



*Just interactions? Victims' accounts  
of their involvement with criminal  
justice agencies in England and  
Wales*

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## Overview

- The concept of a **'justice gap'** refers to a gap in understandings of how 'justice' is understood, sought, and experienced.
- The current paper draws upon the qualitative phase of a large ESRC funded study in the UK, involving **n=228 interviews** with victims to investigate how these participants perceive 'justice'.
- The interviews enabled in-depth recollections of their interactions with justice agencies, which were coded using themes identified in the literature on **procedural justice**.
- Findings reveal that these are not **'just interactions'**...



## Procedural Justice

- (1) Representation:** *citizens can voice their views to authorities*
- (2) Consistency:** *authorities provide equal and invariant treatment across groups*
- (3) Impartiality:** *authorities act in an impartial and unbiased manner*
- (4) Accuracy:** *authorities use accurate and reliable information to inform decision-making*
- (5) Correctability:** *the unfair or incorrect decisions of authorities can be corrected*
- (6) Ethicality:** *authorities treat citizens with respect and dignity*



## Method

- **Recruitment**

- Contact with over 80 organisations, including all relevant national organisations, across England and Wales
- Payments to project partners (NGOs) in recognition of their efforts

- **Procedure**

- On-line website to register interest
- Telephone, face-to-face, skype
- Interpreters offered

- **Interviews**

- Open questions: what is justice
- Closed questions: types of abuse experienced

- **Sample**

- n=228 individual interviews
- n=24 group interviews (between 4 and 9 participants each)



## Interview sample

- **Mostly heterosexual white women**

- n=17 men
- n=80 BME
- n=13 LGBT
- n=29 declared a physical disability
- n=126 declared a mental health or learning disability
- n=93 had incomes less than £15k per year
- n=162 had children

- **Most experienced domestic abuse**

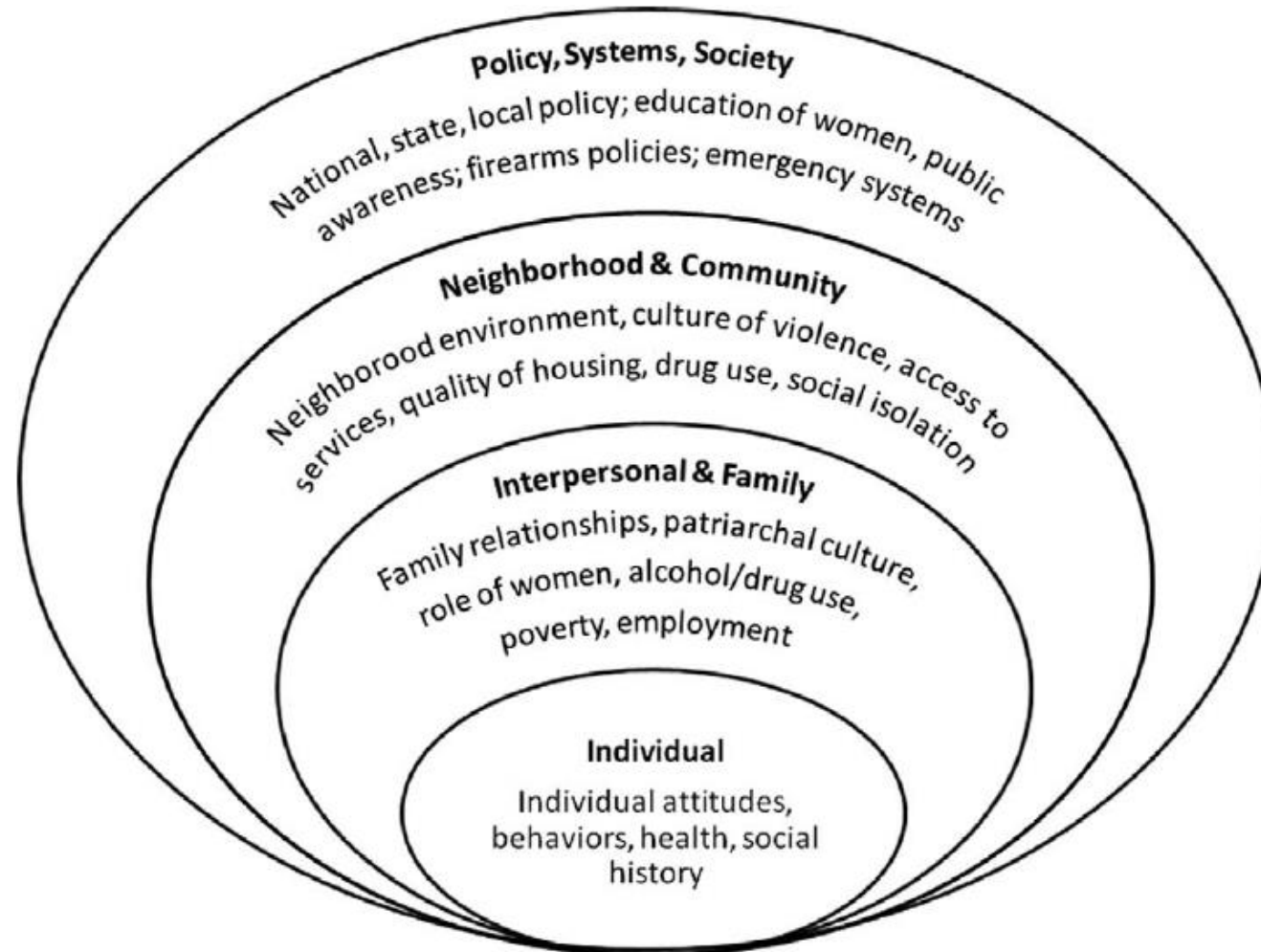
- n=188 physical, n=212 emotional, n=115 sexual, n=157 financial

- **Most had contact with justice system(s)**

- n=189 any police, n=67 criminal charge, n=73 any civil injunction, n=79 family court



# Ecological Model



# Victims' experiences seeking justice

	Individual		Micro / Interpersonal		Meso / Community		Macro / Society	
	Enablers	Barriers	Enablers	Barriers	Enablers	Barriers	Enablers	Barriers
Awareness	Light bulb moment, naming the abuse	Lack of education/ awareness	Friends/family believing the disclosure	Not being believed, especially by parents	Professionals not ignoring abuse	Professional incompetence, Not following policy	Awareness raising through education	Stigma associated with 'being a victim'
Emotions	Emotional strength/ resilience	Self-blame Childhood abuse	Emotional support from family/ friends	Isolation/ being shunned No support network	Supportive demeanour from professionals	Routine discourtesy from professionals	Women's empowerment	Blame culture
Services	Help-seeking Knowledge of services	Didn't know where to get help/ couldn't access help	Friends/family helping to access services	Perp manipulating services	Availability of specialist services	Inadequate provision of services	Woman-centred services Activism	Male-dominated institutions
Finances	Employment Own financial resources	No resources Negative equity	Friends/family lending money or place to stay	Being kicked out Financial abuse by perp	Availability of legal aid	Legal/ court costs	Class position and resources	Poverty & benefits system Property laws

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(1) Representation: policing style  
and lack of voice

*R And this policewoman rang me back, and she was very kind of ... not like you on the phone, she was very kind of ‘So what’s wrong?’ And then I told her and then she said ‘Well you know I have other people here with 50p in their bank account.... And in the end she made me freeze, like I’m talking to you now freely, but with her **I just felt like a rabbit in the headlights and I couldn’t tell her exactly what he was doing to me.** Because the one or two things that I said to her about how he was you know making me feel and what his family had done – to her that was nothing. I just thought okay so if that’s nothing then whatever else I tell you next is going to be nothing, and I just froze. And she said ‘Well look, you’re not giving me anything, I can’t do anything’ ...*



(1) Representation: policing style  
enabling voice to be heard

*R But I think if it hadn't have been ... I won't say if it had been another police person I perhaps wouldn't have done, but they were brilliant. **She just sat and listened to me, there was no rush.** She wasn't 'Oh why won't you press charges?' – she really understood.... (crying) You know she didn't force me, but she was there going 'Come on, it [abuse] isn't right is it? Right, let's have a cup of tea, let's have a talk about this'. You know there was none of this 'Right well if you don't want to press charges, you're wasting your time'..... There was none of that, there was like 'Hang on a minute, she needs to get her head round this'. (crying)*



## (2) Consistency: domestic abuse not treated as seriously as other health issues

*R     Yeah, you have no energy, you have no faith in yourself, you have no sense of entitlement ... whereas the perpetrator is fully entitled and righteous ... you have no righteous indignation ... and that's what you need. And actually it should be a really clear pathway 'Is this happening?' and then **all the people who might spot it in a professional sphere** ... there's obviously the public as well, but look at the professionals for a minute ... should be going 'Right you are not [just] going on mediation' or 'Right, you know, actually my colleague specialises in this' or 'Right, it's Freedom [programme] for you'. You know this should be a pathway, just like there is with if we were talking about a spinal cord injury ...*



### (3) Impartiality: deference to perpetrator's status

*R ...My mother says she also overheard the police talking outside, and the police were saying oh yes the ex husband has said that she's mad and she's mentally unstable. This was something that he very much liked to say, my ex husband, **because he was a doctor...** in fact it went to court and he was asked to provide evidence, and the only evidence he could come up with was that I had 3 months' post natal depression after I had the second child. So they weren't particularly impressed with this, but that was his whole thing, he would tell the police oh I'm big doctor, I'm the surgeon, I know she's um ... she's got a screw loose basically - which isn't really true.*



(4) Accuracy: not sharing  
information

*R We were told that he would have to do at least 32 months, and we were told to contact the liaison officer to make a licence, you know he'd be let out on licence. We contacted them 6 months beforehand, to find out **he'd actually been released the week before....** it was scary cos we didn't know what he would do.*



(4) Accuracy: sharing too much information

*R I kind of felt extremely betrayed and not immediately ... cos I went late at night and it was the next day within 24 hours I had all these numerous people phoning me and I was like 'What's going on here?' – I thought this was all supposed to be anonymous and I was supposed to kind of be safe in terms of **it was supposed to be up to me whether I wanted that information to be passed to police ...***



(5) Correctability:  
victim's job to correct police mistakes

*R So when that incident happened last May in the car they sent a single male officer out who sat here and said 'Well I can't really do anything about because he did actually let you get out of the car.' ... but then when I phoned the domestic abuse unit and reported it **they said to me that's a crime** – he kept you in the car and wouldn't let you get out, he intimidated you and the children. And they were like 'Yeah yeah, we'll send somebody out you know you need to phone 101 and report it to them'... so that's what I did. And even the person I spoke to when I had to phone back on 101 or whatever it is, they were saying to me 'Yeah you know that's really awful, you know, somebody will be going out and talking to him.' But the police have never ever gone and spoken to him.*



(5) Correctability: mistakes usually  
can't be corrected

*R In the end I managed to leg it out of the house and I ran to the [shop] at the top of the road, they called the police, [and] an ambulance. And then he got arrested and he was sent to prison for 3 weeks on remand. Then when it came to the actual court, because the photos of me were in black and white he just got away with it, he got released.... When the police took me to hospital **they took pictures on their phone of my face...the [DV SUPPORT SERVICE] worker rung me and said the pictures that the police took were in black and white and it didn't look half as bad as it was. Yeah that's why he sort of got away with it.***





(6) Ethicality: empathy and care  
from police (sometimes)

*R A police officer stayed here with me to take a statement. I said that I wanted to ring my mum to see if she could come round. He said 'If you like' he said 'he's gone now' he said 'they've gone in the car with him [arrested]' he said 'if you like I'll go and get your mum'. So he went and picked my mum up, which I thought was really good of him. So I've had some really positive experiences with the police, but I've had some awful ones as well. It's a mixed bag really.*



(6) Ethicality: (lack of)  
respect and empathy

*R ...My first and only court experience has been child contact, and it has been so negative and so hurtful towards me I kind of thought I don't want to go in there again and not be believed. Because as part of the children court investigation they had the children court officer speak to everybody. And she said to me you know did you ever phone the police when he was doing these things and I said well no I was by myself with the baby and I was scared. And she said to me well then you do know **it's your own fault that you're in this position....** So that was ... that's my experience of justice.*



## Final thoughts

- Implications of focussing on procedural justice – (an overly) positive lens through which to analyse interactions
- Conceptualising procedural *injustice*
  - More than the absence of procedural justice, but a form of institutional harm
  - Consequences of negative policing more significant than positive policing
  - Need analysis on quality but also quantity, timing, cumulative effect of events
- Procedural *injustice* and *inequality* – conceptualised as one of six concepts (impartiality) but actually it underpins it all
  - Need for a gendered/raced analysis of the power of professionals in relation to victims; intersectional as well as interactions between factors, across levels

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***Thank you for listening!***

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