

Presentation title:

## The good judge: judges' self-perception of their own qualities

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The study of sentencing lacks empirical studies in which judges describe their own experiences. Sentencing implies neutrality, impartiality, and impersonality which should be accomplished regardless of judges' characteristics. Nevertheless, scientific literature reveals that sentencing is not properly neutral, but a product of a personal judgment, where ideologies, personal characteristics, attitudes, etc. might play a role as relevant as legal principles. Do judges recognize such influences? How do some of these factors integrate their own image of what a good judge is? 49 Portuguese criminal court judges (23 female and 26 male) participated in this study. The judges answered a set of 17 questions, rated on a 5-point Likert scale where 1 means "not at all important" and 5 "very important", related to the characteristics associated in the scientific literature with the quality of a judge, covering various domains, from skills acquired during academic training to life experiences. The data analysis shows that a good judge is described by individual characteristics rather than by his or her training or professional experience. A good judge is primarily humanistic and socially aware, life experienced and with common sense. Emotional characteristics such as compassion or empathy are dismissed. Exploratory factor analysis identifies three underlying domains of a good judge: a) personal characteristics; b) professional characteristics; and c) emotional domain. Female and male judges rate the importance of the domains differently. However, gender differences are not statistically significant nor professional experience. Some age differences were found. The results are important for discussing judges' professional self-perceptions, particularly with regard to their role and the personal significance they attach to the sentencing process, as possible sources of judicial discretion and bias. The image of judges as neutral actors who merely apply rules is also discussed.