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**Untangling the Meanings of Justice:
A Longitudinal Mixed Method Study**

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Abstract

This article explores the application of prospective and retrospective elements of enquiry at different time points in longitudinal mixed method research. It discusses how the method facilitates shifts in the dominance of quantitative and qualitative approaches, and focuses attention on change and on interpretation. The article presents exploratory research designed to untangle different meanings of justice from the perspective of men and women who have been victims of violence and who then became involved in a criminal justice process. Both individual and group level analyses are used to show justice as a multi-dimensional phenomenon that unfolds and opens in context as well as over time. However, how best to report complex findings from longitudinal mixed methods research remains a challenge.

Key words: longitudinal, mixed methods, interpretation, justice.

Untangling the Meanings of Justice: A Longitudinal Mixed Method Study

Perceptions of justice carry and impart different meanings and associations. Context and perspective matter enormously. Justice is a social, legal and political value embedded in individual thinking as well as in institutional design. Justice is the achievement of an outcome, and is also how decisions and allocations are arrived at. It calibrates with ideas of fairness, respect and equity. It is core to moral and political philosophy. With so capacious a conception, how can it be said that justice has been achieved? By what measure is the nature of justice assessed or that a person's treatment is deemed just?

This article presents exploratory longitudinal mixed method research designed to untangle different meanings of justice from the perspective of men and women who have been victims of violence and who then became involved in a criminal justice process in a common law country. It considers the typology of models described by Van Ness and his colleagues and their discussion of how the combined use of quantitative and qualitative data at different time points focuses attention on change and on interpretation (Van Ness, Fried & Gill, 2011). Both individual and group-level analyses extend this point to show justice as a multi-dimensional phenomenon that unfolds and opens in context as well as over time. It builds on earlier longitudinal justice research conducted in Britain and The Netherlands (Shapland, Willmore & Duff, 1985; Wemmers, 1996) and contributes to the literature of mixed method studies that use a longitudinal design (Plano Clark et al., 2014). The article also discusses persistent issues of how best to report complex findings as well as adequate representation of study participants.

The study is longitudinal in that it used three phases of face-to-face data collection with one participant group.¹ Each phase combined closed and open-ended questions collected concurrently with quantitative and qualitative data types dominant at different times

(Creswell & Plano Clark, 2007). Data were analyzed for description, to devise repeat measures and for explanation. To integrate analysis, these repeat measures acted to leverage deeper understanding of the participant narratives. But, just as there is a vast library of thought on justice, participant reflections slipped, often in the same sentence or comment, from one association to another – justice was an ideal, a standard, an outcome, and also an institution. The mixed method and longitudinal approach is designed to facilitate and work with these shifts in meaning-making. Rather than being a fixed notion, the idea of justice for people as victims of violence is revealed as an interactive construct informed by its institutional and social context and deepened over time.

Longitudinal and Mixed Method Designs

A mix of methods within a longitudinal design is well placed to engage with the theoretical and institutional tangle about justice if “better understanding” is a key objective (Greene, 2007, p. 20). In longitudinal research the population under scrutiny can constitute a panel of people participating at all stages as a cohort. They can also be a cross-sectional sample of different people selected for certain characteristics as in household, economic and labor force studies. While commonly quantitative, longitudinal studies can also be qualitative. For example, biographies and oral histories can look both backward and forward to reconstruct and construct “critical moments” as illuminations of what matters or is formative in individual lives (Thomson et al., 2002, p. 335). Longitudinal design is very suitable for scrutinizing the making of opinion and attitude, as well as social processes (Ruspini, 1999). In longitudinal research, time becomes a critical variable – as does each context and site of questioning. The method accepts that little is static in the human and social worlds.

As a shorthand term, mixed method research encompasses activities where quantitative and qualitative data are collected, analyzed and integrated in the research design (Johnson, Onwuegbuzie, & Turner, 2007). One method can be more or less dominant in a study, and can be used sequentially or concurrently (Teddle & Tashakkori, 2009). Mixed methods can facilitate attention to the ways in which people “create, enact, and change meanings and actions” within different, though connected, settings (Charmaz, 2006, p. 7). The challenge for mixed methods comes at points of analysis, interpretation and representation. These research moments are dialectical engagements with both method and meaning, and connect the researcher to the overall research purpose (Greene, 2007). Within a longitudinal process the researcher can see these moments within a larger and more dynamic context.

Three basic longitudinal models have been suggested: prospective, retrospective and fully longitudinal (Van Ness et al., 2011). In the first, qualitative data are collected on the first occasion, from which measures are developed for quantitative analysis at later times. A retrospective design collects quantitative data at different time points and qualitative participant recollection at the final stage. A fully longitudinal mixed method design is one where quantitative and qualitative data are collected at each time point. However, a review of mixed method longitudinal health sciences research found a more complicated picture. This review identified design dimensions of correspondence, timing, mixing, level of analysis, and the use of time as useful in examining differences in methods (Plano Clark et al., 2014, p. 7).

In the present justice study it was precisely the use of mixed methods within a longitudinal design that similarly unsettled the Van Ness description of models. At each of the time points the study participants were asked their preference for certain decisions, their assessment of decisions and process, and their reasons for these. It was inevitably on giving their reasons for preferences and assessments that participants looked back as well as forward

in their narratives. Thus the tripartite characterization could not be so neatly separated. The same point also complicates reporting the findings of the study. Longitudinal research is known for generating a large volume of data (Plano Clark et al., 2014, p. 17). There is simply not enough space in one journal article to discuss the method at length and also the breadth and depth of the findings. This article therefore concentrates on describing the design dimensions and combination of prospective and retrospective elements within a fully longitudinal design. Although there are different theoretical approaches to the idea of justice in the criminal legal domain, the article also limits discussion of results to an integrated analysis of substantive and procedural justice only.

Design Choices in Context

Confining discussion of justice to substantive decisions and procedural experiences recognizes these elements as those most readily understood by people as victims. Academic and policy debate has also focused on whether the decisions of or treatment by authorities matter most, whether justice should be retributive or restorative, and on the existence of supposed polar opposites of victim rights and offender rights (Cape, 2001; Roach, 1999; Strang, 2002; Tyler & Huo, 2002). As a comprehensive social value, ‘justice’ excites public and political debate. It inhabits “a space of politics and moral discourse” (Denzin, 2010, p. 421).

At the same time, a form of justice is dispensed in an everyday manner in criminal courts across the globe. At the commencement of the research discussed here, the author (who was also the researcher) was working in a court setting as a statutory advocate for the rights of victims of crime in Australia.² Daily interactions with victims of all types of offences revealed their reflective and contextualized responses. Innumerable discussions and

debates about the role and rights of victims with domain professionals (judicial officers, prosecutors, police, victim advocates, probation and correctional officers, policy makers and law reformers) served to emphasize as many perspectives as there were operational areas to justice. Justice was clearly important to everyone. Yet our “mental models” were different (Greene, 2007, p. 12). Our experience, knowledge, and values structured our interpretations about justice as much as did our disciplines and our institutional and functional contexts. The larger research project³ not only explored victims’ motivations, expectations and understandings of justice, it was also an engagement with different ways of knowing and understanding.

Most crime victims do not engage legal authorities.⁴ If they do participate in criminal justice they are allocated minor roles in the common law tradition (Hall, 2009). While the incident happened to them as an individual, the criminal law specifies that it is a crime against the public. If they report to law enforcement authorities, and if police investigate and if they charge a suspect with the alleged offence, and if the prosecution decides to proceed on the criminal charge, then the victim becomes a witness for the state. Victim interactions with each of these entities are generally accepted to be unsatisfactory if not bruising. Most victims are unlikely even to know about or be involved in the resolution of the case. Research reveals a range of concerns, from a lack or withholding of information by authorities, to the experience of routine discourtesy, and the absence of support for victims (Sebba, 1996).⁵ There is a sense that, while the accused may have rights and representation in the criminal justice process, victims have neither. Taken together, the literature highlights values generally prized by citizens in their interactions with state authorities, those of inclusion, respect and equality of treatment.

However, victim studies have tended towards methods that are descriptive and which provide little or no explanation of results. Many rely on single point surveying that is

commonly retrospective (Orth, 2003) and emphasize the amorphous measure of satisfaction (Holder 2015, Laxminarayan, Bosmans, Porter & Sosa, 2013). Others pursue deep qualitative inquiry into particular types of victim and in particular settings.⁶ These methods produce perspectives that are both fixed in time and narrowly focused. Two key studies – both of which used a longitudinal design – have attempted a more substantial depiction of victims and justice.

In Britain in the early 1980s, Shapland, Willmore and Duff conducted interviews over a period of three years at four points in time with 276 victims of violence: after the recording of the offence by police, after the initiating court proceedings, at case finalization, and after application for criminal injuries compensation. Final interviews were obtained from 78 per cent of the original sample (pp. 7–9). This study found that victims were “dissatisfied with the operation of various parts of the system, but their reasons vary ... according to the agency being considered” (p. 3). It also showed differences in expectations and priorities between victims and justice practitioners. The study described victim experiences and did not attempt to probe for relationships between different elements, or to develop thematic analysis.

A decade later another study examined the effects of legislative intervention designed to improve responses to victims by criminal justice authorities in The Netherlands (Wemmers, 1996). This research was more theoretical in its approach and explored procedural justice through a social psychology lens. Victims were interviewed before their contact with prosecutors, and again some five months afterwards.⁷ The study found that victims valued procedural justice elements such as being able to voice their views to authorities and being treated by them with respect more than they valued the substantive outcome received from the justice process. These procedural elements correlated with assessments of fairness of the justice system overall (pp. 202-203).

Both studies were quantitative dominant, with “auxiliary” qualitative data (Howe, 2004, p. 52). Their longitudinal design did much to reveal the long journey that crime victims took (or were taken on) through the criminal justice process. Both showed that untangling the associations people make about justice is better accomplished when grounded in very specific contexts. In particular, the key decision-making points of agencies in the administration of criminal justice provided situated and temporal occasions for victims to express their views as well as to consider their treatment by authorities. When crime victims say they are unhappy with justice it was now clear that researchers need to ask which of the justice institutions were they referring to, and which of the processes and decisions.

Justice Study: Design, Methods and Rationale

With the research question ‘what is justice to victims of violence’, the choice of methods for the study followed the specific institutional environment of criminal justice (Johnson & Onwuegbuzie, 2004). The research was located in ‘real time’ and in a ‘real’ context in order to reveal victims’ *thinking through* their situation. It was assumed that generalized opinions about justice would shift and deepen *where and when justice mattered* to victims directly. As discussed earlier, it was also important to take account of victim interactions with different justice agencies, and thus, to start when they did – at the beginning.

Participants were recruited and interviewed at the commencement of the justice process and interviewed again on two subsequent occasions. Each of the three interviews was conducted at a particular decision-making point in the criminal justice process. At each of these points the decision constituted a substantive justice outcome (Table 1). In this way it became possible to distinguish victims’ assessments of different entities. When discussing the

context in which participants gave their views about, preferences for and assessments of justice, it is to these three decision-making locations that this article refers.

INSERT TABLE 1 ABOUT HERE

The research design is best described as fully longitudinal yet it enlarged on the Van Ness depiction. At each of the process (time) points when participants were interviewed, questions were both closed and open-ended. With regard to the design variations identified by Plano Clark and her colleagues, there was *one-to-one correspondence* of the relationship of the time points for gathering quantitative and qualitative data, and *concurrency* in their timing. They combined forward looking or prospective elements as well as backward looking or retrospective elements. On the former, participants were asked at the Time 1 interview what they wanted to see happen at the next stage in the justice process. At all three interviews, they were *also* asked to look back to give an assessment of what had gone on before. Therefore, the longitudinal design comprised both prospective and retrospective elements (Table 2). Over the three time points, for both the researcher and the participants, the interviews constituted a dialectical engagement with the core inquiry: what is it that you want to happen and why; how was the experience, and what is important to you about that.

INSERT TABLE 2 ABOUT HERE

Participants and their Characteristics

The justice study participants formed a cohort panel based on sample selection criteria. They were victims of violence and aged over 18 years. The assault on them and subsequent criminal charge laid against another person (the *violent person*) occurred in the study jurisdiction of the Australian Capital Territory (ACT) and hence would be resolved in its courts. The decision to only recruit victims of violence was made to constrain some of the

more obvious differences between types of victimization, and in recognition that the experience of violence carries a unique assault on human dignity.

As a group the study participants shared participation in the particular procedures of police, prosecution and court even though they started and finished the process at different times. The sample comprised two sub-groups: female victims of male domestic (or spousal) assault and male victims of non-domestic assault (committed by male non--family others). With these sub-groups the intention had been to explore the nature of the offence and the influence of relational and gender factors on the justice judgments of victims. However, this type of analysis was limited by the small number of participants ultimately recruited. Twenty seven women and six men comprised those interviewed at Time 1.

Although a small sample, the participants did not differ markedly from census data. They were mostly Australian born ($n=29$), yet a quarter spoke a language other than English at home. A majority of the women ($n=19$) had children living at home although nearly three-quarters described their relationship status as single. More men than women were in rental accommodation. Most were employed either full or part time ($n=21$). The average weekly income for most participants was nominally above the Australian means (ABS, 2011).⁸ A third of the participants had completed tertiary education and over half had completed secondary level. As a sample of those experiencing violence in the study jurisdiction, the participants were unusual. For a representative year 2007-2008, just over 26,000 individual victims reported a wide range of offences to local police. Of these, less than 10 per cent were victims of offences against the person and most were victims of non-domestic assault. Most were also unlikely to have their report progress to finalization in court (McGregor, Renshaw & Andrevski, 2013). Finally, most of the study participants had little or no knowledge of the justice system before their present experience as a victim, while others had previous involvement as an offender or as both.

Data Collection

Victims of violence are a hard to reach research population. Participants were recruited through their involvement with local services that had formal roles within the criminal justice process. Safe and ethical contact was a key criterion for recruitment. A contact and safety protocol was negotiated with a community domestic violence service (Langford, 2000). This was adapted and put in place with the victim liaison section of local police for contact with the non-domestic assault victims. Potential participants were advised about the research and invited to participate by these support agencies. If they agreed to be contacted by the researcher then it was at this point that more information was provided. Participants could withdraw at any stage, and could choose the location and timing of the contact and the interviews. They were offered a gift voucher (value AUD \$12) for each interview. The plain English information provided to participants took account of the complex legal environment by advising of constraints such as the researcher's formal role in the justice system and of obligations to report suspected child abuse.

In total, 45 individuals agreed to have their contact information provided to the author. Five failed to respond to contact, a further six either declined or indicated their unavailability in other ways, and one referral did not meet the selection criteria. Thus a total of 33 individuals participated in the first interview at Time 1. This is a small sample compared to the British and Netherlands studies. Given the small number of longitudinal mixed method studies on victims and the difficulties in recruiting them for research, there is value to sharing selected findings and methodological challenges.

Recruiting participants from one region limited variations to their institutional experience. It was a practical decision about access to people and the capacity to conduct face-to-face interviews on separate occasions over a long period of time. These considerations were also an attempt to address the common problem of panel attrition in

longitudinal studies (Ruspini, 1999). Dropping out of the study was anticipated as arising from people's personal circumstances as well as possible perception that the survey and interview would be complicated and upsetting. Nonetheless the rate of attrition was not unusual for studies of this kind (Wenzel, 2000). Participant retention from Time 1 to Time 3 was 58 per cent (n=19). However, panel attrition creates a missing data problem. Nearly half of the domestic assault victims (n=13) had left the study by Time 3. No explanatory pattern other than this characteristic could be discerned. Although all participants agreed to contact for a second or third interview, the majority of those who were not interviewed beyond the first occasion simply failed to respond to multiple attempts to contact them.

Panel conditioning is another issue that is often discussed within longitudinal studies (Trivellato, 1999; Van Der Zouwen & Van Tilburg, 2001). Conditioning refers to the effect that participation in the study has: the questioning, the interviewer, and the terminology are all influential. Some say that it is important to 'trigger' an interviewee's response in a concept study so that pre-existing beliefs and attitudes become accessible. Others say that the panel conditioning effect must be managed and made transparent (Ruspini, 1999). However, rapport-building between researcher and participant is a way to counteract attrition. For the justice study this feature was harnessed to both minimize attrition and to maximize "empathetic understanding" (Van Ness et al., 2011, p. 294). The combination of closed and open questions conducted in an interview format not only grounded the study but enabled freer dialogue between the researcher and participants.

The time between Time 1 and Time 3 interviews ranged from six to 36 months. The key factor to the length of time was whether the victim's case finalized quickly in the court system or whether a contested trial ensued. Neither the participants nor the author could control or influence this. Each participant commenced and finished their participation in the justice process – and hence in the research process – at different times. The fieldwork

commenced in November 2009 while the author was working as an advocate and for doctoral studies, and was completed in March 2013. The time involved in research based on the criminal justice process is a significant issue.

Survey and Interview Structure

At each time point, the participants were asked a combination of closed and open-ended questions in interview format and face-to-face with the author. At Time 1, the enquiry was deductive with quantitative questions dominant. By Time 3, the emphasis on qualitative questioning reflected an inductive shift. Overall, however, the different data types were designed to interact in a complementary manner that could be understood by the interviewee.

The shift in the dominance of method emerged from the fluidity of the longitudinal design (Strauss & Corbin, 1990; Van Ness et al., 2011). The Time 1 interview focused on justice concepts drawn from the literature, while the Time 2 and Time 3 interviews created opportunities for a greater degree of narrative. There were two reasons for this approach. The Time 1 interview needed to generate a lot of data on participant demographics, the incident, the offender and more general participant opinions. Quantitative questions are simplest when ease of completion is a priority. Nonetheless, participants were also provided with space to say why they gave a particular answer. Consequently interviews took between 60 to 90 minutes to complete. Second, the Time 2 interview not only had to accommodate different levels of participation of victims with prosecution and with court, but also opportunity for reflection. At these points, participants had had time to process the initial trauma of the violent incident and the police response. They could think more clearly about the justice process and the justice they were interested in. The Time 3 interview involved more open-ended questioning as the participants looked back on their experience some six to eight months after the case had finalized at court. The longitudinal process facilitated this integration of quantitative and qualitative methods. However, the study design, particularly

the quantitative dominance at Time 1 and the emphasis on repeat measures, anticipated recruitment of a greater number of participants than eventuated. In the end the small sample enabled more time to conduct the interviews at Times 2 and 3. Participants relaxed more on each occasion and shared more with the researcher.

The Time 1 instrument comprised 82 questions, generating 273 variables plus qualitative narrative. Contextual questions were grouped into situational, personal and social variables to the incident and the victim's relationship to the offender. Questions were asked about the initiation of, reason for and experience of police contact, including prior experiences. Looking ahead, the survey asked about preferences for the outcome at court, the preferred sentencing principle, and through which preferred court processing method. A number of questions focused on substantive and procedural assessments. Finally, the survey asked about attitudes towards Australia's law and justice system, the individual's trust in civic institutions and their personal values.

At Time 2 participants were asked what they had wanted prosecution or court to do (and why), and what the agencies actually did. It also asked about participants' level of involvement in the case, their assessments of the outcome and their treatment by authorities. This survey repeated the substantive and procedural questions asked in the first but with textual adjustments to specify prosecution and the court. The Time 3 interview reflected back on the justice experience and justice system as a whole. Although it repeated some of the attitudinal and personal values questions from Time 1, none of these are reported here.

Interviews with the participants were conducted in everyday settings – in cafes, libraries, parks and in their homes. Participants marked the survey paper with their answers to closed measures, and would then hand the survey to the author to write responses to the open-ended interview questions. Interviews were not audio recorded as caution against the risk of a

subpoena. This was a remote though procedural possibility in the legal system. Transcription was a process of typing up, coding and filing responses.

Justice Goals: Quantitative Measurements and Qualitative Interpretations

Quantitative questions that focused on core conceptual elements of substantive and procedural justice were asked at Time 1 and Time 2, and in relation to all three justice entities – police, prosecution and court. Across the three interviews, these questions asked for categorical yes or no answers. Others invited a response to a statement on a Likert scale. Prior to performing any statistical analysis, the data were cleaned and some variables were reverse scored or recoded.

At Time 1 participants were asked their outcome preferences or justice goals. Questions oriented to different aspects of substantive justice – arrest, verdict preference, sentence outcome and justice principle. Frequencies describe a basic summary but synthesizing the mixed data reveals richer reasoning (Plano Clark et al., 2014, p. 9). A majority of participants (52%; n=17) confirmed that they had wanted police to arrest the violent person and take them away. People described this preference as aligning with their belief that assault was ‘wrong’ and that the assailant should be brought to account. Said one woman, the violent person ‘should know better, know what’s right and wrong’. These comments were lent striking support by the overwhelming preference that the court make a guilty verdict (85%; n=28). Participants were then asked to indicate what sentence they would like the court to adopt. They were provided a list of 17 options drawn from local sentencing legislation. Strong preferences were expressed for sentence outcomes that were protective of them as the victim, rehabilitative for the offender, and which drew on the authority of the court to constrain the offender’s behavior.

Usually people as victims are not surveyed about their sentence preferences from a prospective position either by justice professionals or researchers. In this study, when asked why they wanted particular outcomes, participants commonly responded with complex reasons that were instrumental and non-instrumental, societal and individual as well as singular and layered. One man commented that ‘I don’t think [the assault] should go unpunished because he did have a short term impact on me. You do wrong, you get punished – that’s how our society works. I think something should be done to get rid of violence.’ Victims’ interest in multiple justice goals were added greater weight through group level preferences for the court to apply the justice principles of rehabilitation, deterrence and protection to their case.

By Time 2 the actual decisions of prosecution and of the court were known to each participant. The majority had in fact finalized with a guilty verdict. However, rather than the desired rehabilitation and protection, the most common sentence outcome was a bond to the court for the offender to be *of good behavior*. Thus participants received the verdict they wanted but not necessarily the sentence they preferred. Nonetheless when asked whether they thought the sentence was too tough, too lenient or about right in their case, over half (58%; n=15) agreed with the latter.

Also from the Time 1 survey four theoretically clear scale measures emerged from the quantitative data. Although the sample size means the measures cannot be used for reliable inference, they are consistent with the literature on justice judgements (Skitka, Aramovich, Lytle & Sargis, 2010). They can best be described as dimensions to people’s experiences of justice and comprise outcome acceptance, the quality of interpersonal treatment, having an influential voice, and respect for the offender’s rights. Discussed in more depth elsewhere, these were used as repeat measures with regard to the police, the prosecution and the court (Holder, 2015). They showed that participants assessed the justice entities differently and that

different measures mattered more at each of the decision-making points. Participants' overall satisfaction with the justice agencies also varied considerably. While satisfaction with police was high (79% were extremely/very satisfied), this dropped to 37% for prosecution and 26% for the court at Time 2. At Time 3 after the case had finished only 32% were extremely/very satisfied with the justice system overall.

As a first analytic step, these goals and assessments create a complex and at times contradictory set of findings. While consistent with the literature – especially the importance to victims of violence of the outcome and their treatment by authorities – questions remained. If they received outcomes that broadly accorded with what they wanted, why was victim satisfaction so low? Clearly, while the preferences and assessments are important; they do not say why they are important. To augment and explain results, the discursive accounts of participants are necessary.

Grounding Participant Objectives: Integration of Longitudinal Mixed Data

Asking participants about their experiences, decisions, outcomes and process preferences was challenging in the survey design. At issue was not simply the range of theoretical conceptions of justice, but offering choice options about the criminal justice process that were understandable, real and that reflected its complexity. In essence the task was to frame the parts of the whole, and “the whole in terms of the parts”. The closed survey questions were accompanied by an invitation to individuals to reflect on and articulate “practical meanings and consequences” (Van Ness et al., 2011, pp. 302 & 305).

Analysis sought to untangle the core research question: What does the idea of justice mean to victims of violence? Subsidiary queries asked what elements comprise justice judgements, and if and how these elements change in the different decision-making contexts

of criminal justice. A number of analysis strategies were used to explore these questions through the mixed data. The frequency and descriptive analysis described in the previous section of this article serve to anchor narratives. The quantitative results show broad consistency of individual and group outcome preferences, both within and across the time periods, and within the different institutional contexts. They also show that victims of violence seek more than one justice outcome (Gromet & Darley, 2009). The repeat measures reveal what dimensions to justice are meaningful to participants and when. The qualitative reasons for these preferences and participant reflections on their treatment were analyzed in parallel and at each time point. Narratives were coded manually through the justice assessment dimensions of outcome acceptance, the quality of interpersonal treatment, the influential voice and respect for offender rights. These analytic strategies are common in mixed method research.

Of central interest in this article, however, is what difference the longitudinal design brought to data analysis and integration. Differences have been found in the level of analysis and the use of time (Plano Clark et al., 2014). Additionally, data analysis in longitudinal design is emphasized as “a process of interpretation”. As an example, Van Ness and his colleagues discuss the quantitative results to periods of self-assessed disability from two respondents within a more intricate retrospective reflection given by the same participants. These authors state that the data integration provides more nuanced and more contextualized interpretation (Van Ness et al., 2011, pp. 301-302). The longitudinal design choice made for the justice study similarly aimed for nuance and context. The design presented the possibility of representing participant narratives about their justice experience as whole stories rather than having them fixed in time and place. However, mixed data gathered from individuals over time is difficult to wrestle into shape (Thomson et al., 2002). Data can be discussed in conceptual chunks but this cuts continuity. Alternative approaches are found in small

biographic studies and large-scale ethnographies (Ewick & Silbey, 1998; Holland & Thomson, 2009). These provide strategies for participant voices to speak for themselves that are similar to that used by Van Ness. Two ways of presenting these voices are at an individual level and a group level.

One individual in the justice study is a young man provided with the pseudonym Charlie. Attacked in the street at night by another man who he did not know, Charlie's story began with his reflection that the attack had been 'wrong'. He wanted the case to go to court because '[the offender] obviously has an issue punching people for no reason. That needs attention.' Charlie expressed a preference for a guilty verdict at his Time 1 interview. Also, he wanted to know 'why it happened'. His Time 2 interview was conducted after the prosecution had offered no evidence and the case had been dismissed at court. Charlie thought that this set of outcomes was 'fair' given that witnesses to the assault had failed to come forward. However, he also said that having the case dismissed was not what he had wanted. Therefore he was only somewhat satisfied with the court because he 'didn't get to see it officially finalized'. At his Time 3 and final interview, Charlie said he was very satisfied with his treatment overall, but did not feel that justice had been done 'because I think there needed to be consequences on his actions [and there weren't]'.

Charlie's experience with justice could have been flattened to a retrospective assessment if a single quantitative question had been put to him. He would have been counted as 'very satisfied'. Or what he wanted could have been limited to a preference for punishment given his desire for a guilty verdict. However, combined with the qualitative open-ended questions put to him at key decision-making points on the three occasions, Charlie's views as a victim of violence reveal a range of interests. He spoke from an individual moral position – the behavior was 'wrong' – as well as from a wider preventive interest – the behavior 'needs attention'. He understood the case could not be prosecuted without more evidence but was

nonetheless disappointed that it was not aired ‘officially’ in court. These are nuanced and contextualized perspectives. Considered as responses gathered at different points, Charlie’s narrative reveals change over time as less about differences, and more as unfolding and opening. Charlie had to think about what was important to his idea of justice given each specific institutional engagement.

At a group level the mix of quantitative and qualitative data showed that the decisions of the justice agencies as well as their treatment of the participants were important at all time points. For this study sample, thematic analysis combined with the quantitative revealed that the idea of justice was an integration of the primary dimensions of outcome and treatment with elements of voice and respect for offender rights (Table 3).

INSERT TABLE 3 ABOUT HERE

Expanding more fully on these underlying qualitative themes shows a range of participant concerns. Comment accompanying their acceptance of the outcome revolved strongly around what the offender ‘got’ from the decisions and the impact on the offender. As an example, at a Time 2 interview the guilty plea made by the violent person to the assault on one victim was taken by her to mean ‘an ownership of his actions rather than it being forced upon him’. Others emphasized victim-related concerns when commenting on the court outcome. One woman said that the court outcome ‘protected me from verbal bullying and assault’. Many repeated more normative concerns that justice system outcomes should affirm the wrongfulness of violence and, more generally, that violence should be prevented.

Similar complexity underpinned participants’ reflections on the quality of their treatment. While the quantitative measure indicated that victims thought how authorities treated them was important, concurrent analysis of their qualitative comments showed more about why this was so. Participants felt that respect for them as persons and not being treated

as ‘just another one’ recognized their particular standing in the justice system. Similarly, they wanted authorities to treat them equitably. For some participants the system did respect ‘both our rights’ – theirs and the offender’s. Others ‘felt discriminated against’. Either way, respect, recognition of their standing and equal treatment appear as foundational expectations of victims with justice entities.

At their Time 3 interview only 42% (n=8) of participants felt that their interests as a victim of violence had been looked after by the justice system overall. A number of the reflections described how offender interests had been attended to but not their own. One woman indicated that she was not sure what justice she had wanted. She said ‘I just wanted it to go away. At the end of the day they eventually listened.’ How a large and complex set of institutions ‘eventually listen’ in individual cases is a huge practical challenge. However, if it is to treat all those who encounter it – whether as victims or offenders or as both – equitably and with respect, then it will need to find ways to do this.

Representing Change Over Time and Context

Longitudinal mixed method research presents opportunities to integrate “components of quantitative, qualitative, and temporal information” (Plano Clark et al., 2014, p. 19). The temporal element is not always present in analysis, however. There are a number of reasons why this may be so. One is a question of what time is meant to represent. A second is how best to represent that meaning.

For the justice study, the three time points were focused on sites of institutional decision-making within a specific process. Some themes about the experience from participants’ qualitative responses are given in the preceding section in tabular form.

Participant quotes are used in the text to underscore or explain certain quantitative outputs. The text discusses which time point generated which of these data. None of this, however, neatly represents the unfolding of ideas of justice over time and in context.

A simple visual representation of this contextualized thinking about justice, and in particular the justice goals, could depict specific functional outputs. A more complex representation of the unfolding of *an idea* is presented here as concentric circles (Figure 1). The circles do not represent specific time points in the longitudinal design. Rather, each circle is meant to represent a layer in the evolution of victims' thinking about justice. There is the first core and centering experience of the violent incident as an experience of injustice. This event gives rise to an interest in justice. Then, accountability of the offender (discussed earlier as a desire for a guilty verdict and for consequences to the behavior) was an almost universal objective. Following this, the idea of the offender being brought to account was reasoned as meaningful for themselves as a victim, for the offender and for society at large. The participants then specified a range of justice goals to address each of these three objects of value. In giving reasons to the goals for these, participants brought both public and private concerns.

INSERT FIGURE 1 HERE

This visual representation of the integration of data collected over time attempts to reflect complex thinking. Ideas about justice ripple out from the precipitating incident of violence. The mixed method interviews helped people – as victims – to reflect upon, digest and frame what had happened and what was happening, as well as to give categorical opinion. However, deeper understanding is difficult to represent over time and through a process. Future similar research may devise better representational methods.

Concluding Discussion

This article has discussed longitudinal mixed methods design as a creative and challenging choice for researchers. Within the criminal justice environment of the study reported here, the longitudinal design was purposefully chosen to reflect a process and for its “generative potential” (Greene, 2007, p. 79). The study contributes to the literature on longitudinal mixed methods in a number of ways. The design, aligned to the system’s decision-making points, provides an example of prospective and retrospective elements asked *at each time point*. In doing so, it shows that the mix and dominance of quantitative and qualitative data can, or perhaps should, shift over these time points. This reflection makes responsiveness to the research context a positive aspect of longitudinal mixed method research design. However, the volume and breadth of data collected can lead to digestion problems. It gives rise to difficult decisions about what to report, why and how. Converting qualitative data to quantitative reports is one strategy. Enriching quantitative data by altering it to text and embedding it within qualitative data is less common and is shown here to offer considerable nuance.⁹

The justice study shows the limits to single retrospective capture of data. This is particularly important when considering the interaction of individuals with a large and complex system. Over time and in combination, the mixed methods worked to sharpen attention on particular results, but also to deepen and contextualize. However, exploratory studies such as this are necessarily tentative in generalizing. Although the study aimed for depth and detail, the self-selection and small number of participants was limiting. Nonetheless, the mix of methods used in the study produced results consistent with the literature. Future research may generate larger numbers to enable causal inference or find rich

ground in considering the ways in which the institutional and social context constrain and structure thinking about justice (Holland & Thomson, 2009).

While the design affirmed the importance of considering individuals *in context*, it also (especially with a small sample and interview format) put the researcher in the same place. The implications of conditioning of participants may or may not be a concern. In the justice study, the longitudinal design worked to enable contemplation in participants as well as the researcher. In addition, the mix of data helped reveal complexity through participants' reasoning their answers. The series of three interviews further facilitated recognition of "the provisional nature of interpretation (...) and analysis" that single surveys in single time points and in single context conceal (Holland & Thomson, 2009, p. 451). Ultimately the study became a shared effort to illuminate and to understand.

The study sought to understand the idea of justice through interpretation of the "whole in terms of its parts, and parts in terms of the whole to which it belongs" (Van Ness et al., 2011, p. 294). This principle, woven into a longitudinal mixed method design, worked in two ways. Firstly it showed that the idea of justice is a multi-dimensional and fluid conception. It is encountered and considered by victims of violence in different ways, at different times, and with the different entities comprising the criminal justice system. Secondly, it revealed that victims sought more than individual and singular goals for justice. The longitudinal mixed method provided more than one occasion for participants to give voice to their preferences and concerns.

As critical inquiry, research needs to pay particular attention to how realities are represented and by whom, and to ask what this reveals of social and political relations. As Charlie concluded at his third interview, 'there are things they could have done differently'. In a criminal justice setting, the longitudinal design helped reveal the capacity of individuals

like Charlie to participate, to deliberate and to hone assessments. The design showed ideas about justice unfolding and opening out. The methods enabled self-clarification and engagement for victims as critical commentators on a key social and institutional process where they are usually kept at the margin. Yet not only did analysis and interpretation interact through the longitudinal process, they also demanded greater attention to the representation of participants and their viewpoints. People as victims of violence struggle within “structured circumstances which consistently work to deny them any effective voice at all” (Adrian Peace (1993, p. 203) quoted in Edmondson (2007, p. 492). At the very least, the longitudinal mixed method design provides more than a single opportunity for those voices to be heard.

References

- Australian Bureau of Statistics (2011). *Household income and income distribution, Australia, 2009-2010*. Cat.6523.0. Canberra. Retrieved September 28, 2015, available from <http://www.abs.gov.au/AUSSTATS/abs@.nsf/Lookup/6523.0Main+Features22011-12>.
- Cape, E. (Ed.). (2001). *Reconcilable rights? Analyzing the tension between victims and defendants*. London: Legal Action Group.
- Charmaz, K. (2006). *Constructing grounded theory: A practical guide through qualitative analysis*. Thousand Oaks, CA: Sage.
- Creswell, J. & Plano Clark, V. (2007). *Designing and conducting mixed methods research*. Thousand Oaks, CA: Sage.
- Denzin, N. (2010). Moments, mixed methods, and paradigm dialogs. *Qualitative Inquiry*, 16, 419-427. doi: 10.1177/1077800410364608.
- Edmondson, R. (2007). Rhetorics of social science: Sociality in writing and inquiry. In W. Outhwaite & S. Turner (Eds.), *The Sage handbook of social science methodology* (479-498). Thousand Oaks, CA: Sage.
- Ewick, P. & Silbey, S. (1998). *The common place of law*. Chicago, IL: The University of Chicago Press.
- Greene, J. (2007). *Mixed methods in social inquiry*. San Francisco, CA: Wiley.
- Gromet, D. & Darley, J. (2009). Punishment and beyond: Achieving justice through the satisfaction of multiple goals. *Law and Society Review*, 43, 1-38. doi: 10.1111/j.1540-5893.2009.00365.x.

- Hall, M. (2009). *Victims of crime: Policy and practice in criminal justice*. Cullompton: Willan Publishing.
- Holder, R. (2015). Satisfied? Exploring victims' justice judgments. In D. Wilson & S. Ross (Eds.), *Crime, victims and policy: International contexts, local experiences* (184-213). Basingstoke: Palgrave.
- Holder, R. (2013). *Just interests: victims, citizens and the potential for justice* (Doctoral dissertation). Retrieved December 15, 2014, available from <http://hdl.handle.net/1885/11464>
- Holland, J. & Thomson, R. (2009). Gaining a perspective on choice and fate: Revisiting critical moments. *European Societies*, 11, 451-469. doi: 10.1080/14616690902764799.
- Howe, K. (2004). A critique of experimentalism. *Qualitative Inquiry*, 10, 42-61. doi: 10.1177/1077800403259491.
- Johnson, R., Onwuegbuzie, A. & Turner, L. (2007). Toward a definition of mixed methods research. *Journal of Mixed Methods Research*, 1, 112-135. doi: 10.1177/1558689806298224.
- Johnson, R. & Onwuegbuzie, A. (2004). Mixed methods research: A research paradigm whose time has come. *Educational Researcher*, 33, 14-26. doi: 10.3102/0013189X033007014.
- Langford, D. (2000). Developing a Safety protocol in qualitative research involving battered women. *Qualitative Health Research*, 10, 133-142. doi: 10.1177/104973200129118192.
- Laxminarayan, M., Bosmans, M., Porter, R. & Sosa, L. (2013). Victim satisfaction with criminal justice: A systematic review. *Victims and Offenders*, 8, 119-147. doi: 10.1080/15564886.2012.763198.

- Letschert, R., Staiger, I. & Pemberton, A. (Eds.). (2010). *Assisting victims of terrorism: Towards a European standard of justice*. New York, NY: Springer. doi 10.1007/978-90-481-3025-2_1.
- Maguire, M. & Bennett, T. (1982). *Burglary in a dwelling: The offence, the offender, and the victim*. Portsmouth: Heinemann.
- McGregor, K., Renshaw, L. & Andrevski, H. (2013). *ACT victims of crime referral project: Final report*. Technical and Background Paper 55, Canberra: Australian Institute of Criminology.
- Morgan, J. & Zedner, L. (1992). *Child victims: Crime, impact and criminal justice*. Oxford: Oxford University Press.
- Orth, U. (2003). Punishment goals of crime victims. *Law and Human Behavior*, 27(2), 173-186.
- Plano Clark, V., Anderson, N., Wertz, J., Zhou, Y., Schumacher, K. & Miaskowski, C. (2014). Conceptualizing longitudinal mixed methods designs: A methodological review of health sciences research. *Journal of Mixed Methods Research*, online version, 1-23. doi: 10.1177/1558689814543563.
- Roach, K. (1999). *Due process and victims' rights: The new law and politics of criminal justice*. Toronto: University of Toronto Press.
- Ruspini, E. (1999). Longitudinal research and the analysis of social change. *Quality and Quantity*, 33, 219-227.
- Sebba, L. (1996). *Third parties: Victims and the criminal justice system*. Columbus, OH: Ohio State University Press.

- Shapland, J., Willmore, J. & Duff, P. (1985). *Victims in the criminal justice system*, Aldershot: Gower Publishing.
- Skitka, L., Aramovich, N., Lytle, B. & Sargis, E. (2010). Knitting together an elephant: An integrative approach to understanding the psychology of justice reasoning. In D. Bobocel, A. Kay, M. Zanna & J. Olson (Eds.), *The psychology of justice and legitimacy: The Ontario symposium* (11th Volume), 1-26.
- Strang, H. (2002). *Repair or revenge: Victims and restorative justice*. Oxford: Clarendon Press.
- Strauss, A. & Corbin, J. (1990). *Basics of qualitative research: Grounded theory procedures and techniques*. Thousand Oaks, CA: Sage.
- Teddlie, C. & Tashakkori, A. (2009). *Foundations of mixed methods research: Integrating quantitative and qualitative approaches in the social and behavioral sciences*. Thousand Oaks, CA: Sage.
- Thomson, R., Bell, R., Holland, J., Henderson, S., McGrellis, S. & Sharpe, S. (2002). Critical moments: Choice, chance and opportunity. *Young People's Narratives of Transition Sociology*, May, 36, 335-354. 0038-0385(200205)36:2;335-354;022766.
- Trivellato, U. (1999). Issues in the design and analysis of panel studies: A cursory review. *Quality and Quantity*, 33, 339-351.
- Tyler, T. & Huo, Y. (2002). *Trust in the law: Encouraging public cooperation with the police and courts*. New York, NY: Russell Sage Foundation.
- Van Dijk, J., van Kesteren, J. & Smit, P. (2007). *Criminal victimisation in international perspective: Key findings from the 2004-2005 ICVS and EU ICS*. Den Haag: WODOC.

- Van Der Zouwen, J. & Van Tilberg, T. (2001). Reactivity in panel studies and its consequences for testing causal hypotheses. *Sociological Methods Research*, 30, 35-56. doi: 10.1177/0049124101030001003.
- Van Ness, P., Fried, T. & Gill, T. (2011). Mixed methods for the interpretation of longitudinal gerontologic data: Insights from philosophical hermeneutics. *Journal of Mixed Methods Research*, 5, 293-308. doi: 10.1177/1558689811412973.
- Wemmers, J. (1996). *Victims in the criminal justice system*. Amsterdam: Kugler Publications.
- Wenzel, M. (2000). Justice and identity: The significance of inclusion for perceptions of entitlement and the justice motive. *Personality and Social Psychology Bulletin*, 26(2), 157-176.

Table 1: Justice study design: procedural interview points and outcome for each

INTERVIEW	PROCEDURAL INTERVIEW POINT	SUBSTANTIVE OUTCOME
TIME 1	After police had charged an accused person with an offence and prior to a court hearing	The police arrest and charge decision
TIME 2	After the finalization of the matter at court	The decision to prosecute or not, and on what charges The court verdict and sentence (if any)
TIME 3	Approximately six to eight months after finalization	The justice system outcome

Table 2: Summary of prospective and retrospective elements in longitudinal design of justice study¹ alongside core inquiry, and whether questions were quantitative (QN) or qualitative (QL).

INTERVIEW	CORE INQUIRY	PROSPECTIVE ELEMENT	RETROSPECTIVE ELEMENT
TIME 1	What is it that you want to happen and why; how was the experience and what is important to you about that?	<p>What expectations do you have of the process ahead (QL)</p> <p>Likely future involvement of police (QL)</p> <p>What expectations of justice outcomes (QN)</p> <p>What decisions would you like the court to make (QL), why (QL)</p> <p>What preferences for the type of justice process (QN)</p>	<p>Why involve police (QL)</p> <p>What wanted to happen from police (QN), why (QL)</p> <p>How were you treated by police (QN)</p> <p>Assessments of police decision (QN)</p>

TIME 2		<p>Assessment of future safety from violence (QN)</p> <p>Likely future involvement with prosecution (QN)</p> <p>Likely future involvement with court (QN)</p>	<p>What wanted to happen from prosecution (QN), why (QL)</p> <p>How were you treated by prosecution (QN)</p> <p>Assessments of prosecution decisions (QN)</p> <p>What wanted to happen from court (QN), why (QL)</p> <p>How were you treated by court (QN)</p> <p>Assessments of and preferences for court decisions (QN), why (QL)</p>
TIME 3		<p>Likely future involvement with the justice system (QN)</p> <p>Preferences for future treatment of similar incident by justice system (QN)</p>	<p>How feeling now about justice system response (QL)</p> <p>Assessments on involvement and protection of interests (QL)</p>

	<p>Likely future supportive involvements with justice system (QN)</p>	<p>Perspective now on idea of justice (QL)</p> <p>Assessments of treatment by justice system (QN and QL)</p> <p>Assessments of and preferences for justice system decisions (QN and QL)</p>
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¹ Not all of the prospective and retrospective questions asked of participants are included in the table.

Table 3: Themes underlying victims’ substantive and procedural justice evaluations

QUALITY OF INTERPERSONAL TREATMENT	OUTCOME ACCEPTANCE
Recognition of standing	Relationship to offender-related concerns
Equality of treatment	Relationship to victim-related concerns
Information as reciprocity and recognition	Normative concerns
Interaction as respect	Governance concerns

Figure 1: Victims' preferred justice outcomes depicted as ripples moving from initiating event, to threshold aim and showing different objects of value, multiple goals and reasoning objectives (where the concentric circles represent the unfolding of thinking)

¹ I thank the editors for this reflection.

² Victims' rights are a social, legal and political movement, or more precisely, a set of movements. Rights claims have a broad basis. They are informed by radical progressive activism, and by conservative ideas of respect for rule of law. Victims' rights are conceptualized as social movements, as responses to oppressive or discriminatory practice, and as breaches of individual rights and dignity. Victims' rights activity takes place at the level of domestic criminal justice, and in international criminal justice. Rights advocacy therefore is a diverse activity. The appointment as an independent statutory advocate in a small jurisdiction in the Australian federation combined the promotion of victims' rights and investigation of breaches of rights in the administration of justice. These involve diverse processes in police, prosecution, courts and tribunals, probation and corrections, and encompass youth and adult jurisdictions as well as criminal and civil areas of law. The relevant victims' legislation is located at <http://www.legislation.act.gov.au/a/1994-83/default.asp>.

³ The larger doctoral project encompassed interviews with prosecutors, comparative analysis of the victim sample with larger population studies, and more participant and incident data than is reported here (Holder 2013).

⁴ The International Crime Victim Survey shows that this phenomenon is common worldwide (Van Dijk et al., 2007).

⁵ Criticism of criminal justice from victims' perspectives extends across offence areas. For example, from victims of burglary (Maguire & Bennett, 1982), to child abuse (Morgan & Zedner, 1992), and to victims of terrorism (Letschert et al., 2010).

⁶ See previous footnote for examples.

⁷ The research comprised a control group that was interviewed before the new guidelines were implemented; and an experimental group that was interviewed after the guidelines were implemented. The published analysis combined the experimental and control groups,

resulting in 640 people being interviewed on the first occasion, and 435 on the second. The study took place from August 1992 to May 1993 (Wemmers, 1996, pp. 106-108).

⁸ Participant weekly income is AUD 865 per week (or approx. USD 650). The Australian mean for 2009-2010 was AUD 848 per week. The small study sample precludes comparative determination.

⁹ I am grateful to the anonymous reviewers for highlighting a number of these concluding points.