

Public opinion and public confidence in Belgium.

A decade of empirical research on the
administration of (criminal) justice

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1. Introduction

- KOL research (Knowledge and Opinion about Law) in socio-legal studies
- the crisis of justice systems in Western democracies (centering around effectiveness and legitimacy)
- the changing role of public opinion: from theoretical to policy-oriented

2. Antecedents in Belgium

- Goffin and Tsamadou (1973): sample of 375 respondents with questions about the justice system (image, knowledge, attitude)
- Huyse (1996): document analysis of letters sent to the Minister of Justice in the “Dutroux” era
- Elchardus (1995 / 2000): meta-analysis of existing research on confidence in institutions in Flanders
- Security monitor (since 1997): empirical survey about prevalence of crime and satisfaction of police functioning

3. The first “Justice Barometer” as a focal point

3.1. Background

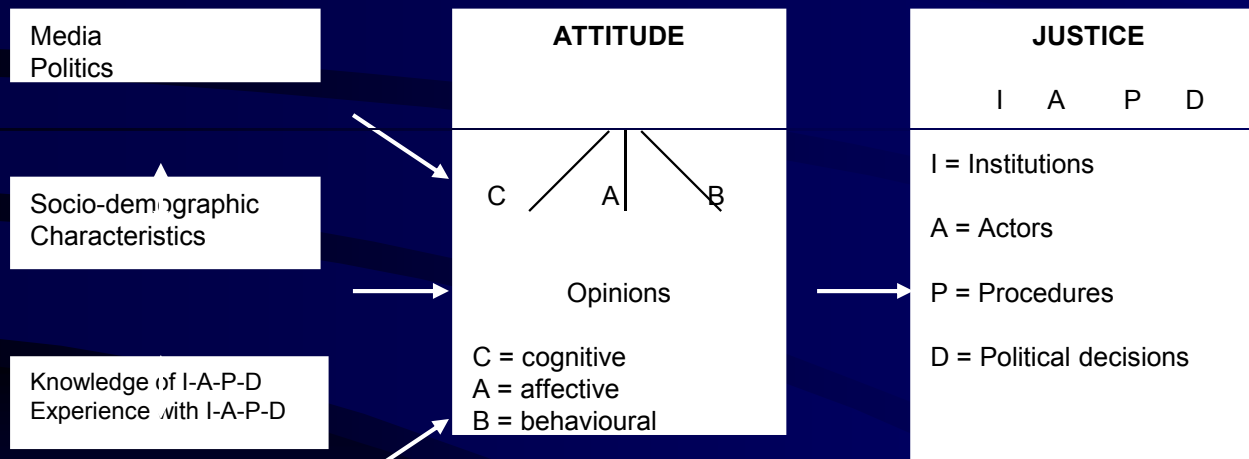
- private initiative (King Baudouin Foundation) with public support (Federal Science Policy) (1996-2000)
- prompted by the feeling of “crisis” of the (criminal) justice system in the 1990s (e.g. cases of Tueurs du Brabant, Cools, Dutroux)

3.2. Methodological aspects of the first Justice Barometer

- Preparatory phase
- Execution phase
- Phase of analysis

Preparatory phase

- Literature review and construction of a database
- Elaborating a conceptual model



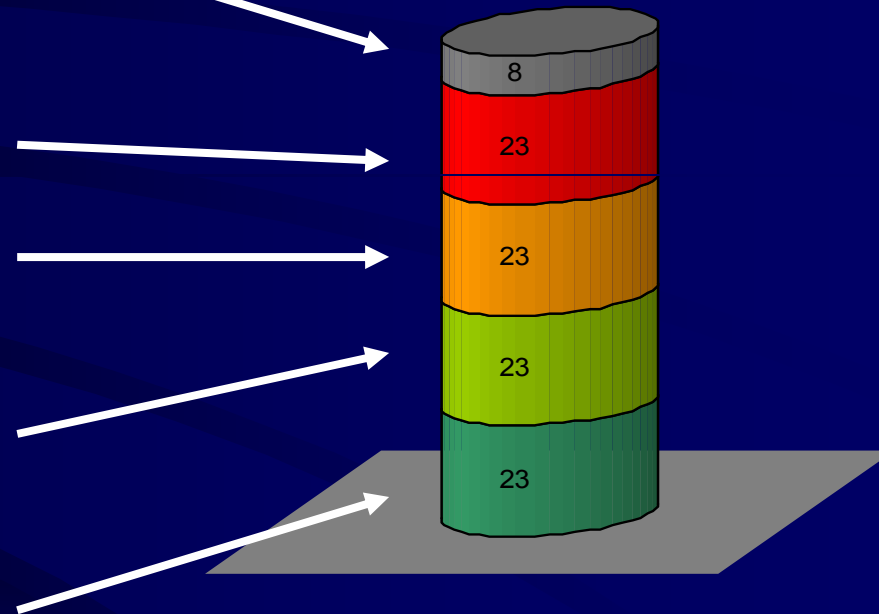
- Testing the conceptual model (10 FG) and the questionnaire (50 F2F and 200 telephone interviews)

Execution phase

- Sample of 3.200 respondents
- Through 20.300 telephone calls (September-November 2002)
- CATI interviews of 30 minutes on average by private company
- Validation of the survey and corrections

3.3. Some research results

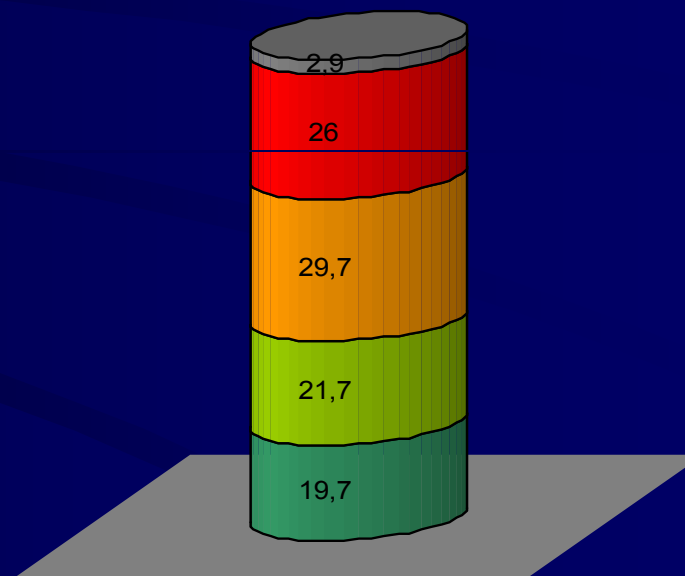
- No response/no opinion
- No/unfavourable
- Rather no/rather unfavourable
- Rather yes/rather favourable
- Yes/favourable



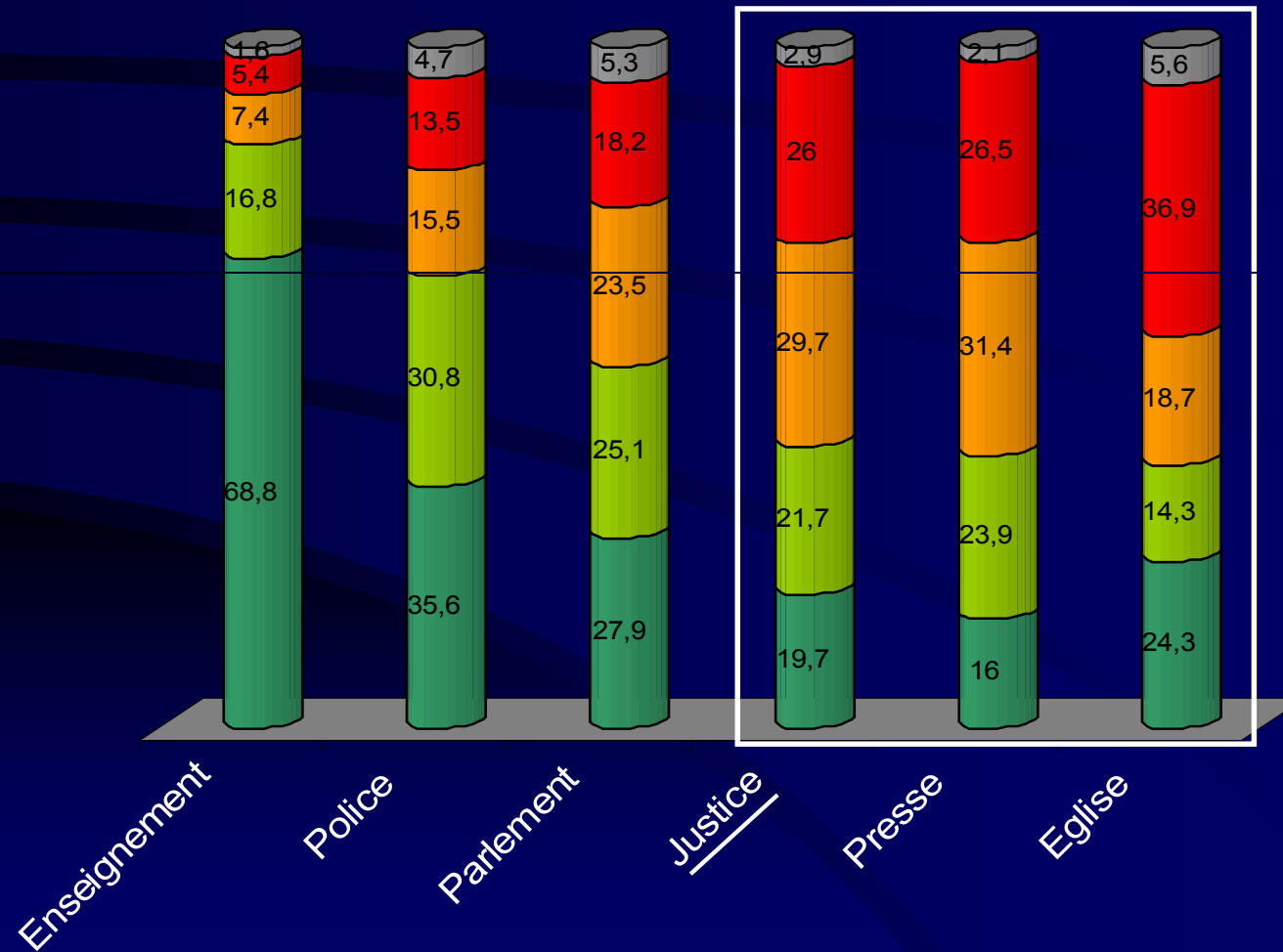
3.3.1. Confidence in the justice system, in general

« *Do you have confidence in the justice system?* »

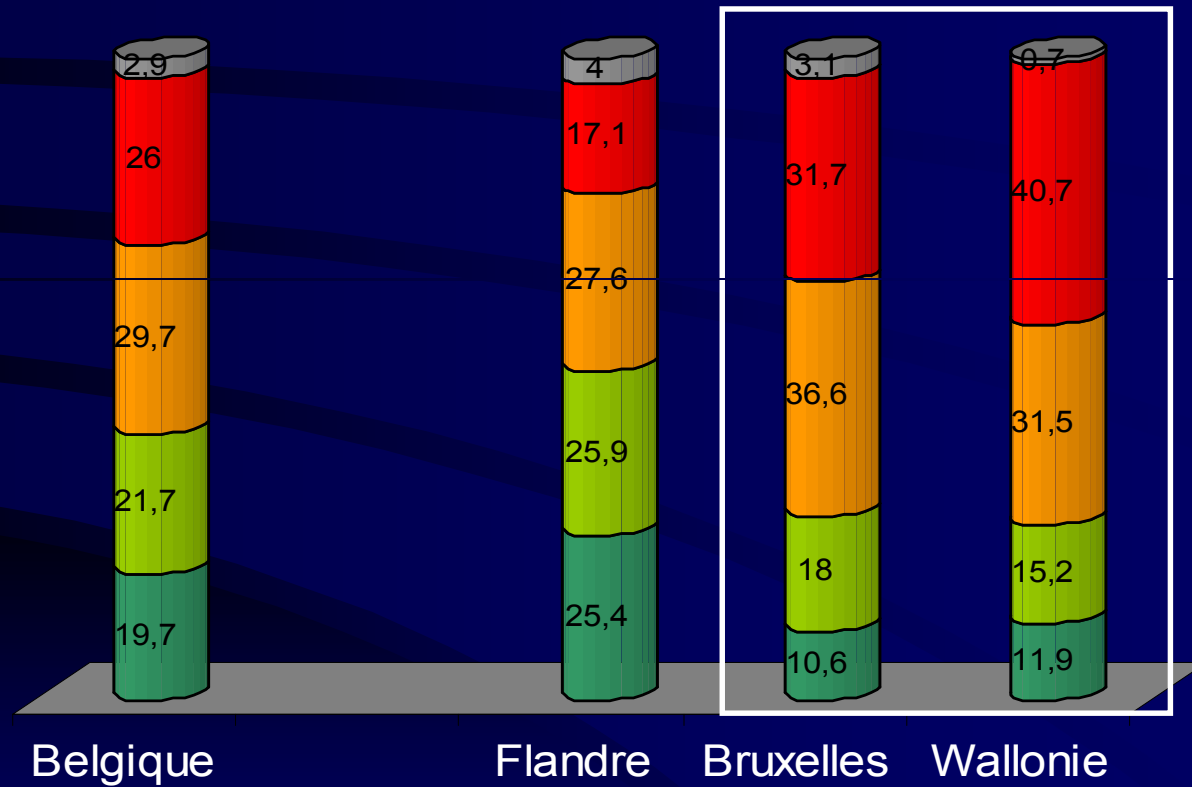
- 57% negative opinions
(34% in 2007)
- 43% positive opinions
(66% in 2007)



Comparison with other institutions



Comparison between regions



General trends

Confidence in the justice system:

- Decreases with age
- Increases with the level of instruction
- Increases with the income
- Is higher with men than with women
- Is larger with persons possessing a remunerated job

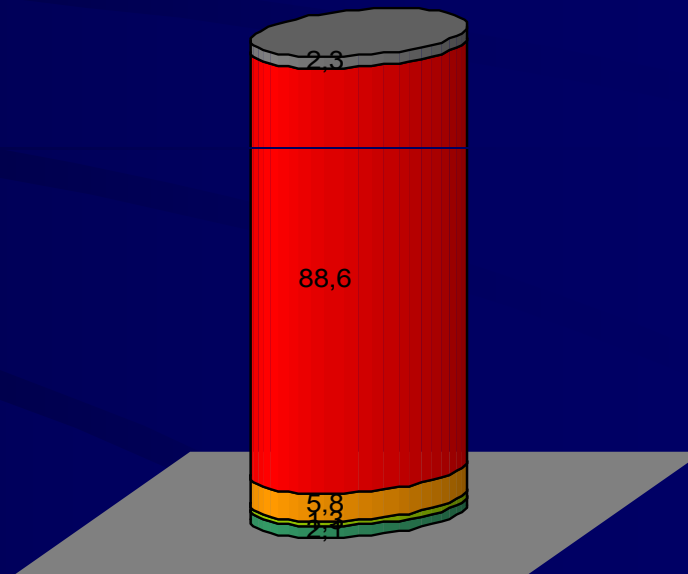
- Is higher with persons linked to the justice system
- Is lower with persons having had a personal experience, both in the civil and the criminal justice system
- Is the weakest with widows/widowers and divorced people

- Is higher with persons reading the « information press » and preferring public radio and television
- Is the lowest with voters of extreme political parties
- Is the highest with catholics and the lowest with protestants
- Differs according to the judicial district

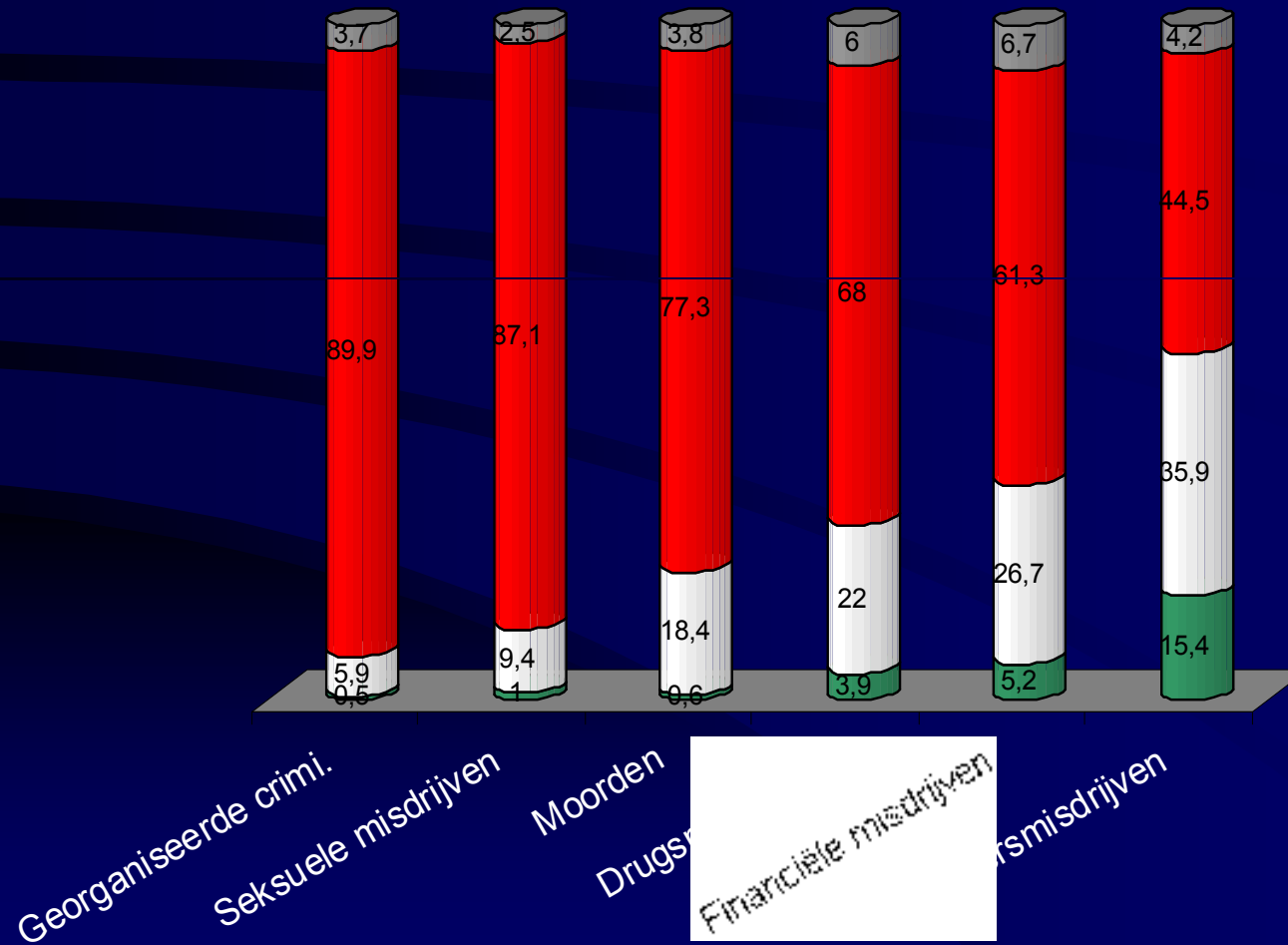
3.3.2. Criminal justice

« A case is terminated within a reasonable delay »

- 97% negative opinions
(96% in 2007)
- 3% positive opinions
(4% in 2007)

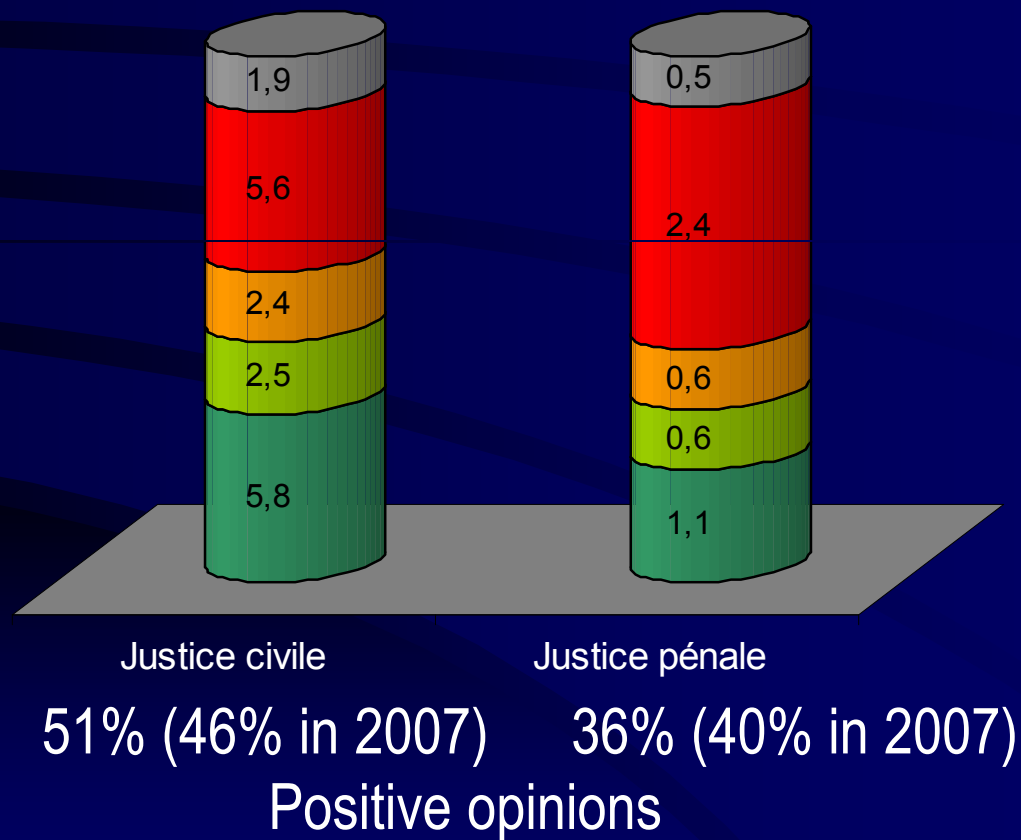


« What do you think about the punishment of the following crimes? »

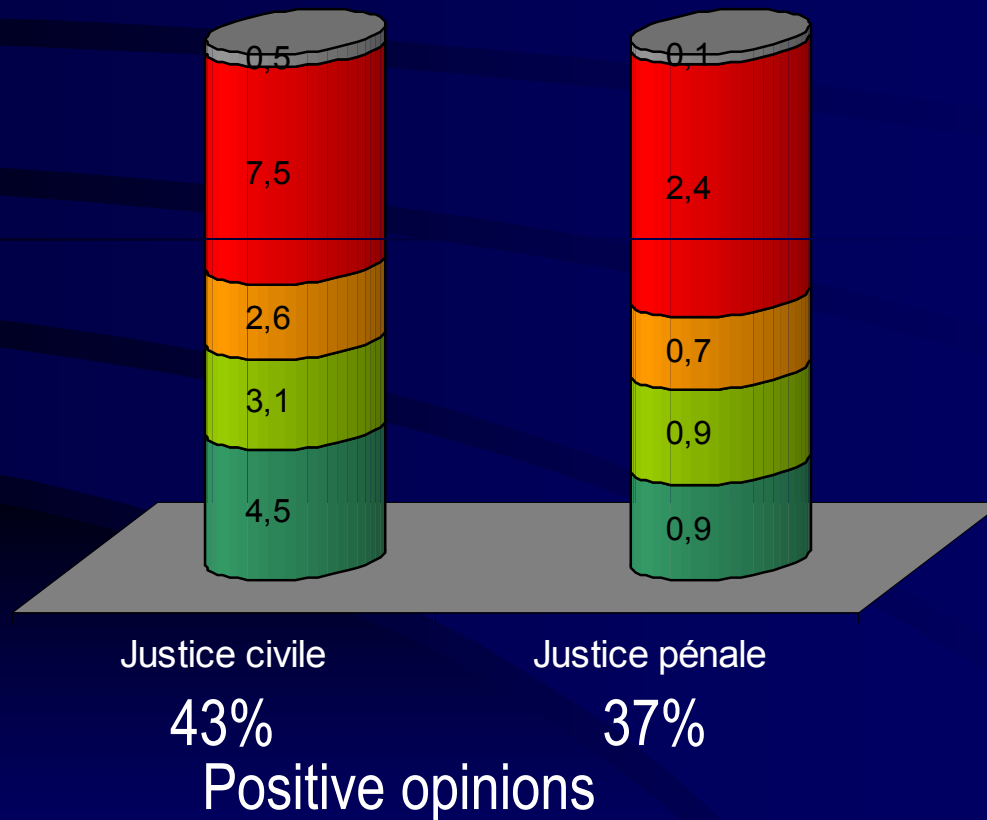


3.3.3. Experiences with the justice system

« What do you think of the outcome of your (last) case? »



« What do you think of the way in which your (last) case was dealt with? »



Comparative remarks:

- Similar research and research findings in other Western countries (Canada, France, Spain, Switzerland)
- Distinguish four « publics » on the basis of two criteria (information about the justice system and involvement in the system)
- Confidence and opinions in and about criminal justice are quite negative, particularly when compared to those in and about the police

- Opinions about the justice system are influenced by the social position of the respondents (education, income), but also by their attitudes vis-à-vis other institutions
- Favourable opinions increase with the level of knowledge, but strongly decrease on the basis of negative experiences
- Media play an important role, but the direction of the relation is still unclear

4. Follow-up research

4.1. Qualitative research:

- On the (criminal) justice system (2003-2004):
 - “Beyond the survey”: 12 focus groups (8 with citizens and 4 with professionals) in 4 judicial districts (2 in Flanders and 2 in Wallonia)
 - strong division between the justice system and Justice as an ideal
 - emphasis on systemic problems (e.g. length, cost, information) and the negative image of lawyers

- On law and the justice system (2003-2004):

- face-to-face interviews with 120 immigrants from North Africa and Turkey, and from Sub-Saharan Africa

- strong cleavage between high expectations and perceived reality of non-delivery and even discrimination

- the importance of negative experiences

4.2. Quantitative research

- second « Justice Barometer » (2007) under the auspices of High Council of Justice by private firm: confirmation of most earlier results, except for much higher levels of confidence (cfr. supra)
- other: e.g. doctoral research at K.U.Leuven on impact of TV media on confidence in police by youth in secondary schools and in two age groups (2008-2012)

5. By way of conclusion

- Need for further empirical research:
 - conceptual: confidence – trust - legitimacy
 - design: quantitative – qualitative – “cycle of research”
 - instrument: telephone – face-to-face - other
- Need for comparative methodology and frameworks of interpretation
- Need for discussing the relationship between public opinion research and policy-making

Contacts

Thank you for your attention !

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