is a young man’s game’, many forensic populations have begun showing signs of ‘aging’, in part due to punitive penal policies (such as lengthier custodial sentences; Schaefer & Moir, 2023). While some research has explored offending trajectories according to age of onset and varying justice interventions (Cale, Smallbone, Rayment-McHugh, & Dowling, 2016; Francis, Harris, Wallace, Knight, & Soothill, 2014; Lussier, Tzoumakis, Cale, & Amirault, 2010), it is also critical to recognise that most individuals convicted of sex-based offences desist (Harris, 2017), in part due to factors such as ‘aging out’ and enhanced informal social control (Harris, 2017; Laub & Sampson, 2003; Moffitt, 1993).

Research has also routinely considered the role of **gender** in justice evaluations. While male sex offenders have been thoroughly investigated, far less is understood regarding females who sexually offend (Vandiver & Walker, 2002). This lack of knowledge about female offenders convicted of sexual offences has often meant that programs designed for male sex offenders have been inappropriately adapted to females (Gannon & Alleyne, 2013). This may be, in part, because previous research has failed to consider the unique pathways for female sex offending (Gannon, Rose, & Ward, 2008).

Varying forms of **cognitive functioning** (e.g. IQ, literacy, reasoning, injury and impairment, mental health) are also implicated in criminology studies (Cantor, Blanchard, Robichaud, & Christensen, 2005; Murrey, Briggs, & Davis, 1992). Many sex offenders are reported to have a comorbid psychiatric illness (Sorrentino, Brown, Berard, & Peretti, 2018), with some research indicating that the Good Lives Model of sex offender treatment may be effective for perpetrators who are mentally disordered (Gannon, King, Miles, Lockerbie, & Willis, 2011). It is unclear from the evidence whether interventions for sex offenders that have been adapted for use amongst persons with a learning disability are effective (Ashman & Duggan, 2008).

Reflecting on these special populations and their responsivity considerations, it is evident that further evaluations are required. Not only are studies that investigate the impact of certain sentences needed, research that explores the responsivity factors of unique cohorts of offenders is also lacking. As a result, there is a lack of evidence about what works, but also for whom it works.

Proposed Policy Agenda

Following from our reviews of the available empirical evidence related to sentencing in cases of sexual violence, below we forward our suggested policy agenda. Whereas previous sections of this Report have prioritised comprehensiveness, here we are instead emphasising ten cogent and compelling action items.

Rigorous Research is Required

First, we have been thoroughly persuaded that *more rigorous research is required*. For policymakers to make evidence-based decisions about the criminal justice system, valid and reliable research is needed. Bluntly stated, it is a surprising and unacceptable situation that so little is known about sentencing for sex offenders, which exists in part because there is an insufficient amount of primary research studies.

Yet some of the evidence described in our reviews suffers from methodological limitations that places the findings of such studies in question. Studies that include a strong research design are necessary for decision-making that is based on trustworthy evidence. Relatedly, research that considers the Australian landscape is sorely absent in many instances, and local evaluations are required (Day, Ross, & McLachlan, 2021).

In 2015, reflecting on the sprawling nature of America's justice system (and the addiction to incarceration, in particular; Pratt, 2009), then-President Obama suggested that "we have to consider whether this is the smartest way for us to control crime and rehabilitate individuals". In many ways, he would have been justified in forwarding emotive, hyperbolic, partisan rhetoric. Rather, his statement was well-measured, encapsulating the values of social scientists who similarly recognise that for criminal justice policies to be *effective*, we require *evidence* about measures of such effectiveness (Goodman, Page, & Phelps, 2017).

Toward this end, then, legislators and executives must carefully consider the methodological rigour of constituent evaluations. It is upon such evidence, after all, that organisations purport to be informing their strategic vision for the system. Ultimately, Chalmers argues, practitioners and policymakers "should be clear, however, that the lives of other people will often be affected by the validity of their judgments" (2003, p. 22). While decision-making in the justice system should ideally be evidence-based, of course, the blunt reality is that not all evidence is created equal (Puddy & Wilkins, 2011).

In fact, while quality research holds a paramount role in the justice system and our conversations about it, for decision-making to be grounded in facts rather than feelings, we need to feel that the evidence we are gathering is indeed representative of 'fact'. Research methodologies and study characteristics can heavily influence the conclusions that are drawn from the outcomes that researchers report (Tyler, Gannon, & Olver, 2021).

Quality research offers a clear understanding of the dynamics of crime, its causes, and potential solutions, leading to the development of targeted strategies that address underlying contributors (Cullen & Jonson, 2012). Furthermore, rigorous research ensures transparency and accountability in policy formulation, enabling stakeholders to critically evaluate proposed measures and their potential impact on various segments of society (Cullen, Jonson, & Mears, 2017; Schaefer & Brewer, 2022).

In an era where fairness, equity, and evidence-based decision-making are increasingly emphasised, robust research in criminal justice aids in minimising unintended consequences and fostering a more just and efficient system that aligns with multiple stakeholder perspectives.

Applied Research is Reciprocally Beneficial

Second, *research should be applied in nature*, thereby requiring researcher-practitioner partnerships. Such collaborations operate “in which each contributes their specialised skills, knowledge, and resources to a project which can both generate research and translate it into practice” (Hodgkinson, Schaefer, Harte, Pearson, Lonergan, & Barber, 2023, p. 1). Ideally, researchers should be involved from the start of justice practices and evaluations to ensure that both parties are informing and are informed by the broader planning conversation. Indeed, such partnerships offer mutual benefits by bridging the gap between academic research and practical implementation.

Practitioners gain access to evidence-based insights and data-driven strategies that enhance the effectiveness of their interventions and decision-making processes. These partnerships provide practitioners with validated tools, methodologies, and best practices that are grounded in research, thereby increasing the likelihood of successful outcomes in real-world settings.

On the other hand, researchers benefit from the practical knowledge and insights of practitioners, which help them design more relevant and applicable studies. Collaboration with practitioners provides researchers access to real-world contexts, enabling them to refine their research questions, collect meaningful data, and ensure the practicality and feasibility of their studies.

Within the evidence that we reviewed, at times there seemed to be a considerable gap between the expertise of researchers (and the broader literature that they inform) and policymakers. Yet some of the most progressive approaches to how the justice system responds to acts of sexual violence are produced from the intersection of sectors, disciplines, and agencies (Centre for Innovative Justice, 2014; Daly, 2011). These practices help to showcase the importance of designing and pursuing researcher-practitioner partnerships.

Ideally, this form of applied research fosters feedback loops where practitioners can inform researchers about emerging challenges and needs, prompting targeted research that addresses pressing issues. Overall, research-practitioner partnerships create a symbiotic relationship that advances both the quality of research and the efficacy of practical interventions (Hodgkinson et al., 2023). Given the many challenges to sentencing cases of sexual assault and rape, applied research that helps to inform justice system operations may be an important contribution to the path forward.

Penal Populism is Perilous

Third, *justice system decision-making should not be fuelled by public opinion*. Given how misinformed and uninformed the community can at times be in relation to crime and justice matters (see [Chapter 6: Community Perceptions of Sentencing](#)), it would be a mistake to base policy on the demands of constituents. Rather, policy-making ought to be driven by evidence of what works (see [Chapter 4: Evaluations of Sentencing Practices](#)).

Importantly, efforts should be made to improve community perceptions, educating the public about the role of the courts and corrections systems in the management and treatment of perpetrators of sexual violence. Indeed, toward this end, the Queensland Sentencing Advisory Council plays the fundamental role of helping to educate the public about the functions and limits of the judiciary and legislature.

Penal populism refers to a political or social approach that prioritises punitive and harsh measures within the criminal justice system in response to public sentiment, often driven by fear of crime and a desire for tougher punishments (Pratt, 2006). This phenomenon can result in policies and practices that emphasise retribution and imprisonment to address crime and maintain public safety, even if such measures may not be the most effective or evidence-based solutions. Penal populism can lead to the enactment of strict sentencing laws, longer prison terms, and a focus on punitive measures rather than rehabilitation or prevention strategies (Freiberg & Gelb, 2008; Roberts, Stalans, Indermaur, & Hough, 2003).

As an illustration, offender registration and notification schemes are politically and publicly popular despite compelling findings from evaluations that show that these policies do not produce the intended effects. Despite the weight of this evidence growing and justice practitioners becoming increasingly aware of the limits of this approach to managing sex offences, the policies are retained.

This may be because penal populism is often associated with political rhetoric. The policies often cater to public demands for tougher approaches to criminal justice, sometimes disregarding more balanced or informed perspectives on crime and its causes. Evidently, then, engaging in policy development or criminal sentencing based largely on a penal populist motivation is inherently limited.

Rather than penal policy being driven by public pressure, we instead advocate for public education campaigns. Ideally, such efforts should convey to the community what the objectives of the selected sentencing framework are, combined with digestible messages about the evidence upon which that framework was adopted.

Procedural Justice Matters, Too

Fourth, justice practitioners and policymakers must *distinguish between process and outcome*. As much of the victim perspectives we reviewed in this Report revealed, the aggrieved frequently describe feeling violated by the offender but also by the justice system. Beyond distributive justice, victims often passionately plea for *procedural* justice, wishing to have their justice needs acknowledged and considered (Flynn, 2015; Miller & Hefner, 2015; Victorian Law Reform Commission (2021a).

A 2023 report by KPMG described interviews with complainants in sexual offence matters, indicating that the delivery of a Victim Impact Statement was “viewed as one of the few opportunities for them to have a voice in the proceedings...rather than simply answering questions about the offending and associated issues in order for the charges to be tested and proven” (p. 79). The report summarised:

“Rather than being concerned about the leniency of a sentence, most interview participants whose matter involved a guilty verdict were very clear about rejecting any notion that they had persisted with the prosecution for the purposes of punishment...interview participants described a desire to protect potential victims in the future, to see the offender held accountable and told that their behaviour was wrong, and – most of all – to be believed. As such, in many cases, a guilty verdict alone was the priority. Alternatively, an indication from the judge that their story was credible and that they had been believed was the key piece of information that the participant needed” (pp. 90-91).

In many ways, the procedures used by the justice system can feel unjust. Minor alterations in such procedures, however, can thereby be expected to have pivotal implications for ‘end users’ of the justice system (Barkworth & Murphy, 2016; Williams & Schaefer, 2023). Toward this end, Clark’s (2007, 201) research compels us to understand that victims are not bloodthirsty or motivated by vengeance.

Rather, victims of sexual violence are sadly often confronted with the blunt truth that the justice system is not seeking to prioritise *their* version of justice. As summarised by Daly (2011; see also Herman, 2005; KPMG, 2023), research persuasively demonstrates that victims frequently want voice, validation, and vindication. This often does not come in the package of a specific penalty, but rather a *process* that helps them to feel protected and valued.

Innovation Requires Evaluation

Fifth, *justice innovations require evaluations* (and possibly a healthy degree of trepidation). Inventive practices, while encouraged, should have substance but should also expect to be met with a bit of scepticism. Especially when a justice intervention is wholly new or represents a fundamental alteration in practice, those shifts must be carefully considered before any implementation is performed at scale.

Evidence-based decision-making, after all, ensures effectiveness, fairness, and accountability. Careful evaluation allows for a thorough understanding of how these practices impact various aspects of the criminal justice system, including outcomes, costs, and unintended consequences. Implementing untested innovations without proper evaluation can lead to unforeseen negative outcomes, potentially causing harm to individuals involved and eroding public trust in the system.

Restorative justice, for instance, shows promise in meeting many needs of the individuals ensnared in gendered violence (Curtis-Fawley & Daly, 2005; Daly, 2002, 2006, 2008, 2011, 2014; Daly & Curtis-Fawley, 2006; Larsen, 2014; Loff, Naylor, & Bishop, 2019; Victorian Law Reform Commission, 2021a). Yet it would be unwise to rush toward an enthusiastic embrace of a program that has quite minimal evidence available, or in instances where the available research relates to different contexts or cohorts. After all, replication in criminal justice research matters (McNeeley & Warner, 2015).

Evaluating innovative practices prior to full-scale implementation allows decision-makers to identify potential flaws, refine processes, and make informed adjustments based on actual data

and outcomes. This approach minimises the risk of perpetuating ineffective or biased practices that could disproportionately impact certain groups, perpetuate inequalities, or fail to achieve intended goals.

Furthermore, evidence-based evaluations provide a foundation for transparency and accountability. They enable stakeholders to gauge the impact of innovations objectively and determine whether they align with the principles of justice, equity, and efficiency. By adopting a cautious and evidence-driven approach, the criminal justice system can ensure that new practices contribute to positive outcomes, uphold individuals' rights, and maintain public confidence in the integrity of the system.

Penalties As Punishment

Sixth, practitioners and policymakers must emphasise the adage that *individuals are sentenced to prison as punishment and not for punishment*. The stigma associated with labelling is in many ways thoroughly damaging and punitive (Grossi, 2017; Tewksbury, 2012), so it is undue and inhumane to pursue formal sentencing options that punish individuals above and beyond what they experience outright.

For instance, courts are responsible for the allocation of punishment while the corrections system looks after the administration of punishment. When a judge sentences a person to prison for a sexual offence, for instance, that person is penalised instantaneously and subsequently. The individual receives several sanctions included in that one penalty, in some ways; for instance, they receive community condemnation, they experience fractured relationships, damage their employment prospects, they will have their freedoms and luxuries removed, they will experience the 'pains of imprisonment', they will encounter immeasurable stigma, and so forth (Schaefer & Rynne, 2020).

It would be unduly harsh for criminal justice agencies or community organisations to make penalties 'extra punishing' to provide 'payback' for this serious offence. Routine sentences for sexual violence are sufficiently noxious on their own without the requirement for justice agents or agencies to invoke additional harm to rebalance the scales of justice beyond what the magistrate accomplished (Tewksbury, 2012). Toward this end, then, the Council can and should help to properly inform the public about the purposes of punishment and the practicalities of the penological principles.

Treatment Must Be Evidence-Based

Seventh, *treatment should be evidence-based*, ideally guided by the principles of effective correctional intervention and core correctional practices. Importantly, in today's era, offender rehabilitation serves functional purposes of crime prevention (Schaefer, Cullen, & Eck, 2016).

As described in several sections of this Report, we now have a cannon of evidence that clearly and compellingly communicates how we can effectively identify and intervene in each individual's criminogenic needs (Andrews & Bonta, 2010). Indeed, a failure to pursue

correctional interventions based on the available evidence of ‘what works’ is a form of professional malpractice, at best (Cullen & Jonson, 2012; Cullen, Myer, & Latessa, 2009; Latessa, Cullen, & Gendreau, 2002; Schaefer & Brewer, 2022).

Rather than asking whether rehabilitation works to prevent reoffending, research must explore the ‘black box’ of treatment effects, particularly in relation to special populations of forensic clients or in tandem with more routine penalties for sexual violence.

Desistance Should Be Facilitated

Eighth, *desistance can and should be facilitated* in any formal criminal justice sanction. Whether an individual is imprisoned or supervised in the community, the science of how to effectively build skills in ex-offenders that are oriented around relapse prevention, opportunity-reduction, and a move away from criminal behaviour should be an ethical responsibility of the corrections system.

Moreover, however, there is growing evidence that sentences *can and should* be individualised to embody the responsivity principle (Andrews & Bonta, 2010). As each individual commits crime for somewhat unique reasons, ideally a sanction should tap into (and hopefully control or reverse) those same factors.

Yet importantly, as the research shows that recidivism is relatively low (to the best of our knowledge; Hanson, Lee, & Thornton, 2022), justice interventions must consider how they can encourage the desistance processes exhibited amongst men who have sexually offended (Harris, 2017).

Penalties Can Be Packaged

Ninth, in an ideal scenario, *a sentence for sexual violence can entail multiple penalties* as components of a broader package. We do not mean to imply that offenders should be punished multiple times for the same offence or that the combination of penalties should be more punitive than the single sanction.

Rather, we recognise that one sentence will not be universally satisfying, and that one sanction will not be consistently effective. As such, policymakers must consider how multiple levers can be pulled, drawing on several of the philosophical underpinnings of sentencing (Cullen & Jonson, 2012; Queensland Sentencing Advisory Council, 2023; Schaefer & Williams, 2019) described throughout this Report.

As an illustration, there is piecemeal evidence that reoffending is associated with being discharged at liberty from a custodial centre (Smallbone & McHugh, 2010). At the same time, there is evidence that probation and parole supervision can be effective, particularly when the community-based order follows best practices (Schaefer, Cullen, & Eck, 2016). Combined with the body of research that documents the re-entry and reintegration challenges of people exiting prison, there is a logical reason to believe that community supervision should be pursued as an

important element of scaffolding and support for men convicted of sexual offences (Harris, 2017; Richards, Death, & McCartan, 2020).

Thus, rather than sexual assault or rape offenders receiving ‘just’ prison or ‘just’ probation or ‘just’ something in between, perpetrators, victims, and the community may have their interests best served when singular penalties are no longer expected to punish, deter, incapacitate, and rehabilitate all at once. It bears repeating that we are *not* endorsing multiple penalties being imposed in ways that extend the reach or severity of the carceral state. Instead, it seems sensible that two or more penalties may be complementary.

As described above, however, evaluations are required to determine whether such adaptations prevent reoffending and encourage desistance amongst perpetrators, enhance satisfaction amongst victims, and provide accountability or transparency to the public. Without quality research that attends to some of these unknowns, care should be taken in developing potential combinations of penalties that may be able to simultaneously sanction and support sexual violence offenders.

Sentencing is Not One-Size-Fits-All

Tenth, *sentencing should fulfil several functions*. Whether with prison sentences or in the case of probation or parole orders, our sentencing of each offender should be individualised toward that person for several important reasons. Most notably, perhaps, is that such customisation helps us to develop and deliver quality interventions that are matched toward that person’s risk, need, and responsivity characteristics (Schaefer, Cullen, & Eck, 2016).

Beyond rehabilitation, though, individualisation is also how we most effectively gauge and manage risks of reoffending (Cullen & Jonson, 2012), and it is therefore how we develop informed order stipulations that are founded in the mechanics of recidivism reduction (Schaefer & Brewer, 2022). Moreover, such customisation helps to communicate transparency and accountability in decision-making (Cullen, Jonson, & Mears, 2017), efficiently allocates resources (Bull, 2010; Schaefer & Rynne, 2020), and helps to prevent the overcriminalisation of behaviours that lend themselves toward harsh punishments that are incommensurate with the offences.

After all, to the degree to which we want to ensure that punishments help to fit the crime and are not given because of ‘the criminal’, we can best respect human rights when sentencing is focused on a principle rather than purely being about a person.

Conclusion

Our proposed policy agenda for sentencing in cases of sexual violence emerged from the clear evidence gaps identified throughout our reviews. Collectively, these recommendations offer a comprehensive approach to reforming the sentencing process. They prioritise the role of research and partnerships, because for policies to be evidence-based, valid and reliable evidence is first required. By adopting these suggestions, Queensland will work toward a more

just and effective criminal justice system that aligns with societal values and the pursuit of justice for all stakeholders involved.

References

References that were formally included in our rapid evidence assessments are designated as follows:

eligible studies evaluating traditional sentencing approaches ($n = 8$; REA 1)

* eligible effectiveness-based studies ($n = 42$; REA 1)

+ eligible studies of victim perceptions ($n = 22$; REA 2)

^ eligible studies of community perceptions ($n = 111$; REA 2)

- Ackerman, A. R., Sacks, M., & Greenberg, D. F. (2012). Legislation targeting sex offenders: Are recent policies effective in reducing rape? *Justice Quarterly*, 29(6), 858-887.
- *Agan, A. Y. (2011). Sex offender registries: Fear without function? *Journal of Law and Economics*, 54(1), 207-239.
- Alexeev, S., & Weatherburn, D. (2022). Fines for illicit drug use do not prevent future crime: Evidence from randomly assigned judges. *Journal of Economic Behavior and Organization*, 200(1), 555-575.
- ^Anderson, A. L., & Sample, L. L. (2008). Public awareness and action resulting from sex offender community notification laws. *Criminal Justice Policy Review*, 19(4), 371-396.
- Anderson, I., & Doherty, K. (2008). *Accounting for rape: Psychology, feminism, and discourse analysis in the study of sexual violence*. Routledge.
- Andrews, D. A., & Bonta, J. (2010). *The psychology of criminal conduct* (5th ed.). Anderson/LexisNexis.
- Andrews, D. A., Bonta, J., & Hoge, R. D. (1990). Classification for effective rehabilitation: Rediscovering psychology *Criminal Justice and Behavior*, 17(1), 19-52.
- Andrews, D. A., Bonta, J., & Wormith, J. S. (2006). The recent past and near future of risk and/or need assessment. *Crime and Delinquency*, 52(1), 7-27.
- Andrews, D. A., & Dowden, C. (2007). Risk-need-responsivity model of assessment and human service in prevention and corrections: Crime-prevention jurisprudence. *Canadian Journal of Criminology and Criminal Justice*, 49(4), 439-464.
- Andrews, D. A., Zinger, I., Hoge, R. D., Bonta, J., Gendreau, P., & Cullen, F. T. (1990). Does correctional treatment work? A clinically-relevant and psychologically-informed meta-analysis. *Criminology*, 28(3), 369-404.
- Ashman, L. L. M., & Duggan, L. (2008). Interventions for learning disabled sex offenders. *Cochrane Database of Systematic Reviews*, 1, CD003682.
- Australian Bureau of Statistics. (2011). *Australian and New Zealand Standard Offence Classification (ANZSOC)*. Australian Bureau of Statistics.
- Australian Bureau of Statistics. (2017). *Personal safety, Australia* (2016 reference period). Australian Bureau of Statistics.
- Australian Bureau of Statistics. (2022). *Sexual assault – Perpetrators*. Australian Bureau of Statistics.
- Australian Bureau of Statistics. (2023a). *Personal safety, Australia* (2021-2022 financial year reference period). Australian Bureau of Statistics.
- Australian Bureau of Statistics. (2023b). *Recorded crime – Offenders* (2021-22 financial year reference period). Australian Bureau of Statistics.
- Australian Bureau of Statistics. (2023c). *Recorded crime – Victims* (2022 reference period). Australian Bureau of Statistics.

- Australian Institute of Family Studies. (2021). *Age of consent laws in Australia*. Australian Institute of Family Studies.
- Australian Institute of Health and Welfare. (2020). *Sexual assault in Australia*. Australian Institute of Health and Welfare.
- ^Balvig, F., Gunnlaugsson, H., Jerre, K., Tham, H., & Kinnunen, A. (2015). The public sense of justice in Scandinavia: A study of attitudes towards punishments. *European Journal of Criminology*, 12(3), 342-361.
- Barkworth, J., & Murphy, K. (2016). System contact and procedural justice policing: Improving quality of life outcomes for victims of crime. *International Review of Victimology*, 22(2), 105-122.
- Bartels, L. (2016). Looking at Hawaii's Opportunity Probation with Enforcement (HOPE) program through therapeutic jurisprudence lens. *QUT Law Review*, 16(3), 30-49.
- Bartels, L. (2017). *Swift, certain and fair: Does Project HOPE provide a therapeutic paradigm for managing offenders?* Springer.
- ^Bartels, L., Gelb, K., Spiranovic, C., Warner, K., Roberts, L., & Davis, J. (2021). What does the public think about sex offender registers? Findings from a national Australian study. *Psychiatry, Psychology and Law*, 28(4), 560-575.
- Bates, A., Williams, D., Wilson, C., & Wilson, R. J. (2014). Circles South East: The first 10 years 2002-2012. *International Journal of Offender Therapy and Comparative Criminology*, 58(7), 861-885.
- Belur, J., Thornton, A., Tompson, L., Manning, M., Sidebottom, A., & Bowers, K. (2017). *A systematic review of the effectiveness of the electronic monitoring of offenders*. University College London.
- Berenson, J. A., & Appelbaum, P. S. (2011). A geospatial analysis of the impact of sex offender residency restrictions in two New York counties. *Law and Human Behavior*, 35(3), 235-246.
- ^Bergström, H., Evjetun, P., & Bendixen, M. (2017). Punishment justifications in rape cases: A community study. *Journal of Scandinavian Studies in Criminology and Crime Prevention*, 18(2), 123-140.
- ^Berryessa, C. M. (2022). A dual-process approach to moral panic and public support for sex offender management policies. *Journal of Interpersonal Violence*, 37(17-18), NP16700-NP16726.
- ^Berryessa, C. M., & Lively, C. (2019). When a sex offender wins the lottery: Social and legal punitiveness toward sex offenders in an instance of perceived injustice. *Psychology, Public Policy, and Law*, 25(3), 181-195.
- Bierie, D. M. (2016). The utility of sex offender registration: A research note. *Journal of Sexual Aggression*, 22(2), 263-273.
- +Biggs, H., Reid, S., Attygalle, K., Vosnaki, K., McPherson, R., & Tata, C. (2021). *Public perceptions of sentencing in Scotland: Qualitative research exploring sexual offences*. Scottish Sentencing Council.
- ^Black, C., Warren, R., Ormston, R., & Tata, C. (2019). *Public perceptions of sentencing: National survey report*. Scottish Sentencing Council.
- Boccaccini, M. T., Murrie, D. C., Caperton, J. D., & Hawes, S. W. (2009). Field validity of the STATIC-99 and MnSOST-R among sex offenders evaluated for civil commitment as sexually violent predators. *Psychology, Public Policy, and Law*, 15(4), 278-314.
- Bohner, G., Eyssel, F., Pina, A., Siebler, F., & Viki, T. (2009). Rape myth acceptance: Cognitive, affective, and behavioural effects of beliefs that blame the victim and exonerate the perpetrator. In M. A. H. Horvath & J. M. Brown (Eds.), *Rape: Challenging contemporary thinking* (pp. 17-45). Willan.

- ^Bollinger, J., Seidler, K., & Kemp, R. (2012). Who thinks what about child protection: Community perceptions and awareness of child protection strategies and their effectiveness for reducing sexual reoffending. *Sexual Abuse in Australia and New Zealand*, 4(1), 33-40.
- Bonta, J., Bourgon, G., Rugge, T., Scott, T.-L., Yessine, A., Gutierrez, L., & Li, J. (2011). An experimental demonstration of training probation officers in evidence-based community supervision. *Criminal Justice and Behavior*, 38(11), 1127-1148.
- Bonta, J., Rugge, T., Scott, T.-L., Bourgon, C., & Yessine, A. K. (2008). Exploring the black box of community supervision. *Journal of Offender Rehabilitation*, 47(3), 248-270.
- *Bouffard, J. A., & Askew, L. N. (2017). Time-series analyses of the impact of sex offender registration and notification law implementation and subsequent modifications on rates of sexual offenses. *Crime & Delinquency*, 65(11), 1483-1512.
- Bowen, P., & Whitehead, S. (2016). *Problem-solving courts: An evidence review*. Centre for Justice Innovation.
- Branaman, T. F., & Gallagher, S. N. (2005). Polygraph testing in sex offender treatment: A review of limitations. *American Journal of Forensic Psychology*, 23(1), 45-64.
- Brannon, Y. N., Levenson, J. S., Fortney, T., & Baker, J. N. (2007). Attitudes about community notification: A comparison of sexual offenders and the non-offending public. *Sexual Abuse*, 19(4), 369-379.
- ^Brocke, M., Göldenitz, C., Holling, H., & Bilsky, W. (2004). Attitudes towards severity of punishment: A conjoint analytic approach. *Psychology, Crime and Law*, 10(2), 205-219.
- ^Brown, S., Deakin, J., & Spencer, J. (2008). What people think about the management of sex offenders in the community. *Howard Journal of Criminal Justice*, 47(3), 259-274.
- #Brusman Lovins, L., Yoder, J. R., & Berry, S. (2017). Recidivism outcomes from a management program for youth who have committed a sexual crime. *Journal of Offender Rehabilitation*, 56(6), 394-411.
- ^Budd, K. (2012). *Moral panics and changing sociolegal responses toward stigmatized outsiders: Public perceptions of convicted sex offenders and sex offender laws* (Publication No. 3479316). [Doctoral dissertation, Purdue University]. ProQuest Dissertations & Theses Global.
- Budd, K., & Desmond, S. A. (2014). Sex offenders and sex crime recidivism: Investigating the role of sentence length and time served. *International Journal of Offender Therapy and Comparative Criminology*, 58(12), 1481-1499.
- ^Budd, K. M., & Mancini, C. (2016). Crime control theater: Public (mis)perceptions of the effectiveness of sex offender residence restrictions. *Psychology, Public Policy, and Law*, 22(4), 362-374.
- ^Budd, K. M., & Mancini, C. (2017). Public perceptions of GPS monitoring for convicted sex offenders: Opinions on effectiveness of electronic monitoring to reduce sexual recidivism. *International Journal of Offender Therapy and Comparative Criminology*, 61(12), 1335-1353.
- Bull, M. (2010). *Punishment and sentencing: Risk, rehabilitation, and restitution*. Oxford University Press.
- +Burke, L. L. (2008). *The experiences of female sexual assault victims during criminal court proceedings against their perpetrators: A qualitative analysis* (Publication No. 3305744) [Doctoral dissertation, Alliant International University]. ProQuest Dissertations & Theses Global.
- *Burlingame, D. C. (2012). *Specific deterrence effects of mandatory registration of juvenile sex offenders* (Publication No. 3456101) [Doctoral dissertation, Walden University]. ProQuest Dissertations & Theses Global.

- *Butler, L., Goodman-Delahunty, J., & Lulham, R. (2012). Effectiveness of pretrial community-based diversion in reducing reoffending by adult Intrafamilial child sex offenders. *Criminal Justice and Behavior*, 39(4), 493-513.
- #Buttars, A., Huss, M. T., & Brack, C. (2016). An analysis of an intensive supervision program for sex offenders using propensity scores. *Journal of Offender Rehabilitation*, 55(1), 51-68.
- ^Button, D. M., Tewksbury, R., Mustaine, E. E., & Payne, B. K. (2013). Factors contributing to perceptions about policies regarding the electronic monitoring of sex offenders: The role of demographic characteristics, victimization experiences, and social disorganization. *International Journal of Offender Therapy and Comparative Criminology*, 57(1), 25-54.
- ^Cain, C. M., Sample, L. L., & Anderson, A. L. (2017). Public opinion of the application of sex offender notification laws to female sex offenders: Why it is important to examine. *Criminal Justice Policy Review*, 28(2), 155-175.
- Cale, J., Smallbone, S., Rayment-McHugh, S., & Dowling, C. (2016). Offense trajectories, the unfolding of sexual and non-sexual criminal activity, and sex offense characteristics of adolescent sex offenders. *Sexual Abuse*, 28(8), 791-812.
- Call, C. (2019). Why would they do such a thing? Views from community corrections professionals and the general public on the causes of sex offending. *Criminology, Criminal Justice, Law & Society*, 20(3), 64-79.
- ^Call, C. (2020). The influence of victim type on the public's perceptions of sex offender registration and notification. *Justice Policy Journal*, 17(1), 1-22.
- ^Campbell, D. S., & Newheiser, A. K. (2019). Must the show go on? The (in)ability of counterevidence to change attitudes toward crime control theater policies. *Law and Human Behavior*, 43(6), 568-584.
- Cantor, J. M., Blanchard, R., Robichaud, L. K., & Christensen, B. K. (2005). Quantitative reanalysis of aggregate data on IQ in sexual offenders. *Psychological Bulletin*, 131(4), 555-568.
- Centre for Innovative Justice. (2014). *Innovative justice responses to sexual offending: Pathways to better outcomes for victims, offenders and the community*. RMIT University.
- Centre for Innovative Justice. (2017). *Swift, certain and fair approaches to sentencing family violence offenders* (submission to the Sentencing Advisory Council). RMIT University.
- Centre for Innovative Justice. (2021). *Submission to the Victorian Law Reform Commission's inquiry into improving the response of the justice system to sexual offences*. RMIT University.
- Chalmers, I. (2003). Trying to do more good than harm in policy and practice: The role of rigorous, transparent, up-to-date evaluations. *The ANNALS of the American Academy of Political and Social Science*, 589(1), 22-40.
- ^Church, W. T., Sun, F., & Li, X. (2011). Attitudes toward the treatment of sex offenders: A SEM analysis. *Journal of Forensic Social Work*, 1(1), 82-95.
- Clark, H. (2007). Judging rape: Public attitudes and sentencing. *Aware* (Newsletter of the Australian Centre for the Study of Sexual Assault), 14(1), 17-25.
- Clark, H. (2010). What is the justice system willing to offer? Understanding sexual assault victim/survivors' criminal justice needs. *Family Matters*, 85(1), 28-37.
- Clawson, E., & Guevara, M. (2011). *Putting the pieces together: Practical strategies for implementing evidence-based practices*. National Institute of Corrections, U.S. Department of Justice.
- Cohen, M., & Jeglic, E. L. (2007). Sex offender legislation in the United States: What do we know? *International Journal of Offender Therapy and Comparative Criminology*, 51(4), 369-383.

- *Cohen, T. H., & Spidell, M. C. (2016). How dangerous are they: An analysis of sex offenders under federal post-conviction supervision. *Federal Probation*, 80(2), 21-32.
- ^Comartin, E. B., Kernsmith, P. D., & Kernsmith, R. M. (2009). Sanctions for sex offenders: Fear and public policy. *Journal of Offender Rehabilitation*, 48(7), 605-619.
- Cook, P. J. (2016). Behavioral science critique of hope. *Criminology & Public Policy*, 15(4), 1155-1161.
- ^Corabian, G., Hogan, N. R., & Olver, M. E. (2022). University student attitudes toward persons with a history of adult sexual violence and their correlates with policy, treatment, and management. *Journal of Interpersonal Violence*, 38(3-4), 3661-3687.
- ^Cowan, D., Zgoba, K. M., Guerette, R. T., & Levenson, J. S. (2021). Do views on sex offending vary by nationality? A comparative analysis of community sentiment toward sex offense legislation in the United States and United Kingdom. *International Journal of Offender Therapy and Comparative Criminology*, 65(10-11), 1242-1261.
- Craissati, J. (2005). Sexual violence against women: A psychological approach to the assessment and management of rapists in the community. *Probation Journal*, 52(4), 401-422.
- +Craun, S. W., & Simmons, C. A. (2012). Taking a seat at the table: Sexual assault survivors' views of sex offender registries. *Victims & Offenders*, 7(3), 312-326.
- Cullen, F. T. (2002). Rehabilitation and treatment programs. In J. Q. Wilson & J. Petersilia (Eds.), *Crime: Public policies for crime control* (2nd ed., pp. 253–289). ICS Press.
- Cullen, F. T., & Gendreau, P. (2000). Assessing correctional rehabilitation: Policy, practice, and prospects. In J. Horney (Ed.), *Criminal justice 2000: Policies, processes, and decisions of the criminal justice system* (Vol. 3, pp. 109-175). U.S. Department of Justice, National Institute of Justice.
- Cullen, F. T., & Gendreau, P. (2001). From nothing works to what works: Changing professional ideology in the 21st century. *The Prison Journal*, 81(3), 313-338.
- Cullen, F. T., & Gilbert, K. E. (2013). *Reaffirming rehabilitation* (2nd ed.). Anderson.
- Cullen, F. T., & Jonson, C. L. (2012). *Correctional theory: Context and consequences*. Sage.
- Cullen, F. T., Jonson, C. L., & Mears, D. P. (2017). Reinventing community corrections. In M. Tonry & D. S. Nagin (Eds.), *Reinventing American criminal justice* (pp. 27-93). University of Chicago Press.
- Cullen, F. T., Jonson, C. L., & Nagin, D. (2011). Prisons do not reduce recidivism: The high cost of ignoring science. *The Prison Journal*, 91(3), 48S-65S.
- Cullen, F. T., Myer, A. J., & Latessa, E. J. (2009). Eight lessons from Moneyball : The high cost of ignoring evidence-based corrections. *Victims & Offenders*, 4(2), 197-213.
- Cullen, F. T., Pratt, T. C., & Turanovic, J. J. (2016). It's hopeless: beyond zero-tolerance supervision. *Criminology & Public Policy*, 15(4), 1215-1227.
- Cullen, F. T., Wright, J. P., & Applegate, B. K. (1996). Control in the community: The limits of reform? In A. T. Harland (Ed.), *Choosing correctional interventions that work: Defining the demand and evaluating the supply* (pp. 69-116). Sage.
- Curtis-Fawley, S., & Daly, K. (2005). Gendered violence and restorative justice: The views of victim advocates. *Violence Against Women*, 11(5), 603-638.
- Daly, K. (2002). Sexual assault and restorative justice. In H. Strang & J. Braithwaite (Eds.), *Restorative justice and family violence* (pp. 62-88). Cambridge University Press.

- Daly, K. (2006). Restorative justice and sexual assault: An archival study of court and conference cases. *British Journal of Criminology*, 46(2), 334-356.
- Daly, K. (2008). Setting the record straight and a call for radical change: A reply to Annie Cossins on 'restorative justice and child sex offences'. *British Journal of Criminology*, 48(4), 557-566.
- Daly, K. (2011). Conventional and innovative justice responses to sexual violence. *ACSSA (Australian Centre for the Study of Sexual Assault) Issues*, 12, 1-36.
- Daly, K. (2014). Reconceptualizing sexual victimization and justice. In I. Vanfraechem, A. Pemberton, & F.M. Ndahinda (Eds.), *Justice for victims: perspectives on rights, transition and reconciliation* (pp. 378-395). Routledge.
- *Daly, K., Bouhours, B., Broadhurst, R., & Loh, N. (2013). Youth sex offending, recidivism and restorative justice: Comparing court and conference cases. *Australian & New Zealand Journal of Criminology*, 46(2), 241-267.
- Daly, K., & Curtis-Fawley, S. (2006). Restorative justice for victims of sexual assault. In K. Heimer & C. Kruttschnitt (Eds.), *Gender and crime: Patterns of victimization and offending* (pp. 230-265). New York University Press.
- Day, A., Ross, S., & McLachlan, K. (2021). *The effectiveness of minimum non-parole period schemes for serious violent, sexual and drug offenders and evidence-based approaches to community protection, deterrence, and rehabilitation*. University of Melbourne.
- DeMichele, M. (2021). Research considerations for using electronic technologies with community supervision. In P. K. Lattimore, B. M. Huebner, & F. S. Taxman (Eds.), *Handbook on moving corrections and sentencing forward: Building on the record* (pp. 79-89). Routledge.
- Department of Child Safety, Youth and Women. (2020). *Sexual violence in Queensland and Australia: Key facts*. Queensland Government.
- +Deville, G., & Le Grand, J. (2015). Sentencing of sex-offenders: A survey study investigating judges' sentences and community perspectives. *Psychiatry, Psychology and Law*, 22(2), 184-197.
- ^Dierenfeldt, R., Scott, S., Iles, G., Rosenberger, J., & Smith, M. (2021). Support for the death penalty in cases of rape and sexual assault: variation between victim age categories. *International Journal of Offender Therapy and Comparative Criminology*, 65(16), 1823-1846.
- ^Dobbins, T. R. (2011). *Citizens' perceptions on sex offender registration and notification* (Publication No. 1483773) [Master's thesis, California State University]. ProQuest Dissertations & Theses Global.
- ^Dooley, R. L. (2010). *Perceptions of sex offenders' rehabilitation: The differences in perceptions among mental health professionals and the public* (Publication No. 3365029) [Doctoral dissertation, Alliant International University]. ProQuest Dissertations & Theses Global.
- Duff, A. (2005). *Punishment, communication and community*. In D. Matravers & J. Pike (Eds.), *Debates in contemporary political philosophy* (pp. 387-407). Routledge.
- ^Duncan, J. (2012). Public perceptions regarding sex offenders and sex offender management (Publication No. 28270257) [Master's thesis, East Tennessee State University]. ProQuest Dissertations & Theses Global.
- Duriez, S. A., Cullen, F. T., & Manchak, S. M. (2014). Is Project HOPE creating a false sense of hope? A case study in correctional popularity. *Federal Probation*, 78(2), 57-70.
- Duwe, G. (2014). To what extent does civil commitment reduce sexual recidivism? Estimating the selective incapacitation effects in Minnesota. *Journal of Criminal Justice*, 42(2), 193-202.

- *Duwe, G., & Donnay, W. (2008). The impact of Megan's Law on sex offender recidivism: The Minnesota experience. *Criminology*, 46(2), 411-446.
- Ellard, R., & Campbell, E. (2020). *Improving support for victims of crime: Key practice insights*. Centre for Innovative Justice.
- Embry, R., & Lyons, P. M. Jr. (2012). Sex-based sentencing: Sentencing discrepancies between male and female sex offenders. *Feminist Criminology*, 7(2), 146-162.
- ^Engel, K. S. (2014). *Perceptions of legal policy and sex offender treatment* (Publication No. 1552188) [Master's thesis, University of North Dakota]. ProQuest Dissertations & Theses Global.
- ^Engel, K. S. (2016). *Sex offender treatment and legal policy perception in relation to information presentation style* [Unpublished doctoral dissertation]. University of North Dakota.
- ^Evans, M. K. (2008). *Megan's Law: Citizens' perceptions of sex offender community notification in Nebraska* (Publication No. 1447128) [Master's thesis, University of Nebraska at Omaha]. ProQuest Dissertations & Theses Global.
- Farrow, K., Kelly, G., & Wilkinson, B. (2007). *Offenders in focus: Risk, responsivity and diversity*. Policy Press.
- ^Ferguson, K., & Ireland, C. A. (2006). Attitudes towards sex offenders and the influence of offence type: A comparison of staff working in a forensic setting and students. *British Journal of Forensic Practice*, 8(2), 10-19.
- Fileborn, B., & Loney-Howes, R. (2019). *#MeToo and the politics of social change*. Palgrave Macmillan.
- Fitzgerald, J. (2021). *Why did sexual assault reports spike in March 2021?* (Bureau Brief No. 155). New South Wales Bureau of Crime Statistics and Research.
- Flynn, A. (2015). Sexual violence and innovative responses to justice: Interrupting the 'recognisable' narrative. In A. Powell & A. Flynn (Eds.), *Rape justice: Beyond the criminal law* (pp. 92-111). Palgrave MacMillan.
- Francis, B., Harris, D. A., Wallace, S., Knight, R. A., & Soothill, K. (2014). sexual and general offending trajectories of men referred for civil commitment. *Sexual Abuse*, 26(4), 311-329.
- *Freeman, N. J. (2012). The public safety impact of community notification laws: Rearrest of convicted sex offenders. *Crime & Delinquency*, 58(4), 539-564.
- Freiberg, A., & Gelb, K. (2008). *Penal populism, sentencing councils and sentencing policy*. Hawkins Press.
- *Fundack, A. (2019). *Maryland sex offender registry and sex offender recidivism: Time series correlational study* (Publication No. 13901218) [Doctoral dissertation, Walden University]. ProQuest Dissertations and Theses Global.
- ^Galeana, E. G. (2018). *Public attitude towards California's new law to end lifetime sex offender registration* (Publication No. 10837444) [Master's thesis, California State University, Fresno]. ProQuest Dissertations and Theses Global.
- Galouzis, J. J., Meyer, D., & Day, A. (2020). Associations between parole outcomes and characteristics of people under supervision, supervising officer, and supervising office. *Criminal Justice and Behavior*, 47(10), 1228-1243.
- Gannon, T. A., & Alleyne, E. K. A. (2013). Female sexual abusers' cognition. *Trauma, Violence, and Abuse*, 14(1), 67-79.

- Gannon, T. A., King, T., Miles, H., Lockerbie, L., & Willis, G. M. (2011). Good Lives sexual offender treatment for mentally disordered offenders. *British Journal of Forensic Practice*, 13(3), 153-168.
- Gannon, T. A., Rose, M. R., & Ward, T. (2008). A descriptive model of the offence process for female sexual offenders. *Sexual Abuse*, 20(3), 352-374.
- Gannon, T. A., & Ward, T. (2008). Rape: Psychopathology and theory. In D.R. Laws & W. O'Donohue (Eds.), *Sexual deviance: Theory, assessment, and treatment* (pp. 336-355). Guilford Press.
- *Gannon, T. A., Wood, J. L., Pina, A., Tyler, N., Barnoux, M. F., & Vasquez, E. A. (2013). An evaluation of mandatory polygraph testing for sexual offenders in the United Kingdom. *Sexual Abuse*, 26(2), 178-203.
- Gelb, K. (2006). *Myths and misconceptions: Public opinion versus public judgment about sentencing*. Sentencing Advisory Council.
- Gelb, K. (2007). *Recidivism of sex offenders research paper*. Sentencing Advisory Council.
- Gelb, K. (2008). Myths and misconceptions: Public opinion versus public judgment about sentencing. In A. Freiberg & K. Gelb (Eds.), *Penal populism, sentencing councils and sentencing policy* (pp. 68-82). Willan.
- Gelb, K., Stobbs, N., & Hogg, R. (2019). *Community-based sentencing orders and parole: A review of literature and evaluations across jurisdictions*. Queensland University of Technology.
- Gendreau, P. (1996). The principles of effective intervention with offenders. In A. T. Harland (Ed.), *Choosing correctional interventions that work: Defining the demand and evaluating the supply* (pp. 117-130). Sage.
- Gendreau, P., Cullen, F. T., & Bonta, J. (1994). Intensive rehabilitation supervision: The next generation in community corrections? *Federal Probation*, 58(1), 72-78.
- Gendreau, P. L., Goggin, C., Cullen, F. T., & Andrews, D. A. (2000). The effects of community sanctions and incarceration on recidivism. *Forum on Corrections Research*, 12(2), 10-13.
- Gendreau, P., Smith, P., & French, S. (2006). The theory of effective correctional intervention: Empirical status and future directions. In F. T. Cullen, J. P. Wright, & K. R. Blevins (Eds.), *Taking stock: The status of criminological theory* (Advances in Criminological Theory, Vol. 15, pp. 419-446). Transaction.
- Giordano, P. C., Cernkovich, S. A., & Rudolph, J. L. (2002). Gender, crime, and desistance: Toward a theory of cognitive transformation. *American Journal of Sociology*, 107(4), 990-1064.
- *Gies, S., Gainey, R., & Healy, E. (2016). Monitoring high-risk sex offenders with GPS. *Criminal Justice Studies*, 29(1), 1-20.
- Gleicher, L., Manchak, S. M., & Cullen, F. T. (2013). Creating supervision tool kit: How to improve probation and parole. *Federal Probation*, 77(1), 22-27.
- ^Golding, J. M., Lynch, K. R., Malik, S. E., & Foster-Gimbel, O. (2018). Justice served? Perceptions of plea bargaining involving a sexual assault in child and adult females. *Criminal Justice and Behavior*, 45(4), 503-518.
- Goodman, P., Page, J., & Phelps, M. (2017). *Breaking the pendulum: The long struggle over criminal justice*. Oxford University Press.
- Gordon, M. A., & Glaser, D. (1991). The use and effects of financial penalties in municipal courts. *Criminology*, 29(4), 651-676.
- Gottfredson, M. R., & Hirschi, T. (1990). *A general theory of crime*. Stanford University Press.

- *Grady, M. D., Edwards, D., Pettus-Davis, C., & Abramson, J. (2012). Does volunteering for sex offender treatment matter? Using propensity score analysis to understand the effects of volunteerism and treatment on recidivism. *Sexual Abuse, 25*(4), 319-346.
- Greathouse, S. M., Saunders, J., Matthews, M., Keller, K. M., & Miller, L. L. (2015). *A review of the literature on sexual assault perpetrator characteristics and behaviors*. RAND.
- Grossi, L. M. (2017). Sexual offenders, violent offenders, and community reentry: Challenges and treatment considerations. *Aggression and Violent Behavior, 34*(1), 59-67.
- *Grubin, D (2010). A trial of voluntary polygraphy testing in 10 English probation areas. *Sexual Abuse, 22*(3), 266-278.
- Guevara, M., & Solomon, E. (2009). *Implementing evidence-based policy and practice in community corrections* (2nd edition). National Institute of Corrections.
- ^Guilford, T. M. (2017). *An examination of the relation between gender, gender role-beliefs, attitudes of female sex offenders, and leniency of sentencing* (Publication No. 10622892) [Doctoral dissertation, Alliant International University]. ProQuest Dissertations and Theses Global.
- +Hadar, N., & Gal, T. (2023). Survivors' paths toward forgiveness in restorative justice following sexual violence. *Criminal Justice and Behavior, 50*(6), 911-928.
- Hammond, E. M., Berry, M. A., & Rodriguez, D. N. (2011). The influence of rape myth acceptance, sexual attitudes, and belief in a just world on attributions of responsibility in a date rape scenario. *Legal and Criminological Psychology, 16*(2), 242-252.
- Hanson, R. K., Bourgon, G., Helmus, L., & Hodgson, S. (2009). The principles of effective correctional treatment also apply to sexual offenders: A meta-analysis. *Criminal Justice and Behavior, 36*(9), 865-891.
- Hanson, R. K., Harris, A. J. R., Scott, T.-L., & Helmus, L. (2007). *Assessing the risk of sexual offenders on community supervision: The Dynamic Supervision Project*. Public Safety Canada.
- Hanson, R. K., & Morton-Bourgon, K. E. (2005). The characteristics of persistent sexual offenders: A meta-analysis of recidivism studies. *Journal of Consulting and Clinical Psychology, 73*(6), 1154-1163.
- Harkins, L., & Beech, A. R. (2007). A review of the factors that can influence the effectiveness of sexual offender treatment: Risk, need, responsivity, and process issues. *Aggression and Violent Behavior, 12*(6), 615-627.
- ^Harper, C. A., & Hogue, T. E. (2015). Measuring public perceptions of sex offenders: Reimagining the Community Attitudes Toward Sex Offenders (CATSO) scale. *Psychology, Crime & Law, 21*(5), 452-470.
- ^Harris, A. J., & Socia, K. M. (2016). What's in a name? Evaluating the effects of the "sex offender" label on public opinions and beliefs. *Sexual Abuse, 28*(7), 660-678.
- Harris, D. A. (2017) *Desistance from sexual offending: Narratives of retirement, regulation, and recovery*. Palgrave MacMillan.
- Harris, D. A., Knight, R. A., Smallbone, S., & Dennison, S. (2011). Postrelease specialization and versatility in sexual offenders referred for civil commitment. *Sexual Abuse, 23*(2), 243-259.
- Harris, D. A., & McPhedran, S. (2018). The sentencing and supervision of individuals convicted of sexual offences in Australia. *Sexual Offender Treatment, 13*(1/2), 1-11.
- Haynes, S. H., Cares, A. C., & Ruback, R. B. (2014). Juvenile economic sanctions: An analysis of their imposition, payment, and effect on recidivism. *Criminology & Public Policy, 13*(1), 31-60.

- Heil, P., & English, K. (2009). Sex offender polygraph testing in the United States: Trends and controversies. In D. T. Wilcox (Ed.), *The use of the polygraph in assessing, treating and supervising sex offenders: A practitioner's guide* (pp.181-216). Wiley.
- Heilbrun, K., Ogloff, J. R. P., & Picarello, K. (1999). Dangerous offender statutes in the United States and Canada: Implications for risk assessment. *International Journal of Law and Psychiatry*, 22(3-4), 393-415.
- Heinz, J., Galaway, B., & Hudson, J. (1976). Restitution or parole: A follow-up study of adult offenders. *Social Service Review*, 50(1), 148-156.
- +Herman, J. L. (2005). Justice from the victim's perspective. *Violence Against Women*, 11(5), 571-602.
- Heseltine, K., Sarre, R., & Day, A. (2011). Prison-based correctional rehabilitation: An overview of intensive interventions for moderate to high-risk offenders. *Trends & Issues in Crime and Criminal Justice*, 412, 1-6.
- ^Higgins, C., & Ireland, C. A. (2009). Attitudes towards male and female sex offenders: A comparison of forensic staff, prison officers and the general public in Northern Ireland. *British Journal of Forensic Practice*, 11(1), 14-19.
- Hodgkinson, T., Schaefer, L., Harte, N., Pearson, N., Lonergan, N., & Barber, C. (2023). And you know, we're on each other's team: Lessons from a systematic analysis of researcher-practitioner partnerships in criminal justice research. *International Journal of Comparative and Applied Criminal Justice*. doi: 10.1080/01924036.2023.2202868
- ^Höing, M. A., Petrina, R., Duke, L. H., Völlm, B., & Vogelvang, B. (2016). Community support for sex offender rehabilitation in Europe. *European Journal of Criminology*, 13(4), 491-516.
- #Hsieh, M.-L., Hamilton, Z., & Zgoba, K. M. (2018). Prison experience and reoffending: Exploring the relationship between prison terms, institutional treatment, infractions, and recidivism for sex offenders. *Sexual Abuse*, 30(5), 556-575.
- Höing, M., Vogelvang, B., & Bogaerts, S. (2017). "i am a different man now"—sex offenders in circles of support and accountability: A prospective study. *International Journal of Offender Therapy and Comparative Criminology*, 61(7), 751-772.
- Hudson, N. (2012). *Community attitudes to offence seriousness*. Victorian Sentencing Advisory Council.
- *Huebner, B. M., Kras, K. R., Rydberg, J., Bynum, T. S., Grommon, E., & Pleggenkuhle, B. (2014). The effect and implications of sex offender residence restrictions. *Criminology & Public Policy*, 13(1), 139-168.
- Iliadis, M. (2020). *Adversarial justice and victims' rights: Reconceptualising the role of sexual assault victims*. Routledge.
- Indermaur, D., & Roberts, L. (2005). Perceptions of crime and justice. In S. Wilson, G. Meagher, R. Gibson, D. Denmark, & M. Western (Eds.), *Australian social attitudes: The first report* (pp. 141-160). University of New South Wales Press.
- Jacobs, S., & Moore, D. C. (1994). Successful restitution as a predictor of juvenile recidivism. *Juvenile and Family Court Journal*, 45(1), 3-14.
- Janus, E. S. (2000). Sexual predator commitment: Lessons for law and the behavioral sciences. *Behavioral Sciences & the Law*, 18(1), 5-21.
- Julich, S., Sturgess, C., McGrego, K., & Nicholas, L. (2013). Costs as a barrier to recovery: Survivors of sexual violence. *Sexual Abuse in Australia and New Zealand*, 5(2), 57-68.

- ^Jung, S., Allison, M., & Martin, E. (2018). Perspectives of Americans and Canadians on the use and function of sex offender registries. *International Journal of Law, Crime and Justice*, 52(1), 106-117.
- *Kang, S. (2017). The consequences of sex offender residency restriction: Evidence from North Carolina. *International Review of Law and Economics*, 49(3), 10-22.
- ^Kang, T., Green, A., Akamani, B., & Pinkston, K. (2022). Rural residents' emotions, beliefs, and sources that influenced those beliefs regarding sex offender policies, practice, and the efficacy of treatment. *Behavioral Sciences & the Law*, 40(3), 379-402.
- Keel, M. (2004). *Family violence and sexual assault in Indigenous communities: "Walking the talk"*. Australian Centre for the Study of Sexual Assault.
- ^Kelly, K. L. (2014). *Public perception of sex offenders, registration and community notification* (Publication No. 3562306) [Doctoral dissertation, Alliant International University]. ProQuest Dissertations & Theses Global.
- ^Kernsmith, P. D., Craun, S. W., & Foster, J. (2009). Public attitudes toward sexual offenders and sex offender registration. *Journal of Child Sexual Abuse*, 18(3), 290-301.
- ^Kernsmith, P., Comartin, E., & Kernsmith, R. (2016). Fear and misinformation as predictors of support for sex offender management policies. *Journal of Sociology and Social Welfare*, 43(2), 39-66.
- Kim, B., Benekos, P. J., & Merlo, A. V. (2016). Sex offender recidivism revisited: Review of recent meta-analyses on the effects of sex offender treatment. *Trauma, Violence, & Abuse*, 17(1), 105-117.
- ^King, L. L. (2019). Perceptions about sexual offenses: Misconceptions, punitiveness, and public sentiment. *Criminal Justice Policy Review*, 30(2), 254-273.
- ^King, L. L., & Roberts, J. J. (2017). The complexity of public attitudes toward sex crimes. *Victims & Offenders*, 12(1), 71-89.
- ^Klein, J. L., & Cooper, D. T. (2019). Punitive attitudes toward sex offenders: Do moral panics cause community members to be more punitive? *Criminal Justice Policy Review*, 30(6), 948-968.
- Konradi, A., & Burger, T. (2000). Having the last word: An examination of rape survivors' participation in sentencing. *Violence Against Women*, 6(4), 351-395.
- ^Koon-Magnin, S. (2015). Perceptions of and support for sex offender policies: Testing Levenson, Brannon, Fortney, and Baker's findings. *Journal of Criminal Justice*, 43(1), 80-88.
- Koss, M. P. (2006). Restoring rape survivors: Justice, advocacy, and a call to action. *Annals of the New York Academy of Sciences*, 1087(1), 206-234.
- Koss, M., & Achilles, M. (2008). *Restorative justice responses to sexual assault*. National Online Resource Center on Violence Against Women.
- Kotsglou, K. N., & Oswald, M. (2021). Not 'very English': On the use of the polygraph by the penal system in England and Wales. *Journal of Criminal Law*, 85(3), 189-208.
- KPMG. (2023). *"This is my story. It's your case, but it's my story." Interview study: Exploring justice system experiences of complainants in sexual offence matters*. KPMG.
- ^Krauss, D. A., Cook, G. I., Song, E., & Umanath, S. (2021). The public's perception of crime control theater laws: It's complicated. *Psychology, Public Policy, and Law*, 27(3), 316-327.
- ^Krauss, D. A., Cook, G. I., Umanath, S., & Song, E. (2022). Changing the public's crime control theater attitudes. *Psychology Public Policy and Law*, 28(4), 595-515.

- ^Kruis, N. E., Menard, K. S., Choi, J., Rowland, N. J., Frye, T., Kosaka, R., & Williams, A. (2023). Perceived dangerousness mediates punitive attitudes toward sex offenders: Results from a vignette experiment. *Crime & Delinquency*. doi: 10.1177/00111287231170106
- ^Kugler, M. B., Funk, F., Braun, J., & Gollwitzer, M. (2013). Differences in punitiveness across three cultures: A test of American exceptionalism in justice attitudes. *Journal of Criminal Law and Criminology*, 103(4), 1071-1114.
- ^Kurus, S. (2015). *Public attitudes toward sex offenders, sex offender treatment, and sex offender rehabilitation potential: A comparison of attitudes between the United States and the United Kingdom* (Publication No. 1525732) [Doctoral dissertation, California State University]. ProQuest Dissertations & Theses Global.
- Lacombe, D. (2008). Consumed with sex: The treatment of sex offenders in risk society. *British Journal of Criminology*, 48(1), 55-74.
- Langan, P. A., Schmitt, E. L., & Durose, M. R. (2003). *Recidivism of sex offenders released from prison in 1994* (No. NCJ 198281). U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics.
- Larsen, J. J. (2014). *Restorative justice in the Australian criminal justice system*. Australian Institute of Criminology.
- Latessa, E. J., Cullen, F. T., & Gendreau, P. (2002). Beyond correctional quackery: Professionalism and the possibility of effective treatment. *Federal Probation*, 66(2), 43-49.
- Lattimore, P. K., MacKenzie, D. L., Zajac, G., Dawes, D., Arsenault, E., & Tueller, S. (2016). Outcome findings from the hope demonstration field experiment is swift, certain, and fair an effective supervision strategy? *Criminology & Public Policy*, 15(4), 1103-1141.
- Laub, J. H., & Sampson, R. J. (2003). *Shared beginnings, divergent lives: Delinquent boys to age 70*. Harvard University Press.
- Lauritsen, J. L. (2011). *Rape and sexual assault*. Oxford Bibliographies: Criminology. doi: 10.1093/obo/9780195396607-0088
- Lee, S., Aos, S., Drake, E., Pennucci, A., Miller, M., & Anderson, L. (2012). *Return on investment: Evidence-based options to improve statewide outcomes*. Washington State Institute for Public Policy.
- Leonard, W., Mitchell, A., Pitts, M., & Patel, S. (2008). *Coming forward: The underreporting of heterosexist violence and same sex partner abuse in Victoria*. Victoria Law Foundation.
- *Letourneau, E. J., Bandyopadhyay, D., Armstrong, K. S., & Sinha, D. (2010). Do sex offender registration and notification requirements deter juvenile sex crimes? *Criminal Justice and Behavior*, 37(5), 553-569.
- *Letourneau, E. J., Levenson, J. S., Bandyopadhyay, D., Armstrong, K. S., & Sinha, D. (2010). Effects of South Carolina's sex offender registration and notification policy on deterrence of adult sex crimes. *Criminal Justice and Behavior*, 37(5), 537-552.
- *Letourneau, E. & Armstrong, K. S. (2008). Recidivism rates for registered and nonregistered juvenile sexual offenders. *Sexual Abuse*, 20(4), 393-408.
- Levenson, J. S. (2003). Policy interventions designed to combat sexual violence: Community notification and civil commitment. *Journal of Child Sexual Abuse*, 12(3-4), 17-52.
- ^Levenson, J. S., Brannon, Y. N., Fortney, T., & Baker, J. (2007). Public perceptions about sex offenders and community protection policies. *Analyses of Social Issues and Public Policy*, 7(1), 137-161.
- Levenson, J. S., D'Amora, D. A., & Hern, A. L. (2007). Megan's Law and its impact on community re-entry for sex offenders. *Behavioral Sciences & the Law*, 25(4), 587-602.

- *Levenson, J., Letourneau, E., Armstrong, K., & Zgoba, K. M. (2009). Failure to register as a sex offender: Is it associated with recidivism? *Justice Quarterly*, 27(3), 305-331.
- Levenson, J. S., Grady, M. D., & Leibowitz, G. (2016). Grand challenges: Social justice and the need for evidence-based sex offender registry reform. *Journal of Sociology and Social Welfare*, 43(2), 3-38.
- ^Levenson, J. S., Shields, R. T., & Singleton, D. A. (2014). Collateral punishments and sentencing policy: Perceptions of residence restrictions for sex offenders and drunk drivers. *Criminal Justice Policy Review*, 25(2), 135-158.
- *Levenson, J. S., & Zgoba, K. M. (2016). Community protection policies and repeat sexual offenses in Florida. *International Journal of Offender Therapy and Comparative Criminology*, 60(10), 1140-1158.
- Lievore, D. (2004). *Recidivism of sexual assault offenders: Rates, risk factors and treatment efficacy*. Australian Institute of Criminology.
- Lobanov-Rostovsky, C. (2015). *Recidivism of juveniles who commit sexual offenses*. National Criminal Justice Association.
- Loff, B., Naylor, B., & Bishop, L. (2019). *A community-based survivor-victim focussed restorative justice: A pilot*. Criminology Research Advisory Council.
- Loney-Howes, R., Heydon, G., & O'Neill, T. (2022). Connecting survivors to therapeutic support and criminal justice through informal reporting options: An analysis of sexual violence reports made to a digital reporting tool in Australia. *Current Issues in Criminal Justice*, 34(1), 20-37.
- *Lösel, F., & Schmucker, M. (2005). The effectiveness of treatment for sexual offenders: A comprehensive meta-analysis. *Journal of Experimental Criminology*, 1(1), 117-146.
- ^Lovegrove, A. (2013). Sentencing and public opinion: An empirical study of punitiveness and lenience and its implications for penal moderation. *Australian & New Zealand Journal of Criminology*, 46(2), 200-220.
- #Lussier, P., & Gress, C. L. Z. (2014). Community re-entry and the path toward desistance: A quasi-experimental longitudinal study of dynamic factors and community risk management of adult sex offenders. *Journal of Criminal Justice*, 42(2), 111-122.
- #Lussier, P., Gress, C., Deslauriers-Varin, N., & Amirault, J. (2014). Community risk management of high-risk sex offenders in Canada: Findings from a quasi-experimental study. *Justice Quarterly*, 31(2), 287-314.
- Lussier, P., Tzoumakis, S., Cale, J., & Amirault, J. (2010). criminal trajectories of adult sex offenders and the age effect: Examining the dynamic aspect of offending in adulthood. *International Criminal Justice Review*, 20(2), 147-168.
- Macaulay, S. (2013). Restorative justice and sexual offending: What clinicians need to know about possible trial process reform in New Zealand. *Sexual Abuse in Australia and New Zealand*, 5(2), 4-11.
- Mackenzie, G., Spiranovic, C., Warner, K., Stobbs, N., Gelb, K., Indermaur, D., Roberts, L., Broadhurst, R., & Bouhours, T. (2012). Sentencing and public confidence: Results from a national Australian survey on public opinions towards sentencing. *Australian & New Zealand Journal of Criminology*, 45(1), 45-65.
- MacKenzie, D. L. (1997). Criminal justice and crime prevention. In L. W. Sherman, D. Gottfredson, D. MacKenzie, J. Eck, P. Reuter & S. Busway (Eds.), *Preventing crime: What works, what doesn't, what's promising: A report to the United States Congress* (pp. 9-1Y9-83). U.S. Department of Justice, National Institute of Justice.

- MacKenzie, D. L. (2006). *What works in corrections: Reducing the criminal activities of offenders and delinquents*. Cambridge University Press.
- Mackey, B. J., Appleton, C. J., Lee, J. S., Skidmore, S., & Taxman, F. S. (2022). At the intersection of research and practice: Constructing guidelines for a hybrid model of community supervision. *Aggression and Violent Behavior, 63*(2), 101689.
- *Maddan, S., Miller, J. M., Walker, J. T., & Marshall, I. H. (2011). Utilizing criminal history information to explore the effect of community notification on sex offender recidivism. *Justice Quarterly, 28*(2), 303-324.
- *Maletzky, B. M., Tolan, A., & McFarland, B. (2006). The Oregon Depo-Provera program: A five-year follow-up. *Sexual Abuse, 18*(3), 303-316.
- ^Manchak, S. M., & Fisher, L. R. (2019). An examination of multiple factors influencing support for sex offender policy. *Criminal Justice Policy Review, 30*(6), 925-947.
- ^Mancini, C. (2014). Examining factors that predict public concern about the collateral consequences of sex crime policy. *Criminal Justice Policy Review, 25*(4), 450-475.
- ^Mancini, C., & Budd, K. M. (2016). Is the public convinced that "nothing works?": Predictors of treatment support for sex offenders among Americans. *Crime & Delinquency, 62*(6), 777-799.
- Mancini, C., & Mears, D. P. (2010). To execute or not to execute? Examining public support for capital punishment of sex offenders. *Journal of Criminal Justice, 38*(5), 959-968.
- Marchetti, E., & Daly, K. (2007). Indigenous sentencing courts: Towards a theoretical and jurisprudential model. *Sydney Law Review, 29*(3), 415-444.
- ^Marsh, F., & Wager, N. M. (2015). Restorative justice in cases of sexual violence: Exploring the views of the public and survivors. *Probation Journal, 62*(4), 336-356.
- Marshall, W. L., Fernandez, Y. M., Marshall, L. E., & Serran, G. A. (Eds.). (2006). *Sexual offender treatment: Controversial issues*. John Wiley & Sons.
- Martin, D. (1998). Retribution revisited: A reconsideration of feminist criminal law reform strategies. *Osgoode Hall Law Journal, 36*(1), 151-188.
- Maruna, S. (2001). *Making good: How ex-convicts reform and rebuild their lives*. American Psychological Association.
- Maruna, S., & Roy, K. (2007). Amputation or reconstruction? Notes on the concept of "knifing off" and desistance from crime. *Journal of Contemporary Criminal Justice, 23*(1), 104-124.
- ^Mastrocola, K. (2020). *Public preferences for rehabilitation versus incarceration of sexual offenders* (Publication No. 22584546) [Doctoral dissertation, William James College]. ProQuest Dissertations and Theses Global.
- McCalman, J., Bridge, F., Whiteside, M., Bainbridge, R., Tsey, K., & Jongen, C. (2014). Responding to Indigenous Australian sexual assault: A systematic review of the literature. *SAGE Open, 4*(1). doi:10.1177/2158244013518931
- ^McCartan, K. (2013). From a lack of engagement and mistrust to partnership? Public attitudes to the disclosure of sex offender information. *International Journal of Police Science & Management, 15*(3), 219-236.
- +McEvoy, C. (2009). *Sense of community and restorative justice as models of support: Female survivors of sexual abuse and males who have offended sexually* [Unpublished Master's thesis]. Wilfrid Laurier University.

- McGlynn, C., Downes, J., & Westmarland, N. (2017). Seeking justice for survivors of sexual violence: Recognition, voice and consequences. In E. Zinsstag & M. Keenan (Eds), *Restorative responses to sexual violence* (pp. 179-191). Routledge.
- +McGlynn, C., & Westmarland, N. (2019). Kaleidoscopic justice: Sexual violence and victim-survivors' perceptions of justice. *Social & Legal Studies*, 28(2), 179-201.
- *McGrath, R. J., Cumming, G. F., Hoke, S. E., Bonn-Miller, M. O. (2007). Outcomes in a community sex offender treatment program: A comparison between polygraphed and matched non-polygraphed offenders. *Sexual Abuse*, 19(4), 381-393.
- McKillop, N., Rayment-McHugh, S., Prenzler, T., & Christensen, L. (2019). *The effectiveness of sexual offender rehabilitation and reintegration programs: Integrating global and local perspectives to enhance correctional outcomes*. University of the Sunshine Coast.
- McLawsen, J. E., Scalora, M. J., & Darrow, C. (2012). Civilly committed sex offenders: A description and interstate comparison of populations. *Psychology, Public Policy, and Law*, 18(3), 453-476.
- McNeeley, S., & Warner, J. J. (2015). Replication in criminology: A necessary practice. *European Journal of Criminology*, 12(5), 581-597.
- ^Mears, D. P., Mancini, C., Gertz, M., & Bratton, J. (2008). Sex crimes, children, and pornography public views and public policy. *Crime & Delinquency*, 54(4), 532-559.
- Meijer, E. H., Verschuere, B., Merckelbach, H. L. G. J., & Crombez, G. (2008). Sex offender management using the polygraph: A critical review. *International Journal of Law and Psychiatry*, 31(5), 423-429.
- Meloy, M. L., Miller, S. L., & Curtis, K. M. (2008). Making sense out of nonsense: The deconstruction of state-level sex offender residence restrictions. *American Journal of Criminal Justice*, 33(2), 209-222.
- Menéndez, P., & Weatherburn, D. J. (2016). Does the threat of longer prison terms reduce the incidence of assault? *Australian & New Zealand Journal of Criminology*, 49(3), 389-404.
- *Mercado, C. C., Jeglic, E., Markus, K., Hanson, R. K., & Levenson, J. (2011). *Sex offender management, treatment, and civil commitment: An evidence based analysis aimed at reducing sexual violence*. John Jay College of Criminal Justice.
- Mercado, C. C., & Ogloff, J. R. P. (2007). Risk and the preventive detention of sex offenders in Australia and the United States. *International Journal of Law and Psychiatry*, 30(1), 49-59.
- Miller, J. (2008). *Getting played: African American girls, urban inequality, and gendered violence*. New York University Press.
- Miller, J. A. (2010). Sex offender civil commitment: The treatment paradox. *California Law Review*, 98(6), 2093-2128.
- Miller, S. L., & Hefner, K. (2015). Procedural justice for victims and offenders?: Exploring restorative justice processes in Australia and the US. *Justice Quarterly*, 32(1), 142-167.
- ^Mitchell, D., Angelone, D., Kohlberger, B., & Hirschman, R. (2009). Effects of offender motivation, victim gender, and participant gender on perceptions of rape victims and offenders. *Journal of Interpersonal Violence*, 24(9), 1564-1578.
- Moffatt, S., & Poynton, S. (2007). *The deterrent effect of higher fines on recidivism: Driving offences* (Crime & Justice Bulletin No. 106). New South Wales Bureau of Crime Statistics and Research.

- Moffitt, T. E. (1993). Adolescence-limited and life-course-persistent antisocial behavior: A developmental taxonomy. *Psychological Review*, 100, 674-701.
- #Moss, S., Stephens, S., & Seto, M. C. (2022). The association between sentencing and recidivism in men who have committed a sexual offence. *Journal of Sexual Aggression*, 28(3), 407-424.
- Murray, G. J., Briggs, D., & Davis, C. (1992). Psychopathic disordered, mentally ill, and mentally handicapped sex offenders: A comparative study. *Medicine, Science and the Law*, 32(4), 331-336.
- Nagin, D. S., Cullen, F. T., & Jonson, C. L. (2009). Imprisonment and reoffending. In M. Tonry (Ed.), *Crime and justice: A review of research* (Vol. 38, pp. 115-200). University of Chicago Press.
- Napier, S., Dowling, C., Morgan, A., & Talbot, D. (2018). What impact do public sex offender registries have on community safety? *Trends & Issues in Crime and Criminal Justice*, 550, 1-20.
- Newcombe, P. A., Van Den Eyne, J., Hafner, D., & Jolly, L. (2008). Attributions of responsibility for rape: Differences across familiarity of situation, gender, and acceptance of rape myths. *Journal of Applied Psychology*, 38(7), 1736-1754.
- +Nicholls, C. M., Mitchell, M., Simpson, I., Webster, S., & Hester, M. (2012). *Attitudes to sentencing sexual offences*. Sentencing Council for England and Wales.
- *Nobles, M. R., Levenson, J. S., & Youstin, T. J. (2012). Effectiveness of residence restrictions in preventing sex offense recidivism. *Crime & Delinquency*, 58(4), 491-513.
- +Northern Ireland Statistics and Research Agency. (2016). *Research into the experiences of victims of sexual abuse/violence: Summary of key findings*. Department of Justice.
- ^Novak, H. A. (2016). *An evaluation of the impact of locus of control on public perceptions and support of policies that govern sexual offenders* (Publication No. 10010840) [Doctoral dissertation, William James College]. ProQuest Dissertations and Theses Global.
- Nunes, K. L., Firestone, P., Wexler, A. F., Jensen, T. L., & Bradford, J. M. (2007). Incarceration and recidivism among sexual offenders. *Law and Human Behavior*, 31(3), 305-318.
- Orchowski, L. M., Grocott, L., Bogen, K. W., Ilegbusi, A., Amstadter, A. B., & Nugent, N. R. (2022). Barriers to reporting sexual violence: A qualitative analysis of #WhyIDidntReport. *Violence Against Women*, 28(14), 3530-3553.
- ^Olver, M.E., Barlow, A.A. (2010). Public attitudes toward sex offenders and their relationship to personality traits and demographic characteristics. *Behavioral Sciences & the Law*, 28(6), 832-849.
- Outlaw, M., & Ruback, R. (1999). Predictors and outcomes of victim restitution orders. *Justice Quarterly*, 16(4), 847-869.
- Pacheco, D., & Barnes, J. C. (2013). Sex offender residence restrictions: A systematic review of the literature. In K. Harrison & B. Rainey (Eds.), *The Wiley-Blackwell handbook of legal and ethical aspects of sex offender treatment and management* (pp. 424-444). Wiley.
- ^Palasinski, M., & Shortland, N. (2016). Individual determinants of punitive attitudes towards sexual and domestic abuse offenders. *Safer Communities*, 15(3), 125-133.
- ^Pals, A. M., Golding, J. M., & Levi, M. M. (2022). Perceptions of a plea agreement in cases of teacher and adolescent student sexual assault. *Journal of Child Sexual Abuse*, 31(8), 930-947.

- Pattavina, A., Long, J. S., Petrich, D. M., Byrne, J. M., Cullen, F. T., & Taxman, F. S. (2023). Revisiting the effectiveness of HOPE/swift-certain-fair supervision programs: A meta-analytic review. *Criminology & Public Policy*. doi: 10.1111/1745-9133.12635
- ^Payne, B. K., DeMichele, M., & Okafo, N. (2009). Attitudes about electronic monitoring: Minority and majority racial group differences. *Journal of Criminal Justice*, 37(2), 155-162.
- Payne, B. K., & Gaaney, R. R. (1998). A qualitative assessment of the pains experienced on electronic monitoring. *International Journal of Offender Therapy and Comparative Criminology*, 42(2), 149-163.
- ^Payne, B. K., Tewksbury, R., & Mustaine, E. E. (2010). Attitudes about rehabilitating sex offenders: Demographic, victimization, and community-level influences. *Journal of Criminal Justice*, 38(4), 580-588.
- ^Peleg-Koriat, I., & Klar-Chalamish, C. (2020). The #MeToo movement and restorative justice: Exploring the views of the public. *Contemporary Justice Review*, 23(1), 1-22.
- Petersilia, J., & Turner, S. (1993). Intensive probation and parole. In M. Tonry (Ed.), *Crime and justice: A review of research* (pp. 281-335). University of Chicago Press.
- Petrunik, M. (2003). The hare and the tortoise: Dangerousness and sex offender policy in the United States and Canada. *Canadian Journal of Criminology and Criminal Justice*, 45(1), 43-72.
- Phillips, J., & Vandenbroek, P. (2014). *Domestic, family and sexual violence in Australia: An overview of the issues*. Parliament of Australia.
- ^Pickett, J. T., Mancini, C., & Mears, D. P. (2013). Vulnerable victims, monstrous offenders, and unmanageable risk: Explaining public opinion on the social control of sex crime. *Criminology*, 51(3), 729-759.
- Piquero, A. R., & Jennings, W. G. (2017). Research note: Justice system-imposed financial penalties increase the likelihood of recidivism in a sample of adolescent offenders. *Youth Violence and Juvenile Justice*, 15(3), 325-340.
- Politoff, V., Crabbe, M., Honey, N., Mannix, S., Mickle, J., Morgan, J., Parkes, A., Powell, A., Stubbs, J., Ward, A., & Webster, K. (2019). *Young Australians' attitudes to violence against women and gender equality: Findings from the 2017 National Community Attitudes towards Violence against Women Survey (NCAS)*. ANROWS.
- Pratt, J. (2006). *Penal populism*. Routledge.
- Pratt, T. C. (2009). *Addicted to incarceration: Corrections policy and the politics of misinformation in the United States*. Sage.
- *Prescott, J. J., & Rockoff, J. E. (2011). Do sex offender registration and notification laws affect criminal behavior? *Journal of Law and Economics*, 54(1), 161-206.
- Prison Reform Trust. (2015). *Information booklet for people on licence for a sex offence*. Prison Reform Trust.
- Przybylski, R. (2015). *Recidivism of adult sexual offenders*. U.S. Department of Justice.
- Puddy, R. W. & Wilkins, N. (2011). *Understanding evidence part 1: Best available research evidence. A guide to the continuum of evidence of effectiveness*. Centers for Disease Control and Prevention.
- Queensland Government Statistician's Office. (2020). *Factors associated with the outcomes of community-based corrections orders: Summary report*. Queensland Treasury.
- Queensland Law Reform Commission. (2020). *Review of consent laws and the excuse of mistake of fact* (Report No. 70). Queensland Law Reform Commission.

- Queensland Productivity Commission. (2019). *Summary report: Imprisonment and recidivism*. Queensland Productivity Commission.
- Queensland Productivity Commission. (2021). *Australia's prison dilemma*. Queensland Productivity Commission.
- Queensland Sentencing Advisory Council. (2022). *Sentencing spotlight on rape*. Queensland Sentencing Advisory Council.
- Queensland Sentencing Advisory Council. (2023). *Queensland sentencing guide*. Queensland Sentencing Advisory Council.
- ^Quezada, S. L. (2014). *Public's perception of sex offenders and the efficacy of community notification policies: A national public opinion study* (Publication No. 3630554) [Doctoral dissertation, Alliant International University]. ProQuest Dissertations and Theses Global.
- Quilter, J., & Hogg, R. (2018). The hidden punitiveness of fines. *International Journal for Crime, Justice and Social Democracy*, 7(3), 9-40.
- ^Rade, C. B., Desmarais, S. L., & Mitchell, R. E. (2016). A meta-analysis of public attitudes toward ex-offenders. *Criminal Justice & Behavior*, 43(9), 1260-1280.
- ^Redlich, A. D. (2001). Community notification: Perceptions of its effectiveness in preventing child sexual abuse. *Journal of Child Sexual Abuse*, 10(3), 91-116.
- Reitzel, L. R., & Carbonell, J. L. (2006). The effectiveness of sexual offender treatment for juveniles as measured by recidivism: a meta-analysis. *Sexual Abuse*, 18(4), 401-421.
- Renzema, M., & Mayo-Wilson, E. (2005). Can electronic monitoring reduce crime for moderate to high-risk offenders? *Journal of Experimental Criminology*, 1(2), 215-237.
- Rettenberger, M., Briken, P., Turner, D., & Eher, R. (2015). Sexual offender recidivism among a population-based prison sample. *International Journal of Offender Therapy and Comparative Criminology*, 59(4), 424-444.
- Richards, K., Death, J., & McCartan, K. (2020). *Community-based approaches to sexual offender reintegration*. ANROWS.
- +Richards, K., Death, J., & Ronken, C. (2021). What do victim/survivors of sexual violence think about Circles of Support and Accountability? *Victims & Offenders*, 16(6), 893-911.
- Richter, M., Ryser, B., & Hostettler, U. (2021). Punitiveness of electronic monitoring: Perception and experience of an alternative sanction. *European Journal of Probation*, 13(3), 262-281.
- Robertiello, G., & Terry, K. J. (2007). Can we profile sex offenders? A review of sex offender typologies. *Aggression and Violent Behavior*, 12(5), 508-518.
- Roberts, L. D., & Indermaur, D. (2007). Predicting punitive attitudes in Australia. *Psychiatry, Psychology and Law*, 14(1), 56-65.
- Roberts, J. V., & Stalans, L. (2000). *Public opinion, crime and criminal justice*. Westview Press.
- Roberts, J. V., Stalans, L. J., Indermaur, D., & Hough, M. (2003). *Penal populism and public opinion: Lessons from five countries*. Oxford University Press.
- Robinson, C. R., Lowenkamp, C. T., Holsinger, A. M., VanBenschoten, S., Alexander, M., & Oleson, J. C. (2012). A random study of Staff Training Aimed at Reducing Re-arrest (STARR): Using core correctional practices in probation interactions. *Journal of Crime and Justice*, 35(2), 167-188.

- Robinson, C. R., VanBenschoten, S., Alexander, M., & Lowenkamp, C. (2011). A random (almost) study of Staff Training Aimed at Reducing Re-arrest (STARR): Reducing recidivism through intentional design. *Federal Probation, 75*(2), 57-63.
- ^Rogers, D. L. (2005). *Structural analysis of treatment and punishment attitudes toward offenders* (Publication No. 3180113) [Doctoral dissertation, Ohio State University]. ProQuest Dissertations & Theses Global.
- ^Rogers, D. L., & Ferguson, C. J. (2011). Punishment and rehabilitation attitudes toward sex offenders versus nonsexual offenders. *Journal of Aggression, Maltreatment & Trauma, 20*(4), 395-414.
- ^Rogers, P., Hirst, L., & Davies, M. (2011). An investigation into the effect of respondent gender, victim age, and perpetrator treatment on public attitudes towards sex offenders, sex offender treatment, and sex offender rehabilitation. *Journal of Offender Rehabilitation, 50*(8), 511-530.
- Roman, J. K., Liberman, A. M., Taxy, S., & Downey, P. M. (2012). *The costs and benefits of electronic monitoring for Washington, D.C.* Urban Institute.
- ^Rosselli, M. K., & Jeglic, E. L. (2017). Factors impacting upon attitudes toward sex offenders: The role of conservatism and knowledge. *Psychiatry, Psychology and Law, 24*(4), 496-515.
- Rotenberg, C. (2017). *From arrest to conviction: Court outcomes of police-reported sexual assaults in Canada, 2009 to 2014* (Catalogue no. 85-002-X). Statistics Canada.
- ^Russell, K., & Evans, W. (2021). Exploring perceptions of safety: developing safety and support measures to assess public attitudes of sex offense registration. *Justice Policy Journal, 18*(2), 1-19.
- Ryan, S., Eldridge, A., Duffy, C., Crawley, E., & O'Brien, C. (2022). Resettle intensive intervention and risk management service (IIRMS): A pathway to desistance? *Journal of Forensic Practice, 24*(4), 364-375.
- ^Rydberg, J., Dum, C. P., & Socia, K. M. (2018). Nobody gives a #%&! : A factorial survey examining the effect of criminological evidence on opposition to sex offender residence restrictions. *Journal of Experimental Criminology, 14*(4), 541-550.
- Salerno, J. M., Stevenson, M. C., Wiley, T. R., Najdowski, C. J., Bottoms, B. L., & Doran, R. A. (2010). Public attitudes toward applying sex offender registration laws to juvenile offenders. In J. M. Lampinen & K. Sexton-Radek (Eds.), *Protecting children from violence: Evidence-based interventions* (pp. 193-217). Taylor & Francis.
- Sampson, R. J., & Laub, J. H. (1993). *Crime in the making: Pathways and turning points through life*. Harvard University Press.
- Sánchez de Ribera, O., Christensen, L. S., Trajtenberg, N., & Hudson, K. (2023). Public perceptions toward community management policies for individuals convicted of sexual offenses: A systematic review and meta-analysis. *Trauma, Violence, & Abuse*. doi: 15248380231174695
- Sanders, T., & Roberts, J. V. (2000). Public attitudes toward conditional sentencing: Results of a national survey. *Canadian Journal of Behavioural Science, 32*(4), 199-207.
- *Sandler, J. C., Freeman, N. J., & Socia, K. M. (2008). Does a watched pot boil? A time-series analysis of New York state's sex offender registration and notification law. *Psychology, Public Policy, and Law, 14*(4), 284-302.
- ^Sato, M., & Hough, M. (2015). Information and punitiveness: Trial reconstruction in Ireland. *Journal of Criminological Research and Practice, 1*(2), 90-98.
- Savage, J., & Windsor, C. (2018). Sex offender residence restrictions and sex crimes against children: A comprehensive review. *Aggression and Violent Behavior, 43*(6), 13-25.

- Schaefer, L. (2018). Environmental corrections: An application of environmental criminological theories to community corrections practices. *Advancing Corrections*, 5(1), 22-33.
- Schaefer, L. (2021). Routine activity theory. In H. Pontell (Ed.), *Oxford research encyclopedia of criminology and criminal justice*. Oxford University Press.
- Schaefer, L., & Beriman, M. (2019). Problem-solving courts in Australia: A review of problems and solutions. *Victims & Offenders*, 14(3), 344-359.
- Schaefer, L., & Brewer, S. (2022). Probation and parole: From control to case management. In E. Jeglic & C. Calkins (Eds.), *Handbook of Issues in Criminal Justice Reform* (pp. 275-290). Springer.
- Schaefer, L., Cullen, F. T., & Eck, J. E. (2016). *Environmental corrections: A new paradigm for supervising offenders in the community*. Sage.
- Schaefer, L., Eck, J. E., & Cullen, F. T. (2014). *POP Guide: Monitoring offenders on conditional release*. Center for Problem-Oriented Policing, U.S. Department of Justice.
- Schaefer, L., & Egan, C. (2022). Problem-solving courts in Australia. In M. Camilleri, A. Harkness, & R. Hale (Eds.), *Australian courts: Controversies, challenges, and change* (pp. 197-220). Palgrave.
- Schaefer, L., & Little, S. (2020). A quasi-experimental evaluation of the “environmental corrections” model of probation and parole. *Journal of Experimental Criminology*, 16(4), 535-553.
- Schaefer, L., & Moir, E. (2023). The elderly. In A. Workman, R. Kaddour, & P. M. Griffin (Eds.), *Culture, diversity & criminal justice: Towards culturally safe justice systems* (pp. 139-150). Routledge.
- Schaefer, L., & Rynne, J. (2020). Corrections. In H. Hayes & T. Prenzler (Eds.), *An introduction to crime and criminology* (5th ed., pp. 304-323). Pearson.
- Schaefer, L., Townsley, M., & Hutchins, B. (2022a). *Can family and friends improve probation and parole outcomes? A quantitative evaluation of Triple-S: Social Supports in Supervision*. Australian Institute of Criminology.
- Schaefer, L., Townsley, M., & Hutchins, B. (2022b). Can family and friends improve probation and parole outcomes? A quantitative evaluation of Triple-S: Social Supports in Supervision. *Trends & Issues in Crime and Criminal Justice*, 654, 1-21.
- Schaefer, L., & Williams, G. C. (2019). Effective principles of punishment. In R. D. Morgan (Ed.), *The SAGE encyclopedia of criminal psychology* (Vol. 3, pp. 1207-1210). Sage.
- Schaefer, L., Williams, G. C., & Moir, E. (2022). Opportunity-reduction supervision strategies with domestic and family violence probationers and parolees. *Frontiers in Psychology* (Special Issue: New Perspectives on Gender Based Violence: From Research to Intervention), 13:878544.
- ^Schiavone, S. K., & Jeglic, E. L. (2009). Public perception of sex offender social policies and the impact on sex offenders. *International Journal of Offender Therapy and Comparative Criminology*, 53(6), 679-695.
- Schlicht, M. (2023). *The cost of prisons in Australia: 2023*. Institute of Public Affairs.
- Schmucker, M., & Lösel, F. (2008). Does sexual offender treatment work? A systematic review of outcome evaluations. *Psicothema*, 20(1), 10-19.
- *Schmucker, M., & Lösel, F. (2015). The effects of sexual offender treatment on recidivism: An international meta-analysis of sound quality evaluations. *Journal of Experimental Criminology*, 11(4), 597-630.

- Schmucker, M., & Lösel, F. (2017). Sexual offender treatment for reducing recidivism among convicted sex offenders: A systematic review and meta-analysis. *Campbell Systematic Reviews*, 13(1), 1-75.
- ^Schneider, L. J., Mori, L. T., Lambert, P. L., & Wong, A. O. (2009). The role of gender and ethnicity in perceptions of rape and its aftereffects. *Sex Roles*, 60(5-6), 410-421.
- Schram, D., & Milloy, C. D. (1998). *A study of the characteristics and recidivism rates of sex offenders considered for civil commitment but for whom proceedings were declined*. Washington State Institute for Public Policy.
- ^Schwarz, S., Baum, M. A., & Cohen, D. K. (2022). (Sex) crime and punishment in the# MeToo era: How the public views rape. *Political Behavior*, 44(1), 75-104.
- Scurich, N., & John, R. S. (2019). The dark figure of sexual recidivism. *Behavioral Sciences & the Law*, 37(2), 158-175.
- Sentencing Advisory Council. (2019). *Public opinion about sentencing: A research overview*. Victoria State Government.
- Shepherd, S. M., Ogloff, J. R. P., & Thomas, S. D. M. (2016). Are Australian prisons meeting the needs of Indigenous offenders? *Health Justice*, 4(13), 1-9.
- Simons, D. A. (2015). *Adult sex offender typologies*. U.S. Department of Justice.
- Sjöstedt, G., & Långström, N. (2002). Assessment of risk for criminal recidivism among rapists: A comparison of four different measures. *Psychology, Crime & Law*, 8(1), 25-40.
- Smallbone, S., & McHugh, M. (2010). *Outcomes of Queensland Corrective Services sexual offender treatment programs*. Griffith University.
- Smallbone, S., & Wortley, R. (2000). *Child sexual abuse in Queensland: Offender characteristics and modus operandi*. Griffith University.
- Smid, W. J., Kamphuis, J. H., Wever, E. C., & Van Beek, D. (2013). Treatment Referral for sex offenders based on clinical judgment versus actuarial risk assessment: match and analysis of mismatch. *Journal of Interpersonal Violence*, 28(11), 2273-2289.
- *Smid, W. J., Kamphuis, J. H., Wever, E. C., & Van Beek, D. J. (2016). A quasi-experimental evaluation of high-intensity inpatient sex offender treatment in the Netherlands. *Sexual Abuse*, 28(5), 469-485.
- Smith, P., Gendreau, P., & Swartz, K. (2009). Validating the principles of effective intervention: A systematic review of the contributions of meta-analysis in the field of corrections. *Victims and Offenders*, 4(2), 148-169.
- Socia, K. M. (2013). State residence restrictions and forcible rape rates: A multistate quasi-experimental analysis of UCR data. *Sexual Abuse*, 27(2), 205-227.
- ^Socia, K. M., & Harris, A. J. (2016). Evaluating public perceptions of the risk presented by registered sex offenders: Evidence of crime control theater? *Psychology, Public Policy, and Law*, 22(4), 375-385.
- ^Socia, K. M., Rydberg, J., & Dum, C. P. (2021). Punitive attitudes toward individuals convicted of sex offenses: A vignette study. *Justice Quarterly*, 38(6), 1262-1289.
- Socia, K. M., & Stamatel, J. P. (2010). Assumptions and evidence behind sex offender laws: Registration, community notification, and residence restrictions. *Sociology Compass*, 4(1), 1-20.
- Sofronoff, W. (2016). *Queensland parole system review: Final report*. Queensland Government.

- Sorrentino, R., Brown, A., Berard, B., & Peretti, K. (2018). Sex offenders: General information and treatment. *Psychiatric Annals*, *48*(2), 120-128.
- ^Sparks, B. (2021). Attitudes toward the punishment of juvenile and adult sexual offenders in Canada: The roles of sentencing goals and criminal justice motivations. *Journal of Child Sexual Abuse*, *30*(2), 125-145.
- ^Spoo, S., Kaylor, L. E., Schaaf, S., Rosselli, M., Laake, A., Johnson, C., & Jeglic, E. L. (2018). Victims' attitudes toward sex offenders and sex offender legislation. *International Journal of Offender Therapy and Comparative Criminology*, *62*(11), 3385-3407.
- #Stalans, L. J., & Olson, D. (2010). *Assessing the risk of sexual and violent recidivism and identifying differences in risk factors: Comparing probation supervised and released imprisoned sex offenders*. Illinois Criminal Justice Information Authority.
- Stalans, L. J., Seng, M., Yarnold, P. R. (2002). *Long-term impact evaluation of specialized sex-offender probation programs in Lake, DuPage & Winnebago counties*. Illinois Criminal Justice Information Authority.
- Sreenivasan, S., Kirkish, P., Garrick, T., Weinberger, L. E., & Phenix, A. (2000). Actuarial risk assessment models: A review of critical issues related to violence and sex-offender recidivism assessments. *Journal of the American Academy of Psychiatry and the Law*, *28*(4), 438-448.
- Stuart, S. M., McKimmie, B. M., & Masser, B. M. (2019). Rape perpetrators on trial: The effect of sexual assault-related schemas on attributions of blame. *Journal of Interpersonal Violence*, *34*(2), 310-336.
- Sydes, M., Eggins, E., & Mazerolle, L. (2018). *What works in corrections? A review of the evaluation literature*. University of Queensland.
- Sydes, M., Hine, L., Higginson, A., Dugan, L., & Mazerolle, L. (2022). PROTOCOL: Criminal justice interventions for preventing terrorism and radicalisation: An evidence and gap map. *Campbell Systematic Reviews*, *18*(3), e1273.
- Tait, D. (2001). *The effectiveness of criminal sanctions: A natural experiment*. Criminology Research Council.
- Tarczon, C., & Quadara, A. (2012). *The nature and extent of sexual assault and abuse in Australia*. Australian Centre for the Study of Sexual Assault.
- ^Tasmanian Sentencing Advisory Council. (2015). *Final report: Sex offence sentencing*. Department of Justice.
- Taxman, F. S. (2002). Supervision: Exploring the dimensions of effectiveness. *Federal Probation*, *66*(2), 14-27.
- Taxman, F. S. (2006). What should we expect from parole (and probation) under a behavioral management approach? *Perspectives*, *30*(2), 38-45.
- Taxman, F. S. (2008). No illusions: Offender and organizational change in Maryland's proactive community supervision efforts. *Criminology & Public Policy*, *7*(2), 275-302.
- Taxman, F. S. (2011). Parole: Moving the field forward through a new model of behavioral management. In L. Gideon & H.-E. Sung (Eds.), *Rethinking corrections: Rehabilitation, reentry, and reintegration* (pp. 307-328). Sage.
- Taxman, F. S. (2012). Crime control in the twenty-first century: Science-based supervision (SBS). *Journal of Crime and Justice*, *35*(2), 135-144.
- Taylor, N., & Putt, J. (2007). *Adult sexual violence in Indigenous and culturally and linguistically diverse communities in Australia*. Australian Institute of Criminology.
- ^Taylor, S. C. (2017). Community perceptions of a public sex offender registry introduced in Western Australia. *Police Practice & Research*, *18*(3), 275-290.

- Taylor, S. C., & Gassner, L. (2010) Stemming the flow: Challenges for policing adult sexual assault with regard to attrition rates and under-reporting of sexual offences. *Police Practice and Research*, 11(3), 240-255.
- Tewksbury, R. (2012). Stigmatization of sex offenders. *Deviant Behavior*, 33(8), 606-623.
- *Tewksbury, R. (2014). Evidence of ineffectiveness: Advancing the argument against sex offender residence restrictions. *Criminology & Public Policy*, 13(1), 135-138.
- *Tewksbury, R., Jennings, W. G., & Zgoba, K. M. (2012). A longitudinal examination of sex offender recidivism prior to and following the implementation of SORN. *Behavioral Sciences & the Law*, 30(3), 308-328.
- Tewksbury, R., & Lees, M. B. (2007). Perceptions of punishment: How registered sex offenders view registries. *Crime & Delinquency*, 53(3), 380-407.
- Thomas, C. (2023). Juries, rape and sexual offences in the Crown Court 2007-21. *Criminal Law Review*, 3(1), 197-222.
- Tidmarsh, P., & Hamilton, G. (2020). Misconceptions of sexual crimes against adult victims: Barriers to justice. *Trends & Issues in Crime and Criminal Justice*, 611, 1-18.
- *Turner, S., Chamberlain, A., Jannetta, J., & Hess, J. (2015). Does GPS improve recidivism among high risk sex offenders? Outcomes for California's GPS pilot for high risk sex offenders. *Victims & Offenders*, 10(1), 1-28.
- Tyler, N., Gannon, T. A., & Olver, M. E. (2021). Does treatment for sexual offending work? *Current Psychiatry Reports*, 23(8), 51-59.
- Vandiver, D. M., & Walker, J. T. (2002). Female sex offenders: An overview and analysis of 40 Cases. *Criminal Justice Review*, 27(2), 284-300.
- *Vasquez, B. E., Maddan, S., & Walker, J. T. (2008). The influence of sex offender registration and notification laws in the United States: A time-series analysis. *Crime & Delinquency*, 54(2), 175-192.
- +Victims of Crime Coordinator. (2009). *A rollercoaster ride. Victims of sexual assault: Their experiences with and views about the criminal justice process in the ACT*. Australian Capital Territory Government.
- +Victorian Law Reform Commission. (2021a). *Improving the justice system responses to sexual offences*. Victorian Government.
- +Victorian Law Reform Commission. (2021b). *Improving the responses of the justice system to sexual offences. Summary of responses to online feedback form from people with experience of sexual assault*. https://lawreform.vic.gov.au/sex_offences_2020/issues_papers
- Viglione, J. (2019). The risk-need-responsivity model: How do probation officers implement the principles of effective intervention? *Criminal Justice and Behavior*, 46(5), 655-673.
- Villettaz, P., Gillieron, G., & Killias, M. (2015). The effects on re-offending of custodial vs. non-custodial sanctions: An updated systematic review of the state of knowledge. *Campbell Systematic Reviews*, 11(1), 1-92.
- *von Franqué, F., & Briken, P. (2021). Mandated or voluntary treatment of men who committed child sexual abuse: Is there a difference? *Frontiers in Psychiatry*, 12, 708210.
- Wall, L., & Quadara, A. (2014). Under the influence? Considering the role of alcohol and sexual assault in social contexts. *ACSSA (Australian Centre for the Study of Sexual Assault) Issues*, 18, 1-22.
- Wan, W.-Y., Poynton, S., & Weatherburn, D. (2016). Does parole supervision reduce the risk of reoffending? *Australian & New Zealand Journal of Criminology*, 49(4), 497-511.

- ^Warner, K., Bartels, L., & Gelb, K. (2022). Jurisdictional differences in sentencing practice: Insights from the National Jury Sentencing study. *Judicial Officers Bulletin*, 34(3), 27-31.
- ^Warner, K., & Davis, J. (2012). Using jurors to explore public attitudes to sentencing. *British Journal of Criminology*, 52(1), 93-112.
- ^Warner, K., Davis, J., Spiranovic, C., Cockburn, H., & Freiberg, A. (2017). Measuring jurors' views on sentencing: Results from the second Australian jury sentencing study. *Punishment & Society*, 19(2), 180-202.
- ^Warner, K., Davis, J., Walter, M., Bradfield, R., & Vermey, R. (2009). Gauging public opinion on sentencing: Can asking jurors help? *Trends & Issues in Crime and Criminal Justice*, 371, 1-6.
- Warner, K., Davis, J., Walter, M., Bradfield, R., & Vermey, R. (2010). *Jury sentencing survey*. Criminology Research Council.
- ^Warner, K., Davis, J., Walter, M., Bradfield, R., & Vermey, R. (2011). Public judgement on sentencing: Final results from the Tasmanian Jury Sentencing Study. *Trends & Issues in Crime and Criminal Justice*, 407, 1-6.
- ^Warner, K., Spiranovic, C., Bartels, L., Gelb, K., & Roberts, L. (2021). Public perspectives on judges' reasons for sentence. *Australian Law Journal*, 95(9), 685-694.
- ^Warner, K., Spiranovic, C., Bartels, L., Roberts, L., & Gelb, K. (2022). Juror and community views of the guilty plea sentencing discount: Findings from a national Australian study. *Criminology & Criminal Justice*, 22(1), 78-96.
- Webster, K., Diemer, K., Honey, N., Mannix, S., Mickle, J., Morgan, J., Parkes, A., Politoff, V., Powell, A., Stubbs, J., & Ward, A. (2017). *Australians' attitudes to violence against women and gender equality: Findings from the 2017 National Community Attitudes Survey towards Violence against Women Survey*. ANROWS.
- ^Weimann-Saks, D., Peleg-Koriat, I., & Halperin, E. (2022). Incremental beliefs and public attitudes toward restorative justice: The cases of sexual, violent and property offenses. *Journal of Offender Rehabilitation*, 61(4), 169-187.
- Wevodau, A. L., Cramer, R. J., Gemberling, T. M., & Clark III, J. W. (2016). A psychometric assessment of the Community Attitudes Toward Sex Offenders (CATSO) Scale: Implications for public policy, trial, and research. *Psychology, Public Policy, and Law*, 22(2), 211-220.
- Williams, G. C., & Schaefer, L. (2021). Expanding desistance theory through the integration of offender strategies. *Journal of Crime and Justice*, 44(1), 16-32.
- Williams, G. C., & Schaefer, L. (2022). Proposed principles for procedurally just probation and parole practices. *Corrections: Policy, Practice and Review*. doi: 10.1080/23774657.2022.2048978
- #Williams-Taylor, L. A. (2009). *Measuring the impact of New York City's Specially Targeted Offenders Project on sex offender recidivism* (Publication No. 3372776) [Doctoral dissertation, City University of New York]. ProQuest Dissertations & Theses Global.
- Wilson, R. J., Cortoni, F., & McWhinnie, A. J. (2009). Circles of Support & Accountability: A Canadian national replication of outcome findings. *Sexual Abuse*, 21(4), 412-430.
- Wilson, R. J., Picheca, J. E., & Prinzo, M. (2007). Evaluating the effectiveness of professionally-facilitated volunteerism in the community-based management of high-risk sexual offenders: Part one – Effects on participants and stakeholders. *The Howard Journal of Criminal Justice*, 46(3), 289-302.
- ^Wnuk, D., Chapman, J. E., & Jeglic, E. L. (2006). Development and refinement of a measure of attitudes toward sex offender treatment. *Journal of Offender Rehabilitation*, 43(3), 35-47.

- ^Woodward, V. H. (2009). *Predicting views of sex offenders and sex offender policies through life experiences* (Publication No. 1466747) [Master's thesis, East Tennessee State University]. ProQuest Dissertations and Theses Global.
- Women's Safety and Justice Taskforce. (2022). *Hear her voice: Women and girls' experiences across the criminal justice system*. Women's Safety and Justice Taskforce.
- World Health Organization. (2010). *Preventing intimate partner and sexual violence against women: Taking action and generating evidence*. World Health Organization.
- World Health Organization. (2019). *Violence against women: Intimate partner and sexual violence against women*. World Health Organization.
- Wortley, R. (2001). A classification of techniques for controlling situational precipitators of crime. *Security Journal*, 14(4), 63-82.
- Wortley, R., & Smallbone, S. (2006). Applying situational principles to sexual offending against children. *Crime Prevention Studies*, 19(1), 7-35.
- Wren, E., & Bartels, L. (2014). Guilty, your honour: Recent legislative developments on the guilty plea discount and an Australian Capital Territory case study on its operation. *Adelaide Law Review*, 35(2), 361-384.
- ^Wurtele, S. K. (2021). "They're not monsters!" Changing university students' perceptions of child sex offenders through education and contact. *Journal of Criminal Justice Education*, 32(2), 201-215.
- Yates, P. M., & Ward, T. (2008). Good lives, self-regulation, and risk management: An integrated model of sexual offender assessment and treatment. *Sexual Abuse in Australia and New Zealand*, 1(1), 3-20.
- Yukhnenko D, Wolf A, Blackwood N, Fazel S (2019) Recidivism rates in individuals receiving community sentences: A systematic review. *PLoS ONE*, 14(9), e0222495.
- ^Zack, E., Lang, J. T., & Dirks, D. (2018). "It must be great being a female pedophile!": The nature of public perceptions about female teacher sex offenders. *Crime, Media, Culture: An International Journal*, 14(1), 61-79.
- Zahnow, R., Bennett, S., Bates, L., Antrobus, E., & Irvine, C. (2022). An analysis of the effect of social norms on payment of speeding fines. *Psychology, Crime & Law*. doi: 10.1080/1068316X.2022.2104278
- *Zeidler, C. F. (2016). *Psychoneuroimmunology: Enhancing treatment efficacy and reducing sexual offender recidivism in court-mandated treatment* (Publication No. 10305582) [Doctoral dissertation, Antioch University Santa Barbara]. ProQuest Dissertations and Theses Global.
- *Zevitz, R. G. (2006). Sex offender community notification: Its role in recidivism and offender reintegration. *Criminal Justice Studies*, 19(2), 190-208.
- ^Zgoba, K. M., & Cowan, D. (2020). Sexual offense legislation across the pond: A review of community sentiment toward the United Kingdom's implementation of Sarah's Law. *Sexual Abuse*, 32(4), 476-496.
- *Zgoba, K. M., Jennings, W. G., & Salerno, L. M. (2018). Megan's Law 20 years later: An empirical analysis and policy review. *Criminal Justice and Behavior*, 45(7), 1028-1046.
- Zgoba, K. M., & Levenson, J. (2008). Variations in the recidivism of treated and nontreated sexual offenders in New Jersey: An examination of three time frames. *Victims & Offenders*, 3(1), 10-30.
- *Zgoba, K. M., & Mitchell, M. M. (2021). The effectiveness of sex offender registration and notification: A meta-analysis of 25 years of findings. *Journal of Experimental Criminology*, 19(6), 71-96.

*Zgoba, K., Veysey, B. M., & Dalessandro, M. (2009). An analysis of the effectiveness of community notification and registration: Do the best intentions predict the best practices? *Justice Quarterly*, 27(5), 667-691.

Legislation

Criminal Code Act 1899 (Qld)

Dangerous Prisoners (Sexual Offenders) Act 2003 (Qld)

Penalties and Sentences Act 1992 (Qld)

Youth Justice Act 1992 (Qld)

