



TRUST IN JUSTICE – THE EURO-JUSTIS PROJECT

Professor Mike Hough
XXIII Conference of the Baltic
Criminologists
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What I shall do

- Introduce Euro-Justis
- And our European Social Survey module on trust in justice
- Describe the ideas behind the projects
- Jon Jackson will cover some emerging findings



EURO-JUSTIS

- Funded by the EC (FP7)
- 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
- Developing work especially by Tom Tyler (NYU)



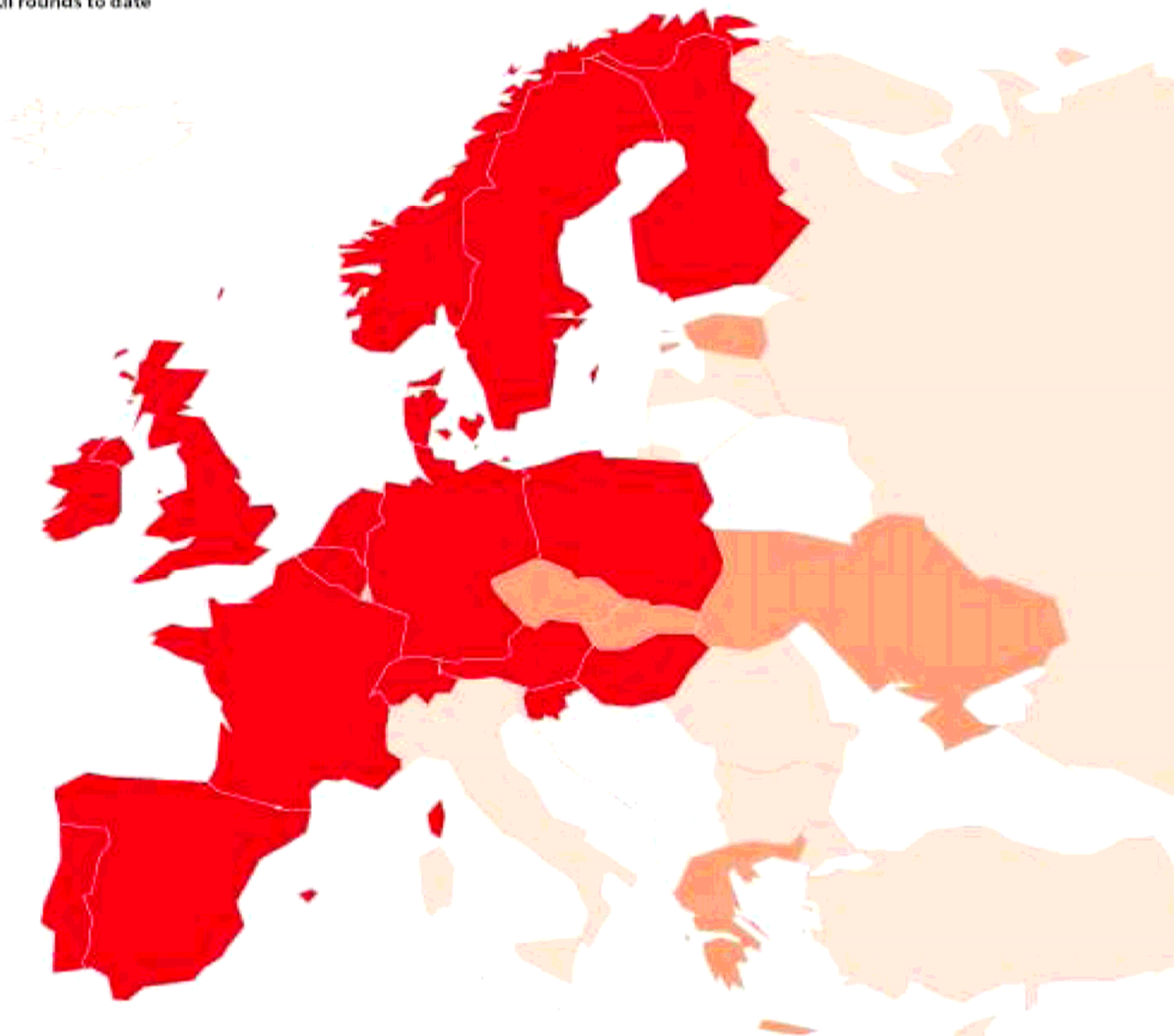
The European Social Survey

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

ESS Participation

All rounds to date

4 rounds 3 rounds 2 rounds 1 round





Timetable

- ESS pilots in spring 2010
- ESS main fieldwork in Autumn 2010
- Euro-Justis pilots in November 2010
- EURO-JUSTIS reports summer 2011
- ESS data analysis in Autumn 2011
- Patching in missing countries?



Securing compliance: a question of authority

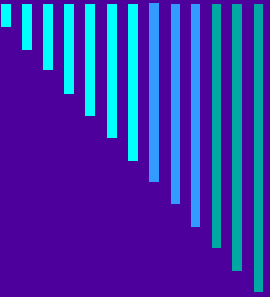
- A shared set of *craft skills* needed by:
 - Parents
 - Teachers
 - Managers at work
 - Probation and prison officers
 - Police
- Specific issues in using *formal* authority
- How to use formal authority skilfully
- A key question for criminal justice



Why do people obey the law? Compliance theories

Four routes to compliance

1. Self-interest: instrumental or providential compliance
2. Morality: normative compliance, where obedience flows from acceptance of ethical or moral norms
3. [Lack of] opportunity: situational or constraint-based compliance
4. Habit: compliance based on routine



Instrumental theories of compliance – the ‘dominant discourse’ in UK politics

- People are rational calculators
- They maximize self-interest
- They are responsive to deterrent threat
- Why do people break the law?
 - Low risk of punishment
 - Punishment too soft
 - Punishment too slow



Procedural justice theory – an alternative perspective

- ❑ The key question for criminal policy
- ❑ Not, why do people break the law?
- ❑ But why do they comply with the law?
- ❑ Procedural fairness buys trust in justice
- ❑ Trust in justice builds legitimacy
- ❑ Legitimacy promotes compliance
- ❑ A theory about the institutional component of compliance with the law
- ❑ Obviously, a need for other components



Procedural justice theory

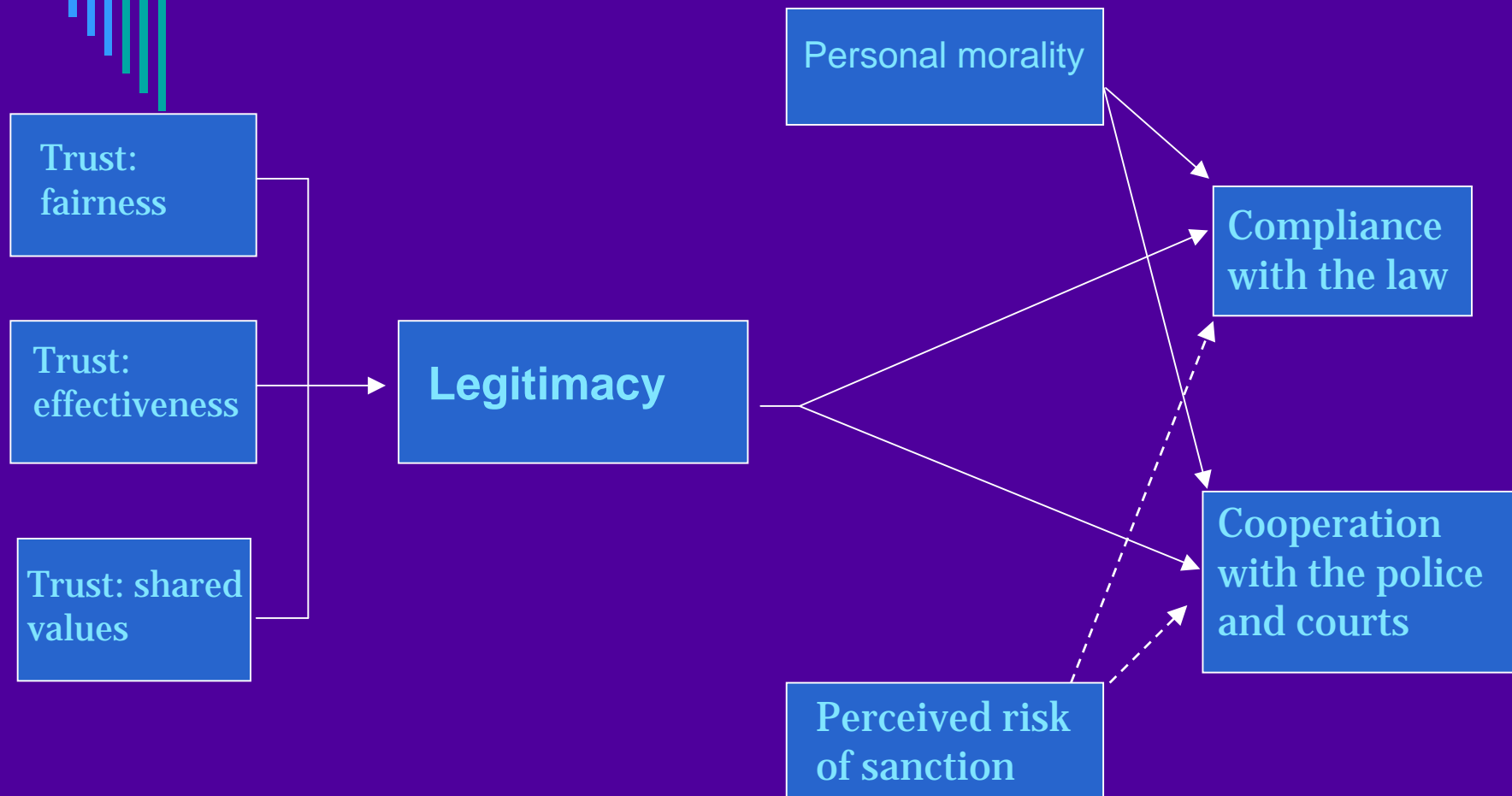
- Fairness → Public trust
- Trust → Institutional legitimacy
- Legitimacy → Authority
- Authority → Compliance



Procedural justice theory

- Fairness → Public trust
- Trust → Institutional legitimacy
- Legitimacy → Authority
- Authority → Compliance & cooperation

The key 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



Practical implications for criminal justice

- *Justice* as the first product of criminal justice systems
- *Crime control* as the second product
- Establishing the legitimacy of each institution
- Policing – professional styles
- Prosecutors – openness and fairness
- Probation – relationships of trust
- Prisons – getting regime quality right



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