

Institution: Birkbeck, University of London
Unit of Assessment: Law
Title of case study: Trust in justice: mapping public attitudes towards the police and other legal institutions and how these findings have changed EU and UK policy
<p>1. Summary of the impact</p> <p>This case describes research by Professor Mike Hough and Dr Mai Sato into public trust in the police and courts across Europe. The research has aimed to persuade policy makers and other stakeholders that fairness is not simply a desirable feature of justice systems, but a precondition for effective justice, and that institutional legitimacy is key to justice policy. It has influenced the operational strategies of the Metropolitan Police; and been disseminated by invitation to senior staff from Cabinet Office, Home Office, Ministry of Justice (MoJ) and Office of National Statistics (ONS). It has also featured in the broadcast media and the national press.</p>
<p>2. Underpinning research</p> <p>Professor Hough has been director of the Institute for Criminal Policy Research (ICPR) since 1994; and the Institute has been part of Birkbeck since October 2010. In 2009 ICPR (in partnership with LSE and Oxford University amongst others) bid successfully to design a questionnaire module within the fifth European Social Survey (ESS), to test various hypotheses relating to 'procedural justice theory'. Overall funding for the ESS (from the EU and national research councils) includes provision for intermittent modules designed by academics who compete for space on the questionnaire. The ICPR developmental work and analysis were part-funded by two EU FP7 grants. Fieldwork was undertaken in late 2010 and results were analysed by ICPR, LSE and Oxford from Autumn 2011 onwards. Hough co-designed the questionnaire module; but it is the analysis undertaken by Hough & Sato, and the impact of the new knowledge they generated (published as 3.1 – 3.5 below) which is considered in this case.</p> <p>This research has, more than any other criminological project, shifted police and judicial legitimacy to the centre of criminal policy preoccupations in the UK. Previously, there was no systematic UK – or indeed European – test of procedural justice theory, and it was unclear to what extent US evidence was applicable across the Atlantic. This research has both developed and extended procedural justice theory, and demonstrated that its basic ideas are applicable across Europe.</p> <p>The research systematically explored concepts of public trust in justice, public perceptions of the legitimacy of the police and the courts, and public compliance and co-operation with the law. Analysis of the results led to benchmarking of countries on dimensions of trust in justice and perceived legitimacy. These 'league tables' show the UK falling into the middle quartiles on most measures, better than most ex-Soviet Bloc states, but worse than Nordic countries and other European neighbours.</p> <p>The significance of this research lies in its exploration of the relationships between different forms of trust, public perceptions of legitimacy and compliance and co-operation. For example, trust in police fairness is a better predictor of police legitimacy than trust in police competence. This has important implications for police forces in how they should manage their relations with those they police. The police can easily squander their legitimacy by high-handed, unfair or disrespectful treatment.</p> <p>The research demonstrates that if justice systems treat people fairly, legally and respectfully, they build their legitimacy, and secure compliance and co-operation.</p> <p>The key member of ICPR staff on this project was Professor Mike Hough with contributions from Dr Mai Sato (Research Fellow). Key academics from partner institutions have been Dr Jon Jackson (LSE) and Dr Ben Bradford (Oxford). Other contributors include Dr Jouni Kuha (LSE) and Dr Katrin Hohl (now at City University). Mike Hough has been the member of the team who has been most</p>

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heavily engaged in developing policy implications and in knowledge transfer work.

3. References to the research

- 3.1 Jackson, J., Hough, Mike; Bradford, B., Pooler, T., Hohl, K. and Kuha, J. (2011) [Trust in justice: topline results from round 5 of the European Social Survey](#). Project Report. European Social Survey, London, UK. Bidding for space on the ESS is a highly competitive peer-reviewed process - sixteen bids from universities across Europe were made for the fifth ESS; out of which *Trust in Justice* and one other were accepted.
- 3.2 Jackson, J., Hough, Mike, Bradford, B., Hohl, K. and Kuha, J. (2012) [Policing by consent: understanding the dynamics of police power and legitimacy](#). Project Report. European Social Survey, London, UK.
- 3.3 Jackson, J., Bradford, B., Hough, Mike, Myhill, A., Quinton, P. and Tyler, T.R. (2012) [Why do people comply with the law? Legitimacy and the influence of legal institutions](#). *British Journal of Criminology*. A peer reviewed journal. <http://dx.doi.org/10.1093/bjc/azs032>
- 3.4 Hough, Mike (2013) [Procedural justice and professional policing in times of austerity](#). *Criminology & Criminal Justice* 12 (5), pp. 593-611. A peer reviewed journal. <http://dx.doi.org/10.1177/1748895812466399>
- 3.5 Hough, M., Jackson, J. and Bradford, B. (2013) 'Trust in justice and the legitimacy of legal authorities: topline findings from a European comparative study' in Body-Gendrot, S., Hough, M., Levy, R., Kerezsi, K. and Snacken, S. (2013) [Routledge Handbook of European Criminology](#) (edited volume). London: Routledge.

4. Details of the impact

Key consumers of this research have included senior figures in the police and judiciary; policy officials and researchers in both spending departments and the Cabinet Office; the National Audit Office; and politicians. Professor Hough has presented his findings more than twenty times since November 2011 to date. HMIC, the College of Policing and IPCC were targeted with early results, and newsprint and broadcast media were used to publicise the study.

Findings have been presented, by invitation, at the Cabinet Office, and the Ministry of Justice. Interest has been further stimulated via the NAO recommendation in February 2012 (see 5.7) that the House of Commons Justice Committee and the MoJ should “*watch carefully for further publications*” from the team.

An ESRC impact study on the ESS (see 5.6) states that the main pathway to impact for this work was the researchers' exploitation of a “*broad network of contacts within government and the police service*” (pg. 59). ICPR has interacted with key policy networks since its inception, and the existence of these dissemination channels and ICPR's track record in policy-oriented research has facilitated engagement with these stakeholders.

The ESRC study (5.6) also confirms that the findings from this research have fed into current policy development in the area of Criminal Justice Reform (pp. 60-61).

International impact: The ESS trust in justice module (co-designed by Hough) has been replicated elsewhere – by academics in the US, South Africa and Japan, by an EU/UNDP project in Turkey and in Albania (funded by the Swedish government). The module was co-designed by Hough. The work in Japan, Turkey and Albania was led by Hough and Sato.

Contribution to policy making (international): Hough has disseminated results to senior EU officials via presentations to the European Network of Councils for the Judiciary; and (several times) to the Centre for European Studies (CEPS). CEPS is a policy think-tank providing research

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and activities on economic and international policy matters to the European Parliament's Committee on Civil Liberties, Justice and Home Affairs (LIBE). CEPS specifically invited Hough to address the implications of the survey results for criminal justice policy.

Contribution to policy making (national): The National Audit Office (NAO) has kept a watching brief on the project, given its role of encouraging efficiency, effectiveness and evidence-based decision-making in government. The NAO commended this research (specifically 3.1) advising that it was "interesting from a value for money perspective", since increasing the legitimacy of the criminal justice system could contribute to crime reduction. See 5.7 below.

Stakeholders alerted by Hough to this research include:

- Ministry of Justice. MoJ's Analytical Services team commissioned Hough et al to combine trust in justice findings (3.1) with data from the Crime Survey for England and Wales, to produce the report *Attitudes to Sentencing and Trust in Justice*, 2013 (5.9). This aimed to stimulate policy colleagues in the MoJ to consider how people think about trust in criminal justice, and included practical policy suggestions as well such evidence, analysis and explanation of the relevance of procedural justice theory. Integrating the two data sets was informative (as 5.2 can comment) resulting in a better understanding of how confidence in the judicial system is related to willingness to co-operate with legal authorities. The addition of 3.1 findings also enabled a comparison of the UK with other European countries, resulting in the conclusion that there was "room for improvement in UK levels of trust and confidence in the criminal justice system" (pg. 55). The MoJ confirm in the ESRC case study of the ESS (5.6) that the findings on trust in justice have fed into current policy development in the area of Criminal Justice Reform.
- Other government departments. Hough also formally disseminated the trust in justice findings 3.1 to Home Office staff, and the then Minister for Police and Criminal Justice Nick Herbert (via a series of meetings). He also presented 3.1 findings to other relevant central government policy makers at a HM Treasury seminar for policymakers in October 2012.
- HM Inspectorate of Constabulary. Hough provided advice with respect to police legitimacy (research published as 3.2 & 3.3) for two reports, the 2013 review of *Stop and Search Powers* (specifically on the methodology and focus of the review, see 5.5); and the 2011 *Without Fear or Favour: A review of police relationships* (5.10). He also changed HMIC's awareness of how sensitively the public interpreted everyday police behaviour – prompting HMIC's realisation that the public employed a more sensitive radar on these issues than HMIC had previously assumed. The ESS findings also led directly to two recommendations from the then Chief Inspector of Constabulary –that training courses for officers should include "appropriate input in relation to integrity and anti-corruption" (pg. 62, 5.10) *Without Fear or Favour*; and that a single accessible code of ethics should replace what he felt was a fragmented set of aspirations, a recommendation that he was successful in getting the College of Policing to adopt (see 5.1).
- Practitioners in the College of Policing, the Metropolitan Police Service and other police forces. Hough disseminated the findings 3.1 through informal briefings and discussion.
- Greater London Authority. Hough organised a round-table in November 2012 at the Office of the Deputy Mayor for London for Policing and Crime at which he briefed the Deputy Mayor on this research; and subsequently gave evidence to the Greater London Authority Police and Crime Committee.
- Independent Police Complaints Commission (IPCC). Its 2012 report "Corruption in the Police Service in England & Wales" cited 3.1 (pp. 13-14) and the research helped inform the IPCC's views on how unethical police behaviour impacts on public trust and legitimacy. IPCC also used the findings from 3.1 to support its own findings that corruption was not endemic in UK police forces. (See 5.4).

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Contribution to shaping attitudes and debate:

ICPR have briefed various politicians, including Nick Clegg, Nick Herbert (when Police Minister at the Home Office) and Stephen Greenhalgh (Deputy Mayor of London) on Trust in Justice findings, as well as Sir John Thomas, the Lord Chief Justice.

ICPR has also engaged various other intermediaries including NGOs and the media to promote this research, and these intermediaries have in their turn influenced policy. Specific examples include:

- Howard League: Hough used the Trust in Justice findings in a February 2013 pamphlet he co-authored for the Howard League *Intelligent Justice: Balancing the effects of community sentences and custody* (5.8) which argued that it is usually more effective – and more economic – to get people to ‘buy into’ behaviour rather than compel or cajole or supervise them into it.
- Fiducia: a research partnership of several European universities and public policy institutes. Fiducia’s programme draws heavily on Trust in Justice data, for its objective to promote trust-based policy to policy makers, governments, academics, judges and lawyers across Europe.
- Media: Trust in justice findings have been discussed in BBC Radio Four programmes “Start the Week” and in a three-part documentary “What are the Police For?” in 2012. Hough also discussed the findings in a *Guardian* article “Why the police must secure public trust” December 2011, which received 122 comments, evidence that it stimulated lively debate.

5. Sources to corroborate the impact

- 5.1 Former Chief Inspector of Constabulary, Her Majesty's Inspectorate of Constabulary [contact details provided].
- 5.2 Programme Head: Surveys and Insight, Ministry of Justice [contact details provided].
- 5.3 Principal Research Officer, College of Policing [contact details provided].
- 5.4 Former Chief Executive, Independent Police Complaints Commission [contact details provided].
- 5.5 HM Inspector of Constabulary, Her Majesty's Inspectorate of Constabulary [factual statement already provided].
- 5.6 [Impact Evaluation: Workplace Employment Relations Survey & European Social Survey – Final report to the ESRC](#), Drew H, King A & Ritchie F, UWE, March 2013. An impact evaluation commissioned by ESRC to determine the extent to which research utilising WERS and ESS data has influenced policy and practice across the UK.
- 5.7 NAO, 2012 [Comparing International Criminal Justice Systems](#), Briefing For the House of Commons Justice Committee.
- 5.8 [Press notice 5 Feb 2013](#) from Howard League for its publication *Intelligent Justice: Balancing the effects of community sentences and custody*.
- 5.9 Hough, M., Bradford, B., Jackson, J. and Roberts, J. V. (2013) [Attitudes to Sentencing and Trust in Justice: Findings from the Crime Survey for England and Wales](#). London: Ministry of Justice. This paper incorporates findings from the ESS in its analysis of the CSEW findings on trust.
- 5.10 [Without fear or favour: A review of police relationships](#) Her Majesty's Inspectorate of Constabulary, December 2011.