

(a) State the research question of your assigned paper.

In Australian lower criminal courts, are the characteristics associated with communicating sentencing decisions distinct from characteristics associated with communicating other types of decisions? (pg. 1053)

(b) What data did the paper use?

According to the article, “[the] analysis draws on data from a national court observation study of criminal cases in Australian lower courts” (pg. 1053). The data consist of observations taken at 1,287 hearings (referred to as *matters* in the article) before 27 magistrates in 30 court sessions across 20 different locations (pg. 1057) in Australia. Observers noted:

- whether the magistrate looks at and/or speaks directly to the defendant,
- the magistrate’s ordering of the decision and the reasons, and
- how these encounters are affected by the presence of a legal representative.

(pg. 1053)

The observational data were combined with court records of defendants’ demographics and charges (pg. 1057).

(c) What theory did the paper reference in order to interpret the data? (Note: it is possible that the paper has no reference to theory.)

The paper references Max Weber’s theory of authority.

(d) Was your assigned paper a descriptive study, an identification exercise, a numerical solution to system of equations study, or some combination of the three? (These are the three classifications we discussed in class.)

The article presents the results of an identification study:

$$\text{Communication Characteristics} = f(\text{Type of Decision})$$

(e) What computational methods did this paper use to answer the research question? What was their result or answer to the question?

The study presents descriptive statistics and uses  $\chi^2$  tests to identify significant differences between groups with regard to how often magistrates looked at and/or spoke to defendants. (Additionally, the article employs data visualizations that appear to have been generated with Microsoft Excel.)

The authors find that in sentencing decisions, magistrates are significantly more likely to look directly at and/or speak directly to the defendant compared to in other types of decisions (pg. 1058). In non-sentencing decisions when the defendant's legal representative was absent, however, there was no statistically significant difference in whether the magistrate looked at the defendant, compared to in sentencing decisions (pg. 1059). The authors conclude that sentencing decisions are, in fact, delivered distinctly from other decisions (pg. 1059).

(f) Think of yourself as an academic referee. Give two suggestions to the author(s) of your assigned paper of things the authors might do to improve their results or strengthen their evidence for the answer to the question.

1. Despite mentioning that they obtained information on defendants' demographics and charges from the courts (pg. 1057), the authors do not investigate whether magistrates' communication style varies according to defendants' race, gender, age, or category or severity of charges. Given that they have such demographic data, the authors would do well to extend their study in this regard (or, if no differences were found between groups, to mention so).
2. Because men and women are socialized to communicate in different styles, it is possible that communication style varies by magistrate gender. The authors mention that as a group, the observed magistrates "closely match the gender, age, and years as a magistrate distribution of the Australian magistracy as a whole" (pg. 1057), but do not report whether communication behavior varies between magistrates by such demographic characteristics. The study could be extended to investigate whether communication styles depend on magistrate demographics in addition to decision type.