**Justice and Courts**

Protection of the public

When we say why incarcerating people is important, we need to show why recidivism is likely:

- People repeat patterns of behavior

- They've broken the psychic barrier.

- No consequence without jail

Deterrence of crime:

Why it works

- You're afraid of prison.

- A high penalty makes people see less consent to it

Why it won't work:

- People don't think about jail time when they commit a crime because:

o They don't think rationally

o Punishment is distant

- Criminals don't think they'll get caught.

- It's hard to conceptualize a prison sentence that's just a small number, months, years, even a year in prison doesn't sound bad until you experience it for yourself.

Rehabilitation:

Why important?

- Prevents future crimes

- The state failed the individual who committed the crime, so the state has a duty to them.

Victims:

A common problem is the perception of the victim as low-impact

It is necessary to demonstrate why the absence of punishment has a strong effect on the victim:

- We're socialized in the sense that we see punishment as being wrong, so when the person who hurt the victim gets punished, the victim feels like other people know what that person did was wrong and it's not samazz.

- Lack of punishment makes the victim feel like her pain, her case was not considered relevant.

She probably already has some harm on the psyche because of what she has experienced by the person who hurt her. Because the perpetrator is not punished, the victim feels rejected, because it shows her that society does not recognize the wrongs that have had a serious effect on her.

o In such a victim is born anger and pain likely to stay longer with the victim because:

There is still an abuser at large who could come back and hurt the victim, causing a life of fear

The victim is still disappointed by the attitude of society or by the authorities, so he still feels alienated in that society

- Fear and anger limit other activities of the individual, probably can not effectively perform daily activities, because further his mind is dominated by those strong emotions that do not go away

Why do we care about victims?:

• The state restricts our ability to defend ourselves and obtain justice by law, because it forbids us from making self-judgments and punishes us if we do so. Citizens abide by that law, there's no mass protest, so we're outsourcing this opportunity for self-defense and justice to the state.

• In return, we get security for not enforcing the law ourselves. If a State is unable to provide security, for example, to impose the penalties that it deserves, then it has failed us and it has an obligation to make reparation to us.

Retribution (fair retribution for crime)

Bias during the process:

• gathering evidence while confirming bias (Confirmation effect is the name of the cognitive error manifested by the tendency to seek and favor information that confirms our existing beliefs and hypotheses. ) and tunnel vision (perceiving only concrete, obvious things)

• rich people have better lawyers

What can a good lawyer do for you?:

- Advice during the trial – Prepares you thoroughly for the trial and protects against potential sinking (which will be pursued by the prosecution)

- Review evidence: May be deficient

- Can show bias effects and can counteract them

- Charisma

- know-how

- Knows the technical aspects of law

- He has the time, knowledge and resources to devote to your defense

Poor people can have a good lawyer, too:

- Pro bono: They want to confirm the status, that they are good people, to gain a new image of defenders of people, to resist accusations that they are calculated

- People from minority backgrounds

- Charities pay lawyers

- Public attorneys

Judge:

Negative for judge framing:

- white men -> status to study at good universities, money, recognition, people who like to be on the candlestick and like status,

BUT -> Good education is liberal views often, universities are not so dominated by men

- Your background affects how you perceive people --- ? you sympathize with people who are similar

Positive for judge framing:

- The law regulates how you can convict

- Individual evidence is processed according to standard processes by different experts so the judge has little room to show off about how guilty someone is

- There is external pressure from liberal media and social movements.

Prison system:

Why are prisons bad?

- Violence from fellow inmates and guards

- Overcrowding – poor sanitation system

- No opportunity to work or study

- Criminal networks: - Necessary to protect yourself – You will want to recruit

Why can't prison be improved?:

- Most people don't want that.

- Prisoners are seen as bad people

- Victim lobbying and imb4 private prisons in the US

- No resources, no technology, no guards, no new space,

- Lack of information on rehabilitation or prison conditions

- People, media and politicians do not listen to prisoners and their opinions

- Transferring prisoners keeps them from completing vocational training.

Problems with rehabilitation:

- Difficult to find a job (stigma, lack of CV, background check)

- Learned behaviors and slang from prison

- No capital (you don't get paid in prison)

- No relationship – either you were condemned or the relationship was disintegrated by distance and time

Conclusion: You are suffering over the sentence that has been imposed on you. It affects people from different social groups in different ways

Przetłumacz

The Biggest Problem: Recidivism

- Recidivism problem. United Kingdom: Half of all prisoners are re-sentenced within a year of release. USA: 68% of prisoners re-arrested within 3 years, most within the first year. Especially property criminals (82%), followed by drug offenders (77%), public order offenders (74%) and violent offenders (71%). The longer the sentence, the less likely it is that you will commit a crime again.

- BUT most likely you'll be re-arrested for parole violation, for example, if you miss a meeting. This causes an automatic re-imprisonment.

- Factors of recidivism: treatment and opportunities in prison, people's impression of prisoners and state support after release from prison.

o Education, training and employment (primary education, training, employability programmes)

o Accommodation

o Interpersonal support (family, children, role models to follow in prison with you)

o Mental and physical health

o No drugs and alcohol (anti-drug courts, drug substitution treatment)

o Finance and debt (pay the prisoners for their work!)

Attitudes, Thinking and Behavior (Anger Management, Interpersonal Skills, Reasoning, Moral Reasoning, Victim Mediation)

Why don’t we just solve the problem and be nicer – and isn’t it just about the money?

- Political capital matters, and public opinion tends towards harsh prison sentences. Why? We report this on the basis of years, e. g. 8 years does not sound like much (as opposed to days) and we do not think about it in terms of time. Our language is also essentializing and reductive: criminals, criminals, rapists, murderers. But we’ve learned not to use reductive language in other areas: disabled people, not autistic people – we let you be a fuller person and we don’t define you by one act or mistake. We're not forcing you to identify with this.

- No information. The UK does not collect any information on rehabilitation rates in individual prisons (it will now start to compile a ranking). The Minister of Justice may give regulations on the maximum size of floor towels, but he cannot say in which prisons the fewest offenders commit fewer offenses after their stay in prison. Now he's bringing it in. / The problem is even greater in Latin America, for example: human rights organisations have had no access to Nicaraguan prisons since 2008, and data on the provision of rehabilitation services are almost non-existent.

- Practical problems. Many prisoners are transferred regularly, so you can't teach them anything, because they never finish their studies or courses, or meet the same people with whom they can bond. Many prisons in the UK and US are also very old – so you don’t have things like Wi-Fi or mobile signal, which makes it difficult for guards and prisoners to work. They are being refurbished in the UK, and the technology has enormous potential: for example, to educate, monitor and schedule prisoners so that they never meet the people they have had problems with.

- Overcrowding: It is difficult to provide sufficient support and security. 2,100 new officers.

- Risk and safety issues. Not all prisoners can or will be rehabilitated – and the more freedom they are, the greater the risk they pose to other prisoners, guards and society once they are released. The government has to be responsible and assume the worst-case scenario.

- Victims' rights, victim lobbying and fear. In the United States, for example, life sentences that can be commuted are almost never caused by pressure from a group of victims' lobbyists.