



Emerging UK findings on trust

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EURO-JUSTIS: SOCIAL INDICATORS OF TRUST AND CONFIDENCE IN JUSTICE

SECOND INTERNATIONAL CONFERENCE

PARMA, 6-7 May 2010



Purpose of the talk

1. To present the first full test of Tyler's procedural justice model of policing outside of the US
 - Do the ideas travel well across the Atlantic?
 - The answer seems to be yes, at least to the UK
2. Describe how the study has been useful in designing the EuroJustis indicators and the connected ESS module
3. Presenting the method and findings this morning will help us understand, in more detail, the EuroJustis measures and objectives:
 - What we're going to measure and the sorts of hypotheses we're going to test



Outline

- Locating a UK-based pilot study within EuroJustis
- Theory (Tom has outlined the broad framework, but a few words):
 - Why do people obey the law?
 - Antecedents of the legitimacy of legal authorities
- Method and data
- Findings
- Lessons for the EuroJustis project



Orientation: two goals of EuroJustis

1. EuroJustis develops the conceptual and methodological tools for European nations to measure and track levels of confidence, trust and legitimacy
 2. EuroJustis extends Tom's framework for comparative European analysis:
 - Use multi-dimensional concepts of trust and legitimacy, add personal morality and legal cynicism
 - Capitalise on their flexibility to fit different contexts
 - e.g. in the UK trust in shared values is important in the public/police relationship; in France, perhaps not so much
 - Bring in national-level data
- These two objectives come together to push a political agenda, that policy makers should focus on securing public trust and legitimate authority



Orientation #2

- European Social Survey module designed (46,000 respondents nested in 30+ countries)
- EuroJustis demonstration surveys almost ready to go into the field (n=3 or 4)
- In the meantime ... lucky enough to attract funding from the UK's National Policing Improvement Agency:
 - Face-to-face interviews with representative sample of residents of England and Wales
 - Fielded some of the core measures
 - Early test of Tyler's procedural justice/legitimacy model of policing



Why do people obey the law?

- Bottoms (2002) – four routes to compliance:
 - Habit: compliance based on routine
 - Opportunity: situational or constraint-based compliance, where people's lawbreaking is simply obstructed (for example by locks and bolts, or by imprisonment)
 - Self-interest: instrumental or providential compliance, where people's obedience to the law is driven by rational choice in pursuit of self-interest
 - Morality: normative compliance, where obedience flows from acceptance of ethical or moral norms



Two key aspects to normative compliance

1. Personal morality:
 - it is wrong
2. Respect for rules and authority:
 - we don't break rules before we recognise the right of the law and legal authorities to dictate appropriate behaviour;
 - we feel an obligation and responsibility to accept authority and comply with police directives



Antecedents of risk/sanction and legitimacy

- Core EuroJustis objective: instrumental versus normative motivations?
 - We want to assess (in Europe) the relative weights of instrumental and normative motivations in explaining levels of compliance & cooperation
- And ... in order to draw policy conclusions, we also need to understand the factors that shape the two motivations
- Following Tyler's work, we address the role of:
 - Trust in police procedural fairness in generating perceived legitimacy of the police
 - Trust in police effectiveness in generating perceived risk of sanction
- All this should be seen as a slightly reduced form of the EuroJustis model, as well (of course) as only one country (rather than >30)



Method: NPIA study of police legitimacy

- Face-to-face interviews with a representative sample of residents of England and Wales
 - Measures of personal morality and compliance behaviour utilised CASI, where respondents entered their answers directly into the laptop, out of sight of the interviewer
- Primary purpose was a randomised controlled trial, examining the effect of information provision on public confidence in policing
- The final sample consisted of 7,434 respondents aged 16 and over: a response rate of 62%
- Our questions were ask of a sub-sample: 937 respondents



Measuring trust in police procedural fairness

Choosing an answer from this card, to what extent do you agree or disagree with this statement about the police in this area?

PROMPT IF NECESSARY: BY THIS AREA I MEAN WITHIN A 15 MINUTE WALK FROM HERE

1. The police in this area would treat you with respect if you had contact with them for any reason*
2. The police in this area make fair decisions when handling problems*
3. The police in this area explain their decisions to the people they deal with*
4. The police in this area are helpful
5. The police in this area are friendly and approachable
6. The police in this area make decisions based upon the facts

* = similar item in final ESS module



Measuring trust in police effectiveness

I'd now like to ask you what you THINK about the POLICE IN THIS AREA. You don't need to have actually had contact with the police to answer these questions, we are just interested in your general opinion about the police in this area.

How effective do you think the police in your local area are at...

1. Solving crimes*
2. Preventing crimes*
3. Responding to emergencies*
4. Keeping order on the streets

* = similar item in final ESS module



Measuring police legitimacy #1

- May I take this opportunity to remind you that your answers to all of these questions in this survey will remain completely confidential.
- **OBLIGATION TO OBEY**
- People have different opinions about how important it is to obey police officers and the law. The following questions are concerned with your own feelings about obeying the law.
 1. You should do what the police tell you, even if you disagree*
 2. You should accept decisions made by the police, even if you think they are wrong*

* = similar item in final ESS module



Measuring police legitimacy #2

- **MORAL ALIGNMENT: NORMATIVE JUSTIFIABILITY OF POWER**
- People have different opinions about how important it is to obey police officers and the law. The following questions are concerned with your own feelings about obeying the law.
 1. The police in this area usually act in ways that are consistent with my own ideas about what is right and wrong*
 2. The police in this area can be trusted to make decisions that are right for the people in this neighbourhood
 3. My own feelings about what is right and wrong usually agree with the law

* = similar item in final ESS module.

Other items here are: 'The police in [country] defends values that are important to people like me'; and, 'I generally support how the police in [country] usually act.'



Measuring legal cynicism

- Laws are made to be broken*
- It's ok to do anything you want as long as you don't harm anyone*
- To make money, there are no right and wrong ways anymore, only easy and hard ways

* = similar item in final ESS module



Measuring risk of sanction

- People have different opinions about how likely it is that they would be caught and punished for breaking different laws and rules
- How likely do you think it is that you would be caught and punished by being fined and/or arrested if you...
 1. ...bought something that was stolen property?
 2. ...illegally disposed of rubbish and litter?
 3. ...committed traffic offences?
 4. ...vandalised public property?
 5. ...took something from a shop without paying for it?

Crime categories in ESS: 'make an exaggerated or false insurance claim'; 'buy something you thought might be stolen'; and, 'commit a traffic offence like speeding or crossing a red light'.



Measuring personal morality

- The next part of the questionnaire is slightly different. I am going to ask you to enter the answers to the questions yourself.
- We are interested in your feelings about what is 'right' and 'wrong'. Please try to answer the questions honestly. Only answer 'don't know' if you really can't form an opinion!
- INTERVIEWER: TURN LAPTOP AROUND AND SHOW RESPONDENT HOW THE CAPI OPERATES.

- Now thinking about your own feelings about what is right and wrong. How wrong do you think it is to do each of the following things:
 1. ...buy something that you know is stolen property
 2. ...illegally dispose of rubbish and litter
 3. ...commit traffic offences
 4. ...vandalise public property
 5. ...take something from a shop without paying for it

Crime categories in ESS: 'make an exaggerated or false insurance claim'; 'buy something you thought might be stolen'; and, 'commit a traffic offence like speeding or crossing a red light'.



Measuring compliance with the law

- We'd like to ask you about some things that some people have done at one time or another. We are trying to find out which of these things have been done by the largest number of people
- Please remember that your answers are completely confidential and please try to answer the questions. If you answer 'don't know', it makes it more difficult for us to use your answers to all the previous questions!
- During the past 12 months, how often have you done each of these things?
 1. ...buy something that you know is stolen property
 2. ...illegally dispose of rubbish and litter
 3. ...commit traffic offences
 4. ...vandalise public property
 5. ...take something from a shop without paying for it

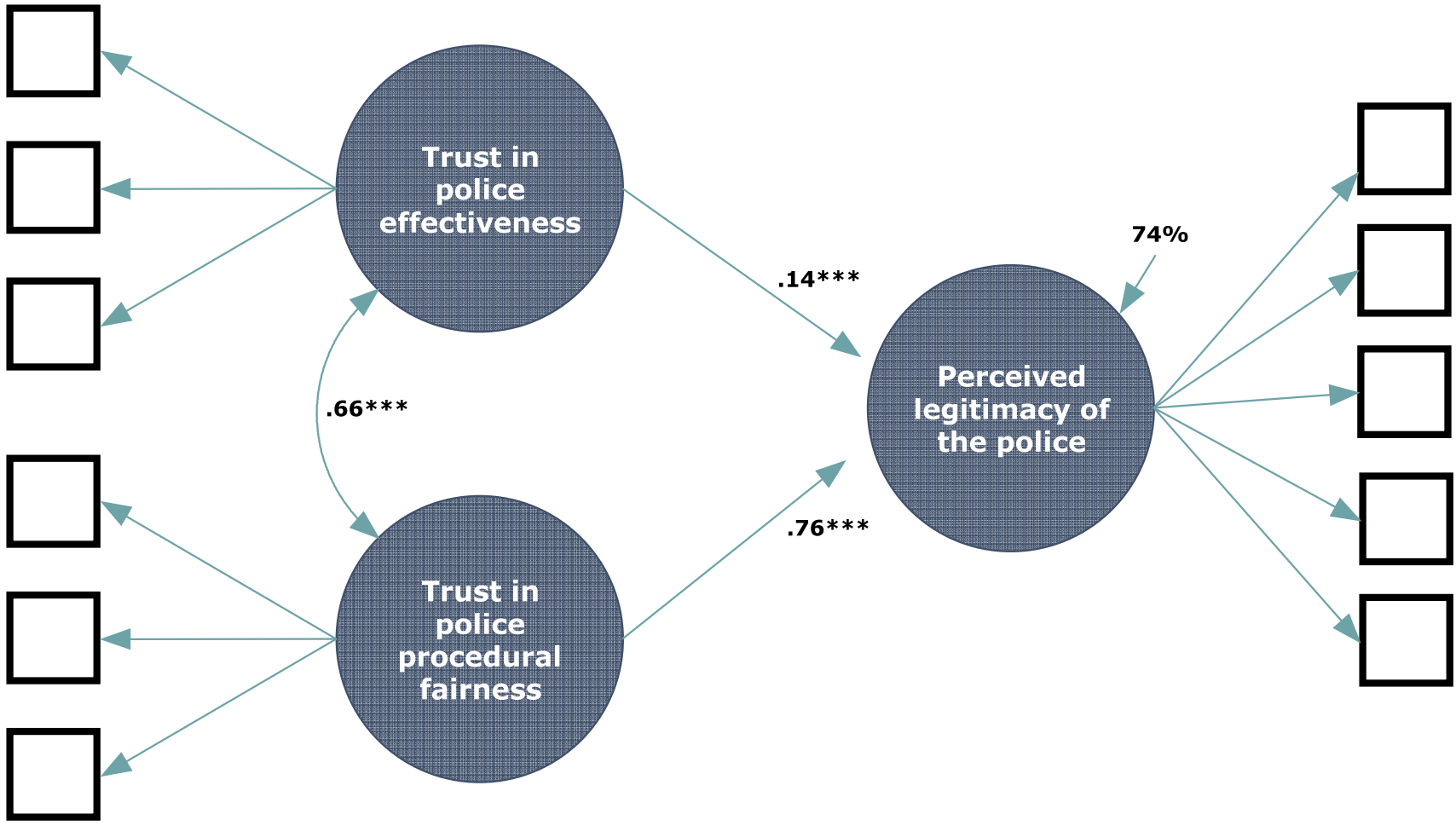
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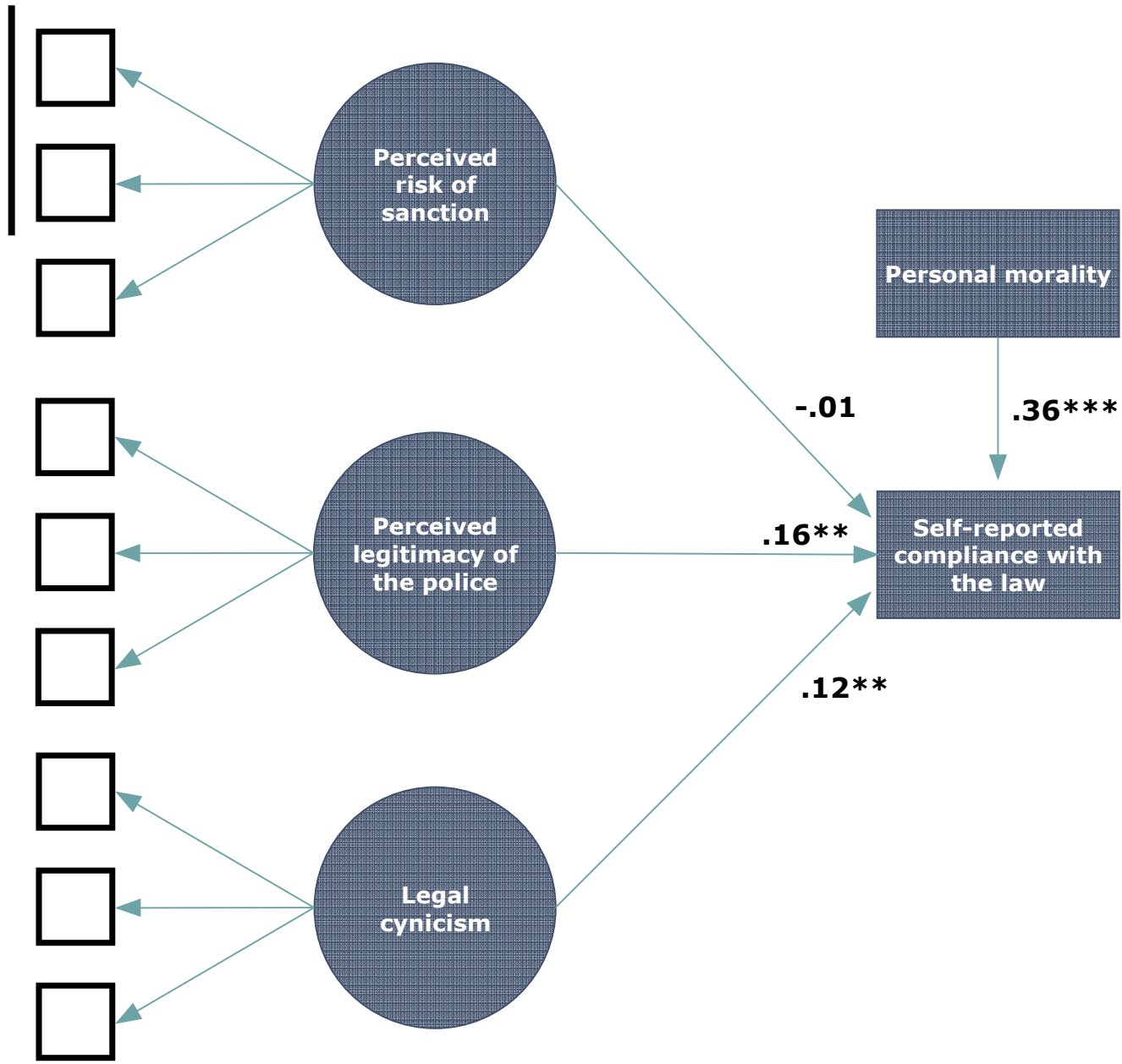


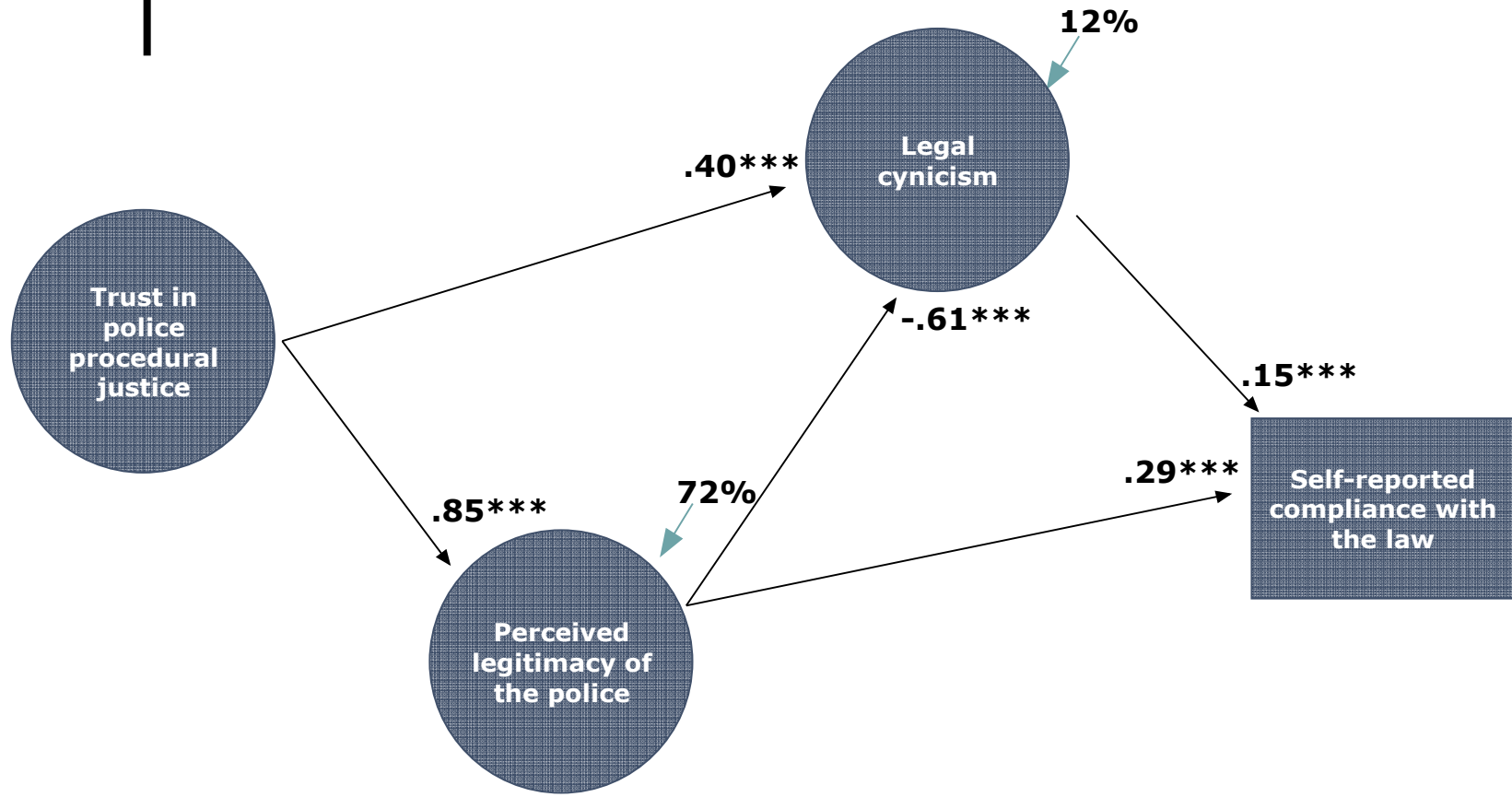
Measuring cooperation with the police

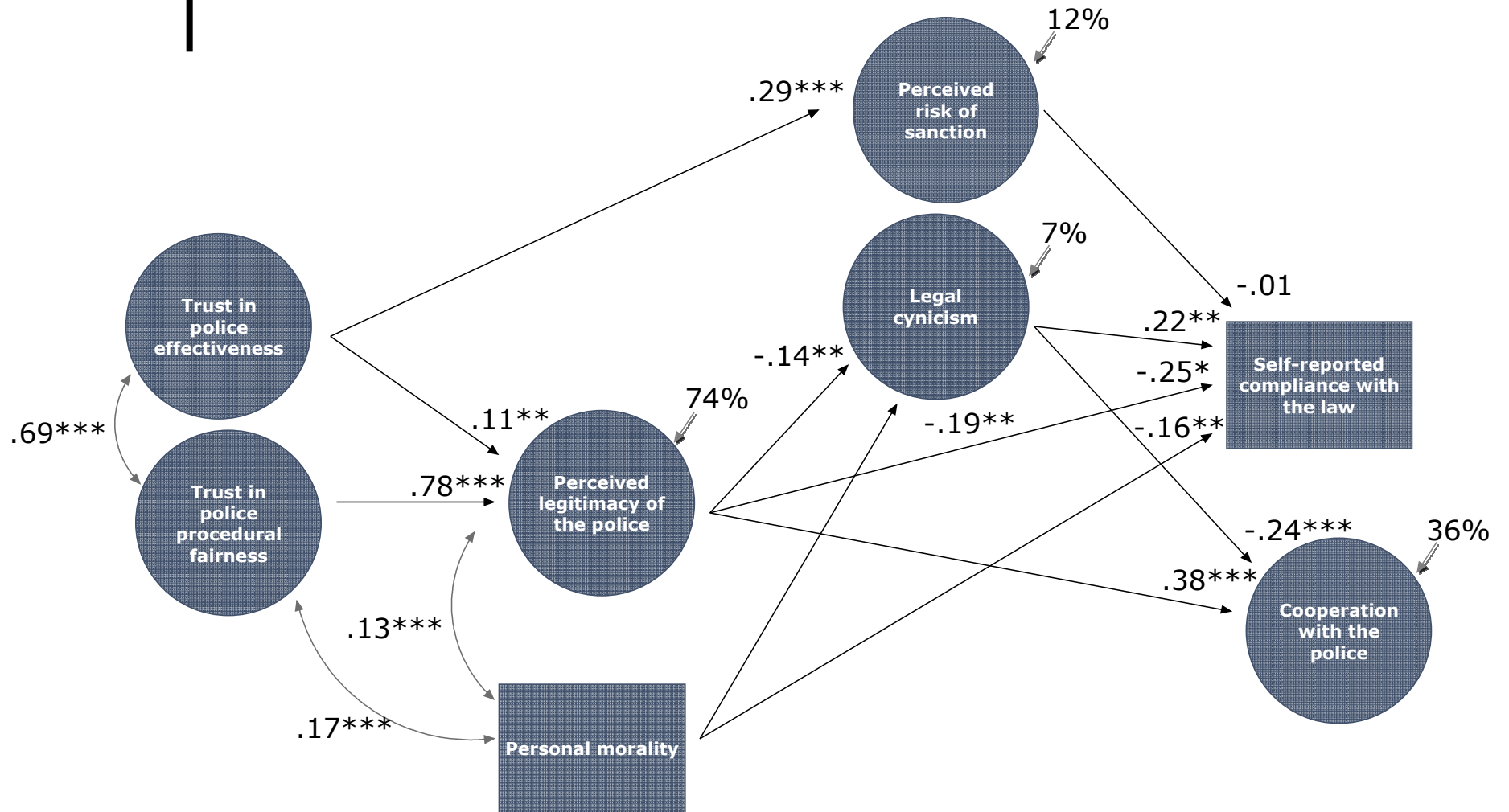
- If the situation arose, how likely would you be to do the following things...?
 1. ...call the police to report a crime you had witnessed
 2. ...report suspicious activity near your house to the police
 3. ...provide information to the police to help find a suspected criminal

ESS questions: Imagine that you were out and saw someone push a man to the ground and steal his wallet. How likely would you be to call the police? How willing would you be to identify the person who had done it? And how willing would you be to give evidence in court against the accused?











Feeding into EuroJustis development work

- We have the (nearly finalised) ESS module available
- The EuroJustis demonstration survey is nearly ready
- The NPIA legitimacy study helped development:
 - Framework seems to work in the UK: open and empirical question whether it pertains to other jurisdictions
 - Many of the scales worked well
 - Moral alignment worked well as a dimension of perceived legitimacy of the police
 - Legal cynicism worked as a mediator of the observed association between legitimacy and compliance



Discussion and where next?

- Policy implications:
 - Early European support for the normative models of compliance and social regulation:
 - The police should foster legitimacy through demonstration of procedural justice

- EuroJustis and ESS:
 - >30 countries
 - Broader framework
 - Levels 1, 2 and 3 indicators



Comments, questions?



Discussion and where next?

- Framework seems to work in the UK
- Moral alignment (legitimacy) may be particularly relevant to the UK given history of policing by consent (alignment between citizens and officials of the law)
- Note: moral alignment is not specific agreement of given laws, but a broader sense that the police and citizens share normative and ethical frameworks (based around interpersonal connection)
- Legal cynicism is a plausible mechanism that links legitimacy of legal authorities to compliance with the law:
 - Experience of procedural injustice ‘knocks’ the legitimacy of authorities, which then reduces the binding authority of the system of laws and rules



Cooperation

- Cooperation with the police and courts is important in the administration of justice
- Do normative models hold more promise in generating cooperation than instrumental models?



Procedural justice/legitimacy models

- Focus on instrumental versus normative motivations, rather than habit and opportunity
- This is because they reflect competing models of cooperation and self-regulation:
 - Rational choice versus moral agents
- Across Europe we see policies of crime prevention and 'target hardening'
- But more important are broader strategies of policing and the administration of justice:
 - Command-and-control policing (raise the perceived probability of capture) versus
 - Fairness and legitimacy policing (raise the conferred legitimacy of legal authorities to enhance compliance and cooperation)



Trust in the police and criminal courts

- Citizens have a right to expect the police/courts to be effective, fair and responsive to local needs & priorities
- Trust is the belief that the police/courts have the right intentions and are competent to do what citizens trust them to do:
 - i.e. to act in ways that reflect effectiveness, fairness and responsiveness to local needs & priorities
- Trust implies the recognition of a shared moral commitment, where police/courts take the interests of citizens into account
 - Trust is revealed in beliefs about current affairs, but also expectations about future behaviour



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Legitimacy of the police and criminal courts

- We define legitimacy (*a la* Beetham) as:
 - Expressed consent (obligation to obey, conferred authority)
 - Normative justifiability of power (shared moral framework)
 - Legality of action (follow own rules)
- Legitimacy is citizen-conferred and system-conferred
 - ESS provides the measure of citizen-conferred legitimacy
 - National data provide the measure of system-conferred legitimacy (e.g. accountability, transparency, democratic principles, corruption)



Comparative European analysis

- Collecting survey data from 25-30 European countries
- We need to take the context into account:
 - must understand the local structure of criminal justice system
 - collect national-level data to aid interpretation
 - collect national-level data that constitute the measures of key concepts
- We need to ensure the concepts travel:
 - cognitive-interviewing in 5 countries
 - expert review and piloting
 - defining concepts multi-dimensionally
 - allow some dimensions to be more important than others



ESS and the JUSTIS project

- JUSTIS (Scientific Indicators of Confidence in Justice: Tools for Policy Assessment), EC FP7
 - JUSTIS provides conceptualisation work, cognitive interviewing, piloting of survey (3-4 countries) and collection of national-level data
 - ESS provides level-1 and level-2 data in 25-30 countries
- Objective 1: develop social indicators of trust and legitimacy
 - Survey-based measures (level-1 and level-2 indicators)
 - Country-level statistics (level-3 indicators)
- Objective 2: test two psychological models of cooperation and social regulation (highlights some outcomes of trust and legitimacy)



Social indicators of public trust in police and courts

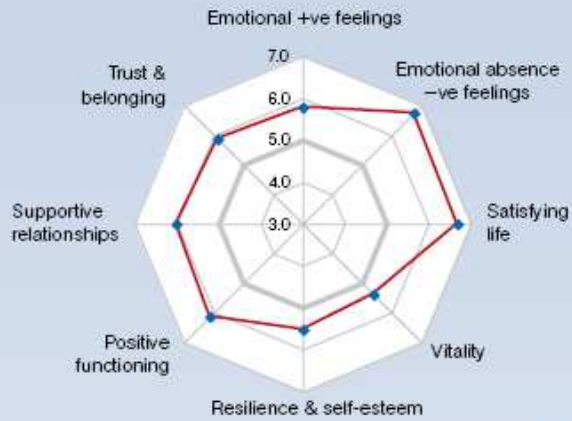
- Goal is to establish valid estimates of trust in police and courts
- Separate measure for police and courts:
 - Trust in effectiveness
 - Trust in procedural fairness
 - Trust in distributive fairness
 - Trust in shared local priorities (police only)
- Conduct CFA by countries and clusters of countries
- Establish relevant importance of different dimensions of trust
- National-level data for interpretation of country-level differences



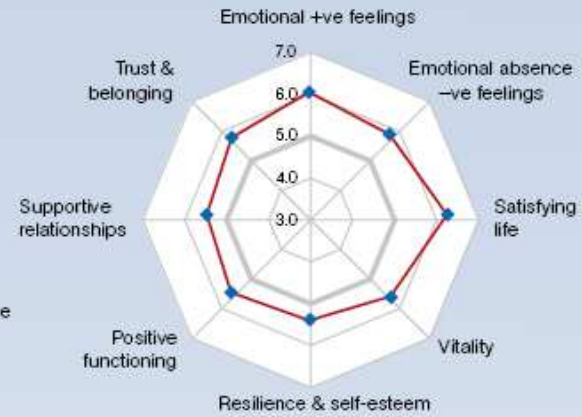
Social indicators of conferred legitimacy of police and courts

- Goal is to establish valid estimates of perceived legitimacy in police and courts
- Separate measure for police and courts:
 - Obligation to obey/accept decisions
 - Moral alignment
 - Corruption (legality of action)
- Conduct CFA by countries and clusters of countries
- Establish relevant importance of different dimensions of legitimacy
- National-level data to augment measure of legitimacy and to aid the interpretation of country-level differences

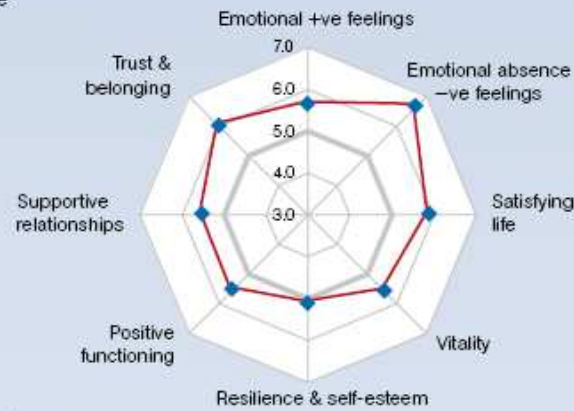
Denmark



Switzerland



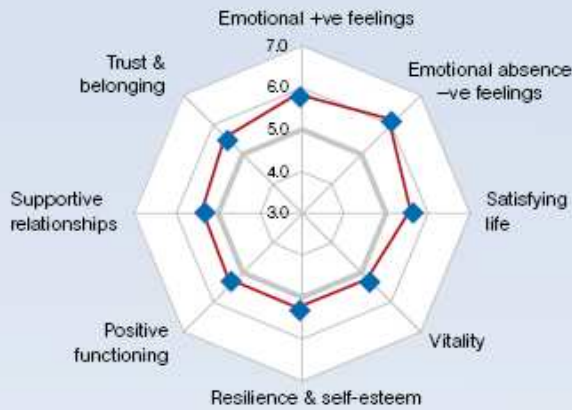
Norway



Austria



Ireland



Sweden



The Netherlands



Finland



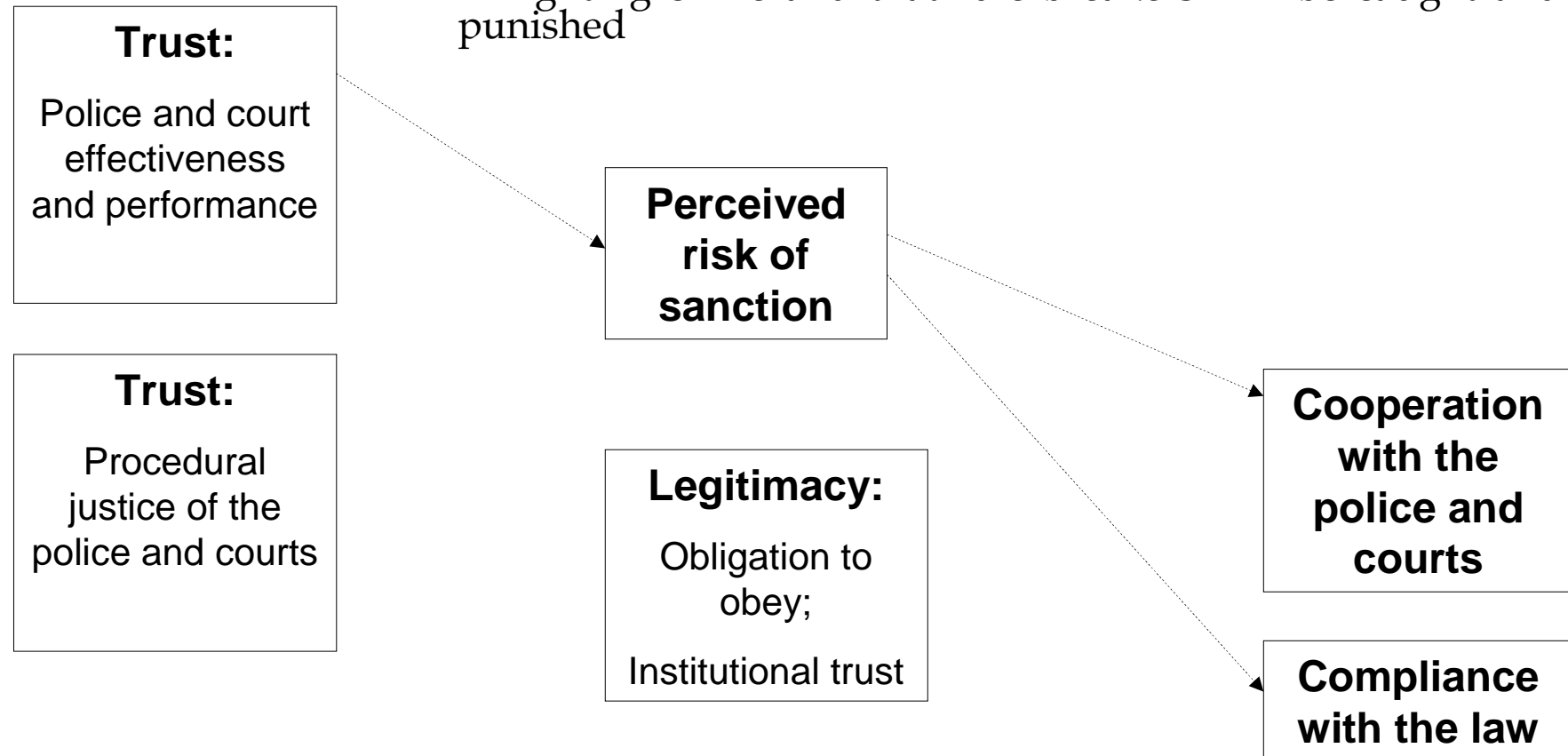


Other measures in the module

- Overall confidence in prisons, courts, and prison
- Personal morality
- Perceived risk of sanction
- Compliance with the law
- Cooperation with the police
- Punitive sentiment
- Fear of crime (main questionnaire)

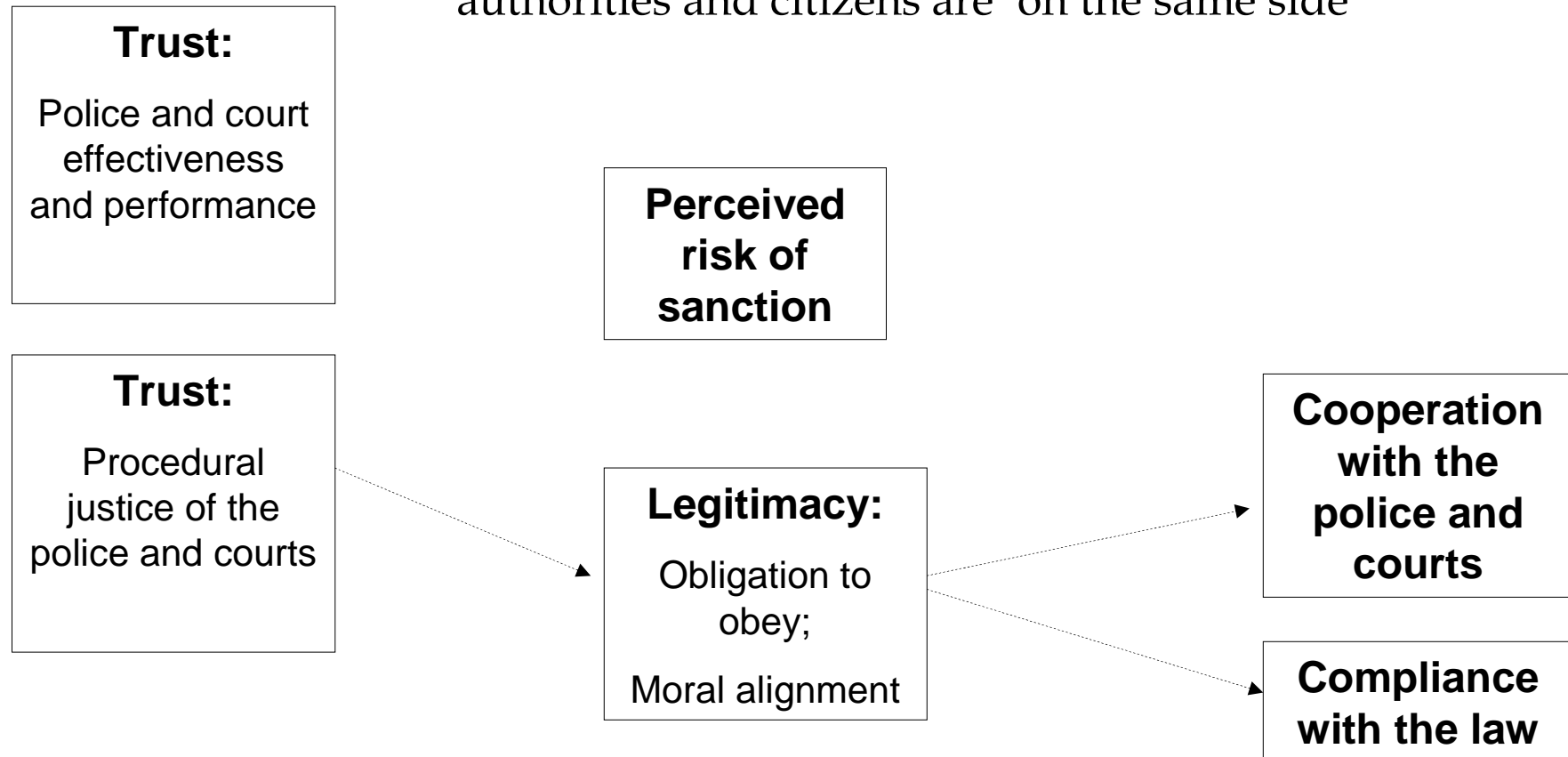
Instrumental model of social regulation

- People are governed by self-interest in the form of sanctions or incentives
- People will comply with the law when they view it likely that they would be caught and punished otherwise
- Government should demonstrate that the police are effective in fighting crime and that rule breakers will be caught and punished



Legitimacy model of social regulation

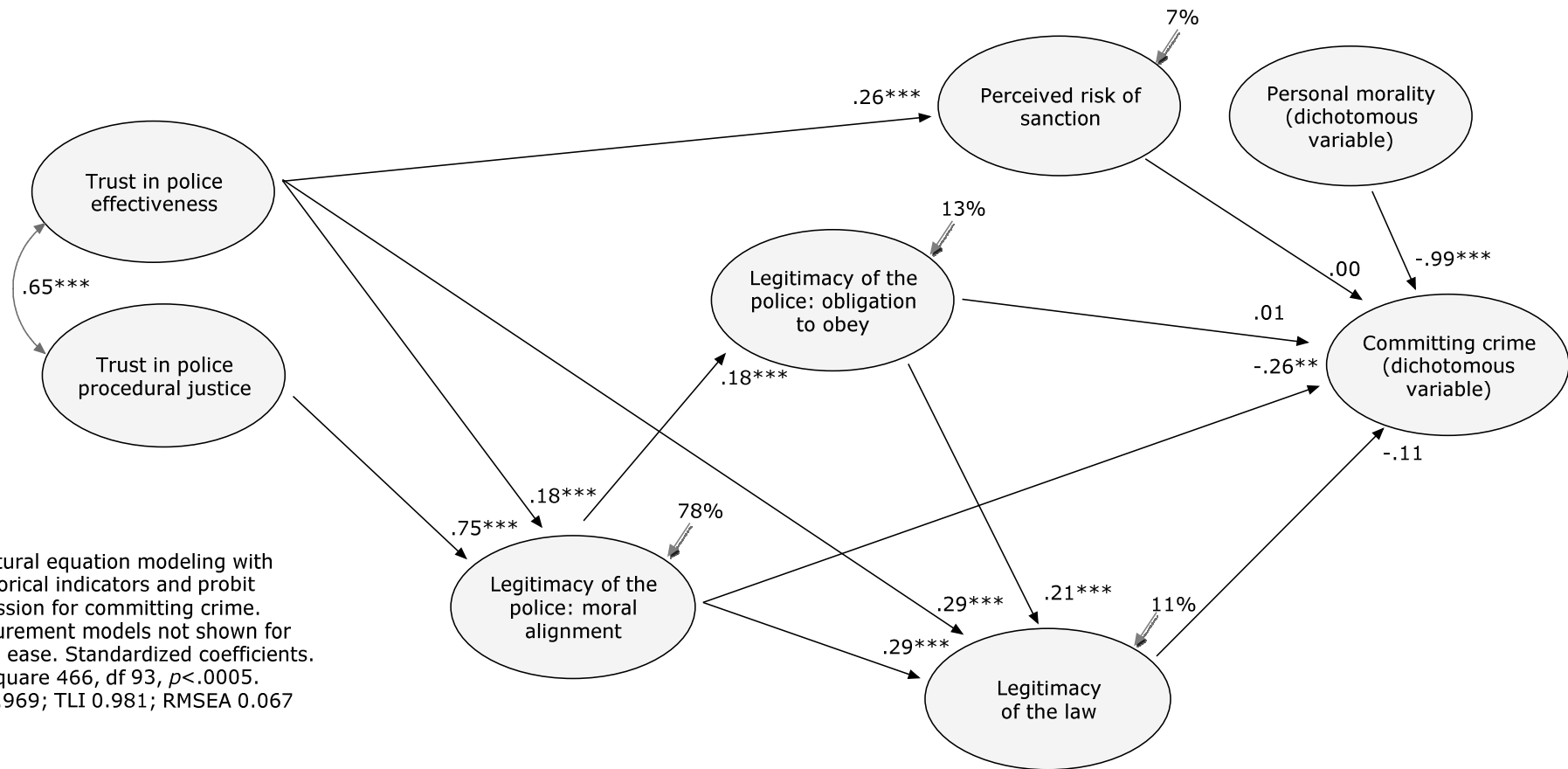
- People hand over responsibility to authority figures to define and enforce acceptable conduct
- Procedural fairness fosters feelings of motive-based trust (shared group membership) – that both the legal authorities and citizens are ‘on the same side’





A pilot study

National Policing Improvement Agency study of policing and procedural justice:
Representative sample survey of residents of England & Wales (n=937)





Overview of the ESS R5 module

- **PERSONAL MORALITY**
- **OVERALL CONFIDENCE IN THE POLICE, COURTS AND PRISONS**

POLICE

- **CONTACT WITH THE POLICE**
- **TRUST IN POLICE EFFECTIVENESS**
- **TRUST IN POLICE DISTRIBUTIVE FAIRNESS**
- **TRUST IN POLICE PROCEDURAL FAIRNESS**
- **TRUST IN POLICE PRIORITIES / GROUP ENGAGEMENT**
- **POLICE LEGITIMACY: OBLIGATION TO OBEY THE POLICE**
- **POLICE LEGITIMACY: MORAL ALIGNMENT WITH THE POLICE**
- **PERCEIVED LEGALITY OF POLICE ACTION**



Overview of the ESS R5 module

COURTS

- TRUST IN COURT EFFECTIVENESS
- TRUST IN COURT DISTRIBUTIVE FAIRNESS
- TRUST IN COURT PROCEDURAL FAIRNESS
- PERCEIVED LEGALITY OF COURT ACTION
- LEGITIMACY OF THE COURTS AND LAW: OBLIGATION TO OBEY THE LAW AND COURT DECISIONS
- LEGITIMACY OF THE COURTS AND LAW: MORAL ALIGNMENT WITH THE COURTS

- ATTITUDES TOWARDS PUNISHMENT
- PUBLIC COOPERATION WITH THE POLICE AND COURTS
- PERCEIVED RISK OF SANCTION
- COMPLIANCE WITH THE LAW



Questions for the NCs

- Are the police and courts the most important institutions of criminal justice in your country?
- Does the 'police in this area' mean anything to people in your country?
- Does the 'criminal courts, which deal with crimes such as burglary and physical assault' mean anything to people in your country?
- Does the 'community bond' between citizens and the police in the UK translate elsewhere?
 - British people want the police to understand and engage with the needs of the community
- Have we missed certain aspects of public opinion on crime and criminal justice?

