

Working with vignettes: Breach in the sentencing stage (the Spanish pilot)

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Adapting the vignette: the context

- Adapting the vignette to regulation
 - CS as prison substitute
 - Adapting the situations

Testing the vignettes: the context

- Parties and roles:
 - **Immediate supervisor [n.1]**
 - **Probation officer [n.2]**
 - [*Team coordinator in Probation Service*]
 - **Prison judge [n.1]**
 - [*Sentencing judge*]
 - [*Prosecutor*]
 - [*Defense lawyer*]

Insight from vignette use: focus of analysis

- Relevant considerations at each stage of the process
- Relevance of legal requirements at each stage
- Role of discretion at each stage
- Relationship of parties
- Role of defendant/client
- Role of other parties

Insight from vignette use: some results

- Relevant considerations at each stage of the process:
 - Compliance (!!!)
 - POs: individual variation (Does background matter? does the non-profit organization matter?)
 - Judges: reluctant involvement... and variation

Insight from vignette use: some results

- The relevance of legal requirements at each stage of the process:
 - POs: aware of basic requirements; not full knowledge of law or procedures; the importance of “saving the case”
 - Prison judge: not aware of legal possibilities
- Beyond legal requirements: the legal threshold vs the “attitude threshold” (“does he really want to comply or is he taking the piss?” (PO1))

Insight from vignette use: some results

- Role of discretion at each stage:
 - In decision-making
 - In filtering information to the actor above
- Relationship of parties:
 - PO/supervisor: close; the importance of “keeping the placement” (PO1); “sometimes you trust them sometimes you don’t” (PO2)
 - POs/Prison judge: authority as a resource
 - Prison judges/POs: trust; direct; variability?

Insight from vignette use: some results

- Role of defendant/client:
 - Central
 - The importance of communication: “if anything happens, just call call call” (PO1)
 - Distinguishing difficulties to comply from willful non-compliance: “It all depends on his attitude” (J1)
- Role of other parties:
 - PO’s team coordinator
 - Prosecutor

Some discussions

- Discretion/variation
 - Layers of information
 - Role of the law: thresholds and procedures
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- How to compare all this...