

Stereotypical Perception as an Influential Factor in the Judicial Decision Making Process for Shoplifting Cases Presided over in the UK

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Abstract : Stereotypes are not generally considered to be an acceptable influence upon any decision making process, particularly those involving judicial decision making outcomes. Yet, we are confronted with an uncomfortable truth that stereotypes may be operating to influence judicial outcomes. Variances in sentencing outcomes are not easily explained away by criminological, psychological, or sociological theorem, but may be answered via qualitative research produced within the field of phenomenology. This paper will examine the current literature pertaining to the effect of stereotypes on the criminal justice system within the UK, and will also discuss what the implications are for stereotypical influences upon decision making in the criminal justice system. This paper will give particular focus to shoplifting offences dealt with in UK criminal courts, but this research has long reaching implications for the criminal process more generally.

Keywords : decision making, judicial decision making, phenomenology, shoplifting, stereotypes

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