



Interviewing sentencers: A practical guide (with a lot of impractical questions)



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Sentencing Forum,
15 April 2026

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SETTING UP YOUR RESEARCH
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MAKING SENSE OF IT ALL



Act 1: Before
SETTING UP
YOUR
RESEARCH

A. Why interviews?

- What is your research question?

- What interviews CAN give you?

- attitudes and perceptions
- reasoning processes
- narratives and justifications
- emotional and moral dimensions
- institutional context
- variation and dissent

- What interviews CAN'T give you?

- what they actually do
- unconscious bias and heuristics
- the heat of the moment
- frequency and patterns
- what they do vs. what they think they do
- what they think vs. what they think you want them to think

- Interviews in context

B. Positionality

- Lawyer or not – and does it help or hinder?
- Insider or outsider – and what does each cost you?
- Does your gender, age, or background shape what they tell you?
- Do you share their class, culture, educational route?

- What do you want the research to find – and are you aware of it?
- What are you carrying into the room that you haven't named yet?

C. Ethics

- Formal ethical clearance
 - light touch or intense
 - Can shape your research design
- Power dynamics and informed consent
 - inverted power dynamics
 - consent less about protection and more about transparency?
- Anonymity
 - necessary
 - but not always easy
 - small systems
 - targeted research (who from that institution?)

D. Access

- Informal access vs. proper / representative access
 - shared educational/professional routes: sampling bias?
saturation?
 - gatekeepers?
- Sampling: how many is enough?

E. Preparation and interview design

- Myth: easy and spontaneous
- Preparation depends on research questions & access
 - non-structured vs. semi-structured
- Interview guide design
 - two-layer: broad + narrower
 - leaving room for unexpected



Act 2: During IN THE ROOM

Aci 2

A. Setting the scene

- How many people in the room?
 - ideally two
 - notetaking, flow
- Which room
 - their turf vs. yours vs, neutral setting
 - judge's chambers
 - remote vs. in person

ACi2

B. The opening

- How do you actually open the interview?
- How do you make someone feel comfortable enough to talk candidly?
- How do you set expectations without over-scripting what follows?

B. Conducting the interview

- **Setting the tone**
 - genuine compassion: acknowledge that sentencing is a genuinely hard job
 - be non-judgmental, or at least not openly so
- **Staying on track**
 - Follow your interview guide but leave room for the unexpected
 - Let them talk (they want to)
- **The nodding problem**
 - You want them to open up even when they say things you disagree with or find troubling
 - Validating is not the same as agreeing
 - But there is a limit: knowing when you can't keep nodding and how to handle that moment
- **Cross-national and comparative interviewing**
 - Unfamiliar systems, languages, judicial cultures add a layer of complexity
 - Not knowing the system well enough can mean not knowing what questions to ask
 - But outsider status can also be an asset: people explain things they'd assume an insider already knows

D. Recording and note-taking

- Recording
 - permission
 - recording device
- Transcribing
 - painful, but necessary
 - research assistants, AI?
- Note-taking
 - two interviewers essential
 - verbatim quotes as much as possible
- Write up
 - as soon as possible
 - not just what, but also how
- A combination of both?!



Aci 3: After

MAKING SENSE
OF IT ALL

A. Analysis

- Choice of approach
 - Thematic analysis
 - Grounded theory, Narrative analysis, Discourse analysis, Content analysis, Framework analysis
- Tech
 - coding software: NVivo, Atlas, Word?
 - AI?

B. Feedback, approval & integration

- Approval seeking?
 - generally no, but ...
- Continued relationship
 - sharing findings, publications
 - critical vs. placating dilemma
- Triangulation: interview findings just part of the story



CODA: RESEARCHER WELLBEING?

- can it be heavy?
 - details of crimes
 - troubling attitudes
- what do you do?
 - debriefing, supervision

Thank you.

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