



Young people's perception of lawyers in Hong Kong: A comparison between offenders, youth-at-risk and students

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Abstract

Young people in Hong Kong are more likely than any other age group to come into contact with the justice system. Despite this, there is a paucity of research on youth attitudes toward lawyers. The aim of this study was to compare the understanding and perceptions of lawyers among three youth groups classified according to experience in instructing lawyers and varying degrees of delinquency – young offenders (the only group who had experience of hiring lawyers), youth-at-risk and students ($N = 1157$), and to determine if perceptions of lawyers affect views on the legitimacy of the justice system. Students showed greater understanding about lawyers and more favorable perceptions of fairness in lawyer–client interactions compared with young offenders and youth-at-risk. A better understanding of lawyers had a positive association with perceptions of fairness and a higher perception of fairness had a positive association with legitimacy of the justice system. Recommendations are also discussed.

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1. Introduction

As with many other parts of the world, young people in Hong Kong disproportionately come into contact with the justice system. Commentators have noted that in Hong Kong, young persons are readily brought into the justice system for committing petty offenses and are dealt with harshly for their ‘delinquent’ behavior (Gray, 1994; Vagg, 1998). Over the past two decades, there has been a growing scholarship in assessing the experiences and the attitudes of young people toward the justice system, and toward law enforcement personnel such as the police and probation officers, in both Hong Kong (Bacon-Shone et al., 1995; Chui, 1999, 2003, 2005; Kennedy and Chow, 2009; Lee, 2011) and elsewhere (see, for example, Hazel et al., 2002; Huerter and Saltzman, 1992; Hurst and Frank, 2000; Peterson-Badali et al., 1999).

The vast body of empirical work into procedural justice revealed that if people regard authorities as legitimate, then they will be more willing to comply with their directives and the law more generally (Jackson et al., 2012; Reisig et al., 2007; Tyler, 1990; Tyler and Huo, 2002). Legitimacy refers to the entitlement that the authority possesses whereby people feel that it ought to be obeyed and deferred to (Sunshine and Tyler, 2003). More importantly, youths are less likely to have a favorable impression of law enforcement and therefore are less likely to cooperate with the police (Murphy, 2013). Given that youths tend to be more delinquent than adults, and more likely to be brought into the criminal process, trying to understand what might work in changing youth views of legitimacy and turning them to a life of compliance is imperative.

In this study we chose to look specifically at youths' perceptions of lawyers. Lawyers play a unique role within the criminal justice system in that they are supposedly on the side of the defendant while at the same time acting as an officer of the court. The limited studies that examined procedural justice and lawyers have focused on actual lawyer–client experiences of young offenders (Greene et al., 2010; Peterson-Badali et al., 2007; Pierce and Brodsky, 2002). It is felt that it is important not just to measure the appraisals of young defendants regarding the legal profession but also to compare the perceptions of young people from different groups and to determine if views of lawyers correlated with views toward the legitimacy of the criminal justice system more broadly. In this way, we can determine if perceptions of lawyers can be a way to encourage pro-social views of youths toward the justice system and legal socialization.

Three groups of adolescents and emerging adults, aged 14–22, from Hong Kong were compared based upon experiences of lawyer–client interaction and their level of delinquency. The three groups are: young offenders, youth-at-risk and students. The young offenders all have direct experiences of hiring lawyers before and represent the group with the highest level of delinquency. Youth-at-risk are defined as youths in “the presence of negative antecedent conditions, which create vulnerabilities, combined with the presence of specific early negative behavior or experiences that are likely to lead, in time, to problem behavior ...” (Resnick and Burt, 1996, p. 174). More specifically in our sample, youth-at-risk are those that have come to the attention of the police and/or outreach social workers because of certain ‘delinquent’ or anti-social behavior such as dropping out of school, drifting overnight on the streets and engaging in substance abuse but have never been formally convicted by a court of law (Chui and Ho, 2006). They are at-risk of coming into formal contact with the criminal justice system. The students in our sample served as a reference group, representing the general youth population in Hong Kong.

Besides comparing the three groups, we also controlled for a number of variables including other contacts with the justice system besides instructing lawyers (e.g. experiences of

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