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SCIENTIFIC INDICATORS OF CONFIDENCE IN JUSTICE: TOOLS FOR POLICY ASSESSMENT

<u>Work Package nr: WP2</u>	Review of Need: State-of-the-Art Indicators of Public Confidence in Justice for Policy Assessment
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SUMMARY

The research project JUSTIS (Scientific Indicators of Confidence in Justice: Tools for Policy Assessment), which is funded primarily by the European Commission from the 7th Framework Programme for Research, is designed to provide EU institutions and Member States with new indicators for assessing public confidence in justice.

This paper reports on the first substantive Work Package of the JUSTIS project, *Work Package 2 'Review of need: State-of-the-art indicators of public confidence in justice for policy assessment'*. It was designed to establish, in advance of the main work packages of the project, the state of academic understanding about public trust in justice and public feelings of insecurity, and to assess the state of the art in using survey-based measures of trust and insecurity as tools of governance. An important purpose of the paper is check that our External Expert Group (EEG) believes that our work has been carried out according to acceptable scientific standards.

The picture to emerge from Work Package 2 is predictably mixed. Some countries have invested more academic and research effort than others in this field. Some have already developed survey indicators, notably the United Kingdom. Others see limited value in them, preferring to focus on improvements to the operation of the justice process itself, rather than on public perceptions of the process. Most occupy the middle ground, seeing the potential of indicators, but with little direct experience of them.

The overall conclusion that we draw from the results of this work package is that the overall direction of travel of the project is justified. There is a general recognition of the importance of building or consolidating public commitment to the rule of law, and a sense that EU Member States need reliable evidence on levels and trends in public trust in justice.

Perhaps the only significant note of caution to emerge from consultees relates to the risk that strategies to build trust and confidence in justice could degrade into populist strategies designed simply to secure from the majority of the electorate approval for government 'law and order' policies.

Assuming that the EEG shares this assessment, the next stages of the project are: to finalise our conceptual map of the issues; to develop a suite of survey-based indicators; to develop a suite of country-level contextual measures to help interpret the survey indicators; and to pilot the indicators in at least two Member States.

1. INTRODUCTION

This paper summarises work on Work Package 2. It has been written partly to enable the External Expert Group of the JUSTIS project to assess the quality of the work done to date. Work Package 2 was designed to establish the 'state of the art' in terms of:

- Academic knowledge about public trust in justice and public feelings of insecurity;
- Government and criminal justice views on the need for survey indicators of trust in justice;
- Current practice in using such indicators.

Work Package 2 is the first substantive set of tasks done by the JUSTIS consortium, as preparation for further work packages that involve:

- The development of a 'conceptual map' of issues relevant to trust in justice (WP3);
- The development of survey measures capturing the key concepts in this map (WP4);
- The development of a set of contextual measures relating to objective levels of performance of member states' systems of justice (WP5);
- The piloting and analysis of measures developing in WP4 (WP6);
- Validation and dissemination of the overall findings of the project (WPs 7 and 8).

We envisage the role of the EEG in validating our work as a form of extended peer review. We are asking members to assess whether our work meets its objectives, whilst achieving acceptable scientific standards. The Sofia conference (24-25 March 2009) provides an opportunity to seek their views, and those who are unable to attend are invited to submit comments on the deliverables that we are circulating to the EEG. These comprise:

- This paper (D2.4);
- The deliverables which this paper summarises (D2.1, D2.2 and D2.3);
- A draft of our paper setting out a conceptual map.

2. JUSTIS – THE BASIC IDEA

EU Member States are making growing use of social indicators to improve policy and its assessment, but limited progress has been made on this in criminal justice. Common-sense indicators based on readily available statistics – such as crime trends – have been used extensively. Much less attention has been paid to crucial but hard-to-measure indicators about public trust in justice. Without such indicators, there is a risk that crime policies may become over-focussed on short-term objectives of crime control, at the expense of equally important longer-term objectives relating to justice.

The project is based on the assumption that an effective justice system must assess itself not only against narrow criteria of crime control, but against broader criteria relating to people's trust in justice, their commitment to the rule of law, and their sense of security. In the long term, public compliance with the law depends on the legitimacy of institutions of justice. Institutions command legitimacy if people recognise that they are fair, just and provide public security.

The project is developing and piloting survey-based indicators of public trust in justice – a term used here to embrace issues relating to fairness, trust and insecurity. It will assemble contextual data for interpreting the indicators – on the assumption that there are close relationships between public perceptions of justice and the substantive quality of justice as reflected in the workings of the justice process. It will develop tools for presenting and interpreting the indicators in ways that are intuitive and accessible.

2.1. PROCEDURAL JUSTICE – THEORY AND EVIDENCE

There is a long tradition of sociological theory traceable back to Weber about the nature of state authority, and the ways in which the state legitimates its use of power and thus builds institutional authority and commands compliance from its citizens. More recent theorists such as Beetham have developed Weberian thinking to place greater emphasis on alignment between public values and those embedded in the justice system, in understanding processes of legitimation. We would argue that the combination of penal populism to which most Member States are increasingly subject, coupled with New Public Management techniques of governance, have led politicians in many Member

States to ignore the fundamental truth that if the institutions of justice lose their legitimacy, public compliance with the law is weakened, and commitment to the rule of law eroded.

The last twenty years has seen the accumulation of research evidence to support this position. We would characterise this as *persuasive* rather than *conclusive*. Much of it has been carried out in North America and is associated with Tom Tyler and his colleagues. This body of research suggests that fair procedures are the key to securing compliance with authority. People accept authority when they believe that those who wield authority do so in ways that are fair and respectful.

2.2. OUR CONCEPTUAL MAP

Trust in justice

The project's anchoring concept is *trust in justice*. Trust in justice has various dimensions to it: trust that the system will be effective, will be fair, and will display values that are aligned with our own. Institutional trust comprises relatively stable attitudes towards the police, the prosecutors, the courts, and the correctional services. By contrast, encounter-based interpersonal trust is a more active process involving decisions to trust, or invest in, individuals at the point of encounter. For example, interpersonal trust in the police involves the assumption that a police officer would deal with you personally, in an effective and fair manner that represents shared group values.

Compliance and cooperation

Justice politicians and managers are increasingly recognising the importance of fostering trust in justice – or confidence in justice, a term which serves broadly as a synonym. Sometimes public confidence-building is regarded simply as a strategy for improving the *cooperation* provided by the 'law abiding majority' to the criminal justice system – for example in reporting crimes and acting as witnesses and jurors. A more subtle perspective, which has emerged from procedural justice thinking, is that *compliance* with the rule of law is most likely to occur when the population trusts the criminal justice system. Thus, trust in justice is important because it promotes compliance with the rule of law, as well as citizen cooperation.

Legitimacy

Legitimacy is another key concept for JUSTIS, as it provides the explanatory linkages between trust and compliance with the law. The 'drivers' of legitimacy are trust (or confidence) that the criminal justice system is effective, fair, and displays values that are aligned with those of the policed and the governed. This can be communicated by the procedures used by authorities to wield their authority, and the actions of the courts in punishing law-breakers. Systems that command legitimacy have *authority*, and it is this authority that yields compliance. Normative compliance (i.e. the compliance that flows from institutional legitimacy) is more stable, and less painfully bought, than coerced compliance that is achieved through threat or duress. It is useful to differentiate between high-level and low-level legitimacy: institutional or high-level legitimacy can be built up, and this then cascades down to individual post-holders. However, there will be differences between individuals in their ability to establish their (low-level) legitimacy, reflecting their varying skills in social interaction.

Expectations

Expectations about state institutions vary from country to country, and these differences will tone or colour the relationships between trust, legitimacy and compliance. Where there are traditions of *distance* between the police and the policed, there may be different processes to those where the justice system is more obviously embedded within communities. There are also likely to be important relationships between expectations about the competence and probity of state institutions and trust in justice.

Insecurities about crime

People's levels of insecurity about crime and social order are likely to be critically important in determining their reactions to the formal criminal justice system. On the one hand, *some* level of public concern about crime and disorder is likely to be functional, prompting sensible precaution and cooperation with justice. On the other hand, higher levels of insecurity could prove dysfunctional, perhaps eroding trust in justice and the legitimacy of the criminal justice system.

3. POLICY ORIENTATIONS TO TRUST IN JUSTICE

Our survey, carried out among scientists, criminal justice managers and government officials in seven EU Member States, showed a range of policy stances towards public trust in justice. There was a continuum ranging from countries who attach great importance to building public confidence in justice to those for whom public confidence is unimportant, relative to making objective improvements to the functioning of justice.

3.1. CO-OPERATION VS COMPLIANCE

Those countries that attached priority to public confidence tended to think in terms of confidence-building as a means of securing cooperation rather than as a means of supporting commitment to the rule of law. For example, the UK targets its confidence-building on the "law-abiding majority" – arguably a figment of the political imagination – rather than on those whose commitment to the law is tentative and fragile. Our survey did not uncover any strong obvious commitment to 'procedural justice' perspectives.

3.2. RISKS AND BENEFITS

The survey revealed that there is a general consensus that the application of public confidence indicators would have significant potential benefits. There were also various expectations about the potential impact of such indicators ranging from reforming the criminal justice system to changing the perceptions of the public towards its operation.

One such benefit, seen as quite important, is the use of public confidence indicators as a tool for changing the attitudes of the public (and sometimes of the media) towards the criminal justice system.

Other potential benefits are related to the diagnostics of the existing system of criminal justice, i.e. public confidence indicators are viewed as a tool for identifying weaknesses and deficiencies in the system.

Another direction in which the use of public confidence indicators is seen as helpful is the improvement of the existing system of criminal justice. The potential benefits here are related to the use of such indicators to improve the operation of the criminal justice system and make it more effective.

At the policy level the use of indicators measuring the public confidence in the criminal justice system is seen as an instrument for the design of better and fairer criminal justice policies.

Public confidence indicators are also seen as a useful monitoring instrument which could help strengthen the civic control over the criminal justice system.

There are also views that the use of public confidence indicators could have potential risks and unintended consequences, as well as benefits. Such views differ from country to country ranging from serious to minor concerns. The main concerns were either that indicators might be misused or that excessive weight should be attached to them. Those who think such indicators might be misused point to different possible scenarios, such as the use of indicators to justify the introduction of populist measures, or their misinterpretation for short term political gain, or their exploitation for political purposes by political parties or the media, unjustified strengthening of criminal repression just for the sake of increasing the level of public confidence, etc.

Concerns that too much weight might be attached to public confidence indicators usually relate to the assumption that other important factors would be neglected or even excluded. The interpretation of confidence indicators as the only relevant indicators measuring the effectiveness of the system is perceived as potentially risky. There are also concerns that such indicators would oversimplify the actual situation, in the same time missing information on other essential factors. The risk of goal displacement – where agencies aim to manipulate and improve public ratings regardless of achieving real improvements in the quality of justice - is also seen as a possible negative consequence. There are also concerns that the use of public confidence indicators might somehow damage the work of the criminal justice system or have a negative effect on the design of criminal justice policies.

4. THE STATE OF THE ART IN MEASURING TRUST IN JUSTICE

Work Package 2 reviewed the state of the art in measuring trust in justice in Europe by looking at the national instruments and tools applied in seven EU Member States (Bulgaria, France, Italy, Lithuania, Hungary, Finland, and the United Kingdom) as well as at a number of supranational initiatives, related to trust in justice and insecurity.

4.1. NATIONAL EFFORTS

National efforts in measuring public confidence in justice differ substantially from country to country. However, with the exception of the UK, which seems to be the only Member State with a well-developed set of survey-based indicators, we found in each country few if any comprehensive and regularly used tools for measuring public confidence in justice.

In **the UK** current indicators of public confidence in justice are primarily measuring public confidence through the British Crime Survey (BCS), local police surveys of victim and witnesses, the Public Attitudes Survey conducted by the Metropolitan Police, the Citizenship Survey, and the Place Survey, funded by the Communities and Local Government Department, etc. Most of the public confidence surveys are focused on two main areas – trust and confidence in the British criminal justice and public insecurity about crime.

The BCS (and its Scottish equivalent the Scottish Crime Survey) is the most important national effort in the UK regarding measuring the public confidence in criminal justice and the dominant source of quantitative data on it. The surveys include questions related to key parts of the criminal justice system and a range of questions about the performance of the criminal justice system in specific areas. There is growing use of the BCS and other surveys in the Government's system of performance management targets. Some of the Key Performance Indicators relating to confidence in justice, set out in Home Office Plans in the period from 1998 to 2005, were survey-based measures.

In **Finland**, public confidence in the judicial system is not a very popular research topic. According to interviewed experts, specific indicators measuring confidence in the police are considered to be among the most comprehensive ones. In the empirical studies carried out by the police confidence is most often

operationalised by asking about people's satisfaction in the work of the courts and the police, perceived fairness and equal treatment in the face of law and the successful outcome of the work of these institutions.

Research on fear of crime however is a more popular subject area in Finland. However, empirical research on the fear of crime has usually been carried out within the larger context of victimisation and violence surveys. In fact, in many victimisation surveys, fear of crime denotes concern for the risk of becoming a victim of acts of violence or property crimes. The more theoretical discussion on the fear of crime has not been very active in Finland.

The most important national instruments in measuring public confidence in criminal justice and fear of crime include the studies and researches of the National Research Institute of Legal Policy, the University of Turku, the Finnish police, etc.

The Finnish literature review included studies and surveys dealing with measurement of public confidence in justice in **other Nordic countries**. Many of the studies in **Sweden** and **Denmark** have focused, besides confidence in justice, on people's opinions regarding sanctions imposed by the courts. Other researches have studied people's sense of justice and their perceptions of criminal justice. A survey combining both the themes of confidence in the justice system and the fear of crime is the **Swedish Crime Survey**, carried out annually since 2005 by the Swedish National Council for Crime Prevention. The survey aims at obtaining indications of development in terms of public perceptions of insecurity and fear of crime as well as attaining an increased level of knowledge related to victimisation and crime victim experiences. A further objective is to measure public confidence in the various elements of the Swedish justice system.

In **Bulgaria**, there is no comprehensive and regularly applied system of indicators measuring the public confidence in criminal justice although there are some surveys ranging over some questions on confidence in justice and fear of crime. Most of the surveys look at the level of reported crime (only some types of crime, between 14 and 30) and hidden crime, making conclusions about the confidence primarily in the police. In most surveys the police are ranked highest on the scale of confidence, followed by the investigation service, the prosecutor's office and the court.

The measurement of fear of crime is done mostly by questions derived from the methodology of UNICRI – scholars measure the fear of going out late at night, protection measures that citizens have undertaken for themselves and for their property, their expectations to become victims of specific crimes in the future, the feeling of protection among those surveyed, etc. Almost all surveys contain similar questions or questions close in meaning. One of the latest surveys even points to criminality as the country's biggest problem.

In **Hungary**, similar to Bulgaria and other former socialist countries, there is no tradition in systematic measuring public confidence in criminal justice on national level. Most of the surveys conducted so far were either part of the international efforts or covered separate regions. The conclusion from the studies dealing with the question of fear of crime, which were carried out after the democratic changes, is that fear of crime is mediated through several sociological factors that increase the subjective feeling of insecurity compared to the objective level of crime. A series of surveys and researches included questions regarding victimisation, with a big nationally representative victimisation survey been done in 2003-2004 (Victims and Opinions) covering 10.020 respondents.

Data on confidence in justice in Hungary is much scarcer than that on fear of crime. The series of the surveys reviewed show a negative tendency in trusting the police and a notable loss in trust in the national justice or legal system.

The statistical data in **Italy** show that the level and specifics of criminality have a strong impact on public confidence in criminal justice and on fear of crime with certain fluctuations in separate regions of the country.

The victimisation survey conducted annually by the National Institute of Statistics attempts to measure the feeling of security/insecurity associated with crime and criminality and the strategies adopted by citizens to defend themselves or to prevent such crimes. Despite public concern about violent offences, fear of crime has not yet led to systematic calls for higher penalties and exemplary punishments.

After the 1990s increased attention has been devoted to the topic of the fear of crime, and in recent times fear has received an unprecedented amount of attention in research and public opinion debates. The very concept of fear of crime has dramatically changed in the last two decades, mainly due to

academic research and surveys carried out by universities and research centres across the country. It is now agreed by most commentators that concern of fear and public anxiety do affect policy and the legal reforms of criminal justice.

Surveys on public confidence in law enforcement institutions in **Lithuania** began after the country gained independence in 1991. The review of surveys conducted led to the conclusion that there is a lack of methodological information and fundamental works which analyse public confidence in criminal justice. Among the main analysed sources are the surveys (and their reviews) concerning confidence in the criminal justice system and its components as well as insecurity or security of individuals and fear of falling victim of criminal activities. The 2006 survey results show that Lithuanian residents hold a negative opinion about the activities of the police.

One of the most important indicators that are used to assess the situation of security of community members in a specific area and at a specific time is their feeling of security from criminal activities. In the targeted context the key aspect is the extent to which a person feels secure or insecure from criminal activities.

In **France** there are no regular empirical tools measuring levels of confidence in justice in general, or in the criminal justice system in particular. Public opinion is rarely sought for the evaluation of policies, and in particular of criminal justice policies. Historically, the most important tool for measuring confidence used to be crime statistics and data from victimisation studies rather than direct indicators. In addition, some studies have looked at victim satisfaction with the criminal justice system.

Victimisation studies carried out regularly since 1996 have first focused solely on the rates of victimisation and confidence in justice was only rarely considered. Later on, questions on fear of crime and concern about delinquency have been introduced. Questions on trust in criminal justice institutions and on the quality of justice have only recently been considered – occasionally and without regularity. Most often, proxy indicators are used to infer levels of confidence. Although confidence in justice has rarely been studied as a topic on its own, indicators of confidence can be found in local opinion surveys.

4.2. SUPRANATIONAL EFFORTS

Research found that at present there is a lack of high-quality comparative European data of supranational level on public confidence in justice and public perceptions of insecurity that meets the need of an empirically valid set of indicators. However, we have just heard that a bid by members of the JUSTIS consortium for space on the **European Social Survey (ESS)** has been successful. Thus the fifth round of the ESS will carry a large section of questions on trust in justice, developed by members of the JUSTIS team. Previously the ESS has asked in each of the previous four rounds a question on trust in the criminal justice system. The items refer to "the legal system" and "the police" and both are answered as part of a battery which also asks about other institutions.

It is worth considering what other supranational surveys cover issues relating to trust and insecurity. The **International Crime Victims Survey (ICVS)** covers experience as victim, reporting to the police and satisfaction with police contacts. As for insecurity, the ICVS attempts to measure anxiety, as well as asks several questions on the degree of precaution respondents take to protect themselves.

The **Eurobarometer** survey series covers the social and political opinions of persons living in the EU Member States. Some limited questions have been asked about confidence in the criminal justice system, and some others touch upon criminal justice.

The **International Social Survey Programme (ISSP)**, has two rounds in which questions have been asked about confidence in the criminal justice system. However, none of these asked about confidence in the criminal justice system in a way that enables the tracking or statistical modelling of shifts in attitudes.

Eurostat initiated in 2006 the development of a European victimisation survey instrument, to be used for collecting comparable crime victimisation data from all EU countries. It will be piloted in Finland in 2009. The draft survey questionnaire contains 16 questions on feelings of safety and worries about crime, but it does not include questions on confidence in justice, although it asks whether the police came to know about the respective crime.

The **European Crime and Safety Survey** is presented as a tool for measuring the volume and nature of crime in Europe, having evolved from the ICVS and asking a representative sample of the population about selected offences (car theft, motor theft, burglary, robbery, assaults, drugs, etc.) they have experienced over a given time. The surveys examine whether or not the incidents have been reported to the police, and the reasons why people do and do not choose to notify the police.

The **European Survey Research Association** has been established to provide coordination in the field of survey research in Europe. The objectives of the ESRA are to promote: the communication between survey researchers in Europe; the communication between substantive researchers in the social sciences and survey methodologists in order to improve the quality of the research in both fields; and the study of old and new survey procedures with respect to the conditions under which they can provide good quality data.

The relevant work of two organisations was also looked at. **Transparency International** seeks to provide reliable quantitative diagnostic tools regarding levels of transparency and corruption, both at global and local levels, *inter alia*, through its annual Corruption Perceptions Index (CPI) and also through other corruption measurement tools to complement the CPI, like the Bribe Payers' Index and the Global Corruption Barometer. The **American Bar Association – Rule of Law Initiative** has devised assessment tools and indices that measure progress in a wide array of areas, among which the most relevant to public confidence in justice are the Judicial Reform Index and the Prosecutorial Reform Index. Both evaluate judicial/prosecutorial reform through a prism of factors, dealing with topics like quality, independence and efficiency.

The last initiative studied in detail is the **Southeast European Legal Development Initiative (SELDI)**, initiated in late 1998. The Regional Corruption Monitoring System, introduced by SELDI in 2001, was based on a uniform survey methodology for the corruption diagnostics in seven SEE countries – Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Macedonia, Romania, and Serbia and Montenegro – and was the first ever region-wide corruption diagnostics carried out simultaneously in the above mentioned countries.

On a slightly different note, JUSTIS shall also aim to investigate what type of link – if any – could be established between public perceptions (and attitudes to justice) and the objective efficiency of a given national justice system. At this regard, it is important to consider the 2006 and 2008 Reports of the **European Commission for the Efficiency of Justice (CEPEJ)** which was set up by the Council of Europe in 2002. This strand of JUSTIS will be of particular value in future analysis of the ESS module on trust in justice, as it will yield contextual variables about the objective quality of different countries' justice systems that can be used in multi-level modelling to identify these links.

5. THE PERCEIVED NEED FOR NEW SURVEY-BASED MEASURES

The research found a consensus in all seven countries among scientists, criminal justice managers and government officials that there is a strong need for public confidence indicators to improve criminal justice policies.

There is a common understanding that public confidence is an important factor and should be taken into account when designing and implementing criminal justice policies. However, despite the undisputed importance of public confidence, the prevailing opinion in most of the countries is that this should not be the major factor to be taken into account when designing and implementing criminal justice policies. Respondents typically thought that greater weight should be attached to other factors, such as the objective performance of the system; there were related concerns as to whether public confidence accurately reflects the effectiveness of the criminal justice system. For those ranking public confidence as the most important factor the main reason is the presumed relationship between the credibility of the criminal justice system and its effectiveness in practice.

Whilst respondents thought that there was a clear need for global indicators of public confidence in the criminal justice system as a whole, opinions differed when it came to individual components of the system.

The research also tried to identify what researchers, criminal justice managers and government officials regarded as the ideal set of indicators measuring public confidence in the criminal justice system. Despite the considerable differences in opinions, there was a common understanding that both the development (design and management) and the practical implementation (data collection and analysis) of the indicators should be done by institutions and/or organisations, which are independent and are not part of the criminal justice system.

There is a general consensus that data for the public confidence indicators should be collected on a regular basis, e.g. once a year, and the results should be available to the public without any restrictions. Various methods are seen as applicable for collecting the data, including surveys, face-to-face interviews, focus group discussions, use of official statistics, internet questionnaires, etc.

The general public is seen as the most appropriate potential target group for the data collection together with specific target groups such as victims of crime, the other users of the criminal justice system and the people working within the system. A surprising observation is the general disregard of the offenders and the business community as potentially important sources of information.

There is a general consensus that the results of the indicators should benefit the broadest possible circle of stakeholders, including parliament, the executive, the managing bodies of the judiciary, and individual agencies within the criminal justice system. Non-governmental organisations and the scientific community (academics and researchers) are also viewed as potential beneficiaries together with the general public and the media. Indicators are seen as the potential basis for various decisions such as decisions for drafting legislative changes, managerial and budgetary decisions concerning individual bodies of the criminal justice system, decisions regarding the recruitment policies within the system, decisions regarding the evaluation of work of individual members of the criminal justice system, decisions related to the design of crime prevention policies, etc. At the same time there is a general resistance against the use of such indicators when launching disciplinary proceedings against members of the criminal justice system.

There is also a general consensus that international indicators are needed and would be useful, especially to help compare different systems and transfer best practices among countries. There is less support for the use of indicators to encourage countries experiencing difficulties to design and implement adequate reforms. Concerns are also expressed as regards the significant differences between the criminal justice systems of individual countries that might turn into an obstacle for the design and implementation of international indicators.

6. NEXT STEPS

Subject to EEG validation, we shall proceed as planned with the rest of the project. We have nearly finalized our 'conceptual map' that will guide our work developing survey-based indicators, and we are nearly ready to start developing our suite of indicators.

Progress to date has, we think, been satisfactory. All partners have contributed to the work as required. We are developing effective working relations, and the infrastructure of the project works well.

6.1. THE REST OF THE PROJECT

We think that work should progress fairly smoothly in developing our survey-based indicators. We should also make good progress in developing our contextual measures, though issues to do with availability and consistency of data present us with a greater level of 'unknowns' for this work-package. Piloting of the survey indicators should be technically straightforward. The larger challenges lie (a) in ensuring genuine transferability of concepts across language and culture and (b) generalizing from the countries where we pilot to those – with different cultures and demographics – where piloting is unaffordable. Our budget for piloting work limits us to quite small samples in countries where survey work is economical. This means that we shall be doing the bulk of piloting in New Accession countries.

Our strategy for mitigating these risks involves offering JUSTIS support to countries or agencies planning relevant survey work, and thus extending our opportunities to pilot. It is possible that the London police will incorporate indicators of trust in justice in their public surveys. Similar opportunities may present themselves elsewhere.

For the project to be a success in the long term, we obviously need a survey vehicle that will carry our indicators. So we are very pleased indeed that four JUSTIS partners (LSE, King's College, Sheffield and HEUNI) together with NSCR, Netherlands, have submitted a successful proposal to the European Social Survey for space in its fifth sweep. Provided that funding for the entire round is secured – which seems probable – we should be able to include the suite of JUSTIS indicators in the round of the ESS, with data available in 2011.

6.2. NEXT STEPS FOR THE EEG

Ideally, we need the EEG to make a collective statement about the quality of the work done to date. Even if it proves impossible for the EEG to agree a collective statement, we need views on the quality of our deliverables that we can feed back to the European Commission.

Equally important, we are keen to find ways of ensuring that the consortium, the EEG and others taking part in the Sofia conference can function as a creative network of scholars and practitioners, adding value to each other's work.

We are, of course, also more than happy to receive advice and comments that will help us improve work done to date, and work in planning.