

STORIES OF (IN)JUSTICE?

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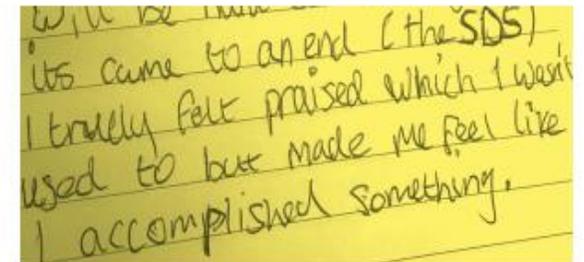
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DATA SET ONE: AN EVALUATION OF SOUTH LANARKSHIRE'S STRUCTURED DEFERRED SENTENCING (SDS)

- An innovative approach to sentencing in of young people in two summary courts in Lanark and Hamilton.
- 14 Scottish white young people, between the ages of 16-21 took part in:
 - Two boys and one girl took part in longitudinal interviews (3 interviews each, 9 in total).
 - One focus group with four participants (three boys and one girl), one paired interview (one girl and one boy), and five individual interviews (all boys).
 - Seven Ethnographic SDS Court Observations
 - Thematic Analysis of Documents (2 YP diary, CJSWR,)

UWS UNIVERSITY OF THE
WEST of SCOTLAND

Evaluation of South Lanarkshire
Structured Deferred Sentencing for
Young People



Will be...
its came to an end (the SDS)
I truly felt praised which I wasn't
used to but made me feel like
I accomplished something.

End of Project Report

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DATA SET TWO: AN EXPLORATION OF OPINIONS ON THE DRAFT SENTENCING GUIDELINES FOR YOUNG PEOPLE IN SCOTLAND.

- 66 young people (14-25) across Scotland took part in a vignette based focus group.
- Focus Groups were carried out in: Glasgow, Dundee, Edinburgh, North Lanarkshire, South Lanarkshire, West Lothian, Perth and Kinross, Dumfries and Galloway, and Highlands and Islands. Two focus groups were also in institutional settings.

Gender	Ever been sentenced			Been a victim of a crime		
	Y	N	M/D	Y	N	M/D
31 females	4	21	6	13	6	12
33 males	18	12	3	8	7	18
2 prefer not to say	1	1	0	0	0	2
66 participants	23	34	9	21	13	32

WHY SMALL STORIES?

- If we collect spoken (and indeed written) accounts of ‘events’ or ‘experiences’, then we need to analyze them in terms of the cultural resources people use to construct them, the kinds of interpersonal or organizational functions they fulfill, and the socially distributed forms that they take. (Atkinson et al. 2003: 117)

LIMITATIONS OF CURRENT ANALYSIS

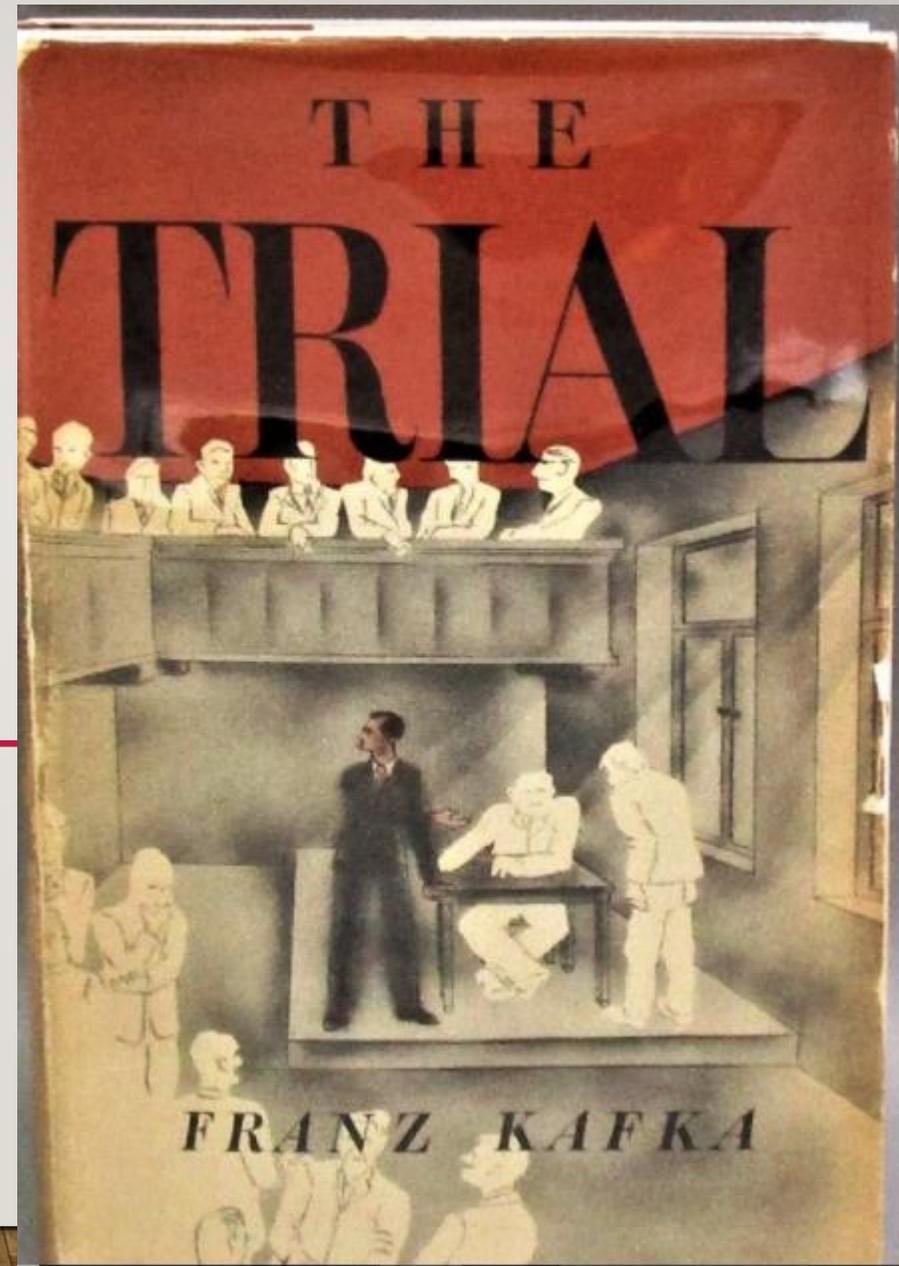
- The data sets clustered:
 - Experiences of Injustice = SDS & SSC Data
 - Experiences of Justice = Mostly SDS Data,
 - Imagining Justice = Mostly SSC Data
- Not all opinions or data from SSC research could be included as it did not 'fit small story research.
- This means the results from both SDS and SSC reports may differ from these, in terms of:
 - Beliefs in the role of Prison
 - Experiences of what justice is
 - Beliefs in role of sentencing and philosophies underpinning the,

STORIES OF INJUSTICE



PROCESSING: THE UNTOUCHABLE COURTS & THE INVISIBLE MAN

Small stories of young peoples experiences of (in)justice



THE UNTOUCHABLE COURTS

Celiedh Edinburgh one is so much different from the Glasgow one as well.

Arran They're old buildings. I don't know about Edinburgh. I've never been to Edinburgh but Hamilton court's quite old.

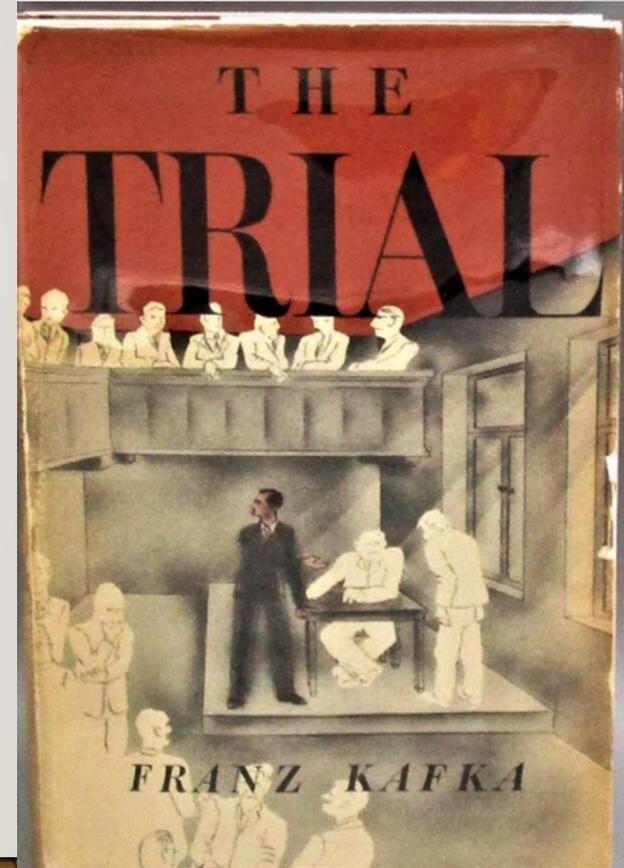
Celiedh She was horrible. It was like, see my Legal Aid wasn't granted, she was trying - she wanted to go ahead without a lawyer basically, and was like, "This happened to me last year, this is but passed the size of the courts in Edinburgh just be like, absolutely unbelievable. I could say long enough," and I says, "But it's taken six-month for the paperwork for me to come in to Air he likes shows you the difference between the sheriffs and even like the courts up the say that I have to go court," and then the dates they had gave me, and because Legal Aid sthonne: If he likes you or not? hadn't been granted, because they needed like, my P45 or something, she's like that to me

Celiedh If he likes you big but the ones in the high court are double the size. So, it's more basically, "We should just go ahead, this is your responsibility to make sure your lawyers in And what's your part in the process? are in funds." My lawyers thought they were fine, thought it was all granted anyway, so I got

Arran Nothing the high court with all this like you ask anybody just makes a decision like hoity to John: Because in a court of decision, it's not even more that size because there's no witness not being there, she's like that, "This is a joke, this the second time this has been

Paul: Are you getting it, Paul (SDS) she judge at the high court. Never going to happen. but off," and making it out to be my fault, do you know what I mean? It was just the way

Celiedh It's as if they put up with you and you're looked down at. she was talking. You can tell by the attitude. (Rowan, SDS)



PUNISHING THE INVISIBLE MAN

Mohsin: [Speaking over Johanne] Well, what about that sixteen year old? that gotf taken day lie in and hung hisel on the last day?

Mohsin: Yeah, because, for exam, people are paying taxes and stuff like just whatever they're payin' right like it's to keep pretty much a dog in a cage for a year and he's gettin thir'y eight

grand spent on him. Imagine, imagine if like you actually physically spent ne, never mind thirty

eight grand and just say eight grand on somebody, you, you, you got a mentor friend that helps him

Bill: Ahwiz in 'is old gaff an' all man. And then ye end up actin' like an animal.

Scotty: Ah, an' know man an' goat, a went to just after that.

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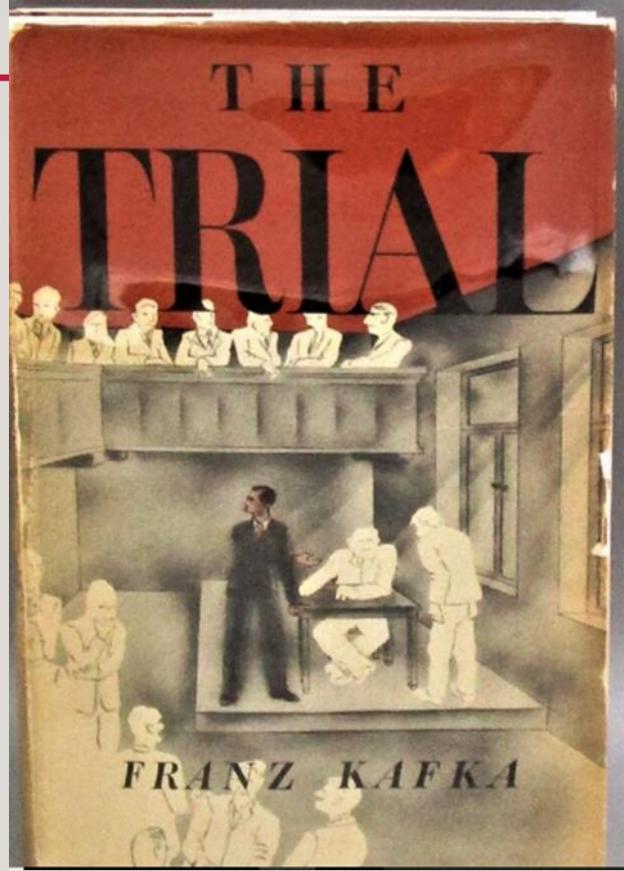
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JUSTOPIA...

A child in need is a child indeed, graduated justice, and imagining a different prison, a different punishment.



A CHILD IN NEED, IS A CHILD INDEED.



Johnny: Aye, it's lit a 'hing ye gottae learn. People wi' nae qualifications, you can go back and get it at em
Ella: Okay. So what do you think a sentence should include to help young people?
Ella: I think that maybe with other people like you and instead of goin' to college and maybe support, like I would
want the way of dealing with it to be the same. And I think rehabilitation would be the best way because friends, you
know, you don't tell your friends everything and people do bottle up emotions. And I would want the emotion to be
like they're doing is wrong. Trying to you know get through to them and not put them down in
SHARON: I don't think so. I think there's some people, a very small, like, what was it, there's like a, really
small amount that really nothing can be done. But the majority. It depends, like, what help do you want to
give? Like, I was saying to Cat that, like, in the prison, there's no domestic violence programme or anything
because that's just no right [laughs] [unclear 0:02:11].
I: Yeah okay. Elsa, what do you think?
charge and there's no programme in there to help them, but they've got a choir you know. So [laughs]
ELSA: Well I also think like what Roisin said with the lashing out in anger. Like it could help like control their feelings
and like realise that hating someone isn't the best option. Like just speak to them about how you actually feel. (SSC,
YW FG)

GRADIATED JUSTICE

- Darryl - But that, that, that is where the whole intent thing...Literally intent has always the

biggest issue. It's like is someb'dy just intended to fuckin' hurt a piss, know what they mean? They need to know that, obviously, Em...I dunno, really. Don't know.

Sebastian - Depends on the crime. Some others are different. There's a few different things that should be, were only two, y'five, well then there's an issue wif that. If someb'dy intended to mibby, once you're in the, you're a young person and then between that and like, 21, you're slowly gettin' like, it's R: It should be re-evaluated, it shouldn't just be straight to, oh bye. And it should be looked at why it didn't slowly be done so, it's not like the other people, things get sent to jail, you're one, work, and it should be evaluated, in terms of why didn't it actually work? [Unclear words 0:22:13], oh you did you should be sent to jail, don't think re-hon there's certain people that deserve to be in jail, (SSc, YW FG) this wrong, oh no, you're in trouble, no worse. It should be evaluated cause that might've been they've just looking at their ages. One's a young person, one's an adult, despite the fact that they are basically the same. given her the wrong sentence for that type of person. It's SSC always the person's fault. It could be the intent of the actual act, that someb'dy want. It's SSC always the person's fault. It could be the judge's fault who has looked at it in a different way, and then someone else has looked at it, they've went, well this isn't really gonna work for said person, let's look at a different way to work it out without just going, whap, stick, you've done that. (SSc, YW FG)

'UN'PROCESSING, BEING SEEN AND BEING HEARD

Arran: Agree with that 100%. You feel as if you do come away from it with more because you feel as if you're just not getting spoken at, you're actually getting spoke to.

Alistair: I mean, like some o' them like thaimes that just keep gettin' into bother, I can understand that but like ah, actually go the chance and it's changed me, know what ah mean? There are some that 'ave not even been giein' the chance that probably coulda benefited fae it. Ah 'hink they should be more like dealin' wi' the issue that happened like, you don't walk away, thinking I'm afraid to go back, I'm going to get sentenced. I'm only going back to see my social worker in a couple of weeks then I'm going to say dependin' on what the person's done, that should like gie them some form of breathin' room in a way coz it felt like they were just trying to follow the rules and take obviously all judges will but it felt like they were like I shot a pause, it's like wi' me and ma mum, for example, like that was just an argument that got heated and, down on you, you're sissie, dead as a doornail, for example, like that was just an argument that got heated and, you know, like the polis got called and it was like if we hadnae just sort of tried ta work on that wursel we coulda fixed it yoursel, I think it's like that, it felt like I was just another number, but in the SDS, it felt like, no, I: Has that been your experience? I've been involved wi' this for like two years now since I was like sixteen so it's like Arran: My haec is now, it's a pain in the butt. I mean, I don't know what all that means, but I will let us down, they'll be a he was the positive out come. The guy actually said, 'As long as you interact with us and keep your head down, stay out of and about, it did help us tae learn fae ma mistake but it's like ah don't know, there's, a few o' ma mates have even been Celiedh: They just questioned you.

I: What were they doing to do that, and what did they do different?

Arran: Like just a tea away they can take a few o' ma mates go down the wrong road and it's a shame but it happens. (SSC, CJ FG – Alistair Celiedh: It's not always dead positive, I know for SDS, sometimes get in much more trouble for a knife crime, but if you can stick to Arran: These rules and get your head down, just keep making appearances to court and with Ross*, I'm pretty sure Celiedh: You get positive vibes there. It's all about going forward. With the other ones it's like they try and figure a way out of it, but the way they're doing it, you're still in the same situation, but the way they're doing it, they're just adding more obstacles in your way. It's like a release. Oh, we're just putting her brief there and something you just can't get over and they just ruined it for you.

Arran: It tars them all with the same brush, doesn't it, because then you have [speaking at the same time]. When I first went to see Ross, I had pre-empted what it was going to be like. I was like I'm not doing this. But when I signed the form it was a totally different thing. (SDS)

THANK YOU & QUESTIONS

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