



Criminological Highlights: **Children and Youth**

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This issue of *Criminological Highlights: Children and Youth* addresses the following questions:

1. What determines whether the incarceration of a parent makes things worse for the person left caring for the prisoner's children?
2. What should be the first challenge for those running programs aimed at reducing the involvement of youths in gangs?
3. Why are Black youths more likely to be involved in violence than White youths?
4. Do judges really set aside coerced confessions in their decisions concerning guilt?
5. Where should treatment programs for youths be located?
6. In what kinds of cases would ordinary citizens prefer the sentence to focus on rehabilitation rather than simple punishment?

Criminological Highlights is designed to provide an accessible look at some of the more interesting criminological research that is currently being published. These summaries of high quality, policy related, published research are produced by the Centre for Criminology & Sociolegal Studies at the University of Toronto. The *Children and Youth* edition constitutes a selection of these summaries (from the full edition) chosen by researchers at the National Center for Juvenile Justice and the University of Toronto. It is designed for those people especially interested in matters related to children and youth. Each issue of the *Children and Youth* edition contains "Headlines and Conclusions" for each of 6 articles, followed by one-page summaries of each article.

Criminological Highlights is prepared at the University of Toronto by Anthony Doob, Rosemary Gartner, John Beattie, Scot Wortley, Holly Campeau, Carla Cesaroni, Tom Finlay, Maria Jung, Alexandra Lysova, Natasha Madon, Katharina Maier, Voula Marinou, Nicole Myers, Holly Pelvin, Andrea Shier, Jane Sprott, Sara Thompson, and Kimberly Varma. The *Children and Youth* edition is compiled by Melissa Sickmund at NCJJ and Anthony Doob and Rosemary Gartner at the University of Toronto. Views – expressed or implied – in this publication are not necessarily those of the Ontario Ministry of the Attorney General, the National Center for Juvenile Justice, or the National Council of Juvenile and Family Court Judges.

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Although parental incarceration is likely to have negative consequences on the prisoner’s children and those taking care of the prisoner’s children, the actual effect depends on the dynamics of the pre-existing relationships among prisoners, their families, and the caregivers.

The factors that were important in determining the impact on caregivers of children of incarcerated parents appeared to be the same across types of caregivers. The pre-existing relationship with the incarcerated parent, and financial and emotional support from friends and families were important in understanding the impact on the caregiver. For example, incarcerated mothers, in this study, appeared to have been different from incarcerated fathers in that they were more likely to have experienced various serious life traumas. Many of the remaining family members (fathers, grandparents) had distanced themselves from the mother prior to the incarceration. Hence the impact of her incarceration was not seen as being as negative as the incarceration of the father. This finding underlines the importance of understanding the nature of the pre-existing relationships. Prior parental involvement, support systems, and interpersonal relationships combine to determine what the impact will be on those caring for the prisoner’s child.

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Those running anti-gang programs designed to target youths most at risk of gang involvement are not always successful in attracting such youths to their programs.

These findings suggest “that the ability of local agencies to identify youths most at risk for delinquency and gang membership should not be taken for granted” (p. 286). The various social service providers in the city were given contracts to identify youths most at risk. Obviously these youths were hard to identify and, probably, even harder to bring to the program. But not only are the most ‘at risk’ youth not being targeted, it is well established that lower risk youths do not benefit from intensive programs, and indeed in some cases appear to respond to intervention programs by *increasing* their involvement in delinquent acts (see *Criminological Highlights*, V5N4#1). In other studies it has been demonstrated that many of those involved in programs have self-selected into the program. The programs, then, may quite possibly be “targeting ‘success prone’ clients, while excluding those individuals who may be more difficult to change – a practice [that is apparently] widespread in crime and delinquency interventions” (p. 287).

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Black-White differences in involvement in adolescent violence can be explained by examining the effects of differences in the neighbourhoods in which youths live and in the schools that they attend.

“These results support the view that neighbourhood and family disadvantages have detrimental repercussions for the acquisition of verbal ability which, in term, serves as a significant protective factor against violence” (p. 153). Because Black youths are more likely to grow up in disadvantaged neighbourhoods, it follows that they would be more likely to have lower levels of verbal ability. This in turn disadvantages Black youths in school and in later life. It would appear that “interventions to improve conditions in poor neighbourhoods” and to strengthen “families and early childhood learning in distressed neighbourhoods may help reduce the substantial risk for violence associated with frustration and in some cases failure in school” (p. 156). Policies that address neighbourhood and educational disadvantage, then, may be good crime control policies and could, in addition, reduce youth violence by Black youths to levels exhibited by White youths.

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Judges are very good at recognizing coerced confessions by accused people. Nevertheless, in the absence of strong evidence, judges appear to be willing to convict an accused on the basis of the coerced confession.

Judges had no difficulty identifying coerced confessions. Nevertheless, they gave confession evidence a lot of weight. On the basis of an uncorroborated low-pressure confession, guilty verdicts in the ‘weak evidence’ conditions went from 17% to 95%. More surprising is the fact that with essentially no other evidence, a confession obtained with substantial coercion increased the judges’ guilty findings from 17% to 69%. At the same time, judges generally, but not always, identified the ‘high pressure’ confession as being coerced, and saw its admission as being prejudicial. Nevertheless, when asked to decide whether the accused should be found guilty, perceptions of evidence strength predicted the verdict while ratings of the voluntariness of the confession did not, even though the coerced confession was responsible for the significant increase in the ratings of the strength of the evidence.

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If courts want youths on probation to complete non-custodial treatment programs, it would be helpful to ensure that the program was administered at a location close to the youth’s home.

Previous work has found a relationship between the density of rehabilitative services in a community and the likelihood of successful reintegration of those released from prison on parole (*Criminological Highlights* V11N6#3). It may well be that the importance of the density of services is that those parolees released into well serviced neighbourhoods don’t need to go far to receive services. In this study, simply living close to the location of the rehabilitative program meant that the youth was more likely to complete the program. These findings suggest that those responsible for rehabilitative services should consider two things. First, services should be located in close geographic proximity to the clients that the service is meant to serve. Second, judges and probation officers who require youths to attend services should take into account the distance from the youth’s home and the service. Those assigning youths to rehabilitative services should be cautious in requiring youths to attend services that are distant from their homes.

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When asked what purposes sentences should attempt to serve, ordinary citizens’ preferences depended on the age of the offender, the offence, and the criminal record of the offender.

The results demonstrate that ordinary citizens “take into consideration offence type, offender age and offence history when determining the most appropriate purpose of sentencing” (p. 301). It would appear, then, that the public is more nuanced in its approach to the sentencing decision than is often presumed. Findings such as these that suggest that the public views sentences as being too lenient need to be interpreted in the context of these findings that demonstrate quite clearly that, as with sentencing courts, members of the general public consider the specifics of each case as they weigh the importance of various sentencing purposes.

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Although parental incarceration is likely to have negative consequences on the prisoner's children and those taking care of the prisoner's children, the actual effect depends on the dynamics of the pre-existing relationships among prisoners, their families, and the caregivers.

Research on the impact of parental incarceration has generally shown that the impact on the prisoner's children (and spouses) is generally negative (e.g., *Criminological Highlights* V1N1#6, V9N5#6, V12N5#1, V12N6#7&8, V13N1#7). However, this research typically ignores the nature of the pre-existing relationship between prisoners and their families.

This study reports the results of detailed in-depth interviews with 100 caregivers of children with at least one incarcerated parent – 54 fathers, 44 mothers, and two children with both parents incarcerated. Caregivers were the mother (n=39) or grandparents (n=40), fathers (n=12) or other family members (n=9). In most cases (n=58), the caregiver reported that parental incarceration had an overall negative impact on their lives, though in 20 cases there was a positive effect for the caregiver. In the remaining 22 cases, the caregiver reported no overall impact.

Negative impacts were easy to find: there was added financial stress on the family, but also the caregivers were left with fewer people who could help out in child rearing. There were many reports of additional emotional stress on the caregiver as a result of the child's distress at the loss of a parent. "Many of these caregivers reported feeling 'helpless,' 'overly stretched,' and 'lost'" (p. 941). On the other hand, the impact was not always negative. Some prisoners, when in the community, had been inconsistent or dysfunctional parents. Their absence, then, made life for the (remaining) caregiver somewhat easier. Caregivers who reported that there was no impact

of the incarceration of the parent typically said that the prisoner had not been very involved in raising the child; hence the absence of the parent made no real difference. "To assess the impact of incarceration on families, the extent and degree of parental involvement prior to incarceration must be considered... . Not all parents are involved in their children's lives" (p. 936).

"Those [caregivers] who experienced a positive change [in their lives] reported having supportive family systems in their lives... For many, ... family support was present before the incarceration of the parent and remained a key source of assistance in their ability to provide for their children" (p. 942). "Caregivers with cohesive, integrated family support systems fared differently... Variation in family support is critical for understanding whether caregivers will experience positive or negative changes in life circumstances as a result of parental incarceration" (p. 943).

Conclusion: The factors that were important in determining the impact on caregivers of children of incarcerated parents appeared to be the same across types of caregivers. The pre-existing

relationship with the incarcerated parent, and financial and emotional support from friends and families were important in understanding the impact on the caregiver. For example, incarcerated mothers, in this study, appeared to have been different from incarcerated fathers in that they were more likely to have experienced various serious life traumas. Many of the remaining family members (fathers, grandparents) had distanced themselves from the mother prior to the incarceration. Hence the impact of her incarceration was not seen as being as negative as the incarceration of the father. This finding underlines the importance of understanding the nature of the pre-existing relationships. Prior parental involvement, support systems, and interpersonal relationships combine to determine what the impact will be on those caring for the prisoner's child.

Reference: Turanovic, Jillian J., Nancy Rodriguez, and Travis C. Pratt (2012). The Collateral Consequences of Incarceration Revisited: A Qualitative Analysis of the Effects on Caregivers of Children of Incarcerated Parents. *Criminology*, 50 (4), 913-959.

Those running anti-gang programs designed to target youths most at risk of gang involvement are not always successful in attracting such youths to their programs.

In many cities, governments have made youth gang prevention and intervention in the lives of youths who might join gangs primary goals of their crime prevention programs. The logic of these programs is to target “high rate offenders, especially youth most at risk of future gang membership” (p. 279-280). While the logic is simple, there are two problems: identifying the most ‘at risk’ youths and getting them to participate in the program. The problem is that “only a small proportion of youth will ever become gang members... and very few youth have no risk factors associated with violence and gang membership, especially those who live in chronic gang communities. [Hence]... the identification of youths with one or two risk factors associated with gang membership provides little discriminate validity for proper risk classification [as potential gang members]” (p. 281).

This study examined a targeted gang intervention program in Cleveland, Ohio. The intervention was part of a national anti-gang initiative funded by the U.S. government. Two samples were compared. The first sample consisted of the 146 African American male youths who actively participated in the Cleveland program between 2007 and 2009. They were compared to 1,438 African American males in the metropolitan Cleveland area who were approximately the same age and were assessed in their schools during the same two year period. All respondents – those in the program and those assessed in school – were given a 57-item questionnaire assessing their “risks” across 11 domains. For the purpose of this study four domains known to be associated with gang membership and delinquency were examined: education, mental health, family, and delinquent peers.

The problem with the selection of youths for the gang-prevention program became evident when the four overall risk domains and 12 sub-domains were examined. There were significant differences between the two groups on three of the four domains – mental health,

family and delinquent peer groups. The problem was that the *non-program* (non-targeted) youths were significantly *more* at risk than were the targeted youths who were in the program. On education risks, there were no differences. But on seven of the nine other sub-domains the non-targeted youths were, on average *more* at risk than the youths who were in the program. Essentially, then, the youths in the program were, on average, less at risk of becoming gang members than were ordinary Black youths in the Cleveland school system.

One explanation for this finding may be that agencies seek out motivated youths. “Street-level workers typically define motivation in terms of cooperation. The motivated citizen-client is... deemed morally superior to the unmotivated. Conversely, the unmotivated, regardless of their need or circumstance, are deemed unworthy” (p. 288). More bluntly, the agencies may be seeking out youths who turn out not to be the most at risk of joining gangs.

Conclusion: These findings suggest “that the ability of local agencies to identify youths most at risk for delinquency and gang membership should not be

taken for granted” (p. 286). The various social service providers in the city were given contracts to identify youths most at risk. Obviously these youths were hard to identify and, probably, even harder to bring to the program. But not only are the most ‘at risk’ youth not being targeted, it is well established that lower risk youths do not benefit from intensive programs, and indeed in some cases appear to respond to intervention programs by *increasing* their involvement in delinquent acts (see *Criminological Highlights*, V5N4#1). In other studies it has been demonstrated that many of those involved in programs have self-selected into the program. The programs, then, may quite possibly be “targeting ‘success prone’ clients, while excluding those individuals who may be more difficult to change – a practice [that is apparently] widespread in crime and delinquency interventions” (p. 287).

Reference: Melde, Chris, Stephen Gavazzi, Edmund McGarrell and Timothy Bynum (2011). On the Efficacy of Targeted Gang Interventions: Can We Identify Those Most At Risk? *Youth Violence and Youth Justice*, 9 (4) 279-294.

Black-White differences in involvement in adolescent violence can be explained by examining the effects of differences in the neighbourhoods in which youths live and in the schools that they attend.

Many studies have demonstrated that Black American youths exhibit higher rates of violence than do White American youths. There is an increasing amount of evidence that these differences disappear “once neighbourhood and family disadvantages are held constant” (p.141). Knowing how those disadvantages have an impact on violence rates may help understand violence generally and Black-White differences in violence more specifically. More importantly, understanding the causes of this difference in violence rates might help identify policies that can reduce violence rates for all youths.

This study looks at data associated with 1,801 Black and 3,521 White adolescents in 1,237 U.S. neighbourhoods. These youths were interviewed first when they were age 12-16. After that, they were interviewed yearly for 5 years. The major dependent variable was whether the person had “attacked someone with the intention of hurting them in the past year” (p. 146). If they had, they were asked “to indicate the frequency with which they did so” (p. 146). Blacks reported higher levels of violence. But Black respondents were also from families with lower incomes, were more likely to have delinquent peers and lower levels of verbal ability, and were more likely to attend schools rated as less conducive to learning and prosocial behaviour. Blacks were also more likely than Whites to live in neighbourhoods with large numbers of people living below the poverty line, high unemployment, and many female-headed households.

In simple analyses, each of these forms of disadvantage appeared to be related to self-reported violence by the youth. Previous studies have suggested that “verbal ability is influenced by the neighbourhood and family contexts in which children live.... Neighbourhood

disadvantage weakens the family learning environment and fosters inconsistency in parental practices.... Poor families lack the social and economic resources required for the nurturing of effective learning within the home (e.g., help with homework, computer access)....” (p. 143).

The effects of race of the youth were reduced to statistical non-significance, however, when verbal ability of the youth and other demographic and neighbourhood variables were taken into account. It would appear that “low verbal ability and diminished school attainment are criminogenic risk factors that are in part outcomes of exposure to neighbourhood disadvantage” (p. 154-5). In addition, the effect of neighbourhood disadvantage on violent behaviour was reduced considerably when the verbal ability of the youth was taken into consideration. “Much of the effect of verbal ability on violence appears to be indirect, operating primarily through school achievement” (p. 152).

Conclusion: “These results support the view that neighbourhood and family disadvantages have detrimental repercussions for the acquisition of

verbal ability which, in term, serves as a significant protective factor against violence” (p. 153). Because Black youths are more likely to grow up in disadvantaged neighbourhoods, it follows that they would be more likely to have lower levels of verbal ability. This in turn disadvantages Black youths in school and in later life. It would appear that “interventions to improve conditions in poor neighbourhoods” and to strengthen “families and early childhood learning in distressed neighbourhoods may help reduce the substantial risk for violence associated with frustration and in some cases failure in school” (p. 156). Policies that address neighbourhood and educational disadvantage, then, may be good crime control policies and could, in addition, reduce youth violence by Black youths to levels exhibited by White youths.

Reference: McNulty, Thomas L, Paul E. Bellair, and Stephen J. Watts (2013). Neighbourhood Disadvantage and Verbal Ability as Explanations of the Black-White Difference in Adolescent Violence: Toward an Integrated Model. *Crime & Delinquency*, 59 (1), 140-160.

Judges are very good at recognizing coerced confessions by accused people. Nevertheless, in the absence of strong evidence, judges appear to be willing to convict an accused on the basis of the coerced confession.

When judges hear a confession that was obtained by improper coercive methods, they have a responsibility to exclude it from juries. If the case is heard by a judge (alone), the assumption is that the judge can respond appropriately and give the confession no weight. Similarly, it is assumed that if a confession is erroneously heard by a jury, judges can determine whether the error was harmless. Given that false confessions constitute a leading cause of wrongful convictions, admitting a coerced confession would appear to have definite risks (see *Criminological Highlights* V11N3#4, as well as V2N6#8, V5N4#5, V7N4#7).

Previous research has shown that “wittingly or unwittingly, judges, like juries, often do not disregard inadmissible information” (p. 152). Juries are able to “perceive confessions as coerced when elicited through high-pressure tactics; yet, they use that evidence anyway as a basis for conviction” (p. 152).

In this study, judges from three US states (Massachusetts, Pennsylvania, and Missouri) participated in a study in which they were asked to evaluate written ‘trial evidence’ (p. 152). Specifically, they were given one of six versions of a hypothetical murder case. For half of the judges, there was strong incriminating evidence that the accused had committed the murder (a hair found at the scene that could have been his; some of the victim’s property was found at the defendant’s home). In the ‘weak case’, the hair evidence was described as being inconclusive and a search of the defendant’s home found nothing.

There were three confession conditions: (1) no confession; (2) a low pressure confession in which the accused had been questioned for 30 minutes before confessing, with videotape evidence showing no coercive behaviour by the

interrogators; and (3) a high pressure condition in which the defendant had been interrogated for 15 hours and the videotape showed the police threatening him with the death penalty, waving a gun, etc.

Judges rated the strength of the evidence against the accused and were asked for the verdicts that they felt were appropriate. In the strong evidence condition, the confession had little effect on either the ratings of the evidence strength or the verdicts: judges almost always said they would find the accused guilty and rated the evidence as very strong.

In the weak evidence conditions, however, the evidence against the accused person in the ‘high pressure’ confession condition was seen as considerably stronger than in the ‘no confession’ condition and only slightly less strong than in the ‘low pressure’ confession condition. Verdicts mirrored these findings. In the weak evidence condition with no confession, only 17% of the judges would find the accused guilty. In the high pressure confession condition, 69% would find him guilty which was slightly lower than in the low pressure confession condition (95%).

Conclusion: Judges had no difficulty identifying coerced confessions. Nevertheless, they gave confession evidence a lot of weight. On the basis of an uncorroborated low-pressure confession, guilty verdicts in the ‘weak evidence’ conditions went from 17% to 95%. More surprising is the fact that with essentially no other evidence, a confession obtained with substantial coercion increased the judges’ guilty findings from 17% to 69%. At the same time, judges generally, but not always, identified the ‘high pressure’ confession as being coerced, and saw its admission as being prejudicial. Nevertheless, when asked to decide whether the accused should be found guilty, perceptions of evidence strength predicted the verdict while ratings of the voluntariness of the confession did not, even though the coerced confession was responsible for the significant increase in the ratings of the strength of the evidence.

Reference: Wallace, D. Brian and Saul M. Kassin (2011). Harmless Error Analysis: How Do Judges Respond to Confession Errors? *Law and Human Behaviour*, 36 (2), 151-157.

If courts want youths on probation to complete non-custodial treatment programs, it would be helpful to ensure that the program was administered at a location close to the youth's home.

Juvenile courts often spend considerable effort trying to determine which treatment programs are most appropriate for youths appearing before them. Given that treatment programs are expensive and there are often more potential clients than there are spaces in the program, it is important to use these services wisely. In the context of scarce program resources, it may be important to choose youths who are likely to attend the program as required.

This paper looks at a simple, easily-available, predictor of successful completion of a program that can be easily determined by the court (or probation service) that is ordering the program – the distance that the youth must travel to attend the program. Other possible predictors of successful completion of programs – person variables such as race, offence history, or characteristics of the neighbourhood in which the youth lives – were also examined and used as control variables to see whether ‘distance to the treatment from the youth’s home’ was a significant predictor of successful completion of the program above and beyond other traditional predictors of program completion.

This study examined the predictors of program completion for 6208 youths in Philadelphia who had been assigned to attend one of 24 different treatment programs. Failures to complete an assigned program were divided into two types: those youths who were expelled from the program for reasons such as being arrested or violating the rules of the program, and those youths who did not complete it because they didn’t attend the program as required. The main independent variable was simple:

how far was the youth’s home from the location of the treatment facility. In addition, factors such as the youth’s age, sex, race, prior offence history, and parents’ criminal history were used as control factors, as were various measures of neighbourhood disadvantage.

On average, youths lived about 7 km from the treatment facility that they were expected to attend (range about 32 metres to about 33 km). 13% of the youths were expelled from the program they were enrolled in. There was no impact of the youth’s distance from the treatment program on whether or not the youth was expelled from a program. However, when looking at the question of whether or not a youth dropped out, two independent program effects emerged: dropouts were more common among youths required to attend many hours per week. In addition, youths were more likely to drop out of treatment if they lived further away from the treatment facility.

Conclusion: Previous work has found a relationship between the density of rehabilitative services in a community and the likelihood of successful reintegration of those released from

prison on parole (*Criminological Highlights* V11N6#3). It may well be that the importance of the density of services is that those parolees released into well serviced neighbourhoods don’t need to go far to receive services. In this study, simply living close to the location of the rehabilitative program meant that the youth was more likely to complete the program. These findings suggest that those responsible for rehabilitative services should consider two things. First, services should be located in close geographic proximity to the clients that the service is meant to serve. Second, judges and probation officers who require youths to attend services should take into account the distance from the youth’s home and the service. Those assigning youths to rehabilitative services should be cautious in requiring youths to attend services that are distant from their homes.

Reference: Lockwood, Brian (2012). The Influence of Travel Distance on Treatment Noncompletion for Juvenile Offenders. *Journal of Research in Crime and Delinquency*, 49(4), 572-600.

When asked what purposes sentences should attempt to serve, ordinary citizens' preferences depended on the age of the offender, the offence, and the criminal record of the offender.

In many countries, including Canada, judges are offered a “pick-and-mix approach to sentencing purposes” (p. 291) where they are required to choose one or more purposes to guide – or justify – the sentence that they hand down. The question raised by this study is whether such an approach is consistent with the public's view of what sentencing should accomplish. In particular, this study examines whether, for members of the public, the facts of the case determine which sentencing purposes they feel should be emphasized.

A representative sample of 800 adult Australian residents (100 from each Australian state and territory) were read 8 short descriptions of cases (e.g., “A young 17 year old offender who has been convicted of burglary and has no previous criminal record”). After each description, respondents were then asked “What do you think should be the most important purpose of sentencing?” Five choices were offered including “Give them the punishment they deserve” and “Rehabilitate them” (p. 295). They were asked to choose the single most important purpose of sentencing. The eight scenarios varied on 3 dimensions: offender age (a young offender vs. an adult); offence type (burglary vs. serious assault); and offence history (no previous record vs. three previous convictions).

Generally speaking, ordinary citizens were more likely to endorse rehabilitation as the primary purpose in sentencing youths than in sentencing adults. Rehabilitation was seen to be much more appropriate as the guiding purpose of sentencing for both adults and youths with no criminal records than it was for

those with three previous convictions. And rehabilitation was more likely to be seen as the appropriate purpose for burglary than for a serious assault.

Simply giving offenders the punishment they deserved, on the other hand, was more likely to be endorsed as the primary goal of sentencing when the offender – youth or adult – had a criminal record. Generally speaking ‘punishment’ was more likely to be endorsed when the offender was an adult than a youth and when the offence was a serious assault than when it was a burglary.

Incapacitation was very infrequently endorsed as the appropriate primary sentencing goal for those without a criminal record. However, when the offender had a criminal record it was seen as the appropriate goal by about one third of the respondents in the case of the serious assault and about one fifth of the respondents in the case of burglary.

Conclusion: The results demonstrate that ordinary citizens “take into consideration offence type, offender age and offence history when determining the most

appropriate purpose of sentencing” (p. 301). It would appear, then, that the public is more nuanced in its approach to the sentencing decision than is often presumed. Findings such as those that suggest that the public views sentences as being too lenient need to be interpreted in the context of these findings that demonstrate quite clearly that, as with sentencing courts, members of the general public consider the specifics of each case as they weigh the importance of various sentencing purposes.

Reference: Spiranovic, Caroline A., Lynne D. Roberts, David Indermaur, Kate Warner, Karen Gelb, and Geraldine Mackenzie (2012). Public Preferences for Sentencing Purposes: What Difference Does Offender Age, Criminal History, and Offence Type Make? *Criminology & Criminal Justice*, 12 (3), 289-306.