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New Developments in Procedural Fairness: A Quarterly Report  
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**General Research**

Martha Frías-Armenta, Amelia E. López-Escobar & Graciela Jasa Silveira, *Procedural & Distributive Justice and Amenability to Psychological Treatment in Juvenile Delinquents*, 6 ADVANCES APPLIED SOC. 57 (2016),  
<http://www.scirp.org/journal/PaperInformation.aspx?paperID=63442>.

**Abstract**

This study was aimed at testing a structural model that analyzed the relationship between procedural and distributive justice and the amenability of psychological treatment for juvenile delinquents. Ninety-two adolescents receiving treatment in detention and community facilities following a judge's sentence constituted the sample. Participants responded to a questionnaire including items that investigated the perception of police and judicial procedures and decisions, and the acceptance of psychological treatments. A structural equation model was specified and tested. Three factors were indicated "perception of police treatment", "procedural justice", "distributive justice", and "amenability of the treatment". It was expected a direct relationship between procedural and distributive justice and distributive justice and amenability of the treatment. It was also projected a direct relationship between distributive justice and amenability of the treatment. Results revealed that the adolescent's positive perception of the judicial procedure predicted positively the amenability of both the treatment and the distributive justice system. Perception of the police treatment had an effect on procedural justice. Those findings seem to indicate that if adolescents perceive a fair police treatment and procedure, their acceptance of the treatment and sentence will be more likely. Such an outcome, in turn, could help in their reintegration to society.

Zsolt Boda & Gergö Medve-Bálint, *Procedural Fairness and the Legitimacy of Laws in Hungary: An Empirical Analysis*, 57 SOCIOLOGIJA 662 (2015),  
[http://www.sociologija.org/admin/published/2015\\_57/4/466.pdf](http://www.sociologija.org/admin/published/2015_57/4/466.pdf).

**Abstract**

The 2010 election in Hungary resulted in the victory of Fidesz, a conservative party which acquired a comfortable majority in the parliament and used it to initiate a number of important policy reforms.

However, there are good reasons to think that both the way these reforms were adopted and their content violated a number of procedural fairness norms, such as participation in decision making and even some aspects of the rule of law. According to David Beetham, Tom Tyler and others, legitimacy is dependent on moral evaluations concerning the ruling power, and among those evaluations, perceptions of the procedural fairness being exercised by the authorities are of a crucial importance. If the theory holds, then the legitimacy of Fidesz's rule would have eroded over the years, and indeed this is what happened, by 2012 trust in the government and in political institutions has dropped to the levels seen before the 2010 elections. But since economic problems have persisted, we cannot say whether this drop was caused by discontent with governmental performance or procedural fairness or both. Our research aims at investigating the role of procedural fairness in the formation of legitimacy beliefs. Our preliminary analysis suggest that moral evaluations and, more particularly, procedural fairness expectations do have an effect on people's legitimacy beliefs in the Hungarian context as well.

Sarah Le Good, *Unravelling Victim Satisfaction in a Youth Offending Service* (2015) (unpublished MSc dissertation, University of Portsmouth), <http://eprints.port.ac.uk/20072/>.

### **Abstract**

It has been acknowledged that for victims of crime, restorative justice provides greater satisfaction than the current criminal justice system. However, there is not as much research that details why this is the case. This study aims to uncover what it is about restorative justice interventions that victims of crime are satisfied with. Using qualitative content analysis the feedback from victims of youth crime, who have participated in restorative justice with Buckinghamshire Youth Offending Service are analyzed. The 61 feedback forms gathered for the content analysis were from January 2014 to January 2015. The categories identified that are used within the content analysis are the victim needs that are neglected by the current criminal justice system; these have been identified by Howard Zehr (2002). The feedback forms were in regard to direct face to face restorative justice and indirect restorative justice, namely shuttle mediation and letters of explanation.

The findings show that for victims of youth crime who participate in face to face restorative justice the main need, as identified by Howard Zehr (2002), that is being met, is the victim being able to tell the offender their 'story' of how the offence affected them. For the victims who participated in indirect restorative justice the main need that was fulfilled is empowerment, this is also closely related to procedural justice.

Natasha Sam Madon, *Intersections of Youths' Perceptions: Youths' Perceptions of Their Treatment by the Criminal Justice System and Other Social Institutions* (2015)

(unpublished Ph.D. dissertation, University of Toronto),  
<https://tspace.library.utoronto.ca/handle/1807/71567>.

### **Abstract**

In three studies, I explore the manner in which young people's encounters with the justice system affects their views of the system as whole. Framed within the procedural justice perspective, I examine how adolescents perceive their treatment by criminal justice actors and explore the relationship of these views to their views of other parts of the justice system and to their views of other social institutions (e.g., the education system and employment sector). In this way, this research seeks to examine whether treatment by the justice system matters to young people in the same way that it has been reported to be important for adults. The findings, although somewhat mixed, suggest that treatment does matter to young people, but that the ways in which they understand the police, courts and corrections may differ from the more cohesive or consistent views of adults. Young people appear to be in the process of developing their views of the criminal justice system during adolescence and have not forged generalized views of the criminal justice system as a whole. Rather, they distinguish their experiences and views of the police from those of the courts and corrections. Similarly, young people do not appear to possess a negativity bias to all authority figures and social institutions, with the findings here suggesting that the ways in which young people view their treatment by criminal justice actors and the legitimacy of the criminal justice system are quite different from how they are viewing teachers and the educational system as well as future employment and success in later life. Taken together, the findings point to a more nuanced perspective on the nature of youths' views of the criminal justice system and other civic institutions.

### **New Thinking and Interpretations**

HANDBOOK OF SOCIAL JUSTICE THEORY & RESEARCH (Clara Sabbagh & Manfred Schmitt eds., 2016),

[http://www.springer.com/us/book/9781493932153?wt\\_mc=ThirdParty.SpringerLink.3.EPR653>About\\_eBook](http://www.springer.com/us/book/9781493932153?wt_mc=ThirdParty.SpringerLink.3.EPR653>About_eBook).

Chapters include "Procedural Justice" and "Social Dynamics of Legitimacy and Justice," which look generally at the concepts of procedural justice and legitimacy, "Between Relative Deprivation and Entitlement: An Historical Analysis of the Battle for Same-Sex Marriage in the United States," which argues that proponents of same-sex marriage have framed the argument in two ways—as a matter of procedural justice or restorative justice—and "The Psychology of Social Justice in Political Thought and Action," which discusses the relationship between procedural justice and perceived political legitimacy.

## Compliance and Cooperation

### *Courts*

Rachel Killean, *Procedural Justice in International Criminal Courts: Assessing Civil Parties' Perceptions of Justice at the Extraordinary Chambers in the Courts of Cambodia*, 16 INT'L CRIM. L. REV. 1 (2016),  
<http://booksandjournals.brillonline.com/content/journals/10.1163/15718123-01601002>.

### **Abstract**

Procedural justice advocates argue that fair procedures in decision making processes can increase participant satisfaction with legal institutions. Little critical work has been done however to explore the power of such claims in the context of mass violence and international criminal justice. This article critically examines some of the key claims of procedural justice by exploring the perceptions of justice held by victims participating as Civil Parties in the Extraordinary Chambers in the Courts of Cambodia (ECCC). The ECCC has created one of the most inclusive and extensive victim participation regimes within international criminal law. It therefore provides a unique case study to examine some of claims of 'victim-centred' transitional justice through a procedural justice lens. It finds that while procedural justice influenced civil parties' overall perceptions of the Court, outcomes remained of primary importance. It concludes by analyzing the possible reasons for this prioritisation.

### **New Thinking and Interpretations**

EMILY G. LAGRATTA, CENTER FOR COURT INNOVATION, PROCEDURAL JUSTICE: PRACTICAL TIPS FOR COURTS (2015),  
[http://www.courtinnovation.org/sites/default/files/documents/P\\_J\\_Practical\\_Tips.pdf](http://www.courtinnovation.org/sites/default/files/documents/P_J_Practical_Tips.pdf).

This resource was developed as part of a multi-year collaboration that involves the Center for Court Innovation, the National Judicial College, and the U.S. Department of Justice's Bureau of Justice Assistance. Guidance was provided by a national advisory board of judges, court administrators, academics, and others. Each of the suggested practices is linked to one or more of the following critical dimensions of procedural justice: voice (litigants' perception that they have an opportunity to be heard); respect (litigants' perception that the judge and other court actors treat them with dignity); neutrality (litigants' perception that decisions are made without bias); and understanding (litigants' comprehension of the language used in court and how decisions are made). Tips on ways to cultivate these litigant perceptions are presented under the following broad areas of a litigant's court experience: courthouse environment, courtroom management, and each court appearance. In addition, tips are provided for enhancing procedural justice in various types of hearings, including bail hearings, plea hearings, and sentencing. Procedural justice for special populations involved in court procedures is also addressed.

These special populations include in-custody defendants, court users with limited English proficiency, and defendants with social service needs, as well as other challenging populations.

YVONNE MCDERMOTT, *FAIRNESS IN INTERNATIONAL CRIMINAL TRIALS* (2016),  
<https://global.oup.com/academic/product/fairness-in-international-criminal-trials-9780198739814?cc=us&lang=en&>.

### **Abstract**

With the acceptance of international criminal procedure as a self-sustaining discipline and as the tribunals established to try the most serious crimes in the former Yugoslavia, Sierra Leone, and Rwanda have completed or are beginning to wind up their activities, the time is ripe for a critical evaluation of these international criminal tribunals and their legacy. By examining the due process standards embraced by the five contemporary international criminal tribunals, the author draws conclusions about how the right to a fair trial should be interpreted in international criminal law.

This volume addresses key conceptual questions on fairness, including: should international criminal tribunals set the highest standards of fairness, or is it sufficient for their practice to be 'just fair enough'? To whom does the right to a fair trial attach, and can actors such as the prosecution and victims be accurately said to benefit from that right? Does fairness require the full realization of a number of guarantees owed to the accused under the statutory frameworks of international criminal tribunals, or should we instead be concerned with the fairness of the trial 'as a whole'? What is the interplay between domestic and international courts on questions of procedural fairness? What are the elements of fairness in international criminal proceedings? And what remedies are available for breaches of fair trial rights?

Through an in-depth exploration of the right to a fair trial, the author concludes that international criminal tribunals should have a role in setting the highest standards of due process protection in their procedures, and that in so doing, they can have a positive impact on domestic justice systems.

### ***Policing***

Madeleine Novich, *Perceptions of Procedural Justice Among Male and Female Minority Gang Members* (January 2016) (unpublished Ph.D. dissertation, Rutgers University),  
<http://dx.doi.org/doi:10.7282/T3S184KW>.

### **Abstract**

This study investigated perceptions of procedural justice and concepts of police legitimacy among San Francisco-based male and female minority gang members involved in drug dealing. This study sought to examine how the gang members experienced and articulated Tyler's (2006) four facets of procedural justice . . . . To investigate the research participants' perceptions, the study sought to answer the following

questions: First, are the police perceived as engaging with gang members based on prejudicial behavior (e.g. being stopped because of race, gender, age, clothing and/or location)? If so, how do these perceived police behaviors shape perceptions of procedural justice among male and female gang members? Further, how are perceptions of procedural justice impacted by the context during which participants are approached (i.e. actively engaged in law-breaking behavior or not)? And finally, how are police contacts and perceptions similar or different across genders? This study utilized secondary data, which consisted of 253 in-depth qualitative interviews. The semi-structured interviews of male (N=119) and female (N=134) gang members covered salient topics that included descriptions of police behavior during involuntary face-to-face contacts, vicarious experiences, and attitudes about law enforcement. Overall, the results indicate that ethnic minority drug dealing gang members experience what they perceive to be procedurally unjust police behavior. Indeed, the research participants repeatedly raised concerns related to their perceptions of procedural justice on all four criteria (fairness, trust, respect, and participation) (Tyler, 2006) and concerning police legitimacy. . . . While there were some notable gender differences in experiences and responses, and some suggestion that the race/ethnicity of gang members might matter as well, there were also a number of shared experiences suggesting that men and women of different ethnicities also experience and interpret police behavior in similar ways. This study affirmed that attitudes towards law enforcement, interpretations of police behavior, and legitimacy are best examined in an intersectional framework based on the dynamic exchange between police and citizen. As such, this investigation contributes to our understanding of how gender, race, presentation of self, neighborhood context, criminal involvement, along with the type and nature of the stop, converge to reveal how attitudes towards police are formed and perceptions of procedural justice are articulated among this criminally-involved population.

Julie Barkworth & Kristina Murphy, *System Contact and Procedural Justice Policing: Improving Quality of Life Outcomes for Victims of Crime*, INT'L REV. VICTIMOLOGY (published online February 2016),

[https://www.researchgate.net/profile/Julie\\_Barkworth/publication/293009416\\_System\\_contact\\_and\\_procedural\\_justice\\_policing\\_Improving\\_quality\\_of\\_life\\_outcomes\\_for\\_victims\\_of\\_crime/links/56b9682d08ae3b658a88cd57.pdf](https://www.researchgate.net/profile/Julie_Barkworth/publication/293009416_System_contact_and_procedural_justice_policing_Improving_quality_of_life_outcomes_for_victims_of_crime/links/56b9682d08ae3b658a88cd57.pdf).

### **Abstract**

Victims of crime often feel re-victimized when they come into contact with criminal justice professionals. Police, as first responders to many victimization experiences, therefore need to be particularly sensitive to the way in which they treat victims if they wish to reduce the occurrence of such secondary victimization. The present study seeks to explore the role that procedural justice policing can play in improving the wellbeing and quality of life of crime victims after system contact. Importantly, it also seeks to put forward a framework for understanding why procedural justice policing might improve victims' quality of life; this framework draws heavily on theories of emotion. The study utilizes survey data collected from 171 crime victims to show that procedural justice policing can indeed reduce the negative impact that system contact can have on a victim's quality of life. It will be shown that procedural justice enhances victims' quality of life because it serves to diminish the negative emotions experienced by victims of crime when they come into contact with legal authorities.

Aziz Z. Huq, Jonathan Jackson & Rick Trinkner, Acts that Legitimate: Widening the Array of Predicate Policing Practices (University of Chicago, Public Law Working Paper No. 570, 2016), [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2740631](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2740631).

Note: This paper is forthcoming in the *British Journal of Criminology* under the title "Legitimizing Practices: Revisiting the Predicates of Police Legitimacy."

### **Abstract**

Procedural justice theory predicts a relationship between police behavior, individuals' normative evaluation of police, and decisions to comply with laws. Yet, prior studies of procedural justice have rather narrowly defined the potentially relevant predicates of police behavior. This study expands the scope of procedural justice theory by considering a broad array of policing components, including unobserved actions such as electronic surveillance, respecting the limits of one's legal authority, and the unequal or equal distribution of policing resources between different groups. Analyzing data from a national probability sample of adults in England and Wales, we (a) present a comprehensive investigation of the heterogeneous elements of policing related to legitimacy judgments and (b) contribute to debate about the nature of legitimacy.

Hyeyoung Lim, Amanda Johnson & Won-Jae Lee, *College Students' Views on Police Procedural Justice*, 24 KOREAN J. PUB. SAFETY & CRIM. JUST. 335 (2015), [https://www.researchgate.net/publication/292607519\\_College\\_Students%27\\_Views\\_on\\_Police\\_Procedural\\_Justice](https://www.researchgate.net/publication/292607519_College_Students%27_Views_on_Police_Procedural_Justice).

### **Abstract**

A considerable number of studies have examined citizens' attitudes toward the police and have found that those who are young, male, and/or racial minorities have more negative perceptions on police and their services. A relatively small number of studies have examined how criminal justice education impacts young citizens' attitudes toward police. A survey was conducted with 708 responses collected in a public university located in mid-western region measuring undergraduate students' attitudes toward police. This study compared their attitudes by majors (criminal justice majors vs. non-criminal justice majors) and found that criminal justice majors showed more positive attitudes towards the police procedural justice and a higher level of respect toward police authority than non-criminal justice majors. However, this educational effect was diminished when recent police-contact experience was controlled.

Tage Alalehto & Daniel Larsson, *Measuring Trust in the Police by Contextual and Individual Factors*, INT'L J. L. CRIME & JUST. (published online February 2016), <http://www.sciencedirect.com/science/article/pii/S1756061616000082>.

### **Abstract**

This study investigates if procedural justice and police competence affects trust in the police independent on the level of perception of corruption, and whether the impact of procedural justice and police competence varies due to perception of corruption. The data used is European Social Survey round 5 (2010), containing 24 countries. To separate individual effects from aggregate effects we used multilevel analyses. The results show that procedural justice and police efficiency are of importance for trust in the police independent of the perception of corruption. But the results also show that the impact of both procedural justice and police competence varies due to the level of perception of corruption. The conclusion is therefore that the fight against corruption must be prioritized to increase trust in the police.

Victor Manuel Reta, *Perception of College Students Towards Local Law Enforcement* (December 2015) (unpublished Ph.D. dissertation, Texas Tech University), <http://repositories.tdl.org/ttu-ir/handle/2346/66143>.

### **Abstract**

My study aims to look at one's bond to society and how it affects one's belief of bias by police and how likely one is to call police when in need of help. My contribution to the field is to better understand relationships between the police and civilians. This is important because such relationships determine whether are likely to call police for assistance when in need of help or when a crime has taken place. If an individual does not believe the police are there to help, they may turn to other sources of protection such as gangs or personal weapons, which in turn can lead to more crime. Citizens' perceptions of police vary according to their experience with police. The variation in perception is patterned along racial and socioeconomic demographics and levels of trust of the police. Citizens who disproportionately mistrust the police tend to also perceive crimes as high (Maxson, Hennigan, and Sloane, 2003). I apply Hirschi's Social Control Theory (1969) to police-citizen relationships. Hirschi states that the stronger the bond one has to society, the less likely it is for him or her to deviate from the norms and to commit crime. I hypothesize that people who have a strong bond to society are less likely to believe police are bias and are more likely to call police when in need of help. This study was conducted by surveying 400-college students age 18 and older. 52% of respondents were female, 52% were 19 years old or younger, 56% identified as a minority, and 59% were lower classmen. Findings show that younger people, females, minorities, respondents who interacted with police officers but felt they did not receive procedural justice, and people who scored low on social control are more likely to believe police are bias. Females, people who had an interaction with police officers, and people who scored high on social control were more likely to call for assistance when in need of help.



Rick Trinkner, Tom R. Tyler & Phillip Atiba Goff, *Justice from Within: The Relations Between a Procedurally Just Organizational Climate and Police Organizational Efficiency, Enforcement of Democratic Policing, and Officer Well-Being*, 22 PSYCHOL. PUB. POL'Y & L. 158 (2016),

[https://www.law.yale.edu/system/files/area/center/justice/document/cpdpaper\\_revision2\\_d1.pdf](https://www.law.yale.edu/system/files/area/center/justice/document/cpdpaper_revision2_d1.pdf).

### **Abstract**

Recent clashes between law enforcement and the public have led to increased attention on policing strategies that build trust and motivate cooperation in communities through the application of fair procedures and decision-making. A growing body of policing research has highlighted that officers commonly report working within police departments that lack procedural fairness and that these intra-departmental dynamics influence officers motivation and behavior on the street. This study builds on this work by examining the influence of a procedurally fair organizational climate on officer's organizational behavior, commitment to democratic policing, and well-being. Patrol officers and sergeants in a large urban police force completed surveys assessing their perceptions of their department, the communities they police, their views on different policing styles, and their well-being. Results showed that when officers were in a procedurally fair department, they were more likely to trust and feel obligated to obey their supervisors, less likely to be psychologically and emotionally distressed, and less likely to be cynical and mistrustful about the world in general and the communities they police in particular. More importantly, these effects were associated with greater endorsement of democratic forms of policing, increased organizational efficiency, and officer well-being. Taken together these results clearly support the utility of infusing procedural justice into the internal working climate as a means to improve police officer job performance, their well-being, and their relationship with the communities they police.

Louise Skilling, *Community Policing in Kenya: The Application of Democratic Policing Principles*, 89 POLICE J. 3 (2016),

<http://pjj.sagepub.com/content/early/2016/03/03/0032258X16637372.abstract>.

### **Abstract**

The World Bank (2010) refers to Kenya's capital as one of the most crime-ridden cities in Africa; crime and violence is a daily occurrence for most Kenyans. In an effort to improve community-police relations in Kenya following the post-election violence in 2007, the Ransley Report made recommendations to the Kenyan police that are based on democratic policing principles. A lack of police accountability and civilian oversight of the police were highlighted as key issues within the report. It was recognised that the lack of procedural justice leads to a lack of trust and collaboration between communities and the police (Republic of Kenya, 2009). It is, however, acknowledged that the police service in Kenya is unsupported, under-resourced and works in challenging circumstances (CHRI, 2007; CHRI, 2014) and therefore currently there is a need for complementary community safety projects and resources. From qualitative research conducted in Kenya in 2015 this paper will argue that policing can be improved within Kenya if

there is community collective action, with supported leadership, which operates in collaboration with police adhering to democratic policing principles, although this is not without its challenges.

Roni Factor, Juan Carlos Castillo & Arye Rattner, *Procedural Justice, Minorities, and Religiosity*, in *POLICING IN ISRAEL 123* (Tal Jonathan-Zamir, Davis Weisburg & Badi Hasisi, eds., 2015), <http://www.crcnetbase.com/doi/abs/10.1201/b19313-11>.

### **Abstract**

The current research explores six hypotheses derived from the well-known procedural justice-based model of legitimacy in two different religious groups in Israel, and adds to the model the effect of religiosity on the perceived legitimacy of rules and institutions of social control. Our results, based on data from a representative sample of 1,216 Israeli Jews and Arabs, provide general support for the hypotheses. We found that the social order is perceived as less legitimate by the Arab minority compared with the Jewish majority, and by highly religious members of the Jewish majority compared with those who are less religious.

### **New Thinking and Interpretations**

Renée J. Mitchell & Kendall Von Zoller, *The Link Between Communicative Intelligence and Procedural Justice: The Path to Police Legitimacy*, in *HANDBOOK OF RESEARCH ON EFFECTIVE COMMUNICATION, LEADERSHIP, AND CONFLICT RESOLUTION 478* (Anthony H. Normore, Larry W. Long & Mitch Javidi, eds. 2015), <http://www.igi-global.com/chapter/the-link-between-communicative-intelligence-and-procedural-justice/146669>.

### **Abstract**

The public's perception of police legitimacy is viewed through the lens of procedural justice (Tyler, 2013). Legitimacy is a perception held by an audience (Tankebe & Liebling, 2013). Tyler (2006, p. 375) defines legitimacy as 'a psychological property of an authority, institution, or social arrangement that leads those connected to it to believe that it is appropriate, proper, and just.' Four aspects of the police contact that affects a citizen's view: active participation in the decision-making, the decision-making is neutral and objective, trustworthy motives, and being treated with dignity and respect (Tyler, 2004). Accordingly an officer should act in a way that supports citizens' active participation, conveys an air of neutrality, and enhances dignity and respect. One way an officer can transmit his intent is through communicative intelligence. Communicative intelligence is a communication theory base on five capabilities (Zoller, 2015). These authors intend to link communicative intelligence to behaviors officers should engage in to enhance PJ and improve PL.

## *Prisons and Inmates*

Michelle Butler & Shadd Maruna, *Rethinking Prison Disciplinary Processes: A Potential Future of Restorative Justice*, 11 VICTIMS & OFFENDERS 126 (2016), <http://www.tandfonline.com/doi/abs/10.1080/15564886.2015.1117997>.

### **Abstract**

The movement for restorative justice (RJ) has struggled with marginalization on the soft end of the criminal justice system where the threat of net widening and iatrogenesis looms large. To realize the full potential of RJ as an alternative philosophy of justice, restorative practices need to expand beyond the world of adolescent and small-level offenses into the deeper end of the justice system. Disciplinary hearings inside of adult prisons may be a strategic space to advance this expansion. This paper presents findings from a study of prison discipline in four U.K. prisons. The findings strongly suggest that in their current form such disciplinary proceedings are viewed by prisoners as lacking in legitimacy. Although modeled after the adversarial system of the criminal court, the adjudications were instead universally derided as “kangaroo courts” lacking the basic elements of procedural justice. Based on these findings, we argue that RJ interventions may offer a viable redress to these problems of legitimacy which, if successful, would have ramifications that extend well beyond the prison walls.

Holger Schmidt, *(In)justice in Prison—A Biographical Perspective*, in EXPERIENCING IMPRISONMENT: RESEARCH ON THE EXPERIENCE OF LIVING AND WORKING IN CARCERAL INSTITUTIONS 63 (Carla Reeves ed., 2016), [https://www.academia.edu/10338781/\\_\(In\)\\_justice\\_in\\_Prison\\_A\\_biographical\\_Perspective](https://www.academia.edu/10338781/_(In)_justice_in_Prison_A_biographical_Perspective).

### **Abstract**

In recent years, the quality of prisoner-staff-relationships has received increased attention in the field of penological research. This research indicates that the use of procedural justice in day-to-day interaction is a particularly important aspect of the imprisonment experience. However, existing research has only focussed on the experience of current imprisonment and has not taken the individual biographies of the prisoners into account which may influence the frame of reference from which a fair and decent treatment by prison staff is evaluated. Based on in-depth, semi-structured interviews with juvenile prisoners, the chapter provides an account of fairness issues in prisons, which locates the prisoners’ narratives in their biographical contexts and which sheds light on the internal contradictions and complications, the slips, and discrepancies of perceptions of injustice which are not addressed in the research literature.

## **Business and Management**

Jeremy B. Bernerth, Daniel S. Whitman, H. Jack Walker, David T. Mitchell & Shannon G. Taylor, *Actors Have Feelings Too: An Examination of Justice Climate Effects on the Psychological Well-Being of Organizational Authority Figures*, J. OCCUPATIONAL & ORG. PSYCHOL. (published online March 2016),  
<http://onlinelibrary.wiley.com/doi/10.1111/joop.12148/abstract;jsessionid=A345250944A2150EB05DA5E575B4B1AE.f01t02?userIsAuthenticated=false&deniedAccessCustomisedMessage=>.

### **Abstract**

Although a substantial amount of research explores how work units collectively benefit from authority figures who adhere to the rules of justice (i.e., justice climate), virtually no research explores how authority figures themselves benefit from creating a climate of fairness. We draw from relational theories of human behaviour and psychological well-being to develop a theoretical model of the relationship between justice climate and authority figures' well-being. Using data from a sample of 1297 employees and 162 authority figures within 162 work units, we find that procedural justice (PJ) and interactional justice (IJ) climate relate to authority figures' occupational satisfaction and emotional exhaustion; IJ climate also relates to positive affect. In addition, in line with an agent-related justice perspective, IJ climate has a stronger overall impact than PJ climate on authority figures' well-being.

Jan F. Ybema, Laudry van der Meer & Fenna R. M. Leijten, *Longitudinal Relationships Between Organizational Justice, Productivity Loss, and Sickness Absence Among Older Employees*, INT'L J. BEHAV. MED. (published online February 2016),  
<http://link.springer.com/article/10.1007/s12529-016-9546-y>.

### **Abstract**

*Purpose:* The aim of this study was to assess whether organizational justice lowers productivity loss and sickness absence, and whether there are reverse effects of productivity loss and sickness absence on organizational justice.

*Method:* A longitudinal study with 2 years of follow-up was conducted among employed persons aged 45–64 years from the Study on Transitions in Employment, Ability and Motivation (STREAM). Participants (N = 7011) yearly filled out an online questionnaire. Structural equation modeling in LISREL was conducted to assess the longitudinal relationships between distributive justice of salary, distributive justice of appreciation, procedural justice, productivity loss, and sickness absence.

*Results:* Both distributive justice of appreciation and procedural justice contributed to lower productivity loss and lower sickness absence at 1-year follow-up. Productivity loss increased perceptions of

distributive justice of appreciation at 1-year follow-up, whereas sickness absence lowered both perceptions of distributive justice of appreciation and procedural justice at follow-up.

*Conclusion:* Improving organizational justice lowers the risk of productivity loss and sickness absence and may be a useful tool to improve the productivity of organizations.

Manuela Richter, Cornelius J. König, Christopher Kopperman & Michael Schilling, *Displaying Fairness While Delivering Bad News: Testing the Effectiveness of Organizational Bad News Training in the Layoff Context*, 101 J. APPLIED PSYCHOL. 779 (2016), [http://www.uni-saarland.de/fileadmin/user\\_upload/Professoren/fr53\\_CKoenig/PDFs\\_Publikationen/RichterKoenigKoppermannSchilling\\_inpress.pdf](http://www.uni-saarland.de/fileadmin/user_upload/Professoren/fr53_CKoenig/PDFs_Publikationen/RichterKoenigKoppermannSchilling_inpress.pdf).

### **Abstract**

Although giving bad news at work is a stressful experience, managers are often underprepared for this challenging task. As a solution, we introduce organizational bad news training that integrates (a) principles of delivering bad news from the context of health care (i.e., bad news delivery component), and (b) principles of organizational justice theory (i.e., fairness component). We argue that both the formal and fair delivery of bad news at work can be enhanced with the help of training to mitigate distress both for the messenger and the recipient. We tested the effectiveness of training for the delivery of a layoff as a typical bad news event at work. In two studies, we compared the performance of a training group (receiving both components of training) with that of a control group (Study 1, Study 2) and a basics group (receiving the bad news delivery component only; Study 2) during a simulated dismissal notification meeting. In general, the results supported our hypotheses: Training improved the formal delivery of bad news and predicted indicators of procedural fairness during the conversation in both studies. In Study 2, we also considered layoff victims' negativity after the layoff and found that training significantly reduced negative responses. This relationship was fully mediated by layoff victims' fairness perceptions. Despite preparation, however, giving bad news remained a challenging task in both studies. In summary, we recommend that organizations provide managers with organizational bad news training in order to promote professional and fair bad news conversations at work.

Xinyi Li, *The Relationship Between Organizational Justice and Various Dimensions of Pay Satisfaction* (2015) (unpublished M.S. thesis, San Jose State University), [http://scholarworks.sjsu.edu/etd\\_theses/4648/](http://scholarworks.sjsu.edu/etd_theses/4648/).

### **Abstract**

Pay satisfaction has been linked to important organizational outcomes such as work performance and turnover intentions. One way to predict employees' pay satisfaction is through organizational justice. The purpose of this study was to examine the role of organizational justice perceptions in predicting various pay satisfaction dimensions. A sample of 107 employees participated in an online survey. Consistent with

the hypotheses, results showed that pay-related distributive justice perceptions were a stronger predictor of pay level satisfaction than pay-related procedural justice perceptions, and that benefits-related procedural justice perceptions were a stronger predictor of benefits determination satisfaction and benefits administration satisfaction than benefits-related distributive justice perceptions. Additionally, results showed that pay-related distributive justice perceptions and procedural justice perceptions significantly and equally predicted pay structure satisfaction, pay raises satisfaction, and variable pay procedure satisfaction, and that benefits-related distributive justice perceptions and procedural justice perceptions significantly and equally predicted benefits level satisfaction. These findings suggest that organizations should make fairness a priority when distributing compensation outcomes and making compensation decisions to maintain a high level of pay satisfaction.

Violetta Khoreva & Aino Tenhiälä, *Gender Difference in Reactions to Injustice*, 31 J. MANAGERIAL PSYCHOL. 790 (2016),  
<http://www.emeraldinsight.com/doi/abs/10.1108/JMP-07-2013-0230>.

### **Abstract**

*Purpose:* The purpose of this study is to examine gender differences in reactions to pay inequity and procedural justice. Specifically, the study seeks to reveal whether these gender differences can be explained by pay comparisons and knowledge of pay.

*Design/methodology/approach:* Structural equation modeling was utilized to analyze survey data that was combined with archival pay data representing a sample of 416 employees of two universities in Finland.

*Findings:* Male employees were found to be more sensitive towards pay inequity than female employees. In contrast, procedural justice was more strongly related to the organizational commitment of female than that of male employees. These effects were partly explained by pay comparisons and knowledge of pay. While male employees were more likely to compare their pay with some external referents, female employees were more likely to compare their pay internally. Male employees were somewhat more familiar with the pay system. Differences in these variables relate to organizational commitment.

*Research limitations/implications:* Given the cross-sectional nature of the study, we encourage future research to look into how gender differences in reactions to injustice evolve over time.

*Originality/value:* The study provides evidence that female employees react to a lesser extent to pay disparities by continuing to show high commitment towards their organizations. This paradox could be diminished by ensuring that all employees have the same amount of information regarding pay, such as how their pay compares to other referent groups.

Jai-Yeol Son & Jongpil Park, *Procedural Justice to Enhance Compliance with Non-Work-Related Computing (NWRC) Rules: Its Determinants and Interaction with Privacy Concerns*, 36 INT'L J. INFO. MGMT. 309 (2016),  
<http://www.sciencedirect.com/science/article/pii/S0268401215001322>.

### **Abstract**

Computing resources are essential to foster the productivity of employees in organisations; however, non-work-related computing (NWRC) in the workplace has recently become a serious concern because employees often spend too much time in the personal use of computers. To deepen our understanding of employees' compliance with NWRC rules, we developed and tested a research model that focuses on the formation of procedural justice and moderating role of privacy concerns. The results indicate that employees are more willing to comply with NWRC rules when they believe fair procedures to be in place during the design and implementation of the rules. In addition, accuracy, consistency, and ethicality were found to enhance employees' belief in procedural justice. Further, we found that the effect of procedural justice on compliance intention is moderated by privacy concerns that arise from the implementation of NWRC rules.

Valentina Bruk-Lee, Julie Lanz, Erica N. Drew, Chris Coughlin, Pamela Levine, Kathy Tuzinski & Kimberly Wrenn, *Examining Applicant Reactions to Different Media Types in Character-based Simulations for Employee Selection*, 24 INT'L J. SELECTION & ASSESSMENT 77 (2016), <http://onlinelibrary.wiley.com/doi/10.1111/ijsa.12132/full>.

### **Abstract**

While the influence of technology and medium of assessment administration on applicant reactions has been a topic for recent discussion, scant research has considered reactions to various forms of media types in employee character-based simulations. In a series of two studies, we focused on the influence of various media types on a variety of applicant reaction criteria. In Study 1, we explored (1) differences in procedural justice perceptions and company impressions between a text and 3D animated simulation, (2) spill over mechanisms by which applicant reactions influences company perceptions, and (3) the influence of media richness on perceptions of other assessments types within a battery. In a second study, we focused on applicant reactions to and rankings of three media types (i.e., 2D animation, 3D animation, and live-action video) in a character-based simulation. Our results indicated support for a mediated effect of procedural justice rules on company perceptions. Across studies, favorable reaction ratings and rankings for 3D animation and live-action video were found.

Peter Wesolowski, *We Only Accept Online Applications: The Effect of HRIS E-Recruitment Technology on Job-Seeker Fairness Perceptions in the Canadian Federal Public Sector* (2016) (unpublished Ph.D. dissertation, University of Ottawa), [http://www.ruor.uottawa.ca/bitstream/10393/34321/1/Wesolowski\\_Peter\\_2016\\_thesis.pdf](http://www.ruor.uottawa.ca/bitstream/10393/34321/1/Wesolowski_Peter_2016_thesis.pdf)

### **Abstract**

Industrial-organizational psychologist Stephen S.W. Gilliland developed a model for studying job-seeker fairness perceptions in 1993 based on existing research in organizational justice. The model includes several rules which will result in job-seeker perceptions of fairness if satisfied and job-seeker perceptions of unfairness if violated. Given the prominence of this model in the literature as well as changes which

have occurred in personnel selection (such as human resource information systems, or HRIS, and e-recruitment), scholars have called for a technological re-envisioning of the original model, especially the explanations/descriptions ascribed to each rule. The present study seeks to understand how HRIS e-recruitment technology impacts job-seeker fairness perceptions and in so doing update the Gilliland (1993) model using a qualitative methodology and website success measures from information systems success theory. It contributes to the literature on applicant fairness perceptions by accounting for technological change, and contributes to the field of Public Administration by studying a governmental e-recruitment portal thereby accounting for the particularities of public-sector HRM which is underrepresented in the organizational justice literature. Over the course of one (1) year, twelve (12) job-seekers participated in a series of focus group interviews where they reflected on their experiences applying for jobs in the Canadian federal civil service using the government's e-recruitment portal. Participants completed profiles, sent applications, communicated with government personnel, and wrote internet tests, among other job-search activities, and reported on their experiences from the perspective of fairness. Results confirm the validity of all original procedural justice rules and offer insight into their application in a recruitment environment where applicants invest considerable time interacting with computerized systems. Two additional rules are also put forth including the ease with which candidates can deceive tests and privacy/trustworthiness using technology. The findings are limited insofar as data gathering took place during a time of reduced hiring activity by the employer and because participation was limited to one (1) specific geographic location.

## **New Thinking and Interpretations**

Tanja de Jong, Norrtje Weizer, Marjolein de Weerd, Karina Nielsen, Pauliina Mattila-Holappa & Zosia Mockało, *The Impact of Restructuring on Employee Well-Being: A Systematic Review of Longitudinal Studies*, 30 *WORK & STRESS* 91 (2016), <http://www.tandfonline.com/doi/abs/10.1080/02678373.2015.1136710>.

## **Abstract**

This is a review of published longitudinal empirical research on the impact of restructuring on employee well-being. We investigated whether restructuring accompanied by staff reductions impacts differently on worker well-being than restructuring without staff reductions, and the differences between short- and long-term effects of restructuring. Furthermore, we investigated the mechanisms that explain these effects. We conducted a literature search on longitudinal, peer-reviewed, English-written studies from the period 2000–2012. Thirty-nine papers fulfilled the inclusion criteria. We found that restructuring events, with and without staff reductions, mainly have a negative impact on the well-being of employees. The majority of studies showed negative changes over time, in the short and the long term. Some groups of workers reacted less negatively: for example, workers with a high organizational status before a merger and workers who underwent a change in workgroup. Variables that intervened in the relationship between restructuring and well-being were physical demands, job control, communication, provision of information, training, procedural justice, job insecurity and change acceptance. Further high-quality longitudinal research is needed to get more insight into the impact of restructuring over time and into the part played by intervening variables.



Ian C. Woodward, Elizabeth A. More & Ludo Van der Heyden, "Involve": The Foundation for Fair Process Leadership Communication (INSEAD Working Paper No. 2016/17/OBH/TOM/EFE, 2016), [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2747990](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2747990).

### **Abstract**

“Fair Process Leadership” (FPL) is an integrative approach to leadership that emphasizes high levels of engagement and transparency with stakeholders, as well as objective evaluation of both outcomes and process.

Research shows the presence of FPL generates trust, and leads to effective collaboration and collective commitment, both critical features for team and organizational performance. However, research has not thoroughly explored how FPL principles can be implemented systematically and practically in the workplace context, particularly in larger organizational settings.

This paper presents the effective communication approaches and practices that are fundamental to deploying fair process leadership in organizational contexts. In this regard, our discussion reviews the research literature in the areas of fair process leadership; procedural and interactional justice; organizational communication; and leadership communication. Integrating these concepts and theories, the paper proposes a toolkit (INVOLVE) for effective fair process leadership communication “in action” – identifying a core principle and three crucial communication practices for leaders or organizations eager to instill fair process in their communication activities and beyond, in their culture.

The paper also highlights implications for future research and development in this area.

### **Miscellaneous**

Byung-hill Jun, Myeonghwan Cho & Myung-Ho Park, *Procedural Fairness and Taxpayers' Response: Evidence from an Experiment*, 31 KOREAN ECON. REV. 301 (2015), <https://ideas.repec.org/a/kea/keappr/ker-20151231-31-2-03.html>.

### **Abstract**

We perform an experiment to investigate how the fairness of decision making procedures affects taxpayers' income reporting behavior. According to our experiment, individuals tend to report more income, and thus evade less tax when majority voting determines a tax rate structure than when a dictatorship determines a tax rate structure. We also find that such a positive effect of majority voting occurs mainly through individuals dissatisfied with the current tax rate structure. These findings hint at a channel through which procedural fairness works to improve tax compliance.

Christian Albrekt Larsen, *How Three Narratives of Modernity Justify Economic Inequalities*, 59 ACTA SOCIOLOGICA 93 (2016),

<http://asj.sagepub.com/content/early/2016/01/05/0001699315622801.abstract>.

### **Abstract**

The acceptance of income differences varies across countries. This article suggests belief in three narratives of modernity to account for this: the “tunnel effect,” related to perceptions of generational mobility; the “procedural justice effect,” related to the perceived fairness in the process of getting ahead; and the “middle-class effect,” related to perceptions of the social structure of society. The importance of the suggested narratives is tested by means of the International Social Survey Program (ISSP) 2009 module, which includes 38 countries. The finding is that belief in the three narratives can account for a considerable part of the cross-national variation. Beliefs in procedural justice and the existence of a middle-class society clearly go together with high acceptance of current income differences, while the “tunnel effect” is more complex. In general, belief in generational mobility goes together with acceptance of current income differences. But personal experience of such upward social mobility actually lowers acceptance of current income differences, especially if overall generational mobility in society is believed to be backward. The framework explains most country-cases, which points to the existence of general patterns. But the models also indicate that the Philippines, and to a lesser extent the US and France, are special cases.

Verena Kurz, Andreas Orland & Kinga Posadzy, *Fairness Versus Efficiency: How Procedural Fairness Concerns Affect Coordination, Environment for Development Discussion Paper Series 16-01 (January 2016)*,

<http://www.efdinitiative.org/publications/fairness-versus-efficiency-how-procedural-fairness-concerns-affect-coordination>,

### **Abstract**

What happens if a mechanism that aims at improving coordination between individuals treats selected individuals unfairly? We investigate in a laboratory experiment whether procedural fairness concerns affect how well individuals are able to solve a coordination problem in a two-player Volunteer's Dilemma. Subjects receive external action recommendations that can help them avoid miscoordination if followed by both players. One of the players receives a disadvantageous recommendation to volunteer while the other player receives a recommendation not to volunteer that gives her a payoff advantage if both players follow the recommendations they have received.

We manipulate the fairness of the recommendation procedure by varying the probabilities of receiving a disadvantageous recommendation between players.

We find that the recommendations improve overall efficiency regardless of their consequences for payoff division. However, there are behavioral asymmetries depending on the recommendation received by a player: advantageous recommendations are followed less frequently than disadvantageous recommendations in case of actions that guarantee a low payoff. While there is no difference in acceptance of different recommendation procedures, beliefs about others' actions are more pessimistic in

the treatment with a procedure inducing unequal expected payoffs. Our data shows that beliefs about others' behavior are correlated with one's own behavior; however this is the case only when following recommendations is a strategy that involves payoff-uncertainty.

Tess Wilkinson-Ryan, *Contracts Without Terms* (University of Pennsylvania, Institution for Law & Economic Research Paper No. 16-5, 2016),

[http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2738567](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2738567).

### **Abstract**

In consumer contracting, the ritual of documentation and provision of terms is essentially vestigial, at least as a form of deal-making communication between the parties. This paper starts with a thought experiment: what would it look like to have contracts but no standard terms? Most scholarly and political approaches to the mismatch of contract law and consumer contracting have focused on the information problem in consumer contracting — the difficulty of the required cognitive processing — and thus the proposed solutions have focused on how to make terms more salient or easier to assimilate. I argue that the focus on salience is not only futile but misleading. Promulgating a policy by contract lends it social or moral legitimacy, as well as a presumption of legal legitimacy. I report the results of an experimental questionnaire study designed to assess how the form of a policy — i.e., provided in standard terms or available in a non-contractual document, affects consumer behavior when there is a plausible complaint against the drafter. Subjects reported that company policies embedded in contracts were more likely to be legally enforceable, judged those policies as more fair, and reported that they would be less likely to challenge such those policies in court. Furthermore, subjects appeared to grant all but the most clearly non-contractual documents the status of contract, with all of its legal, moral, and social baggage. In the final section of the paper I consider the doctrines of assent and unconscionability in light of these results.

Doron Dorman, *Re-Claiming Disability: Identity, Procedural Justice, and the Disability Determination Process*, LAW & SOC. INQUIRY (published online February 2016),

[http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2736723](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2736723).

### **Abstract**

This research highlights the crucial role of an intimate link between a disabled person's self-identity and the perceived fairness of legal procedures. In doing so, it brings to the foreground a wholly ignored aspect of procedural justice. Earlier researchers have failed to delve into the role identity politics plays in the relationship between the institutions and the beneficiaries of their services, and the way different members of a group understand and define themselves. This research explores the way people with disabilities in the United States, with different kinds of disability identities, experience and evaluate the procedure of claiming Social Security benefits. The findings suggest that disabled people who identified with the social model of disability (as opposed to the medical-individual models) hold a critical view of the procedure for retaining benefits. They felt they had no control over it, could not voice their opinions, were mistreated by representatives, and had to present an image that was not necessarily true of their

disability. They also saw the procedure as discouraging them from participating fully in the labor market, and consequently integrating better in society, an idea that was not present among disabled people who identify with medical-individual models. Exposing this relationship between the way people perceive themselves and the way they experience and evaluate legal procedures can contribute to the creation of better policies, while improving communication between the state and members of the disability community, along with other marginalized groups.

Ali Kazemi, *Examining the Interplay of Justice Perceptions, Motivation, and School Achievement Among Secondary School Students*, 29 SOC. JUST. RESEARCH 103 (2016), <https://link.springer.com/article/10.1007/s11211-016-0261-2>.

There is a paucity of empirical research on the social psychology of justice in educational settings. A few previous studies have predominantly focused on distributive and procedural justice concerns, and knowledge about the role of what have been called informational and interpersonal justice for school outcomes is very scarce. In the present study, data from 227 eighth- and ninth-grade students who participated in a survey study were analyzed to examine the interplay between relational justice concerns (decomposed into procedural, interpersonal, and informational justice), motivation to study, and school achievement. A comprehensive theoretically grounded multi-item measure of informational justice was developed and validated. The results showed that informational justice significantly predicts school grades, and that motivation to study fully mediates this effect. Neither procedural nor interpersonal justice was associated with school grades. The implications of these results for research and practice are discussed in detail.

## **New Thinking and Interpretations**

Joshua Skoczyliis, *Counter-Terrorism and Society: The Contradiction of the Surveillance State; Understanding the Relationship Between Communities, the State and Society*, in THE PALGRAVE HANDBOOK OF GLOBAL COUNTER-TERRORISM (S. Romaniuk, F. Grice, D. Irrera & S. Webb, eds., 2016), <http://eprints.lincoln.ac.uk/22235/>.

## **Abstract**

In Liberal democracies the relationship between communities, authorities and by the extension the political establishment and broader society, to a large extent determines the success of counter terrorism operations. Communities' engagement with authorities is damaged by covert surveillance, and practices that appear to undermine perceptions of procedural fairness, weakening individuals' and communities' perceptions of legitimacy and trust in the state. Debates about national identity and othering further enhance a sense of alienation felt by Muslim communities and erodes their shared sense of identity and affinity with the perceived national identity. Such barriers, a lack of trust and perceptions of alienation decrease the likelihood of engagement, necessitating more intrusive surveillance measures to obtain intelligence needed to reduce the threat of terrorism. Perceptions of procedural fairness are further

undermined, affecting trust and perceptions of legitimacy, stifling future engagement with the state and wider society, which are crucial for successful counter-terrorism operations.

Christian Staerklé, Juan Manuel Falomir-Pichastor, Andrea Pereira, Jacques Berent & Fabrizio Butera, *Global Value Perceptions: The Legitimising Functions of Western Representations of Democracy*, 45 EURO. J. SOC. PSYCHOL. 896 (2015), <http://onlinelibrary.wiley.com/doi/10.1002/ejsp.2159/abstract;jsessionid=A8CA6F1C7B8DC7FEE8C4976291EC2CAF.f04t02?userIsAuthenticated=false&deniedAccessCustomisedMessage=>.

### **Abstract**

This paper argues that a fundamental antagonism between democracy and non-democracy organizes lay thinking on global issues. We review key findings of a long-standing experimental research program that examined the “Democracy-as-value” hypothesis across a variety of political and social contexts. This hypothesis contends that democracy is an ideological belief system that provides value to democratic individuals, groups, and institutions and thereby grants legitimacy to their actions. Based on procedural justice theories and social representations theory, we contend that western lay perceivers associate democracy with procedural equality and individual autonomy, whereas non-democracy is associated with in-group hierarchy and conformity. We discuss how idealized representations of democracy justify global power arrangements and emphasizes the paradoxical justification function of democratic values through which nondemocratic forms of social regulation based on physical force are legitimized with the very democratic norms that call for peaceful resolution of conflicts.

Setha Low & Kurt Iveson, *Propositions for More Just Urban Public Spaces*, 20 CITY 10 (2016), <http://www.tandfonline.com/doi/abs/10.1080/13604813.2015.1128679>.

### **Abstract**

Across a diverse range of urban geographical contexts, the provision and governance of public spaces frequently generates conflicts of varying intensity involving urban inhabitants and urban authorities. A clear moral and philosophically based argument and evaluative framework is necessary for both critiquing and informing the positions that are taken in public space disputes. In this paper, we develop a model of socially just public space that could inform analysis of, and interventions in, these conflicts. In dialogue with the literatures on urban public space and on social and spatial justice, we offer five propositions about what makes for more just public space. The five propositions concern distributive justice, recognition, interactional justice and encounter, care and repair, and procedural justice. The application of these five propositions is exemplified through brief reflections on the politics of the street in New York City, and ‘broken windows’ style policing of graffiti.

Filippo Fontanelli & Paolo Busco, *The Function of Procedural Justice in International Adjudication*, 15 L. & PRAC. INT'L COURTS & TRIBUNALS 1 (2016)

<http://booksandjournals.brillonline.com/content/journals/10.1163/15718034-12341310>.

### **Abstract**

This article surveys the notion of procedural justice in international adjudication. The literature mainly focuses on the domestic intimations of procedural justice. Our primary concern is to retrace its essence and reposition the concept in the international legal order, stripped of the idiosyncrasies deriving from the contingencies of domestic adjudication. The article first frames the basic notion and function of procedural justice, drawing from legal theory and legal-psychological studies. It shall be explained how procedural principles – separately and in addition to fair substantive norms – are essential to preserve the justice of the legal system. Also, we describe the specific role that procedural fairness has in increasing the perceived legitimacy of the adjudication process and, in turn, the legal order and public authorities at large. The explanation follows that of the intrinsic relativity of procedural principles, due to the contingent nature of justice in any given time and society. The two-way feedback between community values and prevailing procedural norms is described, in order to introduce the discussion of procedure in a specific community: the international legal order. Examining the function of procedural justice in the international system of adjudication requires distinguishing it from that in domestic systems in at least four aspects: the theory of sources; the function of procedural justice in a system of decentralized authority; the dual role of States as parties and rule-makers; and the variation of procedural norms across international legal sub-regimes. These aspects are briefly explored to provide the basic coordinates of the study and to lay the foundation for further research.

### **Recent/Upcoming Events**

Advanced Bench Skills: Procedural Fairness, February 24, 2016, San Diego, CA,  
<http://www.judges.org/advanced-bench-skills-procedural-fairness-1602/>.

Community Justice 2016 International Summit, April 13-15, 2016, Chicago IL,  
<http://www.courtinnovation.org/community-justice-2016-international-summit>.

The Futures We Want: Global Sociology and the Struggles for a Better World, July 10-14, 2016, Vienna, Austria,  
<http://isaconf.confex.com/isaconf/forum2016/webprogram/programs.html>.

### **In the News/On the Web**

Justin Nix, *Evidence Suggests That US Police Understand Citizens Value Procedural Fairness, But May Not Recognize the Long Term Benefits of Its Use*, LSE USCENRE, January 25, 2016, <http://blogs.lse.ac.uk/usappblog/2016/01/25/evidence-suggests-that-us-police-understand-citizens-value-procedural-fairness-but-may-not-recognize-the-long-term-benefits-of-its-use/>.

Yale Law School, *Professor Tracey Meares on Procedural Justice and The Justice Collaboratory* (December 7, 2015), <https://vimeo.com/148102585>.

*Race, Data, and Procedural Justice: A Conversation with David Slayton*, CENTER FOR COURT INNOVATION, <http://www.courtinnovation.org/research/race-data-and-procedural-justice-conversation-david-slayton-0>.

### **Now in Print**

Kelly Frailing & Diana Carreon, *Quiero Hablar Con Usted en Espanol, Juez: The Importance of Spanish at a Majority Hispanic Drug Court*, 27 CRIM. JUST. POL. REV. 164 (2016), <http://cjp.sagepub.com/content/27/2/164>.

James H. Dulebohn, Robert B. Davison, Seungcheol Austin Lee, Donald E. Conlon, Gerry McNamara & Issidoros C. Sarinopoulos, *Gender Differences in Justice Evaluations: Evidence from fMRI*, 101 J. APPLIED PSYCH. 151 (2016), <http://psycnet.apa.org/psycinfo/2015-40882-001/>.

Megan Bears Augustyn, *Updating Perceptions of (In)Justice*, 53 J. RES. CRIME & DELINQUENCY 255 (2016), <http://jrc.sagepub.com/content/53/2/255>.

Christine E. W. Bond, Kristina Murphy & Louise E. Porter, *Procedural Justice in Policing: The First Phase of an Australian Longitudinal Study of Officer Attitudes and*

*Intentions*, 64 CRIME, L. & SOC. CHANGE 229 (2015),  
<http://link.springer.com/article/10.1007/s10611-015-9587-1>.

Michael D. White, Philip Mulvey & Lisa M. Dario, *Arrestees' Perceptions of the Police: Exploring Procedural Justice, Legitimacy, and Willingness to Cooperate with Police Across Offender Types*, 43 CRIM. JUST. & BEHAV. 343 (2016),  
<http://cjb.sagepub.com/content/43/3/343.abstract?rss=1%25E2%2580%259D>.

Eva Moravcová, *Willingness to Cooperate with the Police in Four Central European Countries*, 22 EUROPEAN J. CRIM. POL'Y & RES. 171 (2016),  
<http://link.springer.com/article/10.1007/s10610-015-9271-0>.

Maarten Van Craen, *Understanding Police Officers' Trust and Trustworthy Behavior: A Work Relations Framework*, 13 EURO. J. CRIMINOLOGY 274 (2016),  
<http://euc.sagepub.com/content/13/2/274> .