

ATTRIBUTES TO THEMIS



Edition Three | 18 November 2020

Welcome to the Queen Mary

Criminal Justice Society



COMING UP

INSIDE THIS EDITION...

- 02** *OCTOBER SUMMARY*
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UPCOMING EVENTS:

- 24** *NOVEMBER*
US DEATH ROW WITH AMICUS
- 01** *DECEMBER*
LIFE WITHIN THE CRIMINAL JUSTICE SYSTEM X QMBS X QMOL
- 08** *DECEMBER*
DISCUSSION ON HUMAN TRAFFICKING
- 11** *DECEMBER*
AIMS OF SENTENCING TALK

 <https://qm-cjs.wixsite.com/webpage>

 <https://www.qmsu.org/groups/qmcjs>



qmcriminaljusticesociety



qmcjs



qmcjs



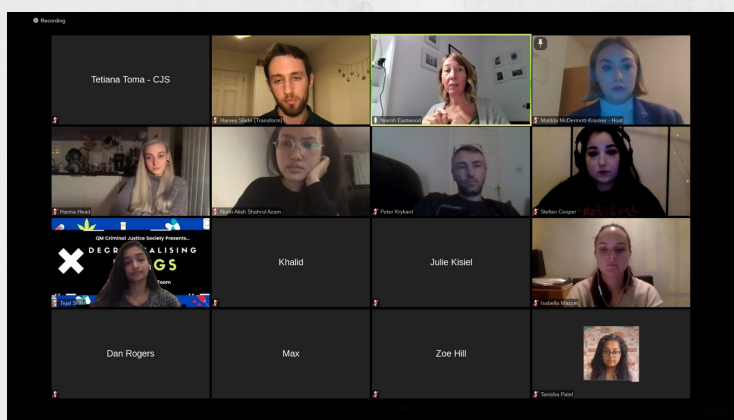
qmcriminaljusticesociety

OCTOBER SUMMARY

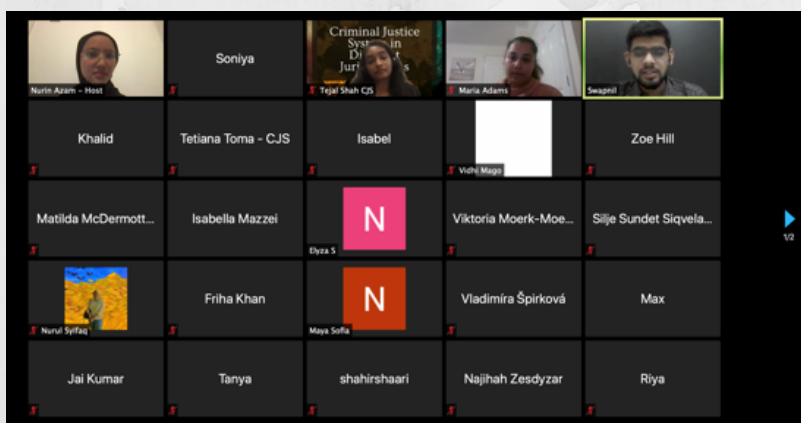
Highlights from last month

Events from the last month

Decriminalising Drugs



CJS in Different Jurisdictions

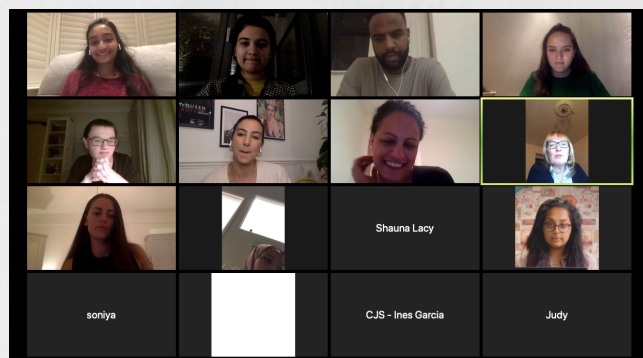


Thank you!

We reached 200+ followers on instagram!

Are you following us? Follow us to stay up to date with upcoming events!

Study of Honour Killing



Join our MEMBERS ONLY WhatsApp Group!



<https://chat.whatsapp.com/Ka2MiQ4KDtiGHd7T7JtEQmD>

Missed any of our events?

Do not worry, we have recorded all of our events - and they are available to view on our website!

<https://qm-cjs.wixsite.com/webpage/past-events-recordings>



EVENTS & OPPORTUNITIES

Deadlines

National Pupillage Fair - 28th November, 10:00 am

A virtual fair for entry at the bar but may be useful for aspiring candidates if attended.

Register now >



QM Criminal Justice Society: Chief of Operations Role - 4th December, 12 pm GMT

Apply now to join the QMCJS! >



Queen Mary Criminal Justice Society's

Events Calendar

18th November - 18th December

US Death Row Talk	24/11 18:30
Life within the Criminal Justice System x QMBS x QMOL	01/12 18:30
Human Trafficking Talk	08/12 18:30
Aims of Sentencing	11/12 18:30



QM CRIMINAL JUSTICE SOCIETY
PPRESENTS...

US DEATH ROW

FIGHTING FOR
JUSTICE ON DEATH ROW

AMICUS

Mark George QC

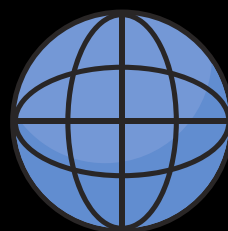
Anna Draper

Fiona Harris

Kate Seal

24th November
18:30 GMT | Zoom

**SIGN
UP
NOW**



JEREMY DEIN QC

25 Bedford Row

**COURTENAY
GRIFFITHS QC**

25 Bedford Row

MARY PRIOR QC

The 36 Group

**RIEL-KARMY JONES
QC**

Red Lion Chambers

SIMON CLEMENTS

Crown Prosecution
Services

**DECEMBER 1ST | 6:30 PM | VIA
ZOOM**

REGISTER VIA THE QMBS WEBSITE

A LIVE PANEL DISCUSSION

*An event designed to
learn and explore more about the
Criminal Bar*

QM Criminal Justice Society, Bar Society, & Open Law Society PRESENTS:

LIFE WITHIN THE CRIMINAL JUSTICE SYSTEM

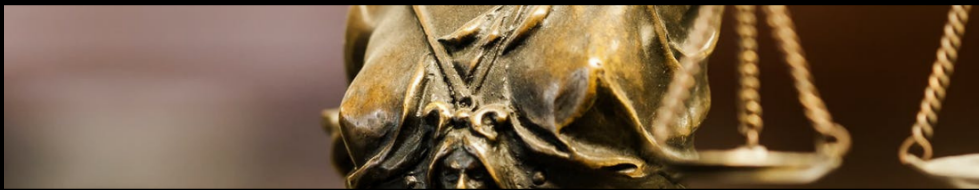


**SIGN
UP
NOW**

NOW RECRUITING:
CHIEF OF OPERATIONS



QM CRIMINAL JUSTICE SOCIETY



Details:

- Role description and application is accessible through our website.
- Complete a google form.
- Interviews will be conducted.

DEADLINE: DECEMBER 4, 2020 | 12PM GMT



NOW RECRUITING:
CHIEF OF OPERATIONS

ROLE DESCRIPTION

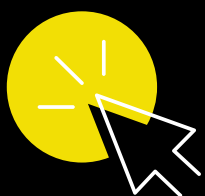
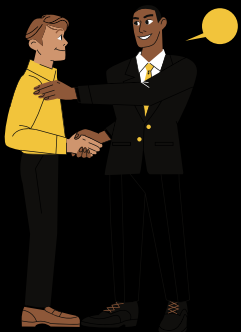
Working alongside the President by:

- Leading and managing a 10-person committee.
- Editing and uploading virtual panel events.
- Updating the CJS website and QMSU page.
- Checking social media sites and supervising the monthly newsletter publication.



*Full training will be provided.

DEADLINE: DECEMBER 4, 2020 | 12PM GMT



Interview with Professor Jon Garland



Professor Jon Garland is the head of sociology at the University of Surrey, and has spent years researching hate crime, publishing the largest study of hate crime within the UK. He is also a trustee of StopHateUK and involved with many other organisations such as the International Network for Hate Studies.



Hate Crime

How did you get involved with StopHateUK, and what is some of the work you have developed in that capacity?

It's important, I think, for academics to try to make a difference in the 'real world' in their area of research. I'd previously run a half marathon in aid of the Sophie Lancaster Foundation but wanted to make more of a longer-term contribution to combating hate crime, and so a chat with the Chief Executive of StopHateUK at a hate crime conference a couple of years set the ball rolling for me to become a Trustee. In that role I help the charity develop its strategies and policies for the portfolio of work – delivering training, helping victims – that it undertakes.

Why do you think it is important to have a 'hate crime' offence rather than simply using one of the existing criminal offences, for example, assault or murder?

That's a very good question. Harassing, abusing or assaulting someone due to hostility or prejudice towards their identity is a particularly pernicious form of crime as **it damages the victim's sense of self worth and psychological wellbeing as it's the core part of their being – their identity – that's been targeted.** These types of crimes therefore hurt the victim more than crimes without the hate or bias element, and therefore they need their own suite of legislation which recognises the unique nature of this harm and ensures perpetrators are appropriately punished for it.

Should we punish offenders harsher based on their motivations? If yes, why?

I understand that punishing someone more for their motivations is a rather controversial thing to do! But, as mentioned above, hate crimes hurt victims more than the equivalent crime without the bias element as they attack a person's identity. **Hate crimes also have a 'ripple effect' as they not only affect the individual victim but that victim's wider identity community too.** The reasons behind the perpetration of these crimes – the hate, bias or prejudice element that drove them – therefore needs to be recognised so that it can be punished and victims can attain a sense of closure. Having legislation that does this is therefore society's way, via the criminal justice system, of expressing its moral stance on these issues – but I can see why others may disagree with a number of the points I've made!

STOP HATE CRIME
0800 138 1625
24 HOUR HELP LINE®

What, in your opinion, are some of the causes of hate crime?

Hate crimes have multiple causes and it's not easy to say, in just a handful of words, why they are perpetrated. Having said that, **they are commonly enacted due to hostility towards 'difference' and what that difference may mean to the perpetrator and their sense of security and wellbeing.** So, for example, homophobic hate crimes may be perpetrated in order to remind the 'different' minority sexual community of their supposed 'rightful' inferior place in society's sexual orientation hierarchy, which privileges, in a heteronormative society, heterosexual people. In societies such as the UK in which white ethnic groups are in a majority, racist hate crimes may be perpetrated when this position of white privilege is perceived to be threatened by the economic success of the 'undeserving' minority ethnic 'other'. Hate crimes, in this instance, are therefore enacted as a way of preserving this racialised hierarchy. Other stands of victimisation, such as disablist hate crime, may be perpetrated due to the perceived vulnerable position of the intended victim, who may be harassed or abused due to the feeling that they are a 'soft' or 'easy' target. This is a contentious issue though which deserves more time than I can give it here!

How has coronavirus impacted hate crime in the UK?

Police recorded hate crime statistics show that in June 2020 the number of racially or religiously aggravated offences rose by a third (35%) compared to June 2019, with 27 forces seeing an increase of 25% or more in that time. There was a significant increase in the number of these offences in July too. These rises could be down to a number of factors, such as the far-right backlash against the Black Lives Matters protests following the death of George Floyd in the US at the end of May. There is evidence, though, that suggests that Chinese communities have been disproportionately targeted due to hostility towards the fact that coronavirus appears to have originated in China. **Those who're perceived to be of Chinese origin have been targeted for hate-motivated assaults and harassment during the pandemic too.**

How could protection for victims of hate crimes be improved?

The laws surrounding hate crimes are actually a bit of a muddle - they're spread across a number of different acts and protect different groups in different ways. This creates the impression that **there is some kind of a 'victims' hierarchy' in which some groups enjoy a more privileged form of legal protection than others.** The Law Commission is currently looking into these inconsistencies and will hopefully iron out a lot of the problems that are currently part of the suite of hate crime legislation when its work concludes.

What has been the impact of the recent trend of rise of far-right and populist politics on hate crime?

Far-right groups don't actually commit many hate crimes per se but they do have the ability to intimidate minority communities with their words and actions – you only have to look at the activities of the English Defence League in the immediate years after it formed to see how its marches could intimidate and frighten local faith and minority ethnic communities in the towns where it protested.

Populist politics can similarly tap into insecurities within certain communities and can offer simplistic causes and scapegoats for these communities' problems which can fan the flames of community tensions. Both the 'traditional' far right and the alt-right have been guilty of doing this in recent times, something which has played its part in the rise in police-recorded hate crimes since the Brexit referendum of June 2016

What is one common misconception regarding hate crime?

One of the key misconceptions about hate crime is that it's solely motivated by hate and that incidents are violent in nature. In fact, hate crime is often motivated by 'lesser' emotions and feelings like prejudice and bias, and incidents are commonly not violent but are of the so-called 'low-level' but nevertheless very damaging variety – bullying and verbal abuse. Often victims of hate crime do not realise they've actually been the victim of a 'hate crime' due to these misperceptions and therefore don't get the help or support they need.

What do you think are some of the challenges in finding a balance between freedom of speech, secularism and freedom of religion in modern western society?

Well that's a question that could take a whole PhD thesis of 100,000 words to answer! In a nutshell, **freedom of speech comes with certain responsibilities**, including that of not using that freedom to bully, harass or intimidate someone due to their religion. **That doesn't mean that, in a free society, we should prohibit some of the 'difficult' aspects of freedom of speech, such as the right to ridicule and the right to insult** – but we should balance those against someone's right to practise their religion without being verbally or physically assaulted solely due to hostility towards their faith.



Interview with Dr Francesca Menichelli

Dr Francesca Menichelli is a lecturer in criminology at the University of Surrey with a PHD in Urban Studies, and interests in mechanisms of social control, urban regulatory regimes, and crime prevention.



Crime Prevention

Do you believe the deterrence theory of punishment is an effective form of crime prevention?

I am not sure I am able to answer this question, but I'll try. What type of deterrence are you referring to? And what types of crime? **Deterrence posits that offenders are rational actors able to consider the consequences of their actions, but this is not always the case both because of contextual factors** (for example, someone committing a crime while under the influence of alcohol), but also because generally **as human beings we operate in conditions of bounded (limited) rationality.** Deterrence theory is elegant, but has so far been very hard to prove empirically.

What are your thoughts on effects theory in relation to criminal behaviour and do you think it still holds some merit?

Effects theory has a limited and narrow view of what counts as effects, and there is a vast body of research that has shown that audiences have agency – which means we cannot assume that different people will react in the same way if exposed to the same content. So I don't think it is a matter of personal opinion to say that effects theory is outdated.

With regards to surveillance theory, and its increased usage, do you believe the benefits outweigh the infringement on individual liberty and privacy?

There is not a simple answer to this question. Surveillance can take many forms – it can be targeted at individuals who are under investigation by the police, it can be automated and carried out to provide a service, it can lead to the storing of mass amounts of data on entire populations... **Given the wide range of surveillance practices that exist, it is impossible to say whether the benefits always (or never) outweigh the costs, because the specific and precarious balance between privacy and competing interests will always depend on contextual factors** – how surveillance is carried out, for what purpose and who is being targeted.

To what extent do you think social factors, such as poverty and social exclusion, affect crime rates?

Poverty and social exclusion can lead to criminal behaviour, but I am not able to quantify this extent. **We know that offenders usually have a worse start in life; they are more likely to have been in care as children, they are less likely to have a qualification... though obviously this does not mean that poverty or disadvantage are causes of crime.** There is a lot of work currently going on in the cjs of England and Wales around vulnerability and adverse childhood experiences, so I think practice is waking up to the fact that targeting disadvantage might have positive effects in terms of preventing crime from happening in the longer term.

There has been a debate over whether stop-and-search reduces or increases crime rates. Which side do you believe has a stronger argument?

The use of S&S raises some very serious problems; it affects the relationship between police and the communities they are supposed to serve, it affects the legitimacy of the police in the eyes of those who are targeted, it disproportionately targets BAME individuals. So **when we are considering S&S (or any other policing strategy) we should not only be concerned with whether or not it reduces crime rates, but also with the wider consequences that it gives rise to**, because they are just as important in making a decision as to whether or not we should adopt that specific strategy.



What norms and standards to apply to crime prevention?

2) The guidelines also spell out the range of approaches to crime prevention:

- Social development and community-centred prevention
- Situational approaches
- Social reintegration

⇒ Prevention encompasses a wide range of approaches including social development, community integration, urban renewal and situational prevention and reintegration

If the government would propose an increase in funding for the criminal justice system, what is the aspect in most need of financial support?

Given the extent of the cuts that have been made, it is really hard to single out which part of the criminal justice system is most in need – **all of them?**

RECENT NEWS STORIES

Police Presence in Schools Harms Student and Exacerbates Inequalities

The study was published by the No Police in Schools initiative, Kids in Colour and Northern Police Monitoring Project, which showed that 88% of people surveyed were against the plans to put police in Manchester for the 2020/2021 academic year. Earlier this year, a report was published that summarised the benefits of having police at the schools, such as establishing good relations between the students and the police, and helping schools to develop a package of support for young people who might face problems. However, some are concerned about creation of school-to-prison pipeline', and making young people feel like they are being viewed as criminals, making a school 'more of a surveillance state. The most significant concern is one of the possible effect on the young of colour, as they are 'more likely to be subject to police attention'. The study shows that three quarters of parents and guardians will have concerns about sending their child to school. There have also been reports of inappropriate police conduct in schools, including the use of offensive language, sexist victim blaming, the sexualisation of young people, and the communication of misinformation about sex education.

Quarter of Crime Victims Withdraw Support for Prosecutions Sentencing Act 2020 Granted Royal Assent



The new code intends to simplify the government's complex sentencing laws, consolidating the current laws which are over 1000 pages. It will help to ensure greater clarity, reduce the risk of errors, appeal and delay in the sentencing process, improve the efficiency of sentencing hearings, restore faith that the law is being applied correctly, enabling judges and practitioners to concentrate on the sentence itself, rather than the technicalities of the process, as well as aiming to increase the population's understanding in the justice system.

RECENT NEWS STORIES



Nurse Lucy Letby Denied Bail in Baby Murders Case

Update: The nurse accused of murdering eight babies and attempted murder of another between June 2015 - 2016, has been denied bail.

Similarities have been drawn with Beverly Allitt 'The Angel of death' who was convicted in 1993 of murder and the attempted murder of numerous infants.

She was handed 13 life sentences and is currently detained in Rampton secured hospital.

Poland's Abortion Ruling

Abortions due to the foetal defects have been ruled unconstitutional in Poland. The ruling sparked a huge wave of protests. The Council of Europe's Commissioner for Human Rights Dunja Mijatovic tweeted that the ruling human and women's rights, will increase underground or abroad abortions. The challenge is already faced by many women who even qualify for legal abortions due to the role of Catholic Church in Poland, and the country being signatory to Geneva Consensus Declaration, which aims to promote women's rights and health, but does not include an access to abortions and the language used is the one 'to promote family values as foundational to society'. However, the Prime Minister of Poland, who leads a conservative government, defended the ruling, saying that 'in order to have the freedom of choice you first must be alive' and urged for the protests to stop to suppress the rise of the coronavirus.



RECENT NEWS STORIES

Johnny Depp Loses Libel Case

Johnny Depp loses one of the most high profile libel cases this century has seen, with the court ruling that domestic violence claims are justified.

At the beginning of November Johnny Depp lost his libel action in the London Courts against the Sun newspaper who had described him as a 'wife beater.' Judge, Mr Justice Nicol's in explaining his verdict stated he found 'the great majority of alleged assaults of Ms Heard by Mr Depp to have been proved to the civil standard.'

Fast Forward to a few days later, Depp was forced to quit filming Fantastic Beasts 3 due to such court case.

With Depp's dismissal, calls have echoed for Amber Heard to also step down from filming Aquaman 2, with a paid campaign and petition reaching over one million signatures.



What are your thoughts?

Should Amber Heard stop filming?

change.org Start a petition My petitions Browse Subscription Q Log in

Petition details Comments Updates

Remove Amber Heard from Aquaman 2

1,302,578 have signed. Let's get to 1,500,000!

Jared Pratt signed 2 minutes ago
Henry Lead signed 2 minutes ago

First name
Last name
Email
United Kingdom
Bridport

Jennifer Larson started this petition to Courtney Simmons (VP of Publicity & Communications for DC Warner Bros) and 1 other
Amber Heard has been exposed as a domestic abuser by Johnny

Fieldfisher Ex-Partner Ryan Beckwith Appeals Sexual Misconduct Claims

This case gained media attention last year as following sexual misconduct allegations he was allowed to continue practicing. For many this was another example of a man abusing his position of power

Former Magic Circle, Freshfield's partner Ryan Beckwith has appealed his sanction in the high court having been fined £35,000, after spending the night in 2016 with a junior colleague. Beckwith claims the sanction is an unforeseeable intrusion into his private life; a disproportionate interference with Article 8



Our Top Picks This Month

MOVIES & DOCUMENTARIES

Netflix

True Story



Fact based thriller focused on the relationship between a news reporter and accused killer.

Netflix

RGB



Documentary details Supreme Court Justice Ruth Bader Ginsburg's life.

SERIES

When They See Us

Five teens falsely accused and imprisoned for 12 years based on a true story.

Netflix



Killing Eve

An MI5 spy tracks down a stylish assassin

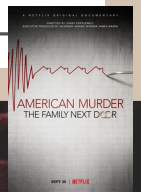
BBC Iplayer



American Murder: The family next door

Based on the Watt's family murders.

Netflix



BOOKS

Neil Chakraborti & Professor Jon Garland
Responding to Hate Crime



Agatha Christie
Murder on the Orient Express



PODCAST

UK true crime podcast
They walk among us

