

# Scottish Policing and Procedural Justice: The Scottish Community Engagement Trial (ScotCET)

Sarah MacQueen and Ben Bradford

Scottish Centre for Crime and Justice Research,  
University of Edinburgh Law School

Centre for Criminology,  
University of Oxford



The Scottish Institute  
for **Policing Research**



# Overview

- The Scottish Community Engagement Trial (ScotCET)
  - A randomised field trial in Scotland with unexpected findings
- Where did it all go wrong?
  - Findings from a qualitative follow on study exploring barriers to success
- Why does it all matter?
  - Findings from further ScotCET data analyses exploring the impact of procedural justice on
    - a) Compliance with the law
    - b) Co-operation with the police

# Background

- Scottish Government ‘Strategy for Justice’
  - Priority: Increasing public confidence in justice institutions and outcomes
  - Approach: ‘Reassuring the Public’ programme
- Little Scottish based evidence to inform development of programme
- Funding made available through SIPR to address this evidence gap

# Background to ScotCET

- Contact with the CJS - one of the strongest influences on trust, confidence and satisfaction
- Queensland Community Engagement Trial provides evidence that the quality of interaction between public and police has a direct effect on:
  - Satisfaction
  - Perceptions of police fairness
  - Respect for the police
  - Trust and confidence in the police
  - Willingness to comply with police directives
- Adhering to principles of *procedural justice* as key

# Procedural Justice

- Expanding evidence base supports importance of *procedural justice* in shaping perceptions of the police
- Procedural justice theory developed by Tom Tyler (among others, US social psychologist)
- Recognises individuals as attuned to fairness of process of their interactions with
  - Authority figures...
  - ...who represent social groups to which they are affiliated
- Police as key authority figure

# Procedural Justice

- In summary, a procedurally just or fair encounter with an authority figure comprises basic elements:
  - being treated with dignity and respect;
  - being treated equally to other citizens (i.e. not targeted because of who or where you are);
  - being allowed a voice or participation in the interaction (i.e. allowed to ask questions);
  - and given clear communication of what is happening, what is going to happen, and why

# The ScotCET project

- ScotCET aims to test applicability of QCET findings in Scottish context:
  - Replication of the randomised control trial methodology
  - Examining high volume routine encounters between public and roads police

# Limitations of replication

- Initial phase of ScotCET was information gathering and planning
- Qualitative fieldwork (observation and focus group) undertaken with experienced Scottish road police officers
- Key findings:
  - Nature and focus of Scottish roadside encounters is very different
  - Local differences in practice, and in public opinion
  - Level and quality of interaction between officers and public already high

# Final design

- ScotCET was implemented during national Festive Road Safety Campaign 2013/14
- Drivers stopped with aim of:
  - Preventing drink driving
  - Improving vehicle/ driver safety in winter conditions
- Estimated 20,000 stops over campaign period
- Pre-post design – half of RPUs assigned to experiment group in post period
- All drivers issued with driver survey

# The experiment condition

- ‘Business as usual’ in Scotland differs from Australia
- Encounters in experiment condition will place emphasis on procedural justice:
  - Ensure verbal communication of *all* of a series of ‘key messages’
  - Include leaflet distribution reinforcing key messages and ‘collective’ nature of campaign
- Key messages - Respect, equality, trustworthy motives, dignity, neutrality, citizen participation, openness and explanation



# POLICE SCOTLAND

Keeping people safe

Thank you for your time today.

We welcome your views on all aspects of policing in Scotland. Details of our latest initiatives, local policing teams and how to contact us can be found at:

[www.scotland.police.uk](http://www.scotland.police.uk)



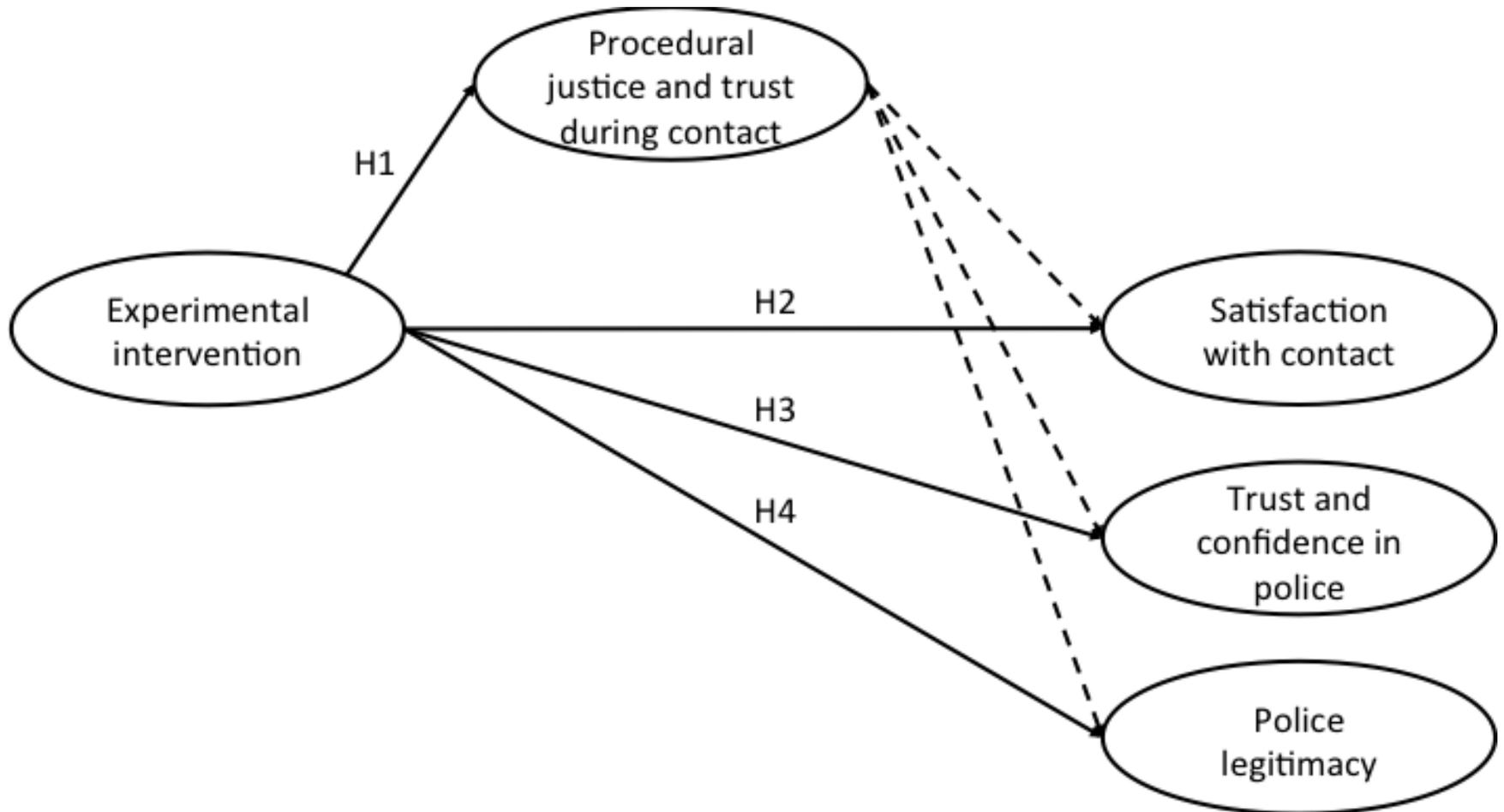
Police Scotland is committed to keeping people safe on the roads. We seek to influence driver behaviour in positive ways and reduce the number of casualties by helping to prevent road accidents. While reported casualty figures are the lowest for over 60 years there is much more work to be done.

Last year, 174 people lost their lives in traffic collisions in Scotland, and a further 1,974 were seriously injured. Road stops and vehicle checks, such as the one you experienced today, are vital in ensuring that the roads are kept as safe as possible for everyone. Most people use Scotland's roads safely and legally but there are still too many who choose not to.

Every week an average of 1,700 drivers are caught speeding and a further 120 arrested for driving under the influence of drink or drugs. Highly visible patrolling is a key element of our road safety strategy. One of the most effective ways to influence road user behaviour is to make clear that the risk of being caught is high and that the consequences can be serious. Yet we also rely upon the public's support. We need you to report poor driving behaviour or illegal drivers such as those who are disqualified, drunk/drugged, or uninsured.

You can help us keep people safe by calling our national non-emergency telephone number 101 or Crimestoppers Scotland on 0800 555 111.

# Hypotheses



# Results – driver judgement of ScotCET encounter

- Overall, driver perception of the police encountered was very positive. However:
- *Procedural justice*: Control  Experiment 
- *Trust*: No significant difference
- *Satisfaction*: Control  Experiment 

# Results – general perceptions of police

- Once again, general perceptions of the police very positive overall.
- *Trust in police fairness*: No significant difference
- *Trust in police effectiveness*: No significant difference
- *Duty to obey*: No significant difference
- *Moral alignment*: No significant difference

# Revisiting the hypotheses

- Findings of ScotCET as opposing initial hypotheses:
  - Experiment condition has negative impact on perceptions of procedural justice *and* satisfaction with encounter...
  - ...and on other hand, control group exhibit small but significant *improvements* in perceptions of procedural justice and satisfaction.

# ScotCET conclusions

- Findings are unexpected...and puzzling
  - a) A growing body of evidence in the field suggested the intervention would be successful
  - b) The intervention designed in collaboration with experienced police officers (all ranks)
- Nothing in our data seems to explain the results observed...
- ...effect brought about by experiment condition?
- Why?

# ScotCET follow on study

- Difficult to interpret results of ScotCET and provide meaningful conclusions and implications for policy and practice
- Could accept at face value – PJ models of policing can be detrimental...
- ...or consider that other factors (extraneous or intervention failure) may be at play
- Need to investigate!

# ScotCET follow on study

- Qualitative approach necessary
- Focus groups undertaken across all experiment units
- Explore:
  - How experiment implemented...
  - ...and how influenced practice 'on the ground'
- Officer-led discussion of key issues as they saw or experienced them

# ScotCET follow on study

- Number of important and related themes emerge in discussion:
  - Communication failures occur during experiment:
    - Officers not given clear information and guidance on *why* study conducted and *what key requirements were*
    - Leads to varying degree of implementation failure vis-à-vis verbal delivery of key messages to drivers
  - But effect of communication failure also wider reaching:
    - Officers see ScotCET as imposed due to criticisms from top and outside organisation
    - Negative impacts on morale and on interactions with drivers

# ScotCET follow on study

- Discussion also highlights potential explanations for communication failure and impact:
  - Context of organisational change and dominant operational cultures as key
    - Major organisational restructure as impacting officer morale prior to, and during, ScotCET implementation
    - ScotCET implementation process mirrors wider reform process and perceived with same suspicion
    - Suspicion of motives, and negative impact of experiment condition (as communicated, not designed) allows officers to reject study and retreat to conventional working practices and values

# ScotCET follow on study

- Number of lessons for research (experimental or otherwise) and for implementation of police reform
- Barriers to research and reform both internally and externally
- Experience of *organisational* justice paramount to overcoming these...
- ...policing organisations must internally endorse and embody the values they seek to promote externally...
- ...and this must be reflected in the treatment of officers within the organisation, and by 'outsiders' as well

# Why does this matter?

- ScotCET data allows us to explore in more detail the links between procedural justice, perceptions of the police and conferment of legitimacy...
- ...and how this impacts on citizen willingness to:
  - Comply with the law
  - Co-operate with the police in the future

# Why does this matter?

Compliance with the law:

Fair treatment by police officers → enhances identification with the social group the police represent → identification with social group motivates adherence to laws (study concerned with traffic law)

# Why does this matter?

Co-operation with the police:

Procedurally fair treatment and decision-making by police officers → enhances sense that police more generally are fair → thereby enhancing sense that the institution they represent is legitimate → and shares same values as individual → leading to greater likelihood of future co-operation

# Further information

References to ScotCET papers discussed above:

- MacQueen, S. and Bradford, B. (2015) 'Enhancing public trust and police legitimacy during road traffic encounters: Results from a randomised controlled trial in Scotland' in *Journal of Experimental Criminology* 11(3) pp419-443 DOI: 10.1007/s11292-015-9240-0
- Bradford, B.; Hohl, K; Jackson, J. and MacQueen, S. (2015) 'Obeying the rules of the road: Procedural justice, social identity and legal compliance' in *Journal of Contemporary Criminal Justice* 31(2) pp.171-191
- MacQueen, S. and Bradford, B. (2015) 'Procedural Justice in Practice: Findings from the Scottish Community Engagement Trial (ScotCET)' in *Scottish Justice Matters* 3(2) pp.11-12
- Jackson, J.; Bradford, B.; Hough, M. and MacQueen, S. (in preparation) 'Duty to Obey? Legitimacy, Identity and "Truly Free Consent"' for submission to *British Journal of Criminology* in late 2015
- MacQueen, S. and Bradford, B. (in preparation) 'Procedural justice, trust and legitimacy: An exploration of the barriers to research engagement in policing' for submission to *Journal of Experimental Criminology* by late 2015

Please contact authors for copies

# Further information

- For further information on ScotCET and its outcomes, please contact Sarah MacQueen: [Sarah.MacQueen@ed.ac.uk](mailto:Sarah.MacQueen@ed.ac.uk)
- A 2-page summary of the experiment findings is available:

[http://scottishjusticematters.com/wp-content/uploads/Pages-from-SJM\\_3-2\\_June2015\\_Policing-and-Procedural-Justice.pdf](http://scottishjusticematters.com/wp-content/uploads/Pages-from-SJM_3-2_June2015_Policing-and-Procedural-Justice.pdf)