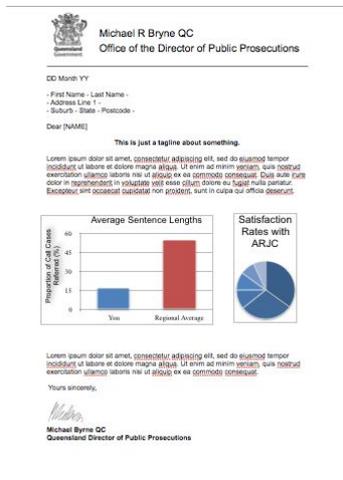


Nudgeathon Policy Brief

Adult Restorative Justice Conferencing Barriers and Solutions

The first key barrier that we've identified in regards to increasing referrals is the cognitive overload imposed upon the duty lawyer. As a result, diversionary pathways such as ARJC are often excluded from their decision making process. In order to ease the cognitive load, we propose that when duty lawyers receive a client's case files it is highlighted whether or not the offender may be suitable to participate in ARJC. This can either be through police checking a box in the "Decision to Prosecute" form or through an automated system such as QPRIME.

Amongst defence lawyers there is often a lack of awareness surrounding restorative justice processes and the criteria required to be eligible. By sending behaviourally targeted letters to defence lawyers, we aim to promote the value of restorative justice for both victims and offenders as well as priming them to consider the concept. These letters would be personalised and addressed from a figure of authority to induce the messenger effect. They would also include a summary of ARJC and the eligibility criteria in the form of straightforward imagery and graphs.



Michael R Byrne QC
Office of the Director of Public Prosecutions

DD Month YY
- First Name - Last Name -
- Address Line 1 -
- Suburb - State - Postcode -
Dear [NAME]

This is just a tagline about something.

Placeholder text for the letter body.

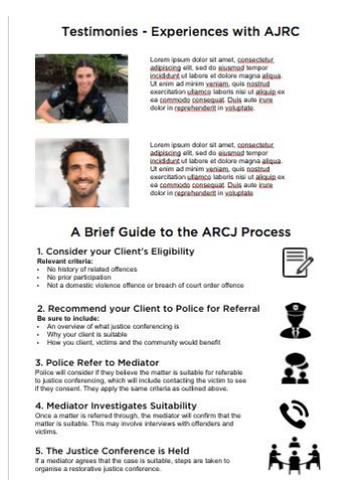
Average Sentence Lengths

Category	Percentage of Cases
Yes	~15%
Regional Average	~45%

Satisfaction Rates with ARJC

Placeholder text for the letter body.

Michael R Byrne QC
Queensland Director of Public Prosecutions



Testimonies - Experiences with AJRC

Placeholder text for testimonies.

A Brief Guide to the ARCJ Process

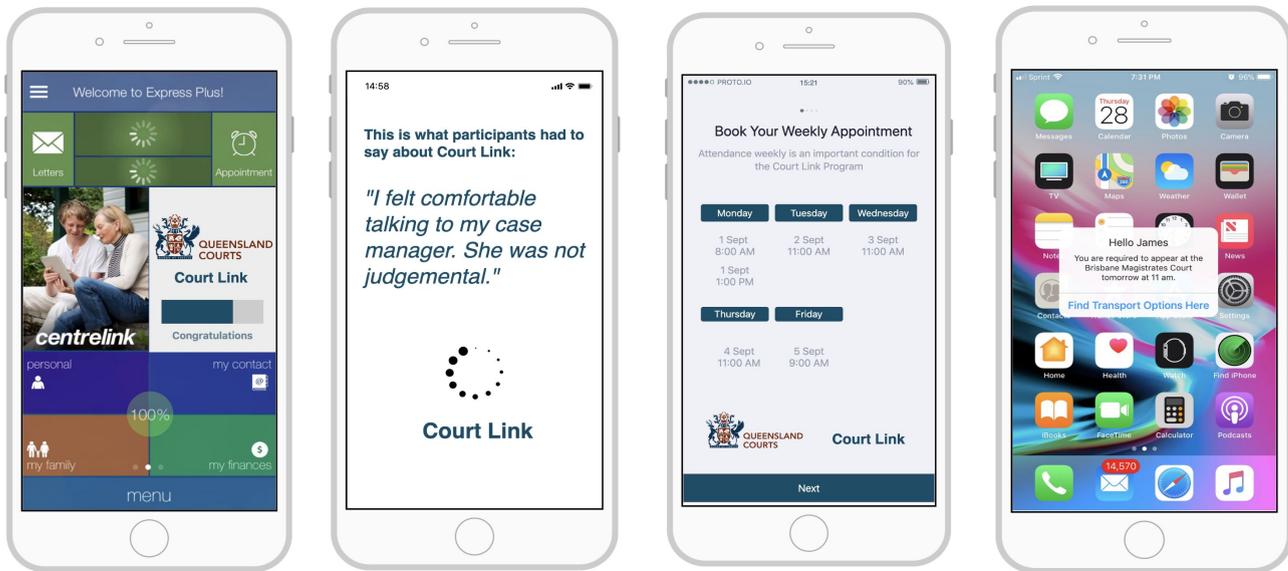
- 1. Consider your Client's Eligibility**
Relevant criteria:
 - No history of related offences
 - No prior qualifications
 - Not a domestic violence offence or breach of court order offence
- 2. Recommend your Client to Police for Referral**
Be sure to include:
 - An overview of what justice conferencing is
 - Why your client is suitable
 - How your client, victims and the community would benefit
- 3. Police Refer to Mediator**
Police will consider if they believe the matter is suitable for referral to justice conferencing, which will include contacting the victim to see if they consent. They apply the same criteria outlined above.
- 4. Mediator Investigates Suitability**
Once a matter is referred through, the mediator will confirm that the matter is suitable. This may involve interviews with offenders and victims.
- 5. The Justice Conference is Held**
If a mediator agrees that the case is suitable, steps are taken to organise a restorative justice conference.

Finally, prosecutors often believe that a restorative approach to justice is "soft on crime," and fail to engage as this goes against their key professional identity constructs. Our goal is to adopt a "Serious on Crime" approach that will fit into the already established constructs of police and prosecutors. Firstly, we would use an internal campaign, including prominent office imagery such as desktop backgrounds, mousepads and posters featuring the slogan "Restorative Justice Conferencing: Serious on Crime, Serious

on Outcomes" in order to target the availability bias of police and prosecutors. Additionally, prosecutors who are in the bottom third of referrals will receive an update which includes statistics comparing their ARJC referral rates to their peers. Finally, positive testimony from the victims will re-frame ARJC as delivering victim outcomes and a statement of approbation from the Head of the DPP will utilize the messenger effect to induce greater trust in restorative justice programs.



Court Link



Barriers

Some of the barriers that we believe Court Link faces is getting the referral in the first place and increasing retention rates. Some of the biases and heuristics that contributed to these barriers are choice overload, information overload, hassle costs and the economics of dread.

Solution

The solution proposed to this problem is an extension to the CentreLink app and website. This will be cost effective because it's part of a digital infrastructure that already exists. The main goal of this extension is to increase engagement and bridge the disconnect between the participant and the program. These are some of the proposed app/website features:

- Testimonials from past participants on how Court Link has helped them
 - Availability bias, framing, salience bias
- Scheduling appointments with case managers
 - Pseudo-set theory, minimising hassle costs
- To-do list/goals for the week
 - Pseudo-set theory
- Assisting and prompting planned transportation to appointments
 - Defaults, minimising hassle costs
- Support line/chat - with links to BeyondBlue and Lifeline
 - Reducing cognitive strain by allowing system 1 to do the work
- Reminders for meetings and court dates
 - Priming, choice architecture
- Time frame status bar that appears once the participant is 6 weeks into the program
 - Loss aversion
- The option to add an accountability person

Overall, this extension will help increase cognitive ease and induce system 1, and minimise the present-value bias. This is a long-term solution that will help increase retention rates and ultimately start increasing the rate of referrals.