Justice Analytical Services: Areas of Research Interest

CRIME AND JUSTICE

social research

Contents

Introduction

This document sets out the current Areas of Research Interest (ARI) for the Scottish Government's Justice Analytical Services Division. Justice Analytical Services, or 'JAS', is the division within the Scottish Government that is responsible for developing and communicating the evidence base for a safer and stronger Scotland. The division is made up of social researchers, statisticians, economists and operational researchers.

Our overarching purpose in JAS is to provide robust, credible and independent evidence to underpin and influence the delivery of all aspects of justice for the people of Scotland. We seek to promote the use of analysis to improve the policy and practice essential for achieving outcomes and to inform the policy agenda and debate. We strive to ensure that robust evidence gets to the people who need it, is accessible, easy to interpret and is widely used.

JAS supports a wide range of policy teams, each working on a diverse range of topics and areas. This document seeks to communicate our research priorities with external partners, experts in academia, research organisations and funding bodies. In doing so, we hope to expand and strengthen our analysis through positive engagement with experts.

The research areas set out in the following pages reflect our current priorities, but this document is not intended to be an exhaustive list. It should be emphasised that this is a set of *research* priorities, not policy priorities in general, and that **if an issue is absent from this list, this does not indicate that it is not a policy priority for the government**. The research priorities reflect areas where there is both an ongoing policy interest, and a need for additional evidence in order to support policy development or service improvement. There may be many issues that are high priority for the government but do not appear in this list, either because the present research evidence is adequate for our current purposes and stage in the policy cycle, or research to fill gaps in the evidence base is already being planned or is underway. Furthermore, priorities may change as a result of external factors.

We hope that external researchers and funding bodies find the document useful when seeking to decide what research can have the most impact for future government policy and decision-making.

If you do wish to discuss any aspects of this please contact:
Justice_Analysts@gov.scot. The extent of any potential engagement between JAS and external researchers will depend on many factors including the project's size, purpose, budget, priority and time scales, the ethical risks involved, and the availability of relevant expertise within JAS. Regardless, JAS analysts will be available to have an initial exchange about your project and needs.

Cross-Cutting Themes

We are aware that the research areas set out below are closely linked and many overlap, research projects that cut across identified topics are both helpful and impactful.

Furthermore, some proposed projects might also relate to areas outwith justice for example, inequality, education or health. We see the benefit in such cross-cutting research and such projects can underpin and inform government policy.

Methods

Work undertaken by researchers from a range of disciplines using an assortment of methods and approaches, including those that are innovative or seldom used, can inform government decision-making. As such, JAS would encourage academic-led research projects to employ any methods or approaches that are appropriate for the research question being addressed. JAS are also particularly interested in the way in which innovative methods can provide new insights into long-standing problems. For example, linking administrative data can deliver cutting-edge, data-driven insights which could help answer many research questions. See ADR Scotland for more information.

Over the following pages, the Areas of Research Interest for Justice Analytical Services are set out in the form of research questions. They are grouped under four themes: Crime, Prevention & Specific Crime Types; Justice Processes & Experiences; Sentencing, Prisons & Rehabilitation and, Whole Justice System Analysis. Neither the themes nor the questions are listed in any order of priority.

Crime, Prevention & Specific Crime Types

Crime Prevention: Understanding and Addressing the Underlying Causes of Crime

- What are the most significant risk and protective factors for crime victimisation and/or offending in Scotland at each level of the ecological framework (societal, community, relationship and individual level) and how do factors at the different levels interact? Are there variations depending on the type of crime(s)?

- What policies and interventions are most effective (for whom and in what circumstances) at reducing risk and enhancing protection from crime victimisation and /or offending? At which stages in an individual's life are interventions most effective?

- What are the characteristics of those at greatest risk of experiencing and/or committing crime(s) in Scotland, and are there variations depending on the type of crime?

- How do the categories of 'victim' and 'perpetrator' overlap and shift across the life course in Scotland and what effect does this have on crime prevalence?

- To what extent, and in what ways, are new and emerging factors at a societal level (e.g. covid recovery, the cost of living crisis, developments in technology and social media use) influencing crime victimisation and/or perpetration? What are the implications for prevention and intervention?

- Are public awareness campaigns effective at reducing certain types of crime, for example, anti-social behaviour, cybercrime or domestic abuse? If so, what type of public awareness campaigns are the most effective?

Violence Prevention

- Who is at greatest risk of experiencing and/or perpetrating interpersonal violence (with a focus on non-sexual, community violence) in Scotland, and why? How do the categories of 'victim' and 'perpetrator' of violence overlap and shift across the life course?

- Building on findings from '[Repeat violence in Scotland: a qualitative approach](#)', how is repeat violence experienced by hard to reach groups, including within the following communities:

  - Disabled people
  - People in the LGBTQI+ community
  - Racialised/ethnic minority communities, including migrant communities and asylum seekers

- o Men who experience domestic abuse and sexual violence
- o Those whose experiences are less likely to be captured through official statistics on violent crime and victimisation, including people living in institutions

- What interventions and policies are effective at enhancing protective factors and mitigating risk factors for interpersonal violence (with a focus on non-sexual, community violence) at each level of the [ecological framework](#) (societal, community, relationship and individual level)? What can Scotland learn from other jurisdictions?

- What is the scale and nature of interpersonal violence involving young people in Scotland? Which young people are at greatest risk of experiencing and/or perpetrating violence?

- How does early involvement in criminal activities, including anti-social behaviour, influence the likelihood of reoffending, in adulthood?

- To what extent and in what ways are new and emerging factors at a societal level (e.g. covid recovery, increases in the cost of living, developments in use of technology and social media) influencing community violence in Scotland, and what are the implications for prevention and intervention? What can Scotland learn from other jurisdictions and countries?

- What interventions and policies are most effective at preventing and responding to community violence (including youth violence and violence in the evening economy) and repeat violence victimisation? What can Scotland learn from other jurisdictions?

- What are the drivers of weapon-based crimes in Scotland and what works to reduce weapon-based crimes (particularly knife crime)? What can Scotland learn from other jurisdictions?

- How effective is the current Public Health Approach response to violence prevention in Scotland and how could it be improved?

Human Trafficking and Exploitation

- What factors contribute to the under-identification of victims of trafficking and exploitation in Scotland and how can this be rectified/improved?

- What are the experiences of victims of multiple forms of exploitation and/or their experiences of accessing support?

- What are the experiences of victims of labour exploitation in Scotland who are on the health & social care visa scheme?

- What are the experiences of adult victims of criminal exploitation (including where these overlap with other forms of trafficking and exploitation) and their experiences of support and/or the justice system?

- How have the risk factors, routes into exploitation and support experiences of trafficked children in Scotland changed since the [2020 Child Trafficking research](#)?

- What are the merits of incorporating contextual safeguarding into Scotland's child protection framework in order to address child criminal exploitation and how best could this be achieved?

- How do social media and technology facilitate child criminal exploitation, and what are the implications for prevention and intervention?

- What are the effects of the asylum dispersal system around the UK/Scotland on victims and their experiences of accessing support in the medium and long-term?

- How effective are local and regional partnerships in Scotland in supporting survivors and disrupting perpetrator activities?

- How can horizon scanning be improved to systematically identify emerging trends in trafficking & exploitation in Scotland?

Violence Against Women and Girls (VAWG)

- What are the characteristics and risk factors relating to the perpetration and escalation of VAWG, and (how) is this changing given developments in technology?

- What interventions and policies work to prevent different forms of technology-facilitated VAWG (recognising the links between online and offline VAWG)?

- How is the justice system's response to experiences of tech facilitated-VAWG affected by understandings of the different forms of abuse, the law and victim experiences?

- How is domestic abuse and the justice system experienced by victims with protected characteristics, marginalised groups and/or those experiencing intersectional multiple disadvantage? What are the implications of this for expanded understandings of domestic abuse, policy development, legislation and service delivery?

- What are the most effective approaches for reducing reoffending and/or escalation of offending by perpetrators of VAWG, taking account of the way in which technology is changing how VAWG is perpetrated?

- What are the most effective ways for the justice system to identify and/or respond to those at risk of so-called 'honour-based' abuse and extended family abuse (e.g. the effectiveness of risk assessments)?

- What are the most effective approaches to measuring and monitoring a public health approach to addressing VAWG?

Retail Crime

- Who is affected by retail crime and what is the impact on workers, businesses and communities? What is the relationship between shoplifting and crimes against retail workers? How do experiences vary e.g. by locality and business size?

- What are the underlying causes of retail crime at each level of the ecological framework (societal, community, relationship and individual level) and how do factors at the different levels interact?

- What works, for whom and in what circumstances to prevent retail crime and reduce the related harm? What can we learn from other jurisdictions?

- How do organised crime groups use retail crime to exploit children and young people, and what are the implications for prevention and intervention?

Fraud

- How has the nature of fraud changed over recent years? How have technological advancements influenced the evolution of fraud tactics and the effectiveness of fraud prevention strategies?

- How do demographic factors such as age, gender, and socioeconomic status influence the susceptibility to and impact of various types of fraud?

- What works, for whom and in what circumstances to prevent fraud and reduce fraud related harm? What can we learn from other jurisdictions?

Hate Crime

- What approaches and initiatives are effective in preventing hate crime (in general or against particular communities) and/or building community cohesion? What are the most effective approaches to measuring and monitoring the impact of interventions and approaches to prevent hate crime? What can Scotland learn from approaches in other jurisdictions?

- What works to improve and encourage reporting of hate crime (including to third party reporting centres)?

- How can we build our understanding of the scale/nature of hate crime in Scotland, including experiences not reported to the police?

Extremism and Counter-terrorism[1]

- How can evidence enhance our understanding of the nature and scale of extremism, radicalisation and terrorism-related risks in Scotland, and how these might evolve into the future?

- What factors influence or are associated with extremism and radicalisation in Scotland, and how are these developing over time? What individuals or groups are most at risk of engaging in extremist/terrorism-related behaviour or being radicalised, and for what reasons?

- What are the most effective approaches to prevent, tackle and mitigate extremism, radicalisation and terrorism-related risks in Scotland, whilst taking into account the reserved context of counter-terrorism policy? What works, for whom, and in what contexts? What impact do wider prevention and safeguarding strategies and approaches in Scotland have on extremism and radicalisation in Scotland?

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[1] Extremism policy in Scotland is devolved to the Scottish Government, while the Counter-Terrorism strategy, including Prevent, is reserved to the UK Government and delivered by devolved sectors.

Justice Processes & Experiences

Courts, Cases, Representation & Legal Aid

- What are the reasons for case attrition and what works to avoid it for different case types? What are the impacts of case attrition on victims, particularly for serious violence, sexual abuse and domestic abuse cases?

- In relation to Integrated Domestic Abuse Courts, what models of courts would best tackle both criminal and civil aspects of domestic abuse?

- With regard to Independent Legal Representation (ILR), what can we learn from international ILR models that would help to inform options for the Scottish delivery model and implementation considerations? How effective is ILR at increasing agency, minimising harm and re-traumatisation of represented complainers?

- To what extent does Independent Legal Advice for complainers in rape and attempted rape cases support complainers to give their best evidence and improve participation in the criminal justice system?

- What does the geographical data tell us about legal aid provision across Scotland? Are there geographical differences with regard to the types of cases, civil or criminal, that legal aid is being granted for? Is there any evidence to suggest that there are "legal aid deserts" in Scotland?

- What is the experience of court users seeking legal aid in different parts of Scotland?

Experiences of Victims, Witnesses, and the Accused in the Justice System

- What are the experiences of victims, witnesses, parties and the accused as they move through the justice system? Have recent policy changes impacted their experiences? In what ways might their experiences be improved?

- Are there particular groups, or types, of victims, witnesses and parties that have more negative experiences of the criminal justice system? If so, what can be done to improve the experiences of these groups?

- How can the perspectives of groups less able than others to access justice services come to be included in evidence bases? How will this change what we already know of the limits and potential of the justice system?

- What practical or logistical changes to the operation of the justice system could improve victim, witness and party experience?

- What are the experiences of children and young people as they move through the justice system? Are their needs different from those of adults? If so, how might the justice system adapt to better meet those needs?

- What impact has greater use of pre-recorded evidence had on the administration and delivery of justice in Scotland and on criminal justice partners more generally?

- What are the experiences of those complainers and vulnerable witnesses who pre-record all or part of their evidence ahead of trial?

- How do victims conceptualise justice? Does this differ by victim or case type? Does this differ from how other actors in the justice system conceptualise justice?

- How are experiences of justice treatment interdependent with justice outcomes and decisions? What evidence is there to suggest that both victims, accused and defenders care about the overall rights and fairness of processes, challenging zero-sum game models?

Trauma, Mental Illness and the Justice System

- To what extent have trauma-informed practices been embedded within the Scottish justice system? What progress has been made and what aspects of the system still need to be adapted in order to minimise harm and re-traumatisation, support the recovery of victims and, enable the most effective evidence gathering?

- How can the coordination between mental health services and the justice system be improved to better support the mental health needs of individuals?

- How do mental health conditions and trauma histories influence people's pathways to crime, rates of reoffending and their experiences within the criminal justice system? How can interventions be tailored to address their specific needs? What systems are in place to ensure their needs continue to be met once their contact with the criminal justice system ends? How effective are these systems?

Juror Beliefs, Juror Decision-Making and Judicial Directions

- To what extent are rape and sexual offence cases in Scotland impacted by those involved in the case believing or communicating "rape myths" (prescriptive or descriptive beliefs about rape that serve to deny, downplay or justify sexual violence)? What actions could be taken to lessen the impact of such beliefs in these cases?

- How might rape myth acceptance amongst the general population be challenged and lessened? What impact, if any, would this have on the justice system?

- With regard to the 'rape and sexual offence myth directions', how do jurors receive, understand and use these directions? Is there any way in which they

could be made to be more effective? Are there alternative mechanisms which would more effectively combat "rape myths"?

- What factors do jurors consider when evaluating the credibility of witnesses? How do jurors understand and account for common trauma responses such as freezing, befriending, anger, dissociation, lack of visible distress, and cognitive impacts on memory and coherence during their deliberations?

- What impact do judicial directions related to the meaning of 'reasonable doubt' have on jury deliberations?

- How do jurors in Scotland perceive pre-recorded evidence and how, if at all, does this differ from the way in which they perceive live evidence? Does the way in which evidence is delivered, either pre-recorded or live, impact upon juror decision-making and jury deliberations?

- To what extent do juries in Scotland reflect the demographic make up of the Scottish population? Are there specific groups that are overrepresented or underrepresented? If so, what are the impacts of this on juror experience, deliberations and case outcomes?

- What are the psychological impacts of serving on a jury? Are there specific types of cases that increase the likelihood of negative psychological effects? Are certain jurors more or less susceptible to these impacts? What measures can be taken to mitigate these effects during and after trials?

Sentencing, Prisons & Rehabilitation

Sentencing

- What evidence exists on the impacts on children of imprisonment of a family member? How can we better understand the short and long-term impacts on children of the imprisonment of a family member?

- What factors contribute to individuals receiving short custodial sentences of 12 months or less despite the existence of the presumption against short sentences?

- What are the experiences of those who receive community sentences? Are there particular groups that are less likely to comply with the requirements of their community sentence? If so, what can be done to improve compliance?

- What features would an effective community sentence for people with substance dependency have, and to what extent are these present in disposals currently available in Scotland?

- What features would a safe and effective approach to managing people with substance dependency in prisons have?

- What are the lived experiences of people who use drugs and interact with the justice system, particularly regarding their journeys through the system and their access to treatment?

- What do we know about the changing characteristics of the offender population in Scotland, focusing on the characteristics of those convicted of a crime according to age, sex, and the types of offences committed over the life-course? More specifically, what do we know about changes in the prevalence and frequency of conviction, including patterns of violent crime (both sexual and non-sexual), and the demographic profile of those involved?

- What do we know about changes in sentencing patterns, specifically the number of people sentenced to prison, sentence lengths, and the types of sentences given for various crimes over time? How have sentencing patterns changed over time by age, sex, and offence history? What do these trends tell us about the relationship between offender characteristics and sentencing outcomes in Scotland?

Approaches to Offender Rehabilitation

- How are the rehabilitative approaches currently being used in Scotland being delivered? How effective are current approaches and how should they be improved?

- What are the most effective approaches to offender rehabilitation, taking account of specific offender types? How is effectiveness measured?

- How are the aims of rehabilitative programmes understood and operationalised internationally? To what extent do technologies play a role in operationalising these programmes?

- How are rehabilitative programmes experienced by those involved in their practice, including those undergoing rehabilitation?

- How effective are non-court mandated or voluntary programmes, and do outcomes differ from court mandated programmes?

- To what extent do therapeutic treatment models for sexual offenders, particularly methods not traditionally used in a forensic setting (e.g. mindfulness, compassion, sensate focus, and distress tolerance), reduce risk and increase likelihood of desistance from further offending? Does the effectiveness of these models vary among different cohorts of sexual offender?

Bail and Remand

- How effective is bail supervision in ensuring compliance with bail conditions and improving outcomes for individuals?

- To what extent does unsuitable or insecure housing and homelessness affect people on bail in Scotland? To what extent does the housing status of an individual impact upon decisions made in relation to their bail or remand?

Pathways to Parole

- What impact would introducing a system of incentivised parole for the most serious offenders, where they have to earn eligibility for parole hearing, have on reoffending and recall rates?

- How is the system of incentivising prisoners to earn eligibility for parole currently being used internationally? What impact does this system have on reoffending and recall rates, and how do these rates compare to those who are automatically entitled?

Whole Justice System Analysis

Justice as a System

- How can we approach changes to the justice system (whether influenced by the government or otherwise) in a way that considers a wide range of possible consequences in a range of scenarios, and includes a wide range of stakeholders?

- How can we improve forecasts of case volumes for the courts and tribunals system and the subsequent requirement for prison places? How can we better understand future demand and supply, to help plan for the delivery of services?

- How effective are different sentence types at improving community safety, reducing reoffending, promoting rehabilitation, and limiting the churn of people through the prison system?

- How can new technologies, including AI, improve the efficiency and effectiveness of the justice system? What are the ethical implications of incorporating new technologies into justice processes?

Justice Economics

- What are the estimated economic costs of crime in Scotland, including direct and indirect costs?

- What is the most cost-effective sentencing approach: imprisonment, community service, or electronic monitoring?

- How does investment in prisoner education and skills training affect reoffending rates and long-term economic outcomes?

- How do different types of crime (violent vs. non-violent, property vs. cybercrime) impose economic burdens on society?

- What are the economic and social costs of reoffending in Scotland, and how cost-effective are current rehabilitation programmes?

- What are the economic benefits of digital transformation in the Scottish courts system?

- How does the efficiency of Scotland's court system compare to similar jurisdictions in terms of case backlog and processing costs?

- What are the primary factors influencing the cost of criminal and civil court cases in Scotland? Are costs higher for specific types of case?

- What is the economic contribution of Scotland's legal and justice sectors to the national economy?

- What are the economic effects of criminal records on employment opportunities and long-term earnings in Scotland?

- What is the long-term economic impact of childhood exposure to the justice system (e.g. having a parent incarcerated)?

Justice Equalities

- How do experiences within the justice system vary by protected characteristics and socio-economic background? How can we better understand why observed differences occur and design policies to address these differences, particularly amongst racially minoritised groups?

- What factors affect the length of journey times in the justice system – in terms of protected characteristics and socio-economic background?

- What factors affect the likelihood of receiving different sentences, including custodial, community or other court disposal sentences – in terms of protected characteristics and socio-economic background?

- How do multiple intersecting characteristics combine to affect individuals' experiences, journeys and outcomes in the justice system?

- How do we encourage greater diversity – in terms of protected characteristics and socio-economic background – amongst the justice sector workforce and in the legal profession, including within senior roles such as the judiciary?

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