**Interviews with lawyers**

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|  | **Background** | **Prompts** |
|  | Can you outline your current role for me please and talk through how you got to this point in your career? | - training  - employment history |
|  | What were your motivations in becoming a lawyer? | - Interest in current role |
|  | What would you consider to be the most important aspect of your current role? | - Ability to realise/ effect this day to day |
|  | **Legal consciousness** |  |
|  | 1. **The practice of prosecuting/defending cases involving multiple suspects** | |
|  | What are the most common types of cases that you deal with? | - Has this changed over time?  - most common cases involving serious violence? |
|  | What proportion of serious violence cases involve groups of young people? | * Change over time? |
|  | Do you tend to see common themes in cases of serious violence involving young people? | - e.g. profile of those involved /kinds of behaviour engaged in?  - weapons?  - premeditated/ spontaneous  - gangs?  - drugs  - ethnicity |
|  | Can you talk me through the process of prosecuting/defending (both if relevant) a typical case of serious violence involving multiple young people? | - Decisions re: bail  -discussions with clients  -negotiating pleas  - changed over time? |
|  | In the last decade, have you seen any changes in the way the law has been applied by other practitioners to cases of serious violence involving multiple young people? | * Colleagues * The police – to what extent should the police understand the law of JE? * CPS charging decision re murder/manslaughter and offers of pleas? * since Jogee? |
|  | To what extent is it necessary to identify the particular role of each individual in court, i.e. whether they are principal/secondary parties? | * Has this changed over time? |

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|  | In your experience, at what stage in the proceedings are pleas typically offered? | * By whom? * On what basis? * Changed over time? * How does this occur? |
|  | Have you ever been surprised by the charging decision taken by the CPS or pleas offered in a case of serious violence involving young people? In what circumstances and why? | * reduction from murder to manslaughter * no charge against individuals? |
|  | In your experience, how often do cases of serious violence involving multiple defendants result in: a) acquittal, b) pleas and c) conviction? | * In what circumstances? * Is it related to: * Ethnicity of defendants/victim * Jury composition * Changed over time? |
|  | When you are prosecuting/defending cases of serious violence involving multiple young people, who do you feel most accountable to and why? | e.g. client, victims, defendant, community, CPS? |
|  | What does a ‘successful trial’ look like to you? (specifically related to a case of serious violence involving multiple young people) | * e.g. procedure/ outcome/deterrence /community reassurance/ prevention * Same as other investigations? |
|  | In cases of serious violence involving multiple young people what evidence do you tend to prioritise to build your case/construct your argument? | * In order to identify principals/secondary parties (roles people played) * Who constructs the narrative? E.g. lawyer, police (prosecution), defendant (defence)? |
|  | During these types of cases, how often is gang or gang terminology raised in court? | * E.g. street names, gang names? * Who tends to use them? * Is it ever challenged and by whom? * Is it used in relation to particular groups of people? |
|  | In court, have you noticed anything in particular in the way the judge/prosecution interacts with the defendants | * e.g. hostility? * Does this differ by ethnicity? |
|  | In cases of serious violence involving multiple young people, how common is it for the CPS to decide not to prosecute individual young people? | * On what basis? |
|  | To what extent does your role involve advising the police on their investigations of serious violence involving multiple young people? | E.g. the investigation strategy, when to stop the investigation. |
|  | Have there been any changes in the way in which the CPS select the charges being brought against individuals in cases of serious violence involving multiple young people in the last few years? In what way? | * i.e., since Jogee? * Decisions related to deciding to charge with murder or manslaughter?   foresight, and inferring intent from foresight. |
|  | If you have experience of making charging decisions on cases of serious violence involving multiple young people, what do you tend to consider as the most important factors in deciding whether the case against each individual passes:   1. the evidential test; and 2. the public interest test? | Public interest: E.g. age, culpability, impact on the community, proportionate response. |
|  | How often do the police challenge CPS charging decisions, in relation to cases of serious violence involving multiple young people? | * On what basis? * Change over time? * Likelihood of decision being changed? |
|  | **Perceptions of the law** | |
|  | To what extent do you think the sentences for manslaughter and murder are fair? | * Life sentence for murder? * Difference between determinant and indeterminate sentence |
|  | During an incident of group violence, what do you think a secondary party should need to do, to be convicted of the principal offence e.g. murder? | * Assisting/encouraging? * Foresee crime? * Be present? * If not the principal offence, any offence? |
|  | What punishment do you believe a secondary party to murder, for example, should receive? | i.e. the same as the principal party? |

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|  | Can you talk us through the principles of secondary liability and how you have come to understand ‘secondary liability’ in this way? | * e.g. formal/informal education; direct/indirect experience. * Additional reading (e.g. in legal academic journals |
|  | What are you views on the recent changes to the doctrine of secondary liability in Jogee? | * Foresight as evidence of intention? * For appeals – substantial injustice |
|  | What impact do you think the changes in the law [to secondary liability] will have? | * Prospective defendants * Existing prisoners (appeals) |
|  | What do you see as the aim or purpose of ‘secondary liability’? | * Change over time e.g. with change in law * E.g. deterrent/ retribution/ incapacitation /rehabilitation |
|  | How effective do you think ‘secondary liability’ is in achieving its aim? |  |
|  | To what extent do you perceive the principals of secondary liability to be fair? |  |
|  | Are there any aspects of secondary liability that you disagree with or have difficulties with? | * Examples in cases? * e.g. use of ‘bad character’, ‘spurious associations’, stigmatisation, sentencing? * What changes would you make? |
|  | **Young people, social relations and violence** | |
|  | Compared to when you were young, how would you describe young people’s social relationships today? | * With family and friends/associates * Influence of social media * Drawing on experience of own children/family? |

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|  | Thinking about the young people involved in the cases of serious violence that you have defended/prosecuted, how would you describe the kinds of relationships that these young people have with one another? | * use of terms such as ‘friends’, ‘associates’ * comparison to other young people’s social relationships |
|  | Have you noticed any positive aspects of these relationships? | * Care, trust, camaraderie, identity, love, belonging? |
|  | What are the negative aspects of these relationships? | * Fear, violence, arrest? |
|  | Have you noticed any differences in the social relationships of young people:   * From different backgrounds and cultures? * Living in different areas? * Among young men and young women? |  |
|  | To what extent do you think that young people’s social relationships influence their involvement in serious group violence? In what way? | - offending when alone versus offending in groups |
|  | During an incident of group violence, to what extent do you think young people assess the benefits and risks of being involved? | What are those benefits and risks? E.g. *benefits:* respect/kudos, loyalty, financial gain, belonging; *risks:* Violence, loss of kudos, loss of friends? |
| **Young people’s legal consciousness** | | | |
|  | To what extent do you think young people understand the law and legal implications of being involved in serious group violence? | * Do they understand the principals of secondary liability? * The difference between murder and manslaughter? * Are they aware of their legal rights? * Know actions illegal and why they are being tried? * Aware of possible sanctions? - Reactions to conviction/ sentences imposed |
|  | To what extent do young people who are involved in multi-handed trials seem to understand the court process and the language used? |  |

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|  | Does young people’s knowledge of the law effect how you interact with young people? | * Level of guidance/support needed? * Inform about processes, terminology, potential outcome |
|  | **Closing questions** | |
|  | How can we reduce serious violence involving groups of young people? | * Law * Social programmes * Economics |
|  | That is the end of the questions I have, is there anything you would like to add anything I haven’t asked you that you think would be of benefit for me to know? |  |

**Thank you for taking part in the interview**