



Euro-justis and the European Social Survey

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What I shall do

- ❑ Describe our EU JUSTIS project
 - ❑ & the ESS module on trust in justice
 - ❑ Work in progress
 - ❑ With potentially great value to ENCJ
 - ❑ A scientific project with a political agenda
 - ❑ Testing theories of procedural justice
 - ❑ A focus on *criminal* justice
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The context

- Member states face big strategic choices about crime policy
 - Coerced compliance versus normative compliance
 - Forcing people to avoid crime versus making them want to obey the law
 - Repressive versus inclusive justice
 - Various pressures facing many member states
 - Towards populist justice
 - And over-emphasis on the instrumental
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The UK experience on measuring confidence

- Confidence building is a key objective for criminal justice
 - Rationale is poorly articulated
 - All public service needs confidence
 - Justice system needs public cooperation
 - And therefore needs confidence
 - No political sensitivity about the need for public consent to the rule of law
 - Populist politics, scepticism about rights
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JUSTIS

- JUSTIS – an EC FP7 project
 - Running 2008 - 2011
 - Seven countries, nine partners
 - King's College coordinates
 - Bulgaria (CSD)
 - Finland (HEUNI)
 - France (CNRS)
 - Italy (Univ. of Parma)
 - Hungary (Inst for Political Science)
 - Lithuania (NPLC)
 - UK (LSE, Sheffield)
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JUSTIS

- Developing survey indicators of public trust in justice
 1. Top level survey indicators
 2. Detailed survey indicators
 3. Contextual country-level data – legal, economic, social data for interpretation
 - Grounded in ‘procedural justice’ theory
 - Developed from work by Tom Tyler
 - Not (yet) focussing on ‘mutual confidence’
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Procedural justice theory

- The key question for criminal policy
 - Why do people comply with the law?
 - Not, why do they break the law?
 - Compliance stems from:
 - Normative orientation (largely)
 - Habit (a bit)
 - Risks of sanction (a little)
 - Procedural fairness buys trust in justice
 - Trust in justice builds legitimacy
 - Legitimacy promotes compliance
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Procedural justice theory

- Fairness → Public trust
 - Trust → Institutional legitimacy
 - Legitimacy → Authority
 - Authority → Compliance
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Procedural justice theory

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Procedural justice theory

- Fairness → Public trust
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 - We are concerned with *relationships* between indicators, not just levels
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The European Social Survey

- ESS invites bids for modules
 - 50 JUSTIS questions
 - Round 5 module
 - 30 countries
 - Fieldwork 2010
 - Analysis in 2011
 - Descriptive and theory-testing
 - Multi-leveiling modelling to find predictors of
 - Public trust in justice
 - Perceived legitimacy
 - Public compliance with the law
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ESS Participation

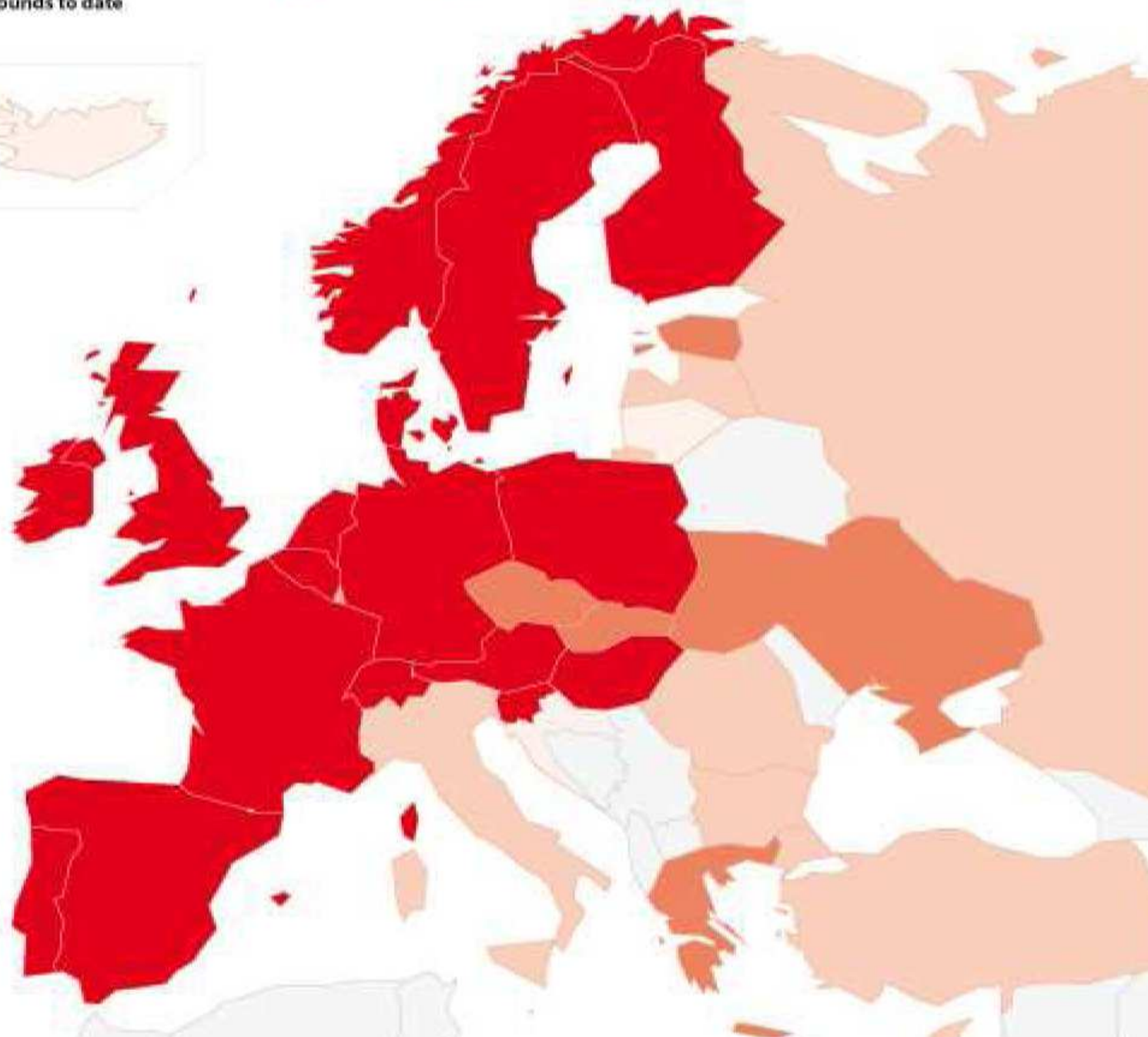
All rounds to date

4 rounds

3 rounds

2 rounds

1 round

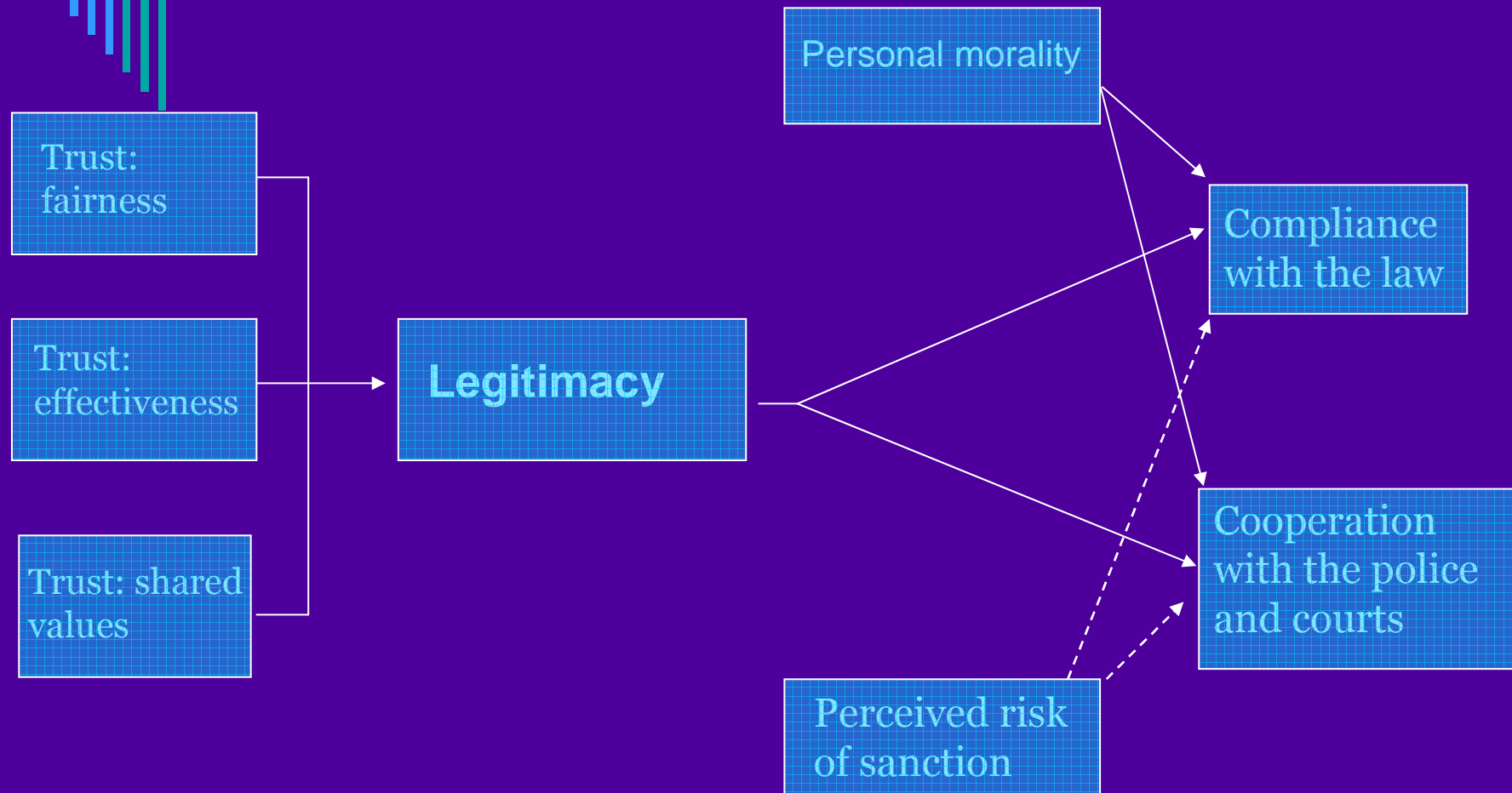




The question 'domains'

- ❑ Trust in police & court effectiveness
 - ❑ Trust in police & court fairness
 - ❑ Trust in shared values with police and courts
 - ❑ Perceived legality of police & courts
 - ❑ Preparedness to comply with the law
 - ❑ Preparedness to cooperate with the law
 - ❑ Personal morality
 - ❑ Punitivity
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The theoretical model



.....▶ Not greatly significant (statistically or substantively)

————▶ Significant (statistically and substantively)



The ideas we want to test

- Is procedural justice universally a driver of legitimacy?
 - Is perceived effectiveness a critical factor in some jurisdictions?
 - What about perceptions of corruption?
 - How important is the economic and legal context?
 - Income inequality
 - Objective features of justice
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Timetable

- ❑ ESS and JUSTIS pilots in spring 2010
 - ❑ ESS main fieldwork in October 2010
 - ❑ JUSTIS reports early summer 2011
 - ❑ ESS data analysis in Autumn 2011
 - ❑ Patching in missing countries?
 - ❑ What about 'mutual confidence'?
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A series of vertical bars of varying heights and colors (cyan, blue, teal) are arranged in a descending staircase pattern on the left side of the slide.

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Loose linkages to quality of life

- Societies that are rich in trust have high levels of well-being
 - Income inequality is the friend of crime and the enemy of trust
 - Trust in justice correlates partially with:
 - Trust in political institutions
 - Social trust
 - And negatively with punitivity
 - Penal populism and exclusionary justice may be corrosive of trust
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