

# **Fairness and effectiveness in the Criminal Justice System: development of questions for the British Crime Survey**

By Carole Maxwell, Claire Mcalpine, Catherine Grant and Lucy Joyce

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Prepared for:

Home Office

Prepared by:

BMRB Social Research

Telephone: 020 8433 4064

Email: [claire.mcalpine@bmr.co.uk](mailto:claire.mcalpine@bmr.co.uk)/[carole.maxwell@bmr.co.uk](mailto:carole.maxwell@bmr.co.uk)

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## Executive Summary

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### Background Aims and Methods

- In order to develop measures of fairness and effectiveness of the CJS as part of the Spending Review 2007 (SR7) 'Justice for All' Public Service Agreement (PSA) target, the Home Office asked BMRB to carry out research to develop a set of questions to place on the British Crime Survey (BCS) from October 2007. These new measures were added in October 2007 in order to provide sufficient data for the target baseline period of 2007/08.
- A multi-stage approach was used consisting of five key stages;
  1. Qualitative research involving mini group discussions
    - § 12 mini group discussions lasting approximately 90 minutes each
  2. Workshop style presentation to the Home Office
  3. Development and cognitive testing of draft questions
  4. Placement of revised questions on BMRB Omnibus for rapid evaluation
  5. Agreeing final set of questions and introducing them into the BCS in October 2007

### Research Findings

- Familiarity with the term 'Criminal Justice System' was shown to be low among respondents. Respondents expressed a general awareness that the CJS consisted of constituent parts, with some of these parts being more closely associated with the CJS than others. Those parts which respondents most closely associated with the CJS were the police, the courts and prisons. Juvenile Courts and the Crown Prosecution Service (CPS) were least likely to be associated with the CJS.
- Views of the CJS were derived from a number of sources, including personal experiences, word of mouth and local and national media. Respondents who had no personal experience of the CJS relied heavily upon the media to form their views.

## Effectiveness

- Effectiveness of the CJS was understood in terms of 'getting things done', so linked with the functions of the various agencies such as preventing crime, catching offenders, sentencing and punishing offenders and reducing re-offending. While respondents were able to rate the effectiveness of each of the agencies within the CJS – some found this harder for the less well known agencies such as the Crown Prosecution Service.
- Two question types were trialled to measure 'effectiveness' – one set of questions asked directly how 'effective' the CJS or one of its components was. The other set of questions asked about 'confidence in effectiveness'. In general it was easier for respondents to answer in terms of their 'confidence in effectiveness', demonstrated by a reduction in 'don't know' responses when asked in this way as opposed to asking directly about effectiveness.
- When measuring the effectiveness of the CJS, the recommended approach is to ask a set of individual questions about the CJS agencies followed by a question about 'confidence in the effectiveness of the CJS overall' as opposed to deriving this variable using a combination of the effectiveness ratings for the individual agencies. This method of measurement takes into account the factors affecting this rating such as: knowledge and understanding of the component parts and functions of the CJS, for example preventing crime. Awareness and knowledge of the agencies within the CJS is prompted by asking about each of these separately before asking about the CJS as a whole.

## Fairness

- 'Fairness' of the CJS was considered by people in terms of 'equality' or being 'treated well'. However attitudes vary depending on particular groups or individuals involved as well as the crime type and circumstances. The recommendation is to ask a set of agree/disagree statements on fairness followed by an overall question. The detailed questions before the overall question, covering common attitudes towards various issues around 'fairness' such as discrimination against particular groups or individuals and the balance between the victim and offender would provide further detail and context.

## National and local perceptions

- National and local levels of the CJS were defined by respondents in terms of the 'type' of crime – 'petty' crimes being associated with the local area and 'high level'

crimes such as terrorism and paedophile rings were perceived to be the remit of the CJS at a national level. Whether someone considered the CJS locally or nationally was also dependent on their knowledge and experience. Those who had experienced the CJS in some form, tended to think 'locally' whereas those who relied on the media to form their opinion tended to think 'nationally'. Therefore asking separately about the 'local' CJS would be problematic as people would not necessarily have the knowledge or experience to respond. This issue was highlighted when comparing the proportion of 'Don't Know' responses when asking about the CJS locally and nationally in the final phase of questionnaire development (Omnibus testing). A significantly higher proportion of respondents said 'don't know' when asked about the effectiveness of the CJS in their local area compared to the CJS at a national level.

### Final measures

- The final questions added to the survey comprised a series of questions regarding the effectiveness of each agency within the CJS, culminating in an overall question (outlined below) to measure the effectiveness of the CJS as a whole (see Appendix G for final question set).

*Thinking about all of the agencies within the Criminal Justice System: the police, the Crown Prosecution Service, the courts, prisons and, the probation service. How confident are you that the Criminal Justice System as a whole is effective?*

1. *Very confident*
2. *Fairly confident*
3. *Not very confident*
4. *Not at all confident*
5. *Don't know*

- This approach was repeated to measure public perceptions of the fairness of the CJS. Again a series of questions regarding the fairness of each agency within the CJS was asked, culminating in an overall question measuring attitudes towards the fairness of the CJS as a whole.

*Thinking about all of the agencies within the Criminal Justice System: the police, the Crown Prosecution Service, the courts, prisons and the probation service. How confident are you that the Criminal Justice System as a whole is fair?*

1. *Very confident*
2. *Fairly confident*
3. *Not very confident*

4. *Not at all confident*
5. *Don't know*





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# 1 Introduction

## 1.1 Background to the research

As part of the process of measuring the new SRO7 Justice for All Public Service Agreement (PSA) target in relation to the fairness and effectiveness of the Criminal Justice System (CJS), the Home Office asked BMRB to carry out some research to help develop a set of questions that could be placed on the British Crime Survey (BCS) from October 2007 in order to provide sufficient data for the target baseline period of 2007/08.

## 1.2 Research aims

The overall aim of the research was to develop a meaningful set of questions suitable for the new Public Service Agreement (PSA) measurement of public confidence in the fairness and effectiveness in the CJS.

Within this broad aim, there were a number of specific objectives:

- To better understand and identify the key dimensions of public perceptions of fairness and effectiveness in the CJS.
- To investigate public understanding of the CJS as a concept and its constituent parts.
- To explore the meaning of words and phrases commonly associated with fairness and effectiveness, and how public perceptions of these words then relate to the CJS.
- To explore public perceptions of the CJS at the local and the national level (and whether respondents can make such a distinction).
- To design and test a small set of new questions (circa 7 questions) exploring issues of confidence in the CJS and perceptions of fairness and effectiveness; to be inserted into the BCS in mid 2007/08.

## 1.3 Research design

A multi-stage approach was used for this study as follows:

### 1. Qualitative research involving mini group discussions

Twelve mini group discussions with the general public were conducted during June 2007 to explore understanding and perceptions of fairness and effectiveness within the CJS. The groups were conducted across seven locations within England and Wales and were recruited to reflect a range of variables, including age, local crime

perceptions, experience of contact with the police, ethnicity and gender (see Appendix A for a more detailed breakdown of the sample).

The discussions lasted approximately 90 minutes and were based on a topic guide, with shuffle cards and show cards used to stimulate discussion (Appendix B). Respondents were offered a £25 incentive to participate. All interviews were recorded and transcribed to allow detailed analysis. The transcribed interviews were subject to rigorous content analysis (see Appendix C for further details of the analytical process).

## **2. Workshop-style presentation to the Home Office**

The key findings from the qualitative research were presented to Home Office staff through a workshop-style presentation during which initial question suggestions were discussed.

## **3. Development and cognitive testing of draft questions**

A draft set of questions was developed and agreed with the Home Office based on the findings from the qualitative research and subsequent discussions. These questions were piloted using cognitive testing to identify and note areas of apparent doubt, misunderstanding or incomprehension on the part of the respondent during the interview.

## **4. Placement of revised questions on BMRB Omnibus for rapid evaluation**

After the cognitive piloting stage a revised set of questions was agreed with the Home Office. These questions were placed on the BMRB face-to-face Omnibus survey. This allowed the questions to be tested with a representative sample of 2,000 adults within a very short space of time, including the use of 'split samples' to test different variants of questions. The results from this omnibus testing were then fed into the development of the final questions to be added to the BCS.

## **5. Final set of questions agreed and placed live on the BCS**

Following the above stages, a final set of questions were agreed with the Home Office and included on the main BCS from October 2007.

For further details on the research design of each of these stages, please refer to Appendix A.

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## 2 Perceptions and understanding of the CJS

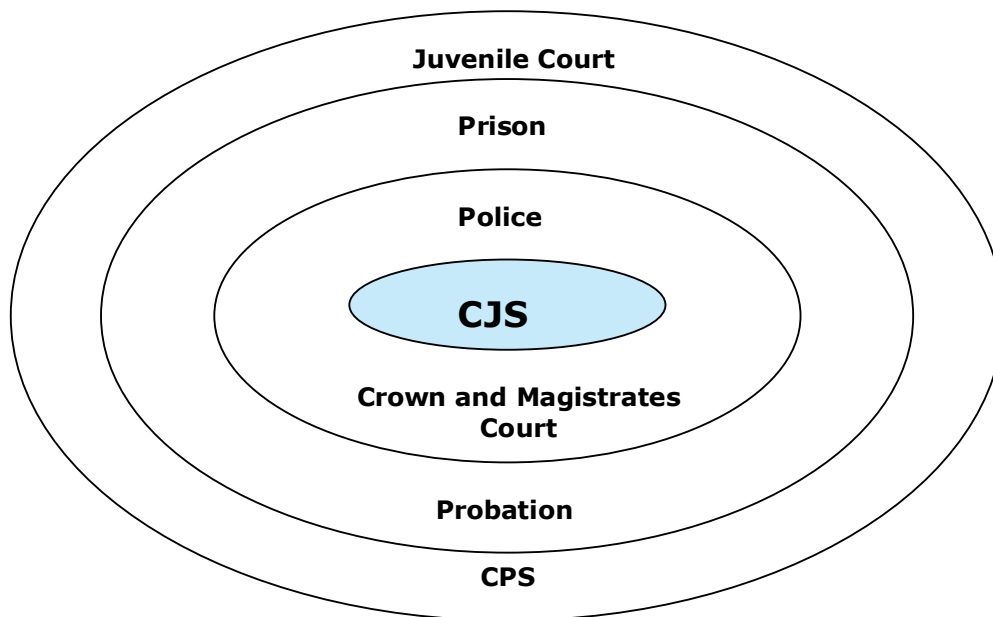
To better understand and identify public perceptions of fairness and effectiveness in the CJS, qualitative research methods were used during the first stage of this research. This chapter considers the key themes that emerged from the twelve group discussions which were conducted with members of the public. The findings discussed below focus on respondents' awareness and understanding of the CJS and its constituent parts; what they considered to constitute fairness and effectiveness within the CJS; and whether the CJS was thought to be fair and effective. The chapter concludes with key recommendations for developing questions which aim to measure perceptions of fairness and effectiveness within the CJS.

### 2.1 Conceptualising the CJS

Low familiarity with the term 'Criminal Justice System' emerged consistently across the groups. Those who were aware of the term understood 'the CJS' to be a broad and overarching term which covered the 'nuts and bolts' of *catching, sentencing and punishing criminals*. There was a general perception that the CJS consisted of a number of constituent parts. However respondents were less clear what these parts were and what the exact role of each part was within the wider CJS.

Organisations which respondents had had direct or indirect experience of at some point in their life, or which they felt familiar with through the media, were the ones that people most closely associated with the CJS. Thus, the Police, the Courts (Crown and Magistrates) and Prisons were spontaneously raised by respondents as parts of the CJS, which links into the view that the CJS covers services which 'catch, sentence and punish' criminals. Interestingly, Juvenile courts were not spontaneously raised as being a part of the CJS, and there was little awareness or understanding of the Crown Prosecution Service (CPS). These relationships are illustrated in diagram 1.

**Diagram 1.** How closely the constituent parts were associated with the CJS



## 2.2 Perceptions of the CJS at local and national levels

A key finding to emerge across the group discussions was the fact that when asked, people made the distinction between the CJS at a national and a local level in terms of the 'type' of crime they were considering. Thus, when thinking about the CJS at the local level, people primarily thought about it in terms of dealing with 'petty' crime, while thinking about the CJS at the national level they primarily thought about it dealing with 'serious' crime such as murder, rape, or other violent crime.

### Local level of the CJS

In understanding what people think of in terms of their local CJS it was first necessary to understand what they meant by the term 'local'. When asked what they considered to be the local area, respondents generally replied 'where I live'.

*"I mean your local area is where you live and the kind of, you know what the streets are like and you know who is on them" (Group 4)*

'Local areas' included the streets they lived on, but could extend to surrounding areas such as their village or the town they lived in. Boroughs, cities and counties were not considered to be local areas.

'Petty crimes' within their local area included traffic offences, vandalism and muggings, which were thought to be within the remit of CJS services such as the local police, Special Constables, and Magistrates. One misconception that emerged was that Neighbourhood Watch was viewed as part of the CJS at the local level, while there was also a perception that vigilantism played a role at the local level in tackling petty crime.

These two conceptions were linked by the view that the CJS was primarily concerned with the catching and punishing of criminals, combined with the general feeling that the CJS performed poorly at a local level. This led to the common view that the public often had to take criminal justice 'into their own hands'.

*"Vigilantes - I know quite a few who have had their houses burgled and they took matters into their own hands...knowing the people who's done it and basically they've (given them a) a good hiding...that's the Criminal Justice System."*

(Group 9)

When respondents were asked how they had come by their views and perceptions of the CJS at a local level the main things mentioned were their own personal experiences (such as reporting crimes, jury service, attending court with friends/family) and by word of mouth, for example the experiences of friends, family or neighbours. Coverage in the local media was also referred to, and it was felt that this focused on 'petty' crimes such as court appearances and vandalism.

As the local police and Magistrates courts were the parts of the CJS that respondents were most easily able to identify with, this might suggest that respondents adopted a predominately *local* rather than *national* focus when thinking about the CJS. Although respondents primarily conceptualised the CJS at a local level, views of the local CJS did not necessarily translate to perceptions of the CJS *as a whole*. It was acknowledged that the CJS and in particular the police may perform better or worse across other local areas and regions of the UK.

*"You might live in another part of Northampton or whatever, in a different county and it might be completely different."* (Group 3)

### **National level of the CJS**

When asked to think about the CJS at the national level, the police and 'New Scotland Yard' were perceived to be the main constituents. Respondents generally viewed the CJS at the national level (or at least the organisations they associated with the national CJS) more positively compared to the local CJS. For example, New Scotland Yard was understood to consist of 'expert police' members. There was the perception that more

serious crimes such as terrorism and paedophile rings were the remit of the CJS at a national level, and that the 'national police' were more effective than local police forces.

*"I think with your Police everyone's got complaints to make about each area. But you know when you talk about it, there's the national Police - when they work together on big stuff they can be fantastic" (Group 9)*

Findings from the BCS show that ratings for the police overall and ratings for the police at a local level are very similar.

Unlike the local CJS, respondents' perceptions of the CJS at the national level were primarily informed by what they saw or read in the media, rather than through their own personal experiences or by word of mouth. Respondents felt that press coverage in national newspapers, on the internet, and through television programmes such as 'Police, Camera, Action' and 'The Bill' had a key role in forming their views of the CJS at a national level.

*"I have gained my experience from national things and from the media because if I see a crime taking place I don't see the process of what happens after that crime has been committed and in Court, so I'd say my experiences are based solely nationally and from the media. Maybe some like the local press but mainly national. I don't see this all going on, I just hear about it from the newspapers and the news that I haven't had any experience of Courts or anything, so I couldn't take any experience from my own personal life." (Group 3)*

The media was relied on for information as few respondents felt they had, or would, ever have direct experience of every constituent part of the CJS, particularly those parts that they considered to form the 'national level' of the CJS.

### **2.3 Conceptualising 'Fairness' within the CJS**

Fairness was often defined by respondents in terms of 'equality'; that is to say a fair system was perceived to be equal to all people. In being equal, a fair system was initially seen to be one which treated all those who came into contact with the system uniformly and consistently.

*"I think the best word is equality, because it doesn't matter what you were or who you are everyone is equal, no matter what they have got, so (they) should be judged the same." (Group 4)*

In further discussions around equality, it became apparent that respondents felt the CJS should *not* actually treat all groups of people 'equally', but that the treatment of some groups should be considered above the treatment of other groups. In considering

equality it is useful to consider respondents' views with regard to three main groups: the treatment of defendants; the treatment of victims and the treatment of specific types of people who come into contact with the CJS.

### **'Fair treatment' of defendants**

Defendants, or those accused of crimes, were seen as a group who, by and large, received over lenient treatment within the CJS. To understand this view fully it is important to realise that many people equated defendants with offenders (i.e. the underlying notion that all those appearing in court accused of a crime were in essence guilty).

It was generally felt that defendants or offenders were treated better than victims within the CJS, particularly since many 'offenders' ended up not being convicted or punished for the crime they had committed. Many respondents suggested that courts were wrongly acquitting people when in fact these individuals should have been found guilty. All of this led to the view that defendants were in some way given preferential treatment within the CJS, especially in comparison to victims, which was not seen to be fair or equitable.

### **'Fair treatment' of victims**

Victims were felt to be a group of people who were not treated fairly by the CJS. However, this feeling of unfairness was not in relation to how victims were treated per se, but rather how they were treated in comparison to defendants. As such, views tended to be the converse of what was mentioned in relation to defendants. In other words, because it was felt that defendants (or offenders) were treated more fairly by the CJS, this could only be done to the detriment of the victim. Respondents suggested that victims deserved to see the offender adequately (from the victim's point of view) punished and through this feel supported by the CJS.

*"It's not fair because all the rights are on the criminals' side and not the victims, everything is towards the criminals, all the support, all the money goes into the criminals and the victims aren't getting their justice. Justice is seeing the person who's committed the offence against them sent down for an acceptable amount of time." ( Group 10)*

## **'Fair treatment' of particular groups of people**

This notion of preferential or unfair treatment of defendants was extended to the notion that certain types of people were treated better or 'more fairly' by the CJS. Examples of the types of people seen to be treated 'more fairly' included:

- Serious offenders (murderers, rapists, paedophiles)
- Repeat offenders
- BME groups
- Asylum seekers
- Young offenders
- Wealthy people

The CJS was perceived as too readily upholding the rights of these groups, often to the detriment of the victim. By not adequately sentencing and punishing offenders, the CJS was perceived as treating these offenders lightly. As such 'fairness' within the CJS was seen as being skewed towards the offender. For example, serious offenders were considered to be treated 'more fairly' by the CJS than other types of offenders and victims due to the relatively 'light' sentencing and punishment given to these offenders.

*"The system is not as brutal as the crimes" (Group 9)*

Within the group discussions the notions about how the CJS treated different types of people was extremely complex. For example, some people felt that the police and courts sometimes acted more leniently towards BME offenders to avoid accusations of racism. Similar suggestions were made about asylum seekers due to concerns around racism and/or a perceived lack of legislation to convict asylum seekers in the UK. However, in contrast, there were other respondents who felt the CJS treated BME people unfairly, particularly the police, because of inherent racism within the system. Those who held this perception often reported they had personally experienced police racism, or knew of a friend or family member who had.

*"A relation of mine was going out with a young man, a Black man, and he had a BMW and they used to go out together. Every time they were out, practically every time they were stopped. Now how often are you stopped when you are in a BMW? You are not. But because he was Black, he was stopped." (Group 8)*

Young offenders were also generally thought to be treated leniently by the CJS. Not only was it felt that young offenders were sentenced lightly and punished softly, but that young offenders were sometimes 'rewarded' by the CJS for offending. Thus, examples were cited of young offenders being taken on day trips to a theme park – something that was considered to be unfair to those young people who had not committed a crime.

*"The ASBO young kids, they could terrorise an old couple in their house by bricking the windows or something or stamping all over the car on the drive - they get ASBOs, they get treated to Drayton Manor (theme park) and stuff like that"*  
(Group 9)

In contrast, young people within the groups felt that they were often treated unfairly by the police, and believed that the police stereotyped all young people as 'trouble makers'. Younger respondents also felt that the police treated younger people with less respect than they treated older people, shown by them being impolite and sometimes aggressive with young people.

Finally, wealthy people and celebrities were considered able to 'get around' the CJS system, making it unfair for their victims and other offenders. It was suggested that wealthy people would be able to use their power and money to engage a strong lawyer who would 'pull apart cases' and result in the offender being found 'not guilty' of the crime they had been accused of. Respondents also suggested that the wealthy and/or famous would often receive softer and shorter punishments than other people.

Overall, these examples illustrate that although people believed in equality and fairness at one level, when they considered different groups of people that came into contact with the CJS, there was a clear feeling that the CJS did not actually treat people equally.

### **2.3.1 Respondents' recommendations for improving confidence in the fairness of the CJS**

The fairness of the CJS was considered both in terms of how it treated people throughout the system as a whole, and also in how specific parts of the CJS treated people. Respondents made recommendations as to how their confidence in the CJS could be improved, and spontaneously framed these around three CJS organisations: the police; the courts; and prisons.

Looking firstly at the police, respondents felt the police should demonstrate fairness by ensuring they did not stereotype people or automatically assume that certain groups of people are committing crimes. This was a particular issue for young respondents and BME respondents who felt that the police were particularly liable to stereotype young

people and BME people respectively. BME respondents also suggested that the police should perform fewer stop and searches.

Respondents also thought the police should show fairness by applying a certain amount of discretion in how they acted, for example when someone is temporarily parked illegally. However, it should be noted that there was some ambivalence in this notion of discretion, with respondents wanting the police to allow discretion if they personally were involved, but being less concerned about discretion if it was something involving other people.

The second set of recommendations related to the courts, where it was felt fairness to victims could be shown through not allowing 'offenders' to appeal. Respondents also suggested that judges should better represent a variety of social backgrounds, ethnicities and genders to help improve public confidence in the fairness of the CJS, as judges were perceived only to be upper class white men. A further area that was thought could improve fairness was the means testing of fines to ensure that wealthy people in particular were given appropriate punishments. An area that tapped into views of both fairness *and* effectiveness within the courts was the consistent sentencing of offenders who should receive 'the same time for the same crime'. As such, it was felt the judge should have minimal discretion on the length and types of sentencing because of concerns that sentencing and punishment can vary widely between offenders.

Considering prisons, respondents believed that confidence in the fairness of the system could be increased by ensuring that special or preferential treatment is not being given to offenders because of their wealth or fame.

## **2.4 Conceptualising 'Effectiveness' within the CJS**

Effectiveness within the CJS was understood by respondents as 'getting the results'. The main 'results' of the CJS were perceived to be preventing crime, catching offenders, sentencing offenders, punishing offenders and reducing re-offending.

Four key themes emerged in relation to perceptions about the effectiveness of the CJS. The first related to the perceived lack of partnerships between constituent parts of the CJS; the second concerned communication between the CJS and victims, witness and defendants; the third theme related to the perceived inefficiency of the CJS; and the final covered the success of the CJS in punishing offenders and reducing re-offending.

The first emerging theme was a perception that the constituent parts of the CJS did work towards common goals but were 'working in isolation'. It was felt that this led to some parts of the CJS 'letting down' other parts of the CJS. Probably the strongest feeling was

that the Courts did not support the work of the Police and, as a result, a lot of police time and resources were wasted.

*"If frontline people like the police actually work [hard] to get something sorted, if the judge is in a good mood - they've wasted their time...they're all separate units, they all work as separate units and it will never work like that - 'We'll do all the arresting, it's up to you to do all the charging and sentencing' and it's just passed from one to the other" (Group 9)*

One example of how the different parts of the system did not work together effectively was indicated through the concern that cases were sometimes 'thrown out of court' due to technicalities in the evidence collected, for example police officers not 'signing forms' or 'ticking boxes'. Generally, there was low awareness of the CPS, but those respondents who were aware of it, saw it as being the role of the CPS to ensure that cases were not dismissed from courts due to technicalities. At the other end of the system, it was also suggested that the courts could not function effectively in sentencing offenders because there were not enough spaces in prisons.

The second key theme around effectiveness within the CJS was the perception of a lack of regular and accurate communication with victims, witnesses and defendants. This was felt to be a key indicator of ineffectiveness across all parts of the CJS, but in particular the police, the courts and prisons. Some respondents reported having had poor experiences of being kept updated by the police when they had been victim of or witness to a crime. Courts were perceived as failing to communicate accurate court appearance dates, which had resulted in victims, witnesses, and defendants not attending hearings. There were also concerns that prisons did not effectively communicate with victims when an offender would be released – which was considered to be unfair to the victim.

In order to be effective it was felt that the CJS needed to be efficient. Within this third theme, two key ways were raised in which the CJS was felt to be inefficient; the amount of time taken to process cases and the cost involved in processing cases and punishing offenders. All parts of the CJS were perceived to be slow, particularly the police in collecting evidence and catching criminals and in cases coming to court. The CJS was felt to be a very costly system for the taxpayer (particularly prisons), which combined with the view that constituent parts did not work together towards common goals, resulted in an overall view of the CJS as ineffective.

The final area that emerged was the ineffectiveness of the CJS in punishing offenders and reducing re-offending. The courts and prisons were not felt to provide an effective deterrent to offenders, as there was the perception that many offenders were found not

guilty of the crimes they had committed. Sentences were generally seen as too soft to discourage people from committing crimes, particularly prisons which were perceived by some respondents as providing offenders with 'warm beds', 'TVs', 'Playstations' and 'free gyms'.

*"(The CJS) is not effective because it's not stopping crime it's just, if you like, encouraging it because they know they're not going to get punished" (Group 7)*

#### **2.4.1 Recommendations for improving confidence in the effectiveness of the CJS**

Recommendations were made to improve confidence in effectiveness which focused on five parts of the CJS; the police, the courts, the CPS, prison and probation service. These recommendations are discussed in more detail below.

Firstly, to improve confidence in the effectiveness of the CJS it was suggested that the police should use their time more effectively by catching criminals and preventing crime and anti-social behaviour rather than conducting administrative duties such as 'filling in forms'. It was also felt that the police should focus on identifying offenders of 'serious' crimes e.g. murder and drug dealing. This was considered to be effective policing as catching and punishing serious or top level criminals would deter other criminals from committing associated crimes.

*"I think if you start at the top it will filter down. They would be less inclined to offend at the top of the scale if the punishment was (given) to the bigger criminals, because there are some drug cases that have gone on, and because they have got the big guys, that does deter the ones next down." (Group 8)*

The second set of recommendations focused on the courts and particularly on the sentencing of offenders. To increase confidence in both fairness and effectiveness, it was suggested that offenders should be sentenced 'harshly' by increasing all prison sentences (particularly sentences for rapists and murderers)

*"Why is that the majority of rapists, men rapists, when they rape a woman or a guy, they only get 3, 4 year's and then with good behaviour they're out after 2 ½ years and they're out doing it again. If they destroy a woman's mind or a man's mind or a child's mind, surely they should just be banged up forever?" (Group 6)*

To be working effectively, it was felt the courts also needed to ensure a speedy process from the arrest of the offender to conviction (and sentencing). The courts should also be seen to be working jointly with and supporting the police by ensuring that cases are not 'thrown out of court' - thus ensuring that police time and resources would not be wasted.

The third recommendation set related to the CPS who were also seen as having a role in improving confidence in this particular indicator of effectiveness by not allowing cases to be dismissed due to 'technicalities'.

Prisons were the focus of the fourth set of recommendations. To have confidence in the effectiveness of prisons, respondents felt that offenders should be punished through harsh sentences. This was also seen as the CJS treating the offender fairly i.e. giving the offender the punishment that they deserve.

*"It means having a punishment that fits the crime and acts as a deterrent (so that) people would not want to re-offend" (Group 11)*

As part of this, it was felt that offenders should also serve the full sentence they have been given, and should not be released due to good behaviour.

*"I don't agree with the 'good behaviour'. It doesn't matter how well you have behaved in Prison, you still committed the crime, so if it is fifteen years, that is your time and it shouldn't be five years" (Group 1)*

The fifth set of recommendations related to confidence in the effectiveness of the Probation service. To be working effectively it was felt the Probation service should be rehabilitating offenders to reduce re-offending and keeping the public safe from crime through surveillance of known offenders.

## **2.5 Conclusion**

Respondents did not have a detailed awareness and understanding of the CJS and its constituent parts, although some parts of the CJS were better known than others. The CJS was primarily understood in terms of its 'nuts and bolts' functions of catching, sentencing and punishing criminals. Those services which respondents spontaneously discussed were in the main the parts of the CJS they had come into direct or indirect contact with at some point in their life, primarily the police and the courts. These were also the organisations that were perceived to constitute the CJS at a local level. The media was a key source of information about other parts of the CJS, such as prisons and what was perceived to constitute the CJS at a national level (i.e. the 'national Police' and New Scotland Yard).

All this suggests that it is really the police and courts that are at the top of people's minds when conceptualising the CJS, while other parts of the CJS such as the CPS and Probation Service were generally not spontaneously considered by respondents. The implication for developing survey questions to measure views of the CJS as a whole is

that respondents may give answers based *only* on their views of the parts of the CJS they know most about i.e. the police, courts and prisons. To more accurately gauge views of the CJS as a whole it is recommended that respondents should be asked a series of questions which relate to the individual agencies within the CJS before they are asked their views of the CJS as a whole. This will help to clarify which agencies comprise the CJS and encourage respondents to consider all of the constituent parts of the CJS.

Initial conceptualisations of fairness were focused around the CJS treating all people as equal. On unpicking this, it became clear that there were groups of people whom respondents did not wish the CJS to treat 'equally or fairly', with these differences centring on whether the individual was a victim or and offender/defendant.

Particular concerns which were raised around the effectiveness of the CJS were the perceived lack of partnership working between the constituent parts. This was seen to be a direct cause of offenders being acquitted and time and resources (particularly that of the police) being wasted. Another issue that emerged was that the CJS did not effectively punish offenders – and that sentencing and punishments should be stronger and for longer periods of time. This view was also linked into fairness, in that offenders would be receiving the punishment they deserved and victims would be supported by the CJS.

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## 3 Developing and Testing a New Question Set

This chapter discusses the process by which draft questions were developed and how these were tested and adapted in order to produce a set of questions that could be placed on the BCS to measure fairness and effectiveness within the CJS.

Following the initial qualitative work, there were two main processes used in developing a question set – a pilot which used a cognitive interviewing technique, followed by more quantitative analysis through placing questions on the BMRB Omnibus survey.

Cognitive interviewing is a technique regularly used by BMRB in questionnaire development. It is an interviewing technique used to draw more in depth understanding of the thought processes a respondent goes through when trying to answer a question. In order to obtain further information, various techniques are used by researchers such as asking the respondent to 'think out loud' or further probing such as 'why do you say that', 'what do you understand by X'. Researchers are also able to note and react to respondents reactions which may not always be verbal. This detail can not be obtained in conventional interviewing conducted by the interviewer.

Cognitive piloting took place initially to understand how respondents were interpreting and answering questions in order for any problem questions to be refined and developed, ready to test further on the Omnibus survey.

### 3.1 Developing an initial question set

The pilot questionnaire was divided into four main parts:

- Part A – Background and warm up questions
- Part B – Questions on the effectiveness of the CJS
- Part C – Questions on fairness of the CJS
- Part D – Additional hypothetical questions to explore some further issues that came out of the qualitative research

Part A was used as a warm up for respondents and consisted of questions already used on the BCS questionnaire. They were therefore not specifically tested in this exercise. Parts B-D consisted of a set of questions which took into account the primary objectives of measuring effectiveness and fairness within the CJS and the findings that came out of the qualitative research.

One of the key findings from the qualitative research was the fact that the term Criminal Justice System was not readily understood by many people. This raised the issue of how questions about the CJS could be best asked in a survey format. One approach, used on the current BCS, is simply to provide a definition of the CJS for respondents prior to asking detailed questions. Another approach is to not ask about the CJS as a whole, but to ask questions about its component parts.

From the qualitative research, two main approaches emerged that could be taken for 'breaking down' the CJS into component parts:

- A breakdown by different agencies – the police, the Crown Prosecution Service, the courts, prison and probation services.
- A breakdown by different functions – preventing crime, catching criminals, bringing cases to trial, protecting the rights of victims/witnesses/accused, sentencing, punishing criminals, stopping re-offending/rehabilitation.

### **Effectiveness**

The qualitative research found that when respondents were asked about what they thought constituted an 'effective' CJS, they were most able to express this in terms of functions such as preventing crime, catching criminals, punishing offenders, and so on. Therefore, in order to develop measures about the 'effectiveness' of the Criminal Justice System, a set of questions were drafted that combined both the functions of the CJS, as well as a split between the different agencies that make up the CJS.

In order to compare the two approaches described above the questionnaire was split into two sample types. Those allocated to sample type 1 were asked about the effectiveness of separate agencies that make up the CJS in terms of their functions. This group were also given a short description of each of the agencies before being asked any questions in relation to them. Those allocated to sample type 2 were asked about the effectiveness of the CJS as a whole in terms of its functions.

### **Fairness**

From the initial qualitative work it was clear that the term 'fairness' was seen in fairly complex terms by respondents, who seemed to hold quite ambiguous or shifting views about what 'fairness' actually meant to them. While 'equality' was a key term which emerged, the notion of what was 'equal' varied depending upon whether people were thinking about defendants, victims, or particular groups of people such as young people, wealthy people, or BME groups.

In order to explore the concept of 'fairness' further, respondents were asked a number of open-ended questions covering which groups they felt were unfairly treated and why they thought this to be the case. The open-ended questions were only used in the cognitive interview as an exploratory tool or prompt to help aid further questionnaire design.

Since the qualitative research suggested that people did not define the concept of fairness in relation to the functions of the CJS or in relation to particular agencies the questions focussed on fairness in relation to the CJS as a whole. Asking questions on effectiveness of the various functions prior to asking about fairness also meant that there had already been initial prompts on the roles and functions of the CJS, therefore it was not necessary to add these prompts again. Hence questions were developed which asked about how different groups of people were treated by the CJS in relation to fairness. As such, the approach taken in relation to fairness was different from the approach taken to effectiveness.

Local and national perceptions of the CJS were explored in the qualitative work and were shown to a large degree to be associated with crime type. Performance of the CJS was felt to differ depending on whether it was thought about 'locally' or 'nationally'. In order to determine whether this was a factor affecting responses, a number of questions were asked following the rating of each agency to establish whether respondents were thinking about the CJS at a 'local' or 'national' level.

Finally, a few hypothetical questions were developed to ask respondents how they might feel under particular circumstances. This was done because most people do not have direct experience of the CJS and there was a feeling from the qualitative research that people had different views about fairness and effectiveness if they thought about them as general concepts compared to if they thought about them in relation to them personally.

### **3.2 Feedback from initial question set**

This section outlines the feedback from the initial question set. Specific questions discussed are referenced by their question name, please refer to the full question set in Appendix D for further details on the question wording used.

#### **Effectiveness**

##### **3.2.1 Split Sample 1 – breakdown of agencies approach**

Half of the sample were asked questions broken down by each of the agencies and the functions they are involved with.

### **The police – Questions CJSpol1, CJSpol2, CJSpol5**

The majority of respondents felt able to answer questions on the police without any difficulty, even if they had not had any personal experience or contact with them. In these instances their views were based on the media or on the experiences of friends and relatives.

'Preventing crime' and 'catching criminals' were broadly seen as being the primary functions of the police as outlined in the qualitative research, although it was spontaneously mentioned in the cognitive interviews that it was not just police who were involved in 'preventing crime', there were other agencies such as youth groups who also played an important role in this.

Eleven out of nineteen respondents said that they were thinking about their local area when responding about the effectiveness of the police, only two said they were thinking about the police 'nationally'. Those thinking 'nationally' tended to do so because they had no experience of the police in their local area. When probed further they felt that their opinion of local and national police would not differ, as they would use knowledge nationally to inform the local perception.

One issue which arose was the interpretation of 'local', which varied between respondents. Some were thinking in terms of their immediate streets or neighbourhood, while others were thinking more of their local town or borough (sometimes including local connecting town).

### **The Crown Prosecution Service – Questions CJScps1, CJScps2**

As was found in the qualitative research, respondents had some difficulty in talking about the Crown Prosecution Service as only a few of them had any direct contact with it (generally through their line of work). Some based their knowledge on the news or programmes such as 'The Bill'. When prompted, a number of respondents indicated that they were unsure of the role of the CPS, while those with some knowledge found it difficult to separate the CPS from other agencies since they felt its functions were very inter-linked with the courts and police. This lack of knowledge was confirmed when respondents were asked a direct question about their knowledge of the CPS. Three out of forty respondents reported they knew 'nothing at all' about the CPS, while 28 reported knowing 'not too much'. This suggests that while most respondents had at least heard of the CPS, they were not really clear about its role and functions. The introduction given on the CPS before the question set, may have helped with this basic understanding.

Some respondents noted that their opinion of the CPS was likely to vary depending upon the type of crime they were thinking about. Thus, for example, it was felt that the effectiveness of the CPS was different in cases of murder compared with cases of rape or other sexual crimes.

Only four out of nineteen respondents reported answering questions about the CPS at a local level, they were more likely to say they were thinking nationally (9 respondents) or both locally and nationally (6 respondents).

### **The Court Service – Questions CJScs1, CJScs2, CJScs3**

Respondents generally knew enough about courts to answer these questions, although not all knew the difference between the different types of courts (Crown Courts, Magistrates etc). There was a tendency for people to think of magistrates courts as being local, dealing with less serious crimes with Crown Courts being more of a 'national' scale, dealing with high profile serious crimes. The source of this knowledge varied from personal experience, work experience and media coverage.

When considering the effectiveness of The Court Service, the majority of respondents reported thinking both locally and nationally (12 out of 19).

In terms of sentencing, again respondents said their answers were likely to differ depending upon the type of crime, especially when thinking about major crimes or minor crimes. Many respondents drew their opinions about the courts from high profile cases in the media – such as paedophiles. Some referred to the problem of people being released early and the whole issue of 'lenient' sentencing.

### **The Prison Service – Questions CJSps1, CJSps2, CJSps3**

The knowledge used in responding to questions on the Prison Service varied. Some respondents obtained information from friends or family, but most got their information from the media. One respondent stated that their opinion was based on what they imagined it was like in prison. This finding also emerged within the group discussions around views on prisons.

In terms of effectiveness, some respondents tended to think of punishing and rehabilitating as one. One respondent felt that they couldn't comment on rehabilitation specifically as they had no knowledge to base their response on. In answering questions on how effective the Prison Service was at punishing and rehabilitating prisoners respondents again pointed out that it was dependent on the crime.

Whether respondents were thinking locally or nationally when answering questions on the Prison Service differed depending on local circumstances. In general if there was a prison nearby, they tended to say they were thinking of the Prison Service 'locally'. However when prompted further to see if their opinion would change if they were to think 'nationally' many reported that it wouldn't - it was just that they had more knowledge of their local prison but would assume it would not differ at a national level.

### **The Probation Service – Questions CJSpr1, CJSpr2**

The probation service was another agency where some respondents felt that they did not have that much knowledge, except for those who had personal or work experience in that area. The majority were aware of the role of the probation service but not necessarily its performance – only seven out of a possible forty respondents said they knew 'nothing at all' about the probation service. For those who didn't know much, their knowledge was based on the media.

Respondents varied in terms of whether they were thinking, locally, nationally or both; responses tended to be linked to their knowledge and experience in this area. Those basing their opinions from the media were more likely to be thinking 'nationally'.

### **The Criminal Justice System Overall – Question EffRed**

When prompted, respondents tended to say that they were thinking of the CJS overall, but when asked which agencies they were considering many just mentioned the police, and the courts (and sentencing). This confirmed the findings of the qualitative research that the police and the courts were the 'highest profile' agencies for most people when they thought about the CJS. There was also some mention of prisons, although few, if any, respondents took account of all the agencies of the CJS when thinking about it as a whole. Additionally, some respondents mentioned thinking about the actual law that underpinned the CJS, when thinking about it.

Some respondents specifically commented that it was difficult to give an overall opinion as this differed depending on the various agencies involved, with some being considered better than others. One respondent said that it was much easier answering the separate questions.

### **3.2.2 Split Sample 2 – CJS as a whole**

This split sample was asked about the CJS as a whole in terms of its functions rather than splitting this out by the individual agencies as was tested in split sample 1.

When asking respondents about how effective the CJS is in *preventing crime* (question CJS1), most respondents thought of the police in relation to preventing crime. However,

when prompted some also mentioned prisons and judges as also having this role. Others responded in terms of preventing crime through having deterrents and punishment to fit the crime. A few individuals mentioned thinking of the CJS as a whole and how the agencies needed to work together to prevent crime.

If someone had been in contact with the CJS in some form, then their answers generally related to their personal experience, or in some instances the experience of a family member or friend. For others who hadn't this knowledge or experience their opinions tended to come from the media.

The question on how effective the CJS is at *catching criminals* (question CJS2) was also answered in relation to particular experiences, which again mainly involved the police, although where applicable other experiences were mentioned such as customs and excise, CID and forensic police.

When asking how effective the CJS is at ensuring *cases come to trial* (question CJS3) there was a mixture of responses, some did not mention the CPS at all and based opinions on good witnesses, forensics and ensuring enough prison capacity. Although some people had difficulty in answering this question due to a lack of knowledge, no-one actually gave 'Don't know' as their answer, since they were able to base an answer on general ideas such as 'getting stuff done in court', or people who 'sort the evidence and decide whether to charge you'.

When asking how effective the CJS is at *dealing with cases promptly and efficiently* (question CJS4), some respondents had difficulty in answering as they didn't have any direct knowledge or experience of the CJS. However only one person gave an answer of 'Don't know', highlighting that while many weren't clear on what was involved, they still felt able to give a response. The majority of those who did have a clear opinion used their own experience to answer the question – one being an ex-offender themselves, another having worked as a Special Constable.

Responses varied depending on the crime when respondents answered how effective they thought the CJS is in *detering people from committing crimes* (question CJS5). There was a tendency for responses to be on the negative side with eighteen out of twenty-one people giving a response of 'Not very effective' or 'Not at all effective'. Most of the respondents focussed on more serious crimes such as rape and murder which may explain their negativity. Some people mentioned that they felt offenders did not receive harsh enough punishments and that this meant there was little deterrence effect.

Most respondents answered how effective they thought the CJS was at *supporting victims of crime* (question CJS6) on the basis of their personal experiences. Those who had no

experience, found it harder to answer but still gave their opinions, with no-one giving a 'Don't know' response. A number of people mentioned Victim Support but some considered other agencies such as the police, courts and even the government as being responsible. Some recognised that Victim Support was not part of the CJS, but was a voluntary organisation.

Opinions on how effective the CJS is at dealing with *offenders fairly* were quite evenly split, with some feeling that offenders were treated 'fairly' – if anything too fairly. It is important to note that many people did not regard treating offenders fairly as a good thing, but rather as a weakness of the CJS. Some respondents did make a distinction between those convicted of an offence and those accused, with mentions of 'innocent until proven guilty', the right to legal representation and the importance of the jury system. However, as shown within the qualitative research, other respondents did not really make a clear distinction between those found guilty of a crime and those accused of a crime.

Another theme arising when asking about whether the CJS deals with offenders fairly was 'sentencing and punishments to fit the crime'. The general belief was that sentences were often too lenient; one example given was of paedophiles not getting long enough sentences. Prisons also came up in the context of having too many privileges. As already seen from the qualitative research the concept of 'fairness' was quite hard for some respondents to express clearly what they felt. One respondent said it was all to do with 'sides' and what side of the story to be considered.

When asked how effective the CJS is at *balancing the rights of the offender with the rights of the victim* (questions CJS8 and CJS8W), a number of respondents had a lot of difficulty in terms of looking at the balance and weighing the two concepts against each other. While some commented that offenders should have a fair trial, they also felt that this might compromise the needs of the victim because of the need for offenders to be punished, which was also something raised during the initial development work. Many wanted to consider the rights of the victim and offender separately, having trouble with the concept of the balance between the two. Some commented that they did not have enough knowledge to respond, highlighting that they would need to know the circumstances.

In terms of whether the CJS is effective at ensuring *the guilty are convicted* and the *innocent are acquitted* (questions CJS9 and CJS9b), respondents identified the legal profession, judges and juries as being responsible as well as the effectiveness of barristers. Respondents felt that their opinions were likely to differ depending on the crime and in some respects the agency involved – it was highlighted that opinions of the CPS and police were not always the same.

When asked how effective the CJS is at *punishing offenders appropriately* (CJS10), again many raised the issue that their response would depend on the crime, with a distinction being made between major and minor crimes. One theme that came through was the idea that the punishment did not always fit the crime. For many the punishments were not harsh enough.

In responding to this question on punishment, a number of considerations emerged such as: the courts, police, victims and sentencing. In considering sentencing, it was mentioned that this should always be consistent, depending on the crime, so people always know what punishment to expect. However, not everyone agreed about consistency of sentencing feeling that that each case should be considered separately with all the circumstances taken into account.

When answering about how effective the CJS is in *preventing people re-offending* (question CJS11), prisons and courts were the main agencies considered when responding. The probation service arose in some instances with the mention of parole officers, after-care, counselling and drugs programs.

The question on the effectiveness of the CJS *overall* (EffRed2) was hard for respondents to answer as opinions varied for each of the agencies, some respondents pointed out that some parts of the CJS were better than others so it was difficult to give an overall score.

Respondents by this point were generally thinking about the CJS as a whole, but this was because of the artificial nature of the situation. When prompted further most said that their opinions were more influenced by the police and sometimes the courts and sentencing. Some respondents focused on a type of crime when responding – such as high profile crimes involving paedophiles. The legal system also cropped up here with the point being made that people were just doing their job, following the law - the legal system itself being the problem in some cases.

### **3.2.3 Fairness of the CJS**

#### **First group**

Questions, FairVic, EffFairO, FairAcc, EffFair2O, FairWit, FairWtiR, FairOv, FairOvR were asked to half of the sample group, covering fairness of those involved in the CJS.

Some of the common things mentioned by people when thinking about 'fairness' were as follows: being treated the same, access to legal representation, ethnicity, taking into account someone's background, discrimination, innocent until proven guilty, conditions without prejudice.

Respondents did have some difficulty in answering these questions as many were not sure what was meant by 'fair', and it was clear that this was being interpreted in different ways by different people. Some felt it was simply people being treated well by the CJS, while others focussed on people being treated the same as others. Respondents also felt that how someone was treated by the CJS and whether they were treated fairly or not would depend on the crime and circumstances it was committed under. A number mentioned considering the background of the accused, and felt that background factors should be taken into account, while others felt that the focus should be whether someone had committed an offence before as they should not be treated as fairly as others.

Considerations which came up when thinking of 'fairness' for victims were: being listened to, taking account of how much the crime had affected them, correct compensation and making sure the offender was given the appropriate sentence.

For the offender, 'fairness' was felt to cover a fair trial, being treated as innocent until proven guilty, having a jury and legal representation and being treated humanely when in prison or held by the police. An important part of 'fairness' for witnesses was being protected as well as being listened to and respected by the police.

## **Second group**

The other sample group were asked very similar questions (Questions - CJSvct, CJSwnt, CJSpol, CJSpol2), focussing on how to make the system fairer rather than if respondents think it is fair. Not surprisingly similar themes emerged compared with the other set of fairness questions in relation to victims being fairly treated, such as the compensation received and fully taking into account evidence and circumstances.

In terms of witnesses things that came up included keeping them safe, and taking into account what they had been through and what they had seen. Others mentioned ensuring that their personal details were kept safe.

In terms of those 'accused of committing a crime' being treated fairly, some respondents mentioned the idea of 'innocent until proven guilty', and the importance of making sure the right evidence was collected. Other respondents mentioned fairness in terms of the right sentence for the crime.

When asking how fairly the CJS balances the rights of the offender with the rights of the victim (question Fairbal), again there were difficulties in answering due to the use of the word 'balance'. Some respondents felt that it would depend on the crime – for some crimes the balance should be equal, for others it should be in favour of the victim with the offender having no rights (in particular when re-offending).

Respondents were asked further questions probing into particular groups or individuals who could be treated unfairly (questions CJSfair, CJSwhy, CJSwhy2, CJSct, CJSctw, CJSct2). Again there was some difficulty answering these questions because of the ambiguity around the concept of 'fairness'. Some respondents felt that it was inevitable that stereotypes were adopted, while another respondent felt that 'fairness' was not an issue that needed to be considered for some groups. For example, the police should be allowed to pull up gangs if it was felt they were mainly responsible for the crimes in the area. On the other hand, others felt that fairness meant taking into account the backgrounds and circumstances of individuals which make them turn to crime. One commented on asylum seekers and how they didn't know any different.

Some people were not sure what was meant when asked about 'particular groups' – as there are a number of different ways in which this could be interpreted. For example, victims, those accused of crimes or offenders could be regarded as 'groups'. Alternatively, groups could be seen in relation to different types of people such as BME groups, gangs of youths, or young people generally. Respondents generally found it easier to answer when prompted with particular answer categories.

### **3.2.4 Hypothetical questions**

Respondents were asked a series of hypothetical questions putting them in the position of a victim/offender etc. then asking if they thought they would be treated fairly.

In general people found it hard to put themselves in a hypothetical situation. For those who had some experience they tended to draw on this in their responses, even if it did not relate directly to the scenario presented. People generally felt that it would depend on the crime and circumstances – the questions needed some context. Adding the level of detail required would not be possible within the BCS questionnaire, due to the time involved and not something which could be explored in quantitative research.

## **3.3 Conclusions and recommendations of question testing**

### **Effectiveness of CJS**

Given how respondents viewed effectiveness in relation to both the function of the CJS and the different agencies that form the CJS we would recommend asking initial questions in terms of both of these aspects of the CJS. These questions would serve two purposes, one to give further detail on each of the agencies and how they differ in terms of their effectiveness and secondly to act as a prompt as to what agencies are part of the CJS. These prompt questions can then aid respondents when answering any subsequent questions on the CJS overall, in particular related to its effectiveness and fairness.

## **Fairness of CJS**

Respondents think of a number of factors or themes when asked to think about 'fairness' in the CJS, For most people this is conceptualised not in terms of the processes or agencies of the CJS, but in terms of how the CJS treats different groups, such as victims, witnesses, those accused and those convicted. Most people focus on how particular groups or individuals are treated differently from others and the circumstances which do or should affect how people are treated (e.g. crime type, background factors). In order to cover these issues in a question set, the recommended approach would be to use a number of attitude statements which cover these key themes. However a question asking about fairness overall should also be asked in order to establish a measure of fairness overall as it would not be possible to cover all possible angles of fairness in the attitude statements.

## **Local and National**

Whether respondents answered questions in relation to the CJS 'locally' or 'nationally' or both varied, depending on the agency and their experience of it. Those who had no experience or little knowledge tended to respond 'nationally' as their opinion was based on media representations of the agency. Answering about the CJS locally was restricted to those who had particular knowledge or experience in their local area, whereby making it difficult and in some occasions excluding those without a particular experience from giving their opinion. This was reflected through a higher proportion of 'Don't know' responses when asking about the CJS 'locally'. However, in general, those who were probed said that their opinion would not vary if forced to think about one or the other. The main factor in influencing opinion was not so much the level, but where people gained their main information or knowledge about the CJS from.

## **Hypothetical Questions**

The purpose of these questions were more as an explorative tool. In general it is not advised to use questions asking respondents to think 'hypothetically' as these are not necessarily a true indication of what people would do in a real situation. The testing of these questions also showed that people could not in fact think 'hypothetically' and had difficulty responding without having a clear picture of the situation or having experienced something similar themselves. Therefore no further testing was required with this particular section.

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## 4 Revising the question set

The questions used in the cognitive testing were revised based on the findings of the research and then the BMRB Omnibus Survey was used to test the revised set of questions with a larger sample (see Appendix F for further details). Chapter 5 discusses in further detail the use of the question set and the best approach to producing an overall measurement of 'effectiveness' and 'fairness'; this chapter focuses on particular wording and question types tested in the Omnibus stage:

- **'Effectiveness' vs. 'confidence in effectiveness'** – whether asking about 'confidence in effectiveness' as opposed to just 'effectiveness' would enable more people to give a response, as 'confidence in effectiveness' implies no direct knowledge of experience of the CJS is necessary to answer the question.
- **Use of attitude statements in measuring fairness** –specifically, testing the best approach when asking attitude statements about 'balancing the rights of the offender and victim' and 'discrimination of particular groups', and whether these are understood better using an agreement scale to respond to or instead just using a 'yes/no' question wording.
- **Local vs. national** – whether quantitative data reflects the theory of there being no significant difference in the opinion of the CJS at a local and national level, with people less likely to be able to answer about the CJS locally.

These issues were tested through using a split sample approach, allowing comparisons to be made with the responses to alternative questions types/wording. The results of this testing are outlined below.



#### 4.1 'Effectiveness vs. confidence in effectiveness'

In analysing the differences in responses between the two different question formats – 'effectiveness' (table 4.1) and 'confidence in effectiveness' (table 4.2), there were significant differences in those responding with a 'don't know' response in five out of the eight questions, with less people giving a 'don't know' response when asked about 'confidence in effectiveness'.

When looking at the spread of positive and negative responses, in five out of eight measures of effectiveness there was no significant differences between the ways the two sample groups rated the effectiveness of the agency. However in three instances the question format for sample B (confidence in CJS effectiveness) resulted in a slightly more negative response than the sample A format which just asked about effectiveness. Therefore, while the term 'confidence in effectiveness' is better in terms of enabling people to answer the questions, it would appear that the 'confidence' element might encourage a slightly more negative (but more realistic) response (i.e. more likely to think the CJS is not effective). This is a subtle difference to be aware of.

#### 4.2 Use of attitude statements when asking about specific elements of 'fairness'

Asking about 'fairness' is open to interpretation with 'fairness' meaning different things to different people, therefore the tested approach to fairness was asking a number of attitude statements about things which could be considered as 'fair' such as *'The Criminal Justice System treats those who have been accused of a crime as 'innocent until proven guilty'*, followed by an overall question on how fair the CJS is. However there were two aspects of 'fairness' which were found to be problematic in the previous testing stages - considering the 'balance' between the rights of the offender and the rights of the victim and whether the CJS discriminates against groups or individuals. Therefore a test was conducted to see if it would be more appropriate to ask about these specific aspects in a 'yes/no' question format rather than using an agreement scale.

Both question formats allowed respondents the opportunity to give a 'don't know' response. Table 4.3 and 4.4 summarises the proportion of responses at both these question types.

**Table 4.3 Whether the CJS achieves the correct balance between the rights of the offender and the rights of the victim by question type**

Agreement statement		Yes/No question	
	%		%
Strongly agree	4	Yes	18
Tend to agree	22		
Tend to disagree	31	No	63
Strongly disagree	30		
Don't know	13	Don't know	19
<i>Base:</i>	983	<i>Base:</i>	988

**Table 4.4 Whether the CJS discriminates against particular groups or individuals**

Agreement statement		Yes/No question	
	%		%
Strongly agree	9	Yes	36
Tend to agree	25		
Tend to disagree	30	No	44
Strongly disagree	19		
Don't know	17	Don't know	20
<i>Base:</i>	983	<i>Base:</i>	988

In both cases, there was a slightly lower proportion of 'Don't know' responses for the questions asked as an attitude statement, indicating that this format was easier to respond to. The question formats did however have a slight effect on the type of response given. In table 4.3, respondents were significantly more likely to agree that the CJS achieves the correct balance between the rights of the offender and the rights of the victim when asked this as an agreement scale as opposed to 'yes/no' format (26% and 18% respectively). And in table 4.4 there was a significantly higher proportion of respondents who disagreed that the CJS

discriminates against particular groups or individuals than those who said 'no' to this question (49% and 44% respectively).

### 4.3 Local vs. National

Tables 4.5 and 4.6 show the difference in responses when respondents were asked about the effectiveness/ fairness of the CJS at a local level compared with a national level.

**Table 4.5 Effectiveness of CJS (national versus local)**

	Effectiveness- Sample A		Confidence – Sample B	
	Country as a whole %	Local area %	Country as a whole %	Local area %
Very effective	2	5	2	3
Fairly effective	32	34	32	36
Not very effective	41	31	39	31
Not at all effective	16	12	22	16
Don't know	9	18	4	14
<i>Base:</i>	<i>506</i>	<i>987</i>	<i>481</i>	<i>984</i>

**Table 4.6 Fairness of CJS (national versus local)**

	Country as a whole %	Local area %
Very fair	4	6
Quite fair	54	46
Quite unfair	22	17
Very unfair	10	8
Don't know	10	24
<i>Base:</i>	<i>988</i>	<i>1971</i>

The tables show that respondents are significantly more likely to give a 'Don't know' response when asked about the CJS in their local area as they are when

asked about the CJS in the country as a whole (nationally). This clearly indicates that respondents generally have difficulty answering about the CJS in their local area as has been indicated in previous testing.

#### **4.4 Conclusions and recommendations of omnibus testing**

##### **Effectiveness of CJS**

Respondents were more likely to give a response when asked to rate their 'confidence' in an agency/function being effective rather than answering about 'effectiveness' per se. However this format can provoke a slightly more negative response in some instances due to the subtle difference using 'confidence in effectiveness' rather than 'effectiveness' alone. An individual may not be sure about the effectiveness of an agency but lacks confidence in it being effective.

Overall we would recommend that 'confidence in effectiveness' (sample B type) questions are taken forward to be added to the BCS questionnaire rather than 'effectiveness' alone questions (sample A). This format is consistent with other questions asked in the survey and encourages more people to give a response.

##### **Use of attitude statements in measuring fairness**

A higher level of 'Don't know' responses was recorded using the 'yes/no' question type for both questions tested. Therefore we would advise not asking the questions about balance and discrimination as yes/no questions, instead using an agreement scale approach.

##### **Local versus national**

When asked to rate the CJS in the 'country as a whole' and in their 'local area' results indicated that respondents were significantly less likely to be able to answer about the CJS when asked about their local area compared to the country as a whole. This highlights the findings in the qualitative and cognitive testing that respondents are not always aware of how the CJS is performing in their local area, unless they have had specific involvement through contact with the police, courts etc. Through not specifying 'local' or 'national' CJS, respondents are able to use what knowledge they have whether this be from the media or their direct experience.

Based on these findings, we would not recommend asking respondents about effectiveness in their local area due to the high proportion of 'Don't know' responses at this question.

## 5 PSA measurement of effectiveness and fairness within the CJS

### 5.1 Effectiveness of the CJS

In measuring the effectiveness of the CJS as a whole, it has been established in this research that knowledge of the constituent parts of the CJS and their functions varies. This raises some problems for rating the 'effectiveness' of some of the less well known components of the CJS. It has been recommended to ask a series of questions around the individual CJS questions.

The research has raised some key considerations in providing a PSA measurement and from these, two viable options for deriving the final measures of fairness and effectiveness in the CJS.

#### **Option 1 – Asking respondents directly about the 'effectiveness of the CJS'**

The first option and recommended approach is that the final measure of effectiveness of the CJS would be the responses to a direct question asking respondents how effective they think the CJS is as a whole. In this way respondents will base this on what they know and if they feel they don't know enough, they can give a 'don't know' response. They are also free to base their responses on what they consider to be an 'effective' system, so the weighting/importance of each part of the CJS when giving an overall opinion of the CJS will not be pre-determined, it will be decided by each respondent.

As indicated in the research, there are drawbacks with this method due to a lack of understanding of the less well known agencies within the CJS. Therefore the recommended approach is to ask this question following some initial questions rating the effectiveness of each agency. By asking about each agency with an introduction to their functions, respondents are prompted to consider the effectiveness of each of the agencies which would then be top of their mind when asked to finally rate the CJS as a whole.

## Option 2 – Deriving a variable

The second option would be to derive a single index or rating which combined the individual 'effectiveness' ratings for the police, Crown Prosecution Service (CPS), courts, prisons and the probation service, a question about the CJS overall would not be required. However, in computing this variable there would be a number of considerations:

### 1. The treatment of 'Don't know' codes

The derived variable could be based on only those respondents who have given a response on 'effectiveness' for each of the agencies within the CJS. It could be argued that this would ensure the measure was based only on the opinions of those who had demonstrated an understanding of each of the agencies of the CJS, and not just those who had a higher profile than others (e.g. the police). The problem with this approach is the high proportion of those answering 'Don't know' to one or more of the individual questions on effectiveness (see table 5.1).

An alternative treatment of 'Don't know' responses would be to give them a 'neutral score'. In this way, those who are not able to answer about a particular agency are still included in the overall measure (see table 5.1). This does however mean that respondents opinions overall are heavily weighted to the agencies which they are more aware of. It also would mean that the overall distribution of responses is likely to be pulled towards the mid-point, meaning that the overall index was not as discriminating as might otherwise be the case.

### 2. Weighting given to responses

Another important consideration is the weighting given to responses. Not every respondent would consider each of the component parts of the CJS to be of equal importance in terms of it's 'effectiveness' overall. Some may feel that an effective system is one where there is focus on the catching of criminals (police) while others may feel that it's how offenders that are dealt with which is more important in the overall effectiveness. Therefore, it could not necessarily be assumed that if an index was derived from, for example, seven questions the scores from each question would be given the same weight.

Computing a derived variable to adequately account for weighting and don't know codes would need further development work, comparing various options with an

overall question asked to respondents on how effective they think the CJS system is.

Table 5.1 outlines the results of each of these measurements. For the derived variable, each agency is given equal weighting and combined together to give an average composite score. In order to give a composite score with the DK code included, the DK code for each question is given a 'neutral' score (a midpoint score between 'fairly effective' and 'not very effective').

**Table 5.1 Combined measure on confidence of effectiveness of CJS**

	<b>Effectiveness Option 1 Recommended - As asked to respondents</b>	<b>Effectiveness Option 2 Derived option DK included</b>	<b>Effectiveness – Option 2 Derived option DK excluded</b>
	<b>%</b>	<b>%</b>	<b>%</b>
Very effective	3	1	2
Fairly effective	32	9	21
Not very effective	38	41	58
Not at all effective	21	14	20
Don't know	6	35	N/A
<i>Base:</i>	<i>502</i>	<i>984</i>	<i>984</i>

## 5.2 Fairness of the CJS

In measuring fairness of the CJS as a whole, the research has indicated that there are a number of considerations that need to be taken into account. As with the rating of effectiveness within the CJS, there are two methods of creating the final measure of 'fairness' – using a derived variable or using the response to an overall question to respondents to rate 'fairness'.

### **Option 1 – Asking respondents directly about the 'fairness' of the CJS'**

Asking respondents to rate 'fairness' of the CJS as a whole is the preferred approach in this instance. Prior to asking an overall question on 'fairness' it would be recommended to ask questions in the form of attitude statements on particular aspects of fairness such as discrimination, 'innocent until proven guilty'

etc. These attitude statements prompt respondents to consider various aspects of 'fairness' which have been commonly mentioned in the testing phase but do not limit them to only considering these when answering about 'fairness' overall. This again acts as a prompt prior to the overall question and also enables additional analysis to take place into common issues around 'fairness'. In asking an overall question, it is again important to ensure that respondents are adequately prompted to the functions and agencies included within the CJS. Therefore this overall question should follow the 'effectiveness' section to ensure that this prompting occurs. Table 5.2 shows the results of an overall measurement compared to the derived variables.

### Option 2 - Deriving a variable

Deriving a variable on 'fairness' is more problematic in terms of what might be included. While it is possible to rate common indicators of fairness within the CJS such as balancing the rights of those involved, discrimination etc, these are by no means exhaustive to what people consider to be fair or unfair. There is also the problem of what is 'fair' to one person may be considered 'unfair' by another.

Table 5.2 shows the results of a derived variable, based on a combination of common 'fairness' indicators highlighted in the research. As with effectiveness the 'Don't know' responses can be treated in two ways, either included and treated as a 'neutral' score, or excluded from the measure entirely.

**Table 5.2 Combined measure on fairness of CJS**

	<b>Fairness– Recommended As asked to respondents</b>	<b>Fairness – Option 2 Derived option DK included</b>	<b>Fairness – Option 2 Derived option DK excluded</b>
	<b>%</b>	<b>%</b>	<b>%</b>
Very fair	6	1	1
Quite fair	51	14	38
Don't know	8	59	-
Quite unfair	22	25	57
Very unfair	12	2	5
<i>Base:</i>	983	988	988

Based on the results and discussion surrounding them, a decision was made to take forward option 1 for measuring both fairness and effectiveness in the British Crime Survey. The final set of questions can be found in Appendix G.

## 6 Appendices

### 6.1 Appendix A – The Research Design

#### **Qualitative Research - Stage 1**

The qualitative research was based on 12 mini group discussions, which consisted of between 6-7 respondents. The groups were conducted across England and Wales and recruited according to the following criteria:

- Contact with the police (contact/no contact)
- Perceptions of local crime levels (high/low)
- Location (urban, suburban, rural)
- Age group (18-24, 25-34, 35-49, 50+)
- Gender
- Ethnicity (White, Black, Asian)

The profile of each of these groups is outlined below in table 6.1:

Table 6.1. Qualitative research – group discussion profiles

<b>Group no.</b>	<b>Location</b>	<b>Age</b>	<b>Local Crime perception</b>	<b>Contact with Police</b>	<b>Ethnicity</b>	<b>Tender</b>	<b>Total</b>
1	London - Tottenham/ Wood Green (Urban)	18-24	High	Contact (3) No Contact (3)	Asian (0) Black (2) White (4)	Female (3) Male (3)	6
2	Wales - Bridgend (Rural)	18-24	Low	Contact (4) No Contact (3)	Asian (0) Black (0) White (7)	Female (4) Male (3)	7
3	Northampton (Urban)	25 – 34 (6)	High	Contact (4) No Contact (2)	Asian (0) Black (0) White (6)	Female (2) Male (4)	6
4	London - Hampstead (suburban)	25 – 34 (6)	Low	Contact (3) No Contact (3)	Asian (0) Black (0) White (6)	Female (4) Male (2)	6
5	Manchester – Oldham (suburban)	35 – 49 (6)	High	Contact (3) No Contact (3)	Asian (0) Black (6) White (0)	Female (3) Male (3)	6
6	London - Hampstead (suburban)	35 – 49 (7)	Low	Contact (3) No Contact (4)	Asian (0) Black (0) White (7)	Female (4) Male (3)	7
7	Manchester - Oldham (Urban)	50 + (6)	High	Contact (3) No Contact (3)	Asian (0) Black (6) White (0)	Female (3) Male (3)	6

**Table 6.1 Cont.**

Group no.	Location	Age	Local Crime perception	Contact with Police	Ethnicity	Tender	Total
8	Wales - Bridgend (Rural)	50 +(6)	Low	Contact (2) No Contact (4)	Asian (0) Black (0) White (6)	Female (4) Male (2)	6
9	Birmingham - Erdington (Suburban)	18-24 (1) 25-34 (3) 35-49 (2) 50+ (1)	Low (1) High (6)	Contact (7)	Asian (0) Black (0) White (5) Mixed (1) Other (1)	Female (4) Male (3)	7
10	Birmingham - Erdington (Suburban)	18-24 (2) 25-34 (2) 35-49 (2) 50+ (1)	Low (4) High (3)	No contact (7)	Asian (0) Black (1) White (6)	Female (5) Male (2)	7
11	London - Tottenham/ Wood Green (Urban)	18-24 (1) 25-34 (1) 35-49 (4) 50+(1)	Low (0) High (7)	Contact (2) No Contact (5)	Asian (0) Black (7) White (0)	Female (5) Male (2)	7
12	Northampton - Wellingborough (Suburban)	18-24 (1) 25-34 (1) 35-49 (3) 50+ (1)	Low (1) High (5)	Contact (3) No Contact (3)	Asian (0) Black (0) White (0) Other(6)	Female (3) Male (3)	6

## **Cognitive Interviews – Stage 2**

For this stage of the research, respondents were recruited using random locale sampling. Five interviewers were supplied street lists and asked to recruit five respondents each, with quotas set for age, sex and experience with the police in the last year.

Areas and streets were selected to provide a range of acorn types and ethnicity. The interviews took place in the following five areas:

- Bexley (South London)
- Elmbridge (Surrey)
- Trafford (Greater Manchester)
- Birmingham (West Midlands)
- Bridgend (Wales)
- Chelmsford (Essex)
- Spelthorne (Surrey)

A total of 40 interviews were conducted, split equally by sex and ranging in age and ethnicity. Each respondent was given £20 in cash for taking part.

The interviews lasted approximately 40 minutes; with half of this time being used to ask the questions and the rest used for further discussions and prompting.

The interviews were conducted by experienced interviewers – all who had experience of working on the main BCS survey. Experienced researchers were present in order to observe the interview at first hand, taking notes and probing further where necessary.

## **Omnibus testing – Stage 3**

Following on from the cognitive development stage; BMRB Omnibus was used to test a revised set of questions to a larger sample. A total of 1971 respondents throughout Britain were interviewed face to face using Computer Assisted Personal Interviewing (CAPI), between the 23<sup>rd</sup> and 29<sup>th</sup> August. This stage was conducted in order to quantify how well respondents understood the revised set of questions on effectiveness and fairness within the CJS.

## 6.2 Appendix B – The Topic Guide

### Criminal Justice System – Question Development

#### Topic Guide

**Aim:** To develop a meaningful set of questions to measure fairness and effectiveness in the Criminal Justice System

**Objectives:**

To better understand and identify the key dimensions of public perceptions of fairness and effectiveness in the CJS

To investigate public understanding of the CJS as a concept and its constituent parts

To explore the meaning of words and phrases commonly associated with fairness and effectiveness, and how public perceptions of these words then relate to the CJS

To explore public perceptions of the CJS at the local and national level

#### 1 Background (2 mins)

- About BMRB, independent research agency
- About the project
  - To develop a set of questions to measure views on how the police and the criminal justice system deal with crime
- Funded by the Home Office
- This is one of a number of group discussions being conducted in England and Wales
- Duration of discussion (1 hour 30 minutes)
- Confidentiality and recording

#### 2 Introductions (5 mins)

- First name, age, who they live with, any children
- Work (past, present)
- How long they have been living in the area
- What is it their area like to live in

#### 3 Understanding of the Criminal Justice System (10 mins)

- Have they heard people mention 'CJS' ... what about 'Criminal Justice System' – familiar?

- Explore **spontaneous** understanding of the Criminal Justice System and which services make up the CJS
- **After exploring spontaneous understanding of the services which make up the CJS**, probe each of the following and explore views on role of each service (SHOWCARDS):
  - Police
  - Crown Prosecution Service
  - Crown and Magistrate Courts
  - Juvenile Courts
  - Prison
  - Probation
- Use **shuffle cards** to identify how respondents see the role of each service, including any overlap
  - Shuffle cards:
    - § 'Catching criminals'
    - § Preventing crime
    - § Preventing anti social behaviour
    - § Keeping the public safe from crime
    - § Reducing crime
    - § Reducing fear of crime
    - § Supporting victims, witnesses and victims' families
    - § 'Bringing offenders to justice'
    - § Upholding the rights of the defendant
    - § Sentencing offenders
    - § Punishing offenders
    - § Rehabilitating offenders

#### **4 Views of the Criminal Justice System (10 mins)**

- **Explore views of each part of the CJS**
- What does each service do well/less well and **why**
  - Police
  - Crown Prosecution Service
  - Crown and Magistrates Courts
  - Juvenile Courts
  - Prison
  - Probation
- Do any of the above services perform 'better' than others
  - How is 'better' defined
  - Views about differences in performance and **why**
    - concerns
- Spontaneous views of what a justice system, *as a whole*, should be exhibiting and **why**
  - What do they want from the Criminal Justice System
    - § How is justice defined
  - Then **prompt:**  
**Processes**
    - § Speed of response to crime
    - § Processing of crimes

## Values

- § Honesty
- § Accountability
- § Trustworthy
- § Fair
- § Effective
- § Efficient
- § Authority
- § Confidentiality

## 5 Experiences of the Criminal Justice System (15 mins)

- When talking about CJS, what are respondents thinking about, prompt for
  - Personal experiences
  - Views of others
    - § Friends
    - § Family
    - § Media
      - local newspapers
      - national newspapers
      - TV (news, documentaries, drama etc)
      - Other
    - § Others?
- Do they distinguish between local and national situation when they consider their view of the CJS
  - § What do they understand 'local CJS' to be
  - § What do they understand 'national CJS' to be
  - § Differences in satisfaction with 'local' and 'national' CJS -  
**why**
    - The situation locally – what do they think of the CJS, and where do they get their views from (friends, family, media, others)
    - The situation nationally – in what ways, and where do they get their views from (friends, family, media, others)
    - Identify whether they bring just some or all of the above into their thinking
- Contact with the Criminal Justice System (note to researcher - handle sensitively)
  - Directly/indirectly (e.g. relative)
  - Which specific part/s
  - Reason for contact: victim, witness, accused, information only, other
  - When
- Explore experience of contact
  - Negative
  - Positive
  - Probe for details
- Impact of experience on views
  - of specific services (e.g. police, courts etc)
  - of criminal justice system as a whole
- Would experiences cause them to act 'differently' next time

## 6 Fairness and Effectiveness in the Criminal Justice System (30 mins)

- Word association: what does '**fairness**' mean to them  
Explore concept / word generally and then probe for it's meaning in relation to CJS:
    - What makes for 'fairness' in the Criminal Justice System, probe for examples
    - What makes for 'unfairness' in the CJS, probe for examples
    - Explore whether some parts of the CJS are seen as 'fairer' than others
    - Are some groups or types of people treated more fairly than others **and why – spontaneous**
      - If necessary, probe on;
        - § Age
        - § Gender
        - § Race
        - § Type of Crime
        - § Witness
        - § Victim
        - § Defendant
        - § Offender
      - Which groups of types of people should be treated fairly - **why**
      - Explore what would improve 'fairness' in the CJS
  - Word association: what does 'effectiveness' mean to them
    - What makes for '**effectiveness**' in the Criminal Justice System, probe for examples (e.g. fast response from police, short waits for cases to come to court, 'success' of prosecutions/prison/probation)
    - What makes for '**ineffectiveness**' in the CJS, probe for examples
  - Are views of effectiveness applied to the CJS as a whole or the separate parts of the CJS
    - If parts, what parts are they considering
  - Explore whether some parts of the CJS are seen as more effective/ineffective than others
- DEVELOP EARLIER EXERCISE BY DIVIDING SHUFFLE CARDS INTO EFFECTIVE / INEFFECTIVE GROUPS FOR EACH SERVICE
- Shuffle cards:
    - § 'Catching criminals'
    - § Preventing crime
    - § Preventing anti social behaviour
    - § Keeping the public safe from crime
    - § Reducing crime
    - § Reducing fear of crime
    - § Supporting victims, witnesses and victims' families
    - § 'Bringing offenders to justice'
    - § Upholding the rights of the accused
    - § Sentencing offenders
    - § Punishing offenders
    - § Rehabilitating offenders
- NB MAKE SURE RESPONDENT COMMENTS ARE CLEAR ON TAPE FOR SUBSEQUENT ANALYSIS

- Explore what would improve 'effectiveness' of the CJS

**7 Confidence in the Criminal Justice System (10 mins)**

ASK RESPONDENTS TO WORK IN PAIRS FOR 5 -10 MINUTES TO WRITE KEY ISSUES ON 'POST IT NOTES' FOR BOTH OF THE POINTS BELOW. THEN BRING GROUP TOGETHER TO DISCUSS AND RANK KEY ISSUES. PROBE **WHY** SOME ISSUES ARE MORE IMPORTANT TO CONFIDENCE THAN OTHERS

- What would give people confidence that Criminal Justice system is 'fair'
- What would give people confidence that Criminal Justice system is 'effective'

**8 Any other comments (1 mins)**

**9 Any questions respondents have for the researcher (2 mins)**

**Thank and Close**

Show cards:

- Police
- Crown Prosecution Service
- Crown and Magistrate Courts
- Juvenile Courts
- Prison
- Probation

Shuffle cards:

- 'Catching criminals'
- Preventing crime
- Preventing anti social behaviour
- Keeping the public safe from crime
- Reducing crime
- Reducing fear of crime
- Supporting victims, witnesses and victims' families
- 'Bringing offenders to justice'
- Upholding the rights of the defendant
- Sentencing offenders
- Punishing offenders
- Rehabilitating offenders

### 6.3 Appendix C – Analytical Process

#### **The analysis of qualitative material using 'matrix mapping'**

Material collected through qualitative methods is invariably unstructured and unwieldy. Much of it is text based, consisting of verbatim transcripts of interviews and discussions. Moreover, the internal content of the material is usually in detailed and micro-form (for example, accounts of experiences, inarticulate explanations, etc). The primary aim of any analytical method is to provide a means of exploring coherence and structure within a cumbersome data set whilst retaining a hold on the original accounts and observations from which it is derived.

Qualitative analysis is essentially about detection and exploration of the data, 'making sense' of the data by looking for coherence and structure within the data. *Matrix Mapping* works from verbatim transcripts and involves a systematic process of sifting, summarising and sorting the material according to key issues and themes. The process begins with a familiarisation stage and would include a researcher's review of the audio tapes and/or transcripts. Based on the coverage of the topic guide, the researchers' experiences of conducting the fieldwork and their preliminary review of the data, a thematic framework is constructed. The analysis then proceeds by summarising and synthesising the data according to this thematic framework using a range of techniques such as cognitive mapping and data matrices. When all the data have been sifted according to the core themes, the analyst begins to map the data and identify features within the data: defining concepts, mapping the range and nature of phenomena, creating typologies, finding associations, and providing explanations.

The mapping process is similar for both individual interviews and group discussions. The analyst reviews the summarised data; compares and contrasts the perceptions, accounts, or experiences; searches for patterns or connections within the data and seeks explanations internally within the data set. Piecing together the overall picture is not simply aggregating patterns, but it involves a process of weighing up the salience and dynamics of issues, and searching for structures within the data that have explanatory power, rather than simply seeking a multiplicity of evidence.

## 6.4 Appendix D – The Pilot Questionnaire

### Pilot Questionnaire – Fairness and Effectiveness of Criminal Justice System

#### Stage A – Background and warm-up

##### NAdults [ASK ALL]

Could you tell me how many adults live in this household - I mean persons 16 or over?

1..10

##### Sex [ASK ALL]

Code sex

- |    |    |        |
|----|----|--------|
| 1. | 1. | Male   |
| 2. | 2. | Female |

##### Age [ASK ALL]

What was your age last birthday?

16..99

##### BAge-BAge10 [ASK IF Age = DK OR REF]

SHOW CARD Y1

Looking at this card, could you please tell me in which group your age lies?

- |     |            |
|-----|------------|
| 3.  | 16 to 19   |
| 4.  | 20 to 24   |
| 5.  | 25 to 29   |
| 6.  | 30 to 34   |
| 7.  | 35 to 39   |
| 8.  | 40 to 44   |
| 9.  | 45 to 49   |
| 10. | 50 to 54   |
| 11. | 55 to 59   |
| 12. | 60 to 64   |
| 13. | 65 to 69   |
| 14. | 70 to 74   |
| 15. | 75 to 79   |
| 16. | 80 or over |

**[DK/REF NOT ALLOWED FOR RESPONDENT ONLY. IF A VALID BANDED AGE IS NOT OBTAINED THE INTERVIEWER IS ASKED TO ESTIMATE AN AGE IN ORDER TO CONTINUE THE INTERVIEW]**

**Marst [ASK ALL]**

ASK OR RECORD

Are you ... READ OUT

INTERVIEWER: IF RESPONDENT IS IN A CIVIL PARTNERSHIP CODE AS SINGLE AT THIS QUESTION AND COHABITING AT THE NEXT QUESTION

1. ...single, that is, never married
2. ...married and living with [husband/wife]
3. ...married and separated from [husband/wife]
4. ...divorced
5. ...or widowed?

**Cohab [ASK IF NAdults>1 AND Marst NE Married]**

ASK OR RECORD

May I just check, are you living with someone in this household as a couple?

1. Yes
2. No
3. SPONTANEOUS ONLY - Same sex couple
- 4.

**Ethnic [ASK ALL]**

SHOW CARD Y2

To which of these ethnic groups do you consider you belong?

1. A. White – British
2. B. White – Irish
3. C. White – Other White Background
4. D. Mixed – White and Black Caribbean
5. E. Mixed – White and Black African
6. F. Mixed – White and Asian
7. G. Mixed – Any Other Mixed Background
8. H. Asian or Asian British – Indian
9. I. Asian or Asian British – Pakistani
10. J. Asian or Asian British – Bangladeshi
11. K. Asian or Asian British – Other Asian Background
12. L. Black or Black British – Caribbean
13. M. Black or Black British – African
14. N. Black or Black British – Other Black Background
15. O. Chinese
16. P. Other

**NChil [ASK ALL]**

How many children under 16 live in this household?

0..10

## MAIN QUESTIONNAIRE

### M1 TYPE OF AREA

#### YrsArea [ASK ALL]

How long have you lived in this AREA? By this area I mean within about a 15 minute walk from here.

1. Less than 12 months
2. 12 months but less than 2 years
3. 2 years but less than 3 years
4. 3 years but less than 5 years
5. 5 years but less than 10 years
6. 10 years but less than 20 years
7. 20 years or longer

#### YrsAddr [ASK ALL]

How long have you lived at this address?

1. Less than 12 months
2. 12 months but less than 2 years
3. 2 years but less than 3 years
4. 3 years but less than 5 years
5. 5 years but less than 10 years
6. 10 years but less than 20 years
7. 20 years or longer

#### CausecCA-CausecCL [ASK ALL]

SHOW CARD M1

In your view, what are the major causes of crime in Britain today? You can choose from the factors on this card. CODE ALL THAT APPLY

PROBE: What others?

1. A. Too lenient sentencing
2. B. Poverty
3. C. Lack of discipline from school
4. D. Lack of discipline from parents
5. E. Drugs
6. F. Alcohol
7. G. Unemployment
8. H. Breakdown of family
9. I. Too few police
10. DO NOT PROMPT: None of these

**CauseM [ASK IF MORE THAN ONE ANSWER GIVEN FOR CauseC]**

SHOW CARD M1

And which ONE of the causes you mentioned do you think is the MAIN cause of crime in Britain today? CODE ONE ONLY

1. A. Too lenient sentencing
2. B. Poverty
3. C. Lack of discipline from school
4. D. Lack of discipline from parents
5. E. Drugs
6. F. Alcohol
7. G. Unemployment
8. H. Breakdown of family
9. I. Too few police
10. SPONTANEOUS: Do not think there is one main cause

**[If only 1 answer given at CauseC, set CauseM=CauseC]**

**QualLife [ASK ALL]**

How much is YOUR OWN quality of life affected by [fear of crime/crime], on a scale from 1 to 10, where 1 is no effect and 10 is a total effect on your quality of life?

Range: 1...10

**M2 FEELING SAFE**

**WalkDark [ASK ALL]**

How safe do you feel walking alone in this area after dark? Would you say you feel...READ OUT

NOTE: IF RESPONDENT NEVER GOES OUT ALONE AT NIGHT, PROBE How safe WOULD you feel?

1. Very safe
2. Fairly safe
3. A bit unsafe
4. or very unsafe?

**WalkDay [ASK ALL]**

How safe do you feel walking alone in this area during the day? Would you say you feel...READ OUT

NOTE: IF RESPONDENT NEVER GOES OUT ALONE DURING THE DAY, PROBE How safe WOULD you feel?

1. Very safe
2. Fairly safe
3. A bit unsafe
4. or very unsafe?

**HomeAlon [ASK ALL]**

How safe do you feel when you are alone in your own home at night?  
Would you say you feel.....READ OUT

NOTE: IF NEVER ALONE PROBE : How safe WOULD you feel?

1. Very safe
2. Fairly safe
3. A bit unsafe
4. or very unsafe?

**M3 WORRIES ABOUT CRIME**

**Display [ASK ALL]**

INTERVIEWER: FOR THE NEXT SET OF QUESTIONS PLEASE MAKE  
ESPECIALLY SURE THAT THE SCREEN IS TURNED AWAY FROM  
RESPONDENT

**Display [ASK ALL]**

DARK PINK SHOW CARD M2

Most of us WORRY at some time or other about being the victim of a  
crime.

Using one of the phrases on this card, could you tell me how worried you  
are about the following.

**WBurgl [ASK ALL]**

SHOW CARD M2

How worried are you about....having your home broken into and  
something stolen?

1. Very worried
2. Fairly worried
3. Not very worried
4. Not at all worried
5. (Not applicable)

**WMugged [ASK ALL]**

SHOW CARD M2

(How worried are you about).....being mugged and robbed?

1. Very worried
2. Fairly worried
3. Not very worried
4. Not at all worried
5. (Not applicable)

**WCarStol [ASK ALL]**

SHOW CARD M2

(How worried are you about).....having your car stolen?

1. Very worried
2. Fairly worried
3. Not very worried
4. Not at all worried
5. (Not applicable)

**WOver [ASK ALL]**

SHOW CARD M2

And now thinking about all types of crime in general, how worried are you about being a victim of crime?

1. Very worried
2. Fairly worried
3. Not very worried
4. Not at all worried
5. (Not applicable)

**M4 CRIME RATE IN AREA**

**CrimeRat [ASK IF YrsArea IN (4..7)]**

How much would you say the crime rate here has changed since two years ago? In this area, would you say there is more crime or less crime?

PROBE: Is that a lot or a little more/less?

1. A lot more crime
2. A little more crime
3. About the same
4. A little less crime
5. A lot less crime

**M5 PROBLEMS IN AREA**

**Display [ASK ALL]**

SHOW CARD M4

For the following things I read out, can you tell me how much of a problem they are in your area. By your area I mean within 15 minutes walk from here.

**NoisNeig [ASK ALL]**

SHOW CARD M4

How much of a problem are....noisy neighbours or loud parties?

1. Very big problem
2. Fairly big problem
3. Not a very big problem
4. Not a problem at all

**TeenHang [ASK ALL]**

SHOW CARD M4

(How much of a problem are...) teenagers hanging around on the streets?

1. Very big problem
2. Fairly big problem
3. Not a very big problem
4. Not a problem at all

**RaceHat2 [ASK ALL]**

SHOW CARD M4

(How much of a problem is it for...) people being attacked or harassed because of their skin colour, ethnic origin or religion?

1. Very big problem
2. Fairly big problem
3. Not a very big problem
4. Not a problem at all

**DrugUse [ASK ALL]**

SHOW CARD M4

(How much of a problem are...) people using or dealing drugs?

1. Very big problem
2. Fairly big problem
3. Not a very big problem
4. Not a problem at all

**Drunk [ASK ALL]**

SHOW CARD M4

(How much of a problem are....) people being drunk or rowdy in public places?

1. Very big problem
2. Fairly big problem
3. Not a very big problem
4. Not a problem at all

**SPLIT SAMPLE – ASKED OF ALL SAMPLE 1 (tests breaking down of CJS into agencies)**

**Stage B – Effectiveness of CJS**

**[ASK ALL SAMPLE 1]**

The next few questions are about the effectiveness of the Criminal Justice System. The Criminal Justice System as a whole includes: the police, the Crown Prosecution Service, the courts, prison and probation services. We will cover each of these agencies separately.

Firstly I'd like you to think about the role of the police. The police are responsible for keeping the public safe by preventing crime and catching criminals.

**CJSpol1 [ASK ALL SAMPLE 1]**

How effective do you think the police are in preventing crime?

SHOW CARD P1

1. Very effective
2. Fairly effective
3. Not very effective
4. Not at all effective
5. Don't know

**CJSpol2 [ASK ALL SAMPLE 1]**

How effective do you think the police are at catching criminals?

SHOW CARD P1

1. Very effective
2. Fairly effective
3. Not very effective
4. Not at all effective
5. Don't know

**CJSpol5 [ASK ALL SAMPLE 1]**

When considering the effectiveness of the police, were you thinking about....

1. The police in your local area
2. Police around the country as a whole
3. Both of these

Now thinking about the Crown Prosecution Service (CPS). The CPS is responsible for reviewing cases submitted by the police and prosecuting criminals

**CJScps1 [ASK ALL SAMPLE 1]**

How effective do you think the Crown Prosecution Service is in prosecuting people accused of committing a crime?

SHOW CARD P1

1. Very effective
2. Fairly effective
3. Not very effective
4. Not at all effective
5. Don't know

**CJScps2 [ASK ALL SAMPLE 1]**

When considering the effectiveness of the Crown Prosecution Service, were you thinking about....

1. Your local area
2. The country as a whole
3. Both of these

Now moving on to thinking about the court service. This includes the Crown Courts, Magistrate Courts and Juvenile Courts; as well as the judges and magistrates who are involved in the court proceedings.

**CJScs1 [ASK ALL SAMPLE 1]**

How effective do you think the Court Service is dealing with cases promptly and efficiently?

SHOW CARD P1

1. Very effective
2. Fairly effective
3. Not very effective
4. Not at all effective
5. Don't know

**CJScs2 [ASK ALL SAMPLE 1]**

How effective do you think the sentences given are at punishing offenders?

SHOW CARD P1

1. Very effective
2. Fairly effective
3. Not very effective
4. Not at all effective
5. Don't know

**CJScs3 [ASK ALL SAMPLE 1]**

When considering the effectiveness of the Court Service, were you thinking about....

1. Your local area
2. The country as a whole
3. Both of these

Now moving onto thinking about prisons. The Prison Service protects the public by keeping people in custody and rehabilitating those sentenced by the courts.

**CJSps1 [ASK ALL SAMPLE 1]**

How effective do you think prison service is in punishing people who have committed a crime?

SHOW CARD P1

1. Very effective
2. Fairly effective
3. Not very effective
4. Not at all effective
5. Don't know

**CJSps2 [IF NOT CJSps1 = DK]**

Why do you think that?

**CJSps3 [ASK ALL SAMPLE 1]**

How effective do you think the prison service is in rehabilitating prisoners?

SHOW CARD P1

1. Very effective
2. Fairly effective
3. Not very effective
4. Not at all effective

5. Don't know

**CJSps4 [ASK ALL SAMPLE 1]**

When considering the effectiveness of the prison service, were you thinking about....

1. Prisons in your local area
2. The country as a whole
3. Both of these

Now moving onto the probation services. The probation service aims to rehabilitate offenders given community sentences and those released from prison and to ensure they obey any restrictions placed on them.

**CJSpr1 [ASK ALL SAMPLE 1]**

How effective do you think the probation service is at preventing criminals from re-offending?

SHOW CARD P1

1. Very effective
2. Fairly effective
3. Not very effective
4. Not at all effective
5. Don't know

**CJSpr2 [ASK ALL SAMPLE 1]**

When considering the effectiveness of the probation service, were you thinking about....

1. Your local area
2. The country as a whole
3. Both of these

Now, thinking of the Criminal Justice System as a whole, that is the police, the Crown Prosecution Service, the courts, prison and probation services.

**EffRed [ASK ALL SAMPLE 1]**

How effective do you think the Criminal Justice System is overall ?

SHOW CARD P1

1. Very effective
2. Fairly effective
3. Not very effective
4. Not at all effective
5. Don't know

**CJSa11 [ASK ALL SAMPLE 1 AND EffRed NOT DK]**

Why do you think that?

OPEN-ENDED

**CJSInf3A-CJSInf3S [ASK IF ConfOff IN (1..4) AND SAMPLE 1]**

SHOW CARD P2

Of the sources listed on this card, which would you say were the MOST INFLUENTIAL in forming your view?

CODE ALL THAT APPLY

Existing question  
Modified)

1. A. Personal experience
2. B. Relatives' and/or friends' experiences
3. C. Word of mouth/ Information from other people
4. D. Broadsheet newspapers (eg Times, Guardian, Telegraph)
5. E. Tabloid newspapers (eg Sun, Express, Daily Mail)
6. F. Local newspapers
7. G. Soaps (eg Eastenders, Coronation Street, The Archers)
8. H. Films
9. I. TV dramas
10. J. TV documentaries
11. K. News programmes on TV/radio
12. L. Radio programmes
13. M. Government publications
14. N. Books
15. O. Internet / world-wide-web
16. P. School / college / evening-class
17. Q. Something else

**SPLIT SAMPLE – ASKED OF ALL SAMPLE 2 (tests asking CJS as a whole with outcome)**

**Stage B – Effectiveness of CJS**

Law and order in this country is dealt with by the Criminal Justice System. The police, the Crown Prosecution Service, the courts, prisons and probation services together make up the Criminal Justice System. The next few questions are about the effectiveness of the Criminal Justice System as a whole so including the police, the Crown Prosecution Service, the courts, prisons and probation services.

**CJS1 [ASK ALL SAMPLE 2]**

How effective do you think the Criminal Justice System is in preventing crime?

SHOW CARD P1

1. Very effective
2. Fairly effective
3. Not very effective

4. Not at all effective
5. Don't know

**CJS2 [ASK ALL SAMPLE 2]**

How effective do you think the Criminal Justice System is at catching criminals?

SHOW CARD P1

1. Very effective
2. Fairly effective
3. Not very effective
4. Not at all effective
5. Don't know

**CJS3 [ASK ALL SAMPLE 2]**

How effective do you think the Criminal Justice System is in ensuring that cases come to trial?

SHOW CARD P1

1. Very effective
2. Fairly effective
3. Not very effective
4. Not at all effective
5. Don't know

**CJS4 [ASK ALL SAMPLE 2]**

How effective do you think the Criminal Justice System is at dealing with cases promptly and efficiently?

SHOW CARD P1

1. Very effective
2. Fairly effective
3. Not very effective
4. Not at all effective
5. Don't know

**CJS5 [ASK ALL SAMPLE 2]**

How effective do you think the Criminal Justice System in deterring people from committing crimes?

SHOW CARD P1

1. Very effective
2. Fairly effective
3. Not very effective
4. Not at all effective
5. IT DEPENDS ON THE CRIME (DO NOT PROMPT)
6. Don't know

**CJS6 [ASK ALL SAMPLE 2]**

How effective do you think the Criminal Justice System is at supporting victims of crime?

SHOW CARD P1

1. Very effective
2. Fairly effective
3. Not very effective
4. Not at all effective
5. Don't know

**CJS7 [ASK ALL SAMPLE 2]**

How effective do you think the Criminal Justice System is at dealing with offenders fairly?

SHOW CARD P1

1. Very effective
2. Fairly effective
3. Not very effective
4. Not at all effective
5. Don't know

**CJS8 [ASK ALL SAMPLE 2]**

How effective do you think the Criminal Justice System is at balancing the rights of the offender with the rights of the victim?

SHOW CARD P1

1. Very effective
2. Fairly effective
3. Not very effective
4. Not at all effective
5. Don't know

**CJS8W [ASK IF CJS8 NOT DK]**

Why do you think the Criminal Justice System is [INSERT ANSWER FROM CJS8] in balancing the rights of the offender with the rights of the victim?

**CJS9 [ASK ALL SAMPLE 2]**

How effective do you think the Criminal Justice System is at ensuring the guilty are convicted?

SHOW CARD P1

1. Very effective
2. Fairly effective
3. Not very effective
4. Not at all effective
5. Don't know

**CJS9b [ASK ALL SAMPLE 2]**

And how effective do you think the Criminal Justice System is at ensuring the innocent are acquitted?

SHOW CARD P1

1. Very effective
2. Fairly effective
3. Not very effective
4. Not at all effective
5. Don't know

**CJS10 [ASK ALL SAMPLE 2]**

How effective do you think the Criminal Justice System is at punishing offenders appropriately?

SHOW CARD P1

1. Very effective
2. Fairly effective
3. Not very effective
4. Not at all effective
5. Don't know

**CJS11 [ASK ALL SAMPLE 2]**

How effective do you think the Criminal Justice System is in preventing people from re-offending?

SHOW CARD P1

1. Very effective
2. Fairly effective
3. Not very effective
4. Not at all effective
5. Don't know

**Text** Thinking of the Criminal Justice System as a whole, that is the police, the Crown Prosecution Service, the courts, prison and probation services.

**EffRed2 [ASK ALL SAMPLE 2]**

How effective do you think the Criminal Justice System is overall?

SHOW CARD P1

1. Very effective
2. Fairly effective
3. Not very effective
4. Not at all effective
5. Don't know

**Stage C –Fairness of CJS**

**TEXTCJS [ASK ALL SAMPLE 2]**

I'd now like you to think about how fairly the Criminal Justice System deals with people.

**FairVic [ASK ALL SAMPLE 2]**

How fairly do you think victims of crime are treated by the Criminal Justice System?

SHOW CARD P3

1. Very fairly
2. Quite fairly
3. Quite unfairly
4. Very unfairly
5. Don't know

**EffFairO [ASK IF FairVic NOT DK]**

Why do you say that?

**FairAcc [ASK ALL SAMPLE 2]**

How fairly do you think people accused of committing a crime are treated by the Criminal Justice System?

SHOW CARD P3

1. Very fairly
2. Quite fairly
3. Quite unfairly
4. Very unfairly
5. Don't know

**EffFair20 [ASK IF FairAcc NOT DK AND SAMPLE 2]**

Why do you say that?

**FairBal [ASK ALL]**

How fairly do you think the Criminal Justice System balances the rights of the offender with the rights of the victim?

SHOW CARD P3

1. Very fairly
2. Quite fairly
3. Quite unfairly
4. Very unfairly
5. Don't know

**FairR1 [ASK IF NOT FairBal = DK AND SAMPLE 2]**

Why do you say that?

**FairWit [ASK ALL SAMPLE 2]**

How fairly do you think witnesses of crime are treated by the Criminal Justice System?

SHOW CARD P3

1. Very fairly
2. Quite fairly
3. Quite unfairly
4. Very unfairly
5. Don't know

**FairWtiR [ASK IF NOT FairWit = DK AND SAMPLE 2]**

Why do you say that?

**FairOv [ASK ALL SAMPLE 2]**

And overall how fairly do you think people are treated by the Criminal Justice System?

SHOW CARD P3

1. Very fairly
2. Quite fairly
3. Quite unfairly
4. Very unfairly
5. Don't know

**FairOvR [ASK IF NOT FairOv = DK AND SAMPLE 2]**

Why do you say that?

**CJSInf3A-CJSInf3S[ASK IF ConfOff IN (1..4) AND SAMPEL 2]**

SHOW CARD P2

Of the sources listed on this card, which would you say were the MOST INFLUENTIAL in forming your view?

1. A. Personal experience
2. B. Relatives' and/or friends' experiences
3. C. Word of mouth/ Information from other people
4. D. Broadsheet newspapers (eg Times, Guardian, Telegraph)
5. E. Tabloid newspapers (eg Sun, Express, Daily Mail)
6. F. Local newspapers
7. G. Soaps (eg Eastenders, Coronation Street, The Archers)
8. H. Films
9. I. TV dramas
10. J. TV documentaries
11. K. News programmes on TV/radio
12. L. Radio programmes
13. M. Government publications
14. N. Books
15. O. Internet / world-wide-web
16. P. School / college / evening-class
17. Q. Something else

Existing question  
Modified)

**TEXT2 [ASK ALL SAMPLE 1]**

The next few questions are about how fair the Criminal Justice System is, that is the police, the Crown Prosecution Service, the courts, prison and probation services.

**CJSfair [ASK ALL (SAMPLE 1 AND 2)]**

Do you think there are any groups or individuals who are unfairly treated by the police?

1. Yes
2. No
3. Don't know

**CJSwhy [ASK IF CJSfair = Yes]**

Which particular groups do you think are unfairly treated?

DO NOT READ OUT (M/C)

1. Teenagers and young people
2. The elderly
3. The Poor
4. Rich and/or famous
5. Black and Minority Ethnic (BME) groups
6. Offenders
7. Victims

8. Other (specify)

**CJSwhy2 [ASK IF CJSfair = Yes]**

Why do you think that?

OPEN-ENDED

**CJSct [ASK ALL]**

Do you think there are any groups or individuals who are unfairly treated by the courts?

1. Yes
2. No
3. Don't know

**CJSctw [ASK IF CJSct = Yes]**

Which particular groups do you think are unfairly treated?

DO NOT READ OUT (M/C)

1. Teenagers and young people
2. The elderly
3. The poor
4. Rich and/or famous
5. Black and Minority Ethnic (BME) groups
6. Offenders
7. Victims
8. Other (specify)

**CJSct2 [ASK IF CJSct = Yes]**

Why do you think that?

OPEN-ENDED

Now thinking of the Criminal Justice System as a whole, that is the police, the Crown Prosecution Service, the courts, prison and probation services.

**CJSvct [ASK ALL]**

What do you think should be taken into account in ensuring a victim of crime is treated fairly?

OPEN-ENDED

**CJSwnt [ASK ALL]**

What do you think should be taken into account in ensuring a witness of crime is treated fairly?

OPEN-ENDED

**CJSpol [ASK ALL]**

What do you think should be taken into account in ensuring someone accused of committing a crime is treated fairly?

OPEN-ENDED

**CJSpol [ASK ALL]**

What do you think should be taken into account in ensuring someone convicted of committing a crime is treated fairly?

OPEN-ENDED

**STAGE D - HYPOTHETICAL**

Again thinking of the Criminal Justice System as a whole, that is the police, the Crown Prosecution Service, the courts, prison and probation services.

**HypVic [ASK ALL]**

If you were a victim of crime, how confident would you be that you would be treated fairly by the Criminal Justice System?

SHOW CARD P4

1. Very confident
2. Fairly confident
3. Not very confident
4. Not at all confident
5. Don't know

**Hypacc [ASK ALL]**

If you were accused of committing an offence how confident would you be that you would be treated fairly by the Criminal Justice System?

SHOW CARD P4

1. Very confident
2. Fairly confident
3. Not very confident
4. Not at all confident
5. Don't know

**HypWac [ASK ALL]**

If you were wrongly accused of committing an offence how confident would you be that you would be treated fairly by the Criminal Justice System?

SHOW CARD P4

1. Very confident
2. Fairly confident
3. Not very confident
4. Not at all confident
5. Don't know

Finally I'd just like to ask you some questions about the police in your local area.

**PolAtt [ASK ALL]**

GREY SHOWCARD P5

Choosing an answer from this card please say how much you agree or disagree with each of the following statements about the police in your local area.

INTERVIEWER PROMPT IF NECESSARY: YOU DO NOT NEED TO HAVE HAD CONTACT WITH THE POLICE, WE ARE INTERESTED IN YOUR OPINION BASED UPON WHAT YOU DO KNOW.

(So how much would you agree or disagree that...)

1. Strongly agree
2. Tend to agree
3. Neither agree nor disagree
4. Tend to disagree
5. Strongly disagree

**ATTITUDE STATEMENTS**

- A. They (the police in this area) can be relied on to be there when you need them
- B. They (the police in this area) would treat you with respect if you had contact with them for any reason
- C. The police in this area treat everyone fairly regardless of who they are
- D. They (the police in this area) can be relied on to deal with minor crimes
- E. They (the police in this area) understand the issues that affect this community
- F. They (the police in this area) are dealing with the things that matter to people in this community.
- G. Taking everything into account I have confidence in the police in this area

It is the responsibility of a number of agencies, including the police and local councils, to work in partnership to deal with anti-social behaviour and crime in your local area.

Choosing an answer from this card please say how much you agree or disagree with each of the following statements.

So how much would you agree or disagree that...

1. Strongly agree
2. Tend to agree
3. Neither agree nor disagree
4. Tend to disagree
5. Strongly disagree

H. They (the police and other local agencies) seek the views of people about the anti-social behaviour and crime issues that matter in this local area

I. They (the police and other local agencies) are dealing with the anti-social behaviour and crime issues that matter to people in this local area

**We've just asked you a number of questions about the Criminal Justice System and the agencies that make up the Criminal Justice System. I'd now like to ask you how much you feel you know about each of the agencies that make up the Criminal Justice System?**

---

**Qpol [ASK ALL]**

So firstly, how much would you say you know about the Police, would you say you know ...

READ OUT

1. A lot
2. A fair amount
3. Not too much
4. Nothing at all
5. Don't know

**QCPS [ASK ALL]**

And how much would you say you know about the Crown Prosecution Service, would you say you know ...

READ OUT

1. A lot
2. A fair amount
3. Not too much
4. Nothing at all
5. Don't know

**QCourts [ASK ALL]**

And how much would you say you know about the Courts, would you say you know ...

READ OUT

1. A lot
2. A fair amount
3. Not too much
4. Nothing at all
5. Don't know

**Qprison [ASK ALL]**

And how much would you say you know about the Prison Service, would you say you know ...

READ OUT

1. A lot
2. A fair amount
3. Not too much
4. Nothing at all
5. Don't know

**Qprobat [ASK ALL]**

And how much would you say you know about the Probation Service, would you say you know ...

READ OUT

1. A lot
2. A fair amount
3. Not too much
4. Nothing at all
5. Don't know

**Close**

We have now reached the end of the survey. Thank-you for taking part, all your answers will be completely confidential.

INTERVIEWER: PLEASE HAND OVER INCENTIVE AND ASK FOR THE FORM TO BE SIGNED.

## 6.5 Appendix E – Probing Guide

### 2007/8 British Crime Survey

#### Questionnaire development

#### July 07 – Piloting CJS questions

#### Probing guide and notes for observers

The pilot questionnaire for the covers the following areas:

- § Background and household information
- § Effectiveness of the CJS
- § Fairness of the CJS
- § Attitudes towards the local police

The primary aim of the July piloting is to test a range of new questions to be added to the BCS in October focussing on effectiveness and fairness of the CJS.

The questions are asked in two different ways. Some respondents will be asked about each of the different **agencies** that make up the CJS and some will be asked about each of the different **functions** of the CJS. Respondents will be allocated randomly to one of these sets of questions.

#### Overall concepts

As well as probing at individual questions throughout the questionnaire there are a number of key areas where we are interested in gaining a better understanding:

- § Respondents understanding of the different agencies making up the CJS - are respondents clear about the roles of each of the agencies? Do respondents find the questions clearer when they refer to the agencies or when they refer to the functions of the CJS?
- § Local/national – It is important to probe throughout whether the respondent is thinking of the National CJS or the CJS in their local area. Where they are thinking of one or the other can they give a response for the one they were not thinking about? If they are thinking of their local area what sort of

distance does this cover – is it within 15 mins walk, within their town, within their county etc?

- § How are views formed – Again throughout the questionnaire we need to establish how respondents formed their views. Are they basing their opinion on personal experience, on leaflets, from the media etc?

Notes on specific questions

### **SPLIT SAMPLE A**

These questions ask about the different agencies that make up the criminal justice system. Do people understand the different functions of each agency?

**CJSpol1 and CJSpol2** – Do respondents feel they have sufficient knowledge about the police to answer these questions? If so where does this knowledge come from?

**CJSpol5** – If respondents are thinking about the local police is there a difference if they are thinking about the National police. Likewise where they are thinking of the National Police is there a difference if they are asked about the local police? Is one view more favourable than the other?

**CJScps1 and CJScps2** – After being read the introduction text do respondents have a clear understanding of the CPS? Is there any more information that would help them?

**CJScps2** – Are respondents able to differentiate at all between the local CPS and the National CPS? If so what do they consider to be the difference?

**CJScs1** – After being read the introduction text do respondents have a clear understanding of what the courts do? Is this clearer for one type of court (eg a Magistrates Court) than for other courts?

**CJScs1 and CJScs2** – Do respondents feel they know enough about how cases are dealt with and whether sentences are effective to be able to answer these questions? Where do they get their information from?

**CJScs3** – Are respondents able to differentiate between local courts and national courts? What do they consider to be the differences between them. Probe (but do not prompt) about whether they consider the magistrates to be a local court and crown courts as a national court.

**CJSps1 and CJSps3** – Do respondents feel they know enough about prisons to comment on how effective they are in punishing people or rehabilitating offenders to be able to comment? What information have they used to form their opinion?

**CJSps4** – Are respondents able to differentiate between local and national prisons? If so, how?

**CJSpr1** – After being read the introduction about the probation service do respondents have a clear understanding of the role of the probation service?

**CJSpr2** – Are respondents able to differentiate at all between the role of the local probation service and that of the National probation service?

**EffRed and CJSall** – These questions will need some detailed probing to try and understand whether after answering the detailed questions about the CJS respondents feel better equipped to give an opinion on the CJS overall. What are they thinking about when they answer this question – probe whether their answer reflects their opinion of all the agencies in the CJS or just one or two (EG the police, the courts, prisons, probation, CPS).

**CJSinf3** – By this point you should have some clear information from respondents on the sources of their information about the CJS. If anything different comes out here probe what type of information and about what they have got from that source.

### **SPLIT SAMPLE B**

These questions look at each of the different functions of the CJS. For each of these questions please probe which agency/agencies respondents think are responsible for these functions.

**Introduction** – does this sound clear to respondents

**CJS1** – Are respondents able to give an answer about the effectiveness of the CJS in preventing crime? What agencies are they thinking of (the police, the courts, prisons etc). Why is it effective/not effective? What are they basing their opinions on?

**CJS2** – Which element of the CJS do they consider responsible for catching criminals? Why is it effective/not effective? What are they basing their opinions on?

**CJS3** – Do respondents think about the CPS when thinking about bringing cases to trial? Are they able to answer this easier than than they can answer a question specifically about the CJS? Why is it effective/not effective? What are they basing their opinions on?

**CJS4** – Do respondents have any knowledge about how promptly cases are dealt with by the CJS? Why is it effective/not effective? What are they basing their opinions on?

**CJS5** – Probe why respondents think the CJS is effective or not effective in deterring people from committing crimes. Why is it effective/not effective? What are they basing their opinions on?

**CJS6** – Probe whether respondents have had experience of the CJS as a victim of crime - Why is it effective/not effective in dealing with victims of crime? What are they basing their opinions on? Have they come into contact/heard of victim support?

**CJS7** – Probe what agencies the respondent is thinking of when thinking of 'dealing with offenders fairly' – Is this prisons, the police, probation, the CPS, the courts or all of these? Why is it effective/not effective? What are they basing their opinions on?

**CJS8 and CJS8W** – How easy is it for respondents to give an answer to this question. Please ask them to tell you what they were considering when they were assessing the balance between the rights of the offender and the rights of the victim. Are they thinking about the courts and sentencing, have respondents heard about victim statements. What is the major issue affecting their views (eg early release of offenders, introduction of victim statements, length of time in holding people without charge etc). What are respondents basing their opinion on?

**CJS9** – Whose responsibility is it to ensure the guilty are convicted? Who do respondents think of as 'the guilty' Why is the CJS effective/not effective at this – What are they basing their opinions on?

**CJS9b** – Whose responsibility is it to ensure the innocent are acquitted? Who do respondents think of as 'the innocent'? Why is it effective/not effective? What are they basing their opinions on?

Is it more important that the guilty are convicted or that the innocent are acquitted?

**CJS10** – Who is responsible for punishing offenders? Which agencies are respondents thinking about? What do they consider to be appropriate punishment? Where does respondents knowledge about punishment come from?

**CJS11** – Which agency is considered when thinking about preventing respondents from re-offending, is this the police, probation, prisons?

**EffRed2** – After answering all the detailed questions are respondents able to give a considered answer to this question.

Why is it effective/not effective? What are they basing their opinions on?

**FairVic to FairOv** – Need to probe fully what respondents understand by the word fair. Should all people be treated fairly? Do respondents give different answers about the fair treatment of victims, offenders, witnesses?

Do they think some people are treated 'too fairly'?

**CJSinf** – As above you should have some clear information from respondents on the sources of their information about the CJS. If anything different comes out here probe what type of information and about what they have got from that source.

## **ALL RESPONDENTS**

### **Fairness**

**CJSFair – CJSpol** – We really need to get a clear understanding of why people think some groups would be treated unfairly. If some are treated unfairly does that mean respondents think everyone else is treated fairly?

Are there any circumstances where people should be treated unfairly?

### **Hypothetical questions**

### **HypVic - HypWac**

Are respondents able to effectively put themselves in the position of a victim of crime or of an offender?

**HYPacc** – what sort of crimes are respondents thinking about here – are they thinking of minor crimes or more serious offences?

**PolAtt** – Statements H and I – Are respondents considering the police and local councils when answering about these or are they mainly thinking about the police?

How clear are these questions for respondents? What do they understand to be the 'anti-social behaviour and crime issues that matter'? Where do they get these opinions from?

### **CHECKLIST**

- § Which elements of the CJS were respondents considering?
- § What is the difference in the view at a local/national level?
- § Where do they get their information from?

## 6.6 Appendix F – Omnibus Questionnaire

**The sample is split into four – A1, A2, B1 and B2 in each of these we anticipate approximately 500 respondents.**

***The results are also shown in the questionnaire by the response codes.***

### **ASK ALL**

The next few questions are about the effectiveness of the Criminal Justice System. The Criminal Justice System includes the police, the Crown Prosecution Service (CPS), the courts, prisons and, the probation service. We will cover each organisation separately.

You don't need to have had contact with any of these organisations to answer the questions. We are just interested in your general opinion.

Firstly, I'd like you to think about the role of the police, in the country as a whole. The police are responsible for keeping the public safe by preventing crime and catching criminals.

### **SPLIT SAMPLE A**

#### **CJSpolA [ASK SAMPLE A1 AND A2]**

How effective do you think the police are at catching criminals?

SHOW CARD P1

- |                         |     |
|-------------------------|-----|
| 1. Very effective       | 6%  |
| 2. Fairly effective     | 51% |
| 3. Not very effective   | 28% |
| 4. Not at all effective | 11% |
| 5. Don't know           | 4%  |

The Crown Prosecution Service (CPS) is responsible for reviewing the evidence submitted by the police and prosecuting criminals.

#### **CJScpsA [ASK SAMPLE A1 AND A2]**

How effective do you think the Crown Prosecution Service is in prosecuting people accused of committing a crime?

SHOW CARD P1

- |                         |     |
|-------------------------|-----|
| 1. Very effective       | 4%  |
| 2. Fairly effective     | 36% |
| 3. Not very effective   | 33% |
| 4. Not at all effective | 15% |
| 5. Don't know           | 12% |

Now moving on to thinking about courts. This includes the Crown Courts, Magistrates Courts and Juvenile Courts; as well as the judges and magistrates who are involved in the court proceedings.

**CJSct1A [ASK SAMPLE A1 AND A2]**

How effective do you think the Courts are in dealing with cases promptly?

SHOW CARD P1

- |                         |     |
|-------------------------|-----|
| 1. Very effective       | 4%  |
| 2. Fairly effective     | 26% |
| 3. Not very effective   | 33% |
| 4. Not at all effective | 16% |
| 5. Don't know           | 21% |

**CJSct2A [ASK SAMPLE A1 AND A2]**

How effective do you think the Courts are at giving punishments which fit the crime?

SHOW CARD P1

- |                         |     |
|-------------------------|-----|
| 1. Very effective       | 2%  |
| 2. Fairly effective     | 19% |
| 3. Not very effective   | 39% |
| 4. Not at all effective | 36% |
| 5. Don't know           | 5%  |

The prison service protects the public by keeping convicted offenders in custody, ensuring they are punished and rehabilitating them.

**CJSps1A [ASK SAMPLE A1 AND A2]**

How effective do you think prisons are at punishing offenders who have been convicted of a crime?

SHOW CARD P1

- |                         |     |
|-------------------------|-----|
| 1. Very effective       | 3%  |
| 2. Fairly effective     | 23% |
| 3. Not very effective   | 39% |
| 4. Not at all effective | 23% |
| 5. Don't know           | 12% |

**CJSps2A [ASK SAMPLE A1 AND A2]**

who How effective do you think prisons are at rehabilitating offenders who have been convicted of a crime?

SHOW CARD P1

- |                       |     |
|-----------------------|-----|
| 1. Very effective     | 2%  |
| 2. Fairly effective   | 17% |
| 3. Not very effective | 38% |

- 4. Not at all effective 26%
- 5. Don't know 18%

The probation service aims to protect the public by rehabilitating offenders given community sentences and those released from prison; and ensuring they obey any restrictions placed on them.

**CJSprA [ASK SAMPLE A1 AND A2]**

How effective do you think the probation service is at preventing criminals from re-offending?

SHOW CARD P1

- 1. Very effective 1%
- 2. Fairly effective 18%
- 3. Not very effective 40%
- 4. Not at all effective 23%
- 5. Don't know 18%

**CJSOVA1 [ASK SAMPLE A1 ONLY]**

Thinking about all of the agencies within the Criminal Justice System: the police, the Crown Prosecution Service, the courts, prisons and, the probation service.

How effective do you think the Criminal Justice System is overall?

SHOW CARD P1

- 1. Very effective 2%
- 2. Fairly effective 35%
- 3. Not very effective 37%
- 4. Not at all effective 19%
- 5. Don't know 6%

**CJSOVA2 [ASK SAMPLE A2 ONLY]**

Thinking about all of the agencies within the Criminal Justice System: the police, the Crown Prosecution Service, the courts, prisons and, the probation service.

How effective do you think the Criminal Justice System is in the country as a whole?

SHOW CARD P1

- 1. Very effective 2%
- 2. Fairly effective 32%
- 3. Not very effective 41%
- 4. Not at all effective 16%
- 5. Don't know 9%

**CJSOVLA [ASK SAMPLE A1 AND A2]**

And how effective do you think the Criminal Justice System is in your local area?

SHOW CARD P1

- |                         |     |
|-------------------------|-----|
| 1. Very effective       | 5%  |
| 2. Fairly effective     | 34% |
| 3. Not very effective   | 31% |
| 4. Not at all effective | 12% |
| 5. Don't know           | 18% |

**SPLIT SAMPLE B**

**CJSpolB [ASK SAMPLE B1 AND B2]**

How confident are you that the police are effective at catching criminals?

SHOW CARD P1

- |                         |     |
|-------------------------|-----|
| 1. Very confident       | 7%  |
| 2. Fairly confident     | 44% |
| 3. Not very confident   | 32% |
| 4. Not at all confident | 15% |
| 5. Don't know           | 3%  |

The Crown Prosecution Service (CPS) is responsible for reviewing the evidence submitted by the police and prosecuting criminals.

**CJScpsB [ASK SAMPLE B1 AND B2]**

How confident are you that the Crown Prosecution Service is effective at prosecuting people accused of committing a crime?

SHOW CARD P1

- |                         |     |
|-------------------------|-----|
| 1. Very confident       | 4%  |
| 2. Fairly confident     | 34% |
| 3. Not very confident   | 35% |
| 4. Not at all confident | 18% |
| 5. Don't know           | 9%  |

Now moving on to thinking about courts. This includes the Crown Courts, Magistrates Courts and Juvenile Courts; as well as the judges and magistrates who are involved in the court proceedings.

**CJScrt1B [ASK SAMPLE B1 AND B2]**

How confident are you that the Courts are effective in dealing with cases promptly?

SHOW CARD P1

- |                         |     |
|-------------------------|-----|
| 1. Very confident       | 3%  |
| 2. Fairly confident     | 28% |
| 3. Not very confident   | 34% |
| 4. Not at all confident | 20% |
| 5. Don't know           | 15% |

**CJScrt2B [ASK SAMPLE B1 AND B2]**

How confident are you that the Courts are effective at giving punishments which fit the crime?

SHOW CARD P1

- |                         |     |
|-------------------------|-----|
| 1. Very confident       | 3%  |
| 2. Fairly confident     | 16% |
| 3. Not very confident   | 37% |
| 4. Not at all confident | 39% |
| 5. Don't know           | 6%  |

The prison service protects the public by keeping convicted offenders in custody, ensuring they are punished and rehabilitating them.

**CJSps1B [ASK SAMPLE B1 AND B2]**

How confident are you that prisons are effective at punishing offenders who have been convicted of a crime?

SHOW CARD P1

- |                         |     |
|-------------------------|-----|
| 1. Very confident       | 3%  |
| 2. Fairly confident     | 23% |
| 3. Not very confident   | 34% |
| 4. Not at all confident | 31% |
| 5. Don't know           | 9%  |

**CJSps2B [ASK SAMPLE B1 AND B2]**

How confident are you that prisons are effective at rehabilitating offenders who have been convicted of a crime?

SHOW CARD P1

- |                         |     |
|-------------------------|-----|
| 1. Very confident       | 1%  |
| 2. Fairly confident     | 16% |
| 3. Not very confident   | 39% |
| 4. Not at all confident | 32% |
| 5. Don't know           | 12% |

The probation service aims to protect the public by rehabilitating offenders given community sentences and those released from prison; and ensuring they obey any restrictions placed on them.

**CJSprB [ASK SAMPLE B1 AND B2]**

How confident are you that the probation service is effective at preventing criminals from re-offending?

SHOW CARD P1

- |                         |     |
|-------------------------|-----|
| 1. Very confident       | 2%  |
| 2. Fairly confident     | 14% |
| 3. Not very confident   | 42% |
| 4. Not at all confident | 28% |
| 5. Don't know           | 14% |

**CJSOVB1 [ASK SAMPLE B1 ONLY]**

Thinking about all of the agencies within the Criminal Justice System: the police, the Crown Prosecution Service, the courts, prisons and, the probation service. How confident are you that the Criminal Justice System as a whole is effective?

SHOW CARD P1

- |                         |     |
|-------------------------|-----|
| 1. Very confident       | 3%  |
| 2. Fairly confident     | 32% |
| 3. Not very confident   | 38% |
| 4. Not at all confident | 21% |
| 5. Don't know           | 6%  |

**CJSOVB2 [ASK SAMPLE B2 ONLY]**

Thinking about all of the agencies within the Criminal Justice System: the police, the Crown Prosecution Service, the courts, prisons and, the probation service. How confident are you that the Criminal Justice System in the country as a whole is effective?

SHOW CARD P1

- |                         |     |
|-------------------------|-----|
| 1. Very confident       | 2%  |
| 2. Fairly confident     | 32% |
| 3. Not very confident   | 39% |
| 4. Not at all confident | 22% |
| 5. Don't know           | 4%  |

**CJSOVLB [ASK SAMPLE B1 AND B2]**

And how confident are you that the Criminal Justice System is in your local area is effective?

SHOW CARD P1

- |                         |     |
|-------------------------|-----|
| 1. Very confident       | 3%  |
| 2. Fairly confident     | 36% |
| 3. Not very confident   | 31% |
| 4. Not at all confident | 16% |
| 5. Don't know           | 14% |

Fairness of CJS

The next few questions are about the Criminal Justice System as a whole.

**Fairatt [ASK ALL]**

The Criminal Justice System deals with a variety of people in different circumstances such as victims and witnesses of a crime as well as those who are accused or convicted of committing a crime. Choosing an answer from the card please say how much you agree or disagree with the following statements.

- The Criminal Justice System gives witnesses and victims the support and protection they need.

1. Strongly agree	6%
2. Tend to agree	30%
3. Tend to disagree	25%
4. Strongly disagree	19%
5. Don't know	20%
- The Criminal Justice System treats those who have been accused of a crime as 'innocent until proven guilty'.

1. Strongly agree	25%
2. Tend to agree	45%
3. Tend to disagree	15%
4. Strongly disagree	5%
5. Don't know	10%
- The Criminal Justice System does not take into account the views of victims and witnesses.

1. Strongly agree	19%
2. Tend to agree	32%

- 3. Tend to disagree 24%
- 4. Strongly disagree 9%
- 5. Don't know 17%

- When handing out sentences the Criminal Justice System takes into account the circumstances surrounding the crime.

- |                      |     |
|----------------------|-----|
| 1. Strongly agree    | 8%  |
| 2. Tend to agree     | 42% |
| 3. Tend to disagree  | 23% |
| 4. Strongly disagree | 10% |
| 5. Don't know        | 17% |

- The Criminal Justice System is too soft on those accused of committing a crime

- |                      |     |
|----------------------|-----|
| 1. Strongly agree    | 42% |
| 2. Tend to agree     | 33% |
| 3. Tend to disagree  | 12% |
| 4. Strongly disagree | 5%  |
| 5. Don't know        | 8%  |

**[ASK SAMPLE A1 AND B1]**

ADD THE FOLLOWING STATEMENT TO THE LIST

- The Criminal Justice System achieves the correct balance between the rights of the offender and the rights of the victim.

- |                      |     |
|----------------------|-----|
| 1. Strongly agree    | 4%  |
| 2. Tend to agree     | 22% |
| 3. Tend to disagree  | 31% |
| 4. Strongly disagree | 30% |
| 5. Don't know        | 13% |

- The Criminal Justice System discriminates against particular groups or individuals.

- |                      |     |
|----------------------|-----|
| 1. Strongly agree    | 9%  |
| 2. Tend to agree     | 25% |
| 3. Tend to disagree  | 30% |
| 4. Strongly disagree | 19% |
| 5. Don't know        | 17% |

**[ASK SAMPLE A2 AND B2]**

**Fairbal**      **[ASK SAMPLE A2 AND B2]**

Do you think the Criminal Justice System achieves the correct balance between the rights of the offender and the rights of the victim?

- |               |     |
|---------------|-----|
| 1. Yes        | 18% |
| 2. No         | 63% |
| 3. Don't know | 19% |

**Fairdis [ASK SAMPLE A2 AND B2]**

Do you think the Criminal Justice System discriminates against particular groups or individuals?

- |    |            |     |
|----|------------|-----|
| 1. | Yes        | 36% |
| 2. | No         | 44% |
| 3. | Don't know | 20% |

**FairovA1 [ASK SAMPLE A1 and B1]**

Thinking about all of the agencies within the Criminal Justice System: the police, the Crown Prosecution Service, the courts, prisons and the probation service. How fair do you think the Criminal Justice System is as a whole?

- |    |              |     |
|----|--------------|-----|
| 1. | Very fair    | 6%  |
| 2. | Quite fair   | 51% |
| 3. | Quite unfair | 22% |
| 4. | Very unfair  | 12% |
| 5. | Don't know   | 8%  |

**FairovA2 [ASK SAMPLE A2 and B2]**

Thinking about all of the agencies within the Criminal Justice System: the police, the Crown Prosecution Service, the courts, prisons and the probation service. How fair do you think the Criminal Justice System is in the country as a whole?

- |    |              |     |
|----|--------------|-----|
| 1. | Very fair    | 4%  |
| 2. | Quite fair   | 54% |
| 3. | Quite unfair | 22% |
| 4. | Very unfair  | 10% |
| 5. | Don't know   | 10% |

**FairovIA [ASK ALL SAMPLE ]**

Thinking about all of the agencies within the Criminal Justice System: the police, the Crown Prosecution Service, the courts, prisons and the probation service. How fair do you think the Criminal Justice System is in your local area?

- |    |              |     |
|----|--------------|-----|
| 1. | Very fair    | 6%  |
| 2. | Quite fair   | 46% |
| 3. | Quite unfair | 17% |
| 4. | Very unfair  | 8%  |
| 5. | Don't know   | 24% |

## 6.7 Appendix G – Final Question Set

### DISPLAY

The next few questions are about the effectiveness of the Criminal Justice System. The Criminal Justice System includes the police, the Crown Prosecution Service (CPS), the courts, prisons and, the probation service. We will cover each of these organisations separately and would like you to think about their performance in the country as a whole.

You don't need to have had contact with any of these organisations to answer the questions. We are just interested in your general opinion.

### CJSPOLB

Firstly, I'd like you to think about the role of the police. The police are responsible for keeping the public safe by preventing crime and catching criminals.

GREY SHOW CARD J5

How confident are you that the police are effective at catching criminals?

1. Very confident
2. Fairly confident
3. Not very confident
4. Not at all confident
5. Don't know

### CJSCPSB

The Crown Prosecution Service is responsible for deciding when a case should be brought to court and then prosecuting the defendants.

GREY SHOW CARD J6

How confident are you that the Crown Prosecution Service is effective at prosecuting people accused of committing a crime?

1. Very confident
2. Fairly confident
3. Not very confident
4. Not at all confident
5. Don't know

## **CJSCRT2A**

Now moving on to thinking about courts. This includes the Crown Courts, Magistrates Courts and Juvenile Courts, as well as the judges and magistrates who are involved in the court proceedings.

GREY SHOW CARD J6

How confident are you that the Courts are effective at dealing with cases promptly?

1. Very confident
2. Fairly confident
3. Not very confident
4. Not at all confident
5. Don't know

## **CJSCRT2B**

GREY SHOW CARD J6

How confident are you that the Courts are effective at giving punishments which fit the crime?

1. Very confident
2. Fairly confident
3. Not very confident
4. Not at all confident
5. Don't know

## **CJSPS1B**

The prison service protects the public by keeping convicted offenders in custody, ensuring they are punished and rehabilitating them.

GREY SHOW CARD J6

How confident are you that prisons are effective at punishing offenders who have been convicted of a crime?

1. Very confident
2. Fairly confident
3. Not very confident
4. Not at all confident
5. Don't know

## **CJSPS2B**

GREY SHOW CARD J6

How confident are you that prisons are effective at rehabilitating offenders who have been convicted of a crime?

1. Very confident
2. Fairly confident
3. Not very confident
4. Not at all confident
5. Don't know

## **CJSPRB**

The probation service aims to protect the public by rehabilitating offenders given community sentences and those released from prison; and ensuring they obey any restrictions placed on them.

GREY SHOW CARD J6

How confident are you that the probation service is effective at preventing criminals from re-offending?

1. Very confident
2. Fairly confident
3. Not very confident
4. Not at all confident
5. Don't know

## **CJSOV1**

GREY SHOW CARD J6

Thinking about all of the agencies within the Criminal Justice System: the police, the Crown Prosecution Service, the courts, prisons and, the probation service. How confident are you that the Criminal Justice System as a whole is effective?

1. Very confident
2. Fairly confident
3. Not very confident
4. Not at all confident
5. Don't know

## DISPLAY

The Criminal Justice System deals with a variety of people in different circumstances such as victims and witnesses of a crime as well as those who are accused or convicted of committing a crime.

## FAIRATT1- FAIRATT7

GREY SHOW CARD J7

Thinking about the Criminal Justice System as a whole, please choose an answer from the card to say how much you agree or disagree with the following statements.

(How much do you agree or disagree that.....?)

1. Strongly agree
2. Tend to agree
3. Tend to disagree
4. Strongly disagree
5. Don't know

## ATTITUDE STATEMENTS

- A. The Criminal Justice System gives victims and witnesses the support they need. **(FAIRATT1)**
- B. The Criminal Justice System treats those who have been accused of a crime as 'innocent until proven guilty' **(FAIRATT2)**
- C. The Criminal Justice System takes into account the views of victims and witnesses **(FAIRATT3)**
- D. When handing out sentences the Criminal Justice System takes into account the circumstances surrounding the crime **(FAIRATT4)**
- E. The Criminal Justice System is too soft on those accused of committing a crime **(FAIRATT5)**
- F. The Criminal Justice System achieves the correct balance between the rights of the offender and the rights of the victim **(FAIRATT6)**
- G. The Criminal Justice System discriminates against particular groups or individuals **(FAIRATT7)**

## **FAIROVA1**

GREY SHOW CARD J6

Thinking about all of the agencies within the Criminal Justice System: the police, the Crown Prosecution Service, the courts, prisons and the probation service. How confident are you that the Criminal Justice System as a whole is fair?

1. Very confident
  2. Fairly confident
  3. Not very confident
  4. Not at all confident
  5. Don't know
-