

**Justis** Scientific Indicators of Confidence in Justice Tools for Policy Assessment  
 Project co-financed by the European Community's FP7 2007-2013, under grant agreement nr 217311

**Why pursue confidence in justice?**

**Professor Mike Hough**  
**ACPO Conference**  
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**What I want to do**

- Answer the question, "Why is confidence important?"
- Drawing on work we are doing for the EU
  - A large scale study - JUSTIS
  - Developing survey measures
  - Of trust in justice.

**Why chase trust?**  
**The Home Office answer**

"Crime is tackled most effectively when the law-abiding majority stand together against the minority who commit it."

"The ability of the law-abiding public to make that stand is dependent on their trust, faith and confidence in the the Criminal Justice System"

- So, Citizen focussed policing, community courts
- 'Confidence in justice' as performance measure

**The implicit assumptions**

- Control of criminals ("them", not "us")
- Crime control by coerced compliance
- Deterrence & incapacitation
- The law-abiding public is a *resource* for crime-fighting,
- Whose cooperation can be won
- By responsive policing/justice strategies
- Which respond to consumer demand

**Another model**

- 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)
- Variations by crime type

**The "rule of law" model**

- What needs to be secured:
  - Normative compliance with the law
  - In contrast to coerced compliance
  - *Plus* cooperation with the justice system
    - Reporting of crimes
    - Helping the police
    - Acting as witnesses and jurors
- But compliance first, cooperation second

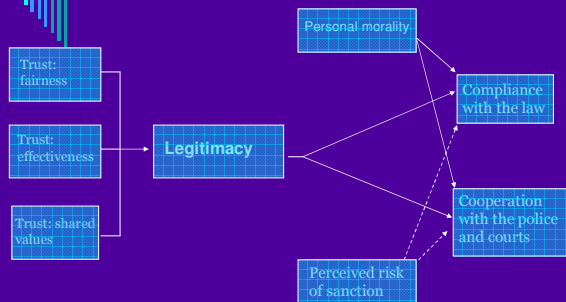
## The “rule of law” model

- What secures compliance
- The authority of justice systems
- What confers authority?
- Institutional legitimacy
- Legitimacy exists when people comply with the law even when they disagree with the law in question

## What are the drivers of legitimacy?

- Perceived fairness
  - Fair procedures
  - Fair outcomes
  - Respectful treatment
- Sense of shared values
- Perceived effectiveness
- Collectively, *trust in justice*

## A conceptual framework



- Not greatly significant (statistically or substantively)
- Significant (statistically and substantively)

## Conclusion

- Coercing compliance with the law is costly
- Better to make people *want* to comply
- Commitment to the rule of law improves...
  - ...when people believe the law is
    - Fair
    - Respectful
    - And shares their values
- The language of procedural justice
- Explains why *justice* is important

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## Targeting the penumbra?

