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New Developments in Procedural Fairness: 3rd Quarter Report
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General Research

Allison Durkin, The Development of a Preference for Procedural Justice (April 2016)
(unpublished B.S. thesis, Yale University),
<http://cogsci.yale.edu/sites/default/files/files/Thesis2016Durkin.pdf>.

Abstract

Adults prefer fair processes, known as procedural justice, to equal outcomes, known as distributive justice. Adults and children are more likely to accept distributively unjust outcomes if the methods employed are procedurally just. The present study examines the extent of children's understanding of procedural justice by asking children to decide between just and unjust procedures that result in equivalent outcomes, as well as two just procedures that result in inequivalent outcomes. This paper also addresses whether children's preferences change when the outcome may benefit themselves. Results from children ages 4-8 years demonstrate that children robustly attend to and prefer procedural justice to distributive justice. However, young children are less likely to prefer methods that are procedurally just or that create distributively just outcomes when compared with a method that favors them. The findings are consistent with the account of fairness as a method by which to signal impartiality to others.

Suzette Caleo, *Are Organizational Justice Rules Gendered? Reactions to Men's and Women's Justice Violations*, J. APPLIED PSYCHOL. (published online August 2016),
<http://www.ncbi.nlm.nih.gov/pubmed/27504655>.

Abstract

Research has shown that gender role prescriptions can bias reactions to men's and women's work behaviors. The current work draws upon this idea and extends it to consider violations of procedural and interactional justice rules. The results of four experimental studies demonstrate that men and women receive differential performance evaluation ratings and reward recommendations when they violate those organizational justice rules that coincide with the content of prescriptive gender stereotypes. Specifically, women were rated less favorably than men when they exhibited interactional injustice (Study 1 and Study 4), but not when they engaged in procedural injustice (Study 2). Findings also indicate that interactional

justice violations (e.g., being impolite, not caring about the well-being of subordinates), but not procedural justice violations, are deemed less acceptable for female managers than male managers (Study 3). Overall, the findings suggest that reactions to injustice can be influenced by expectations of how men and women should behave.

Rebecca Hollander-Blumoff, *Formation of Procedural Justice Judgments in Legal Negotiation*, GROUP DECISION & NEGOTIATION (published online August 2016), <http://link.springer.com/article/10.1007/s10726-016-9498-2>.

Abstract

Research has indicated that procedural justice—fairness of decision-making processes—plays an important role in bilateral legal negotiation, encouraging the acceptance of negotiated agreements. Additionally, research has suggested that procedural justice leads to opportunities for increased integrative bargaining. However, procedural justice judgments are typically measured as subjective assessments by disputants. If procedural justice plays an important role in legal dispute negotiation, it is critical to understand how individuals form judgments about fairness of process. The study presented explores antecedents of procedural justice judgments in legal negotiation. Results suggest that although all potential identified antecedent variables—voice, courtesy/respect, trust, and neutrality—play a role in judgments about procedural justice, the primary component is courtesy/respect behavior by the speaker and her partner. Parties share some agreement about the presence of courtesy/respect behavior and trust behavior, and third-party coders can identify behavior that reliably relates to the parties' procedural justice antecedent assessments. Additionally, results indicate that appeals to potential “neutral” benchmarks such as legal authority lead to lower assessments of procedural justice. These findings suggest that courtesy and respect are the primary drivers of negotiators' procedural justice assessments, and that such courtesy/respect behavior is not merely a subjective artifact of the participant but can be observed by a third-party coder.

New Thinking and Interpretations

Ben Bradford, Jonathan Jackson & Mike Hough, *Trust in Justice*, in THE OXFORD HANDBOOK OF SOCIAL AND POLITICAL TRUST (Eric Uslaner ed., forthcoming), https://www.researchgate.net/publication/306284234_Trust_in_justice.

Abstract

This article considers what it means for citizens to trust the police and criminal courts. First, a broad definition of trust is outlined. Four theories of trust formation and reproduction are then used to derive a set of propositions concerning the sources of trust in the legal system and the factors that sustain and/or undermine it. A brief review of existing criminological research that provides evidence as to the relevance of these factors is also provided. The article closes with a discussion of the relationship between the concepts of trust and legitimacy in the context of the criminal justice system.

Compliance and Cooperation

Courts and Dispute Resolution

Naomi J. Creutzfeldt & Ben Bradford, *Dispute Resolution Outside of Courts: Procedural Justice and Decision Acceptance Among Users of Ombuds Services in the UK*, 50 LAW & SOC'Y REV. (published online July 2016),

http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2805917.

Abstract

Attitudes towards legal authorities based on theories of procedural justice have been explored extensively in the criminal and civil justice systems. This has provided considerable empirical evidence concerning the importance of trust and legitimacy in generating cooperation, compliance and decision acceptance. However, not enough attention has been paid to attitudes towards institutions of informal dispute resolution. This paper asks whether the theory of procedural justice applies to the alternative dispute resolution (ADR) context, focusing on ombuds services. What are the predictors of perceptions of procedural justice during the process of dealing with an ombuds, and what factors shape outcome acceptance? These questions are analyzed using a sample of recent ombuds users. The results indicate that outcome favorability is highly correlated with perceived procedural justice, and both predict decision acceptance.

John M. Gallagher, *Procedural Justice, Veteran Identity and Legal Legitimacy in Veteran Treatment Courts* (2016) (unpublished Ph.D. dissertation, Arizona State University),

<http://gradworks.umi.com/10/12/10127199.html>.

Abstract

In the wake of the wars in Iraq and Afghanistan, courts and social service systems across the country have begun establishing veterans treatment courts (VTC). The first VTC was created in 2004 and there are now over 300 in at least 35 states. Yet, their underlying assumptions have not been clearly articulated and their functioning and outcomes have not been well tested. These courts aim to reduce rates of incarceration and recidivism among justice-involved veterans and draw heavily on the structure and assumptions of drug and mental health courts. However, VTCs are different in important ways. Unlike other problem solving courts, VTCs actively express gratitude to criminal defendants (for past military service) and have the ability to connect participants to a socially-esteemed identity. Earlier problem solving courts have drawn on Tyler's theory of procedural justice to predict a path from procedurally fair treatment and social bonds with court personnel through changes in social identity to increased perceptions of legal legitimacy and, ultimately, program completion and reduced recidivism. The present study tested a modified, version of Tyler's theory that incorporates gratitude and focuses on veteran identity as the mediating construct between fair treatment and perceptions of legal legitimacy. A cross-sectional survey design was used with a convenience sample (N = 188) of participants in two Arizona VTCs. The results indicate that perceptions of procedural justice, perceived social bonds and receipt of gratitude are positively associated with both veteran identity and perceptions of legal legitimacy. Further, veteran identity was found to be a

significant mediator between the first three constructs and legal legitimacy. Finally, neither recidivism risk nor race/ethnicity moderated the relationships. The study supports the importance of acknowledging past military service and enhancing the level of veteran identity among VTC participants. Implications for practice and future research are discussed.

Naomi Johnstone, *Access to Justice in the Wake of War, Rule of Law Programming and Customary Justice in Post-Conflict Bougainville* (2016) (unpublished Ph.D. dissertation, University of Otago), <https://ourarchive.otago.ac.nz/handle/10523/6736>.

Abstract

The overall aim of this study is to provide new empirical and theoretical knowledge of how rule of law programmes can strengthen access to justice for local populations in the wake of war. Recognising the empirical realities of legal pluralism and the relative accessibility of customary justice systems in many countries emerging from civil war today, this study focuses on rule of law programmes that take an alternate ‘justice from below’ approach and engage with customary justice systems. While often preferred by local populations, customary justice systems can pose challenges for equal access to justice and also tend to be inaccessible to outsiders, who generally lack the legitimacy to effectively engage with them. This is accentuated by the heightened state of flux and fragility in post-conflict societies. In an effort to address this dilemma, the central research question of this thesis is: How do rule of law programmes that engage with customary justice systems affect access to justice in post-conflict societies?

Qualitative methods are used to examine a single case study: the PEACE Foundation Melanesia (PFM) dispute resolution training programme carried out in post-conflict Bougainville. A thematic analysis of 84 interviews conducted in Bougainville reveals three central themes, each of which poses significant challenges for access to justice in post-conflict Bougainville: customary decision-making, post-conflict insecurity, and gender-based violence. The field research findings of this study suggest that by strategically tailoring the PFM programme to the dynamic transitional context in Bougainville – including post-conflict politics and high levels of insecurity – the PFM programme was perceived by local participants as legitimate and resonating with local justice theories. This in turn helped enable the programme to challenge some inequalities related to procedural justice by empowering wider participation and increased disputant voice in dispute resolution processes.

New Thinking and Interpretations

Rebekah Doley, *Accommodating Common Mental Health Issues in Mediation*, 27 AUSTRALASIAN DISPUTE RESOLUTION J. 84 (2016), http://epublications.bond.edu.au/fsd_papers/372/.

Abstract

Mediators have a responsibility to maximise an individual’s ability to effectively participate in the decision-making process, including supporting procedural fairness where equality and balance in the

parties' contributions to the process is expected. Capacity to participate effectively is affected by the presence of mental health concerns. Various means of screening for psychological distress in mediation participants have been discussed, however, there is limited training available to mediators from non-clinical professions in evaluating mental health issues. An alternative approach is to consider ways in which the mediation process could be modified to enhance an individual's capacity to effectively participate, especially when the mental disorder is not chronic, stable, or severe, but is a temporary incapacity. This article will consider commonly occurring mental health concerns in Australia and will explore ways in which mediators might seek to support parties effectively under such conditions.

Elmar Richard Widder, *A Fair Trial at the International Criminal Court? Human Rights Standards and Legitimacy* (2015) (unpublished Ph.D. thesis, University of Hull), <http://ethos.bl.uk/OrderDetails.do?uin=uk.bl.ethos.691380>.

Abstract

Can the procedure at the International Criminal Court be regarded as fair? And why is the level of fairness important for the ICC's legitimacy? This thesis argues that the right to a fair trial is an indispensable prerequisite for international tribunals and that the ICC's level of procedural fairness can be improved despite the Prosecutor's obligation to search for inculpatory and exculpatory evidence equally. Questions of procedural fairness typically involve the principle of equality of arms and the right to adversarial proceedings. My argument is different. In a comprehensive analysis, I create a yardstick drawn from regional human rights decisions and the Human Rights Committee and measure the ICC's procedure against this yardstick. The upshot is that the ICC's procedure does not violate any procedural human rights law. Rather than being a cause for complacency, however, this apparently favourable result reveals an important limitation of existing legal standards of fairness: they do not take sufficient account of the importance of the investigative process as an integral part of a fair trial procedure. My argument draws on the work of Niklas Luhmann and Ronald Dworkin to argue that a weak level of fairness may lead to a loss of the ICC's legitimacy, and that an adequate account of fairness must find a middle ground between an exclusive concern with procedural rights on the one hand or accuracy of outcomes on the other. An alternative is needed to a Prosecutor, who is required, on the one hand, to carry out investigations impartially and, on the other hand, to become a trial party at some point of the procedure. Having considered the option of a Co-Investigative Judge, this thesis concludes that fair trial procedures at the ICC can be improved through the setting-up of an Investigation Oversight Office and explains why such an office would achieve an enhancement in terms of fairness, procedural impartiality and expeditious trials.

Policing

Natasha S. Madon, Kristina Murphy & Adrian Cherney, *Promoting Community Collaboration in Counterterrorism: Do Social Identities and Perceptions of Legitimacy Mediate Reaction to Procedural Justice Policing?* BRIT. J. CRIMINOLOGY (published

online July 2016),

<http://bjc.oxfordjournals.org/content/early/2016/07/05/bjc.azw053.short>.

Abstract

The present study examines whether procedural justice policing can promote Muslims' willingness to cooperate with police in terrorism prevention. Using survey data from 800 Australian Muslims, we show that Muslims value procedural justice when it comes to working with police to prevent terrorism. We also examine whether social identification processes or perceptions of police legitimacy explain why procedural justice promotes Muslims' willingness to work with police. The findings suggest that despite the salience of identity within the current political discourse about terrorism and Islam, perceptions of police legitimacy appear to have a stronger bearing on Muslims' predicted behaviour. We consider the implications of our findings for theories in the procedural justice field and for counterterrorism policy and practice.

Daniel J. Kruger et al., *Perceptions of Procedural Justice Mediate the Relationship Between Local Violent Crime Density and Crime Reporting Intentions*, 44 J. COMM. PSYCHOL. 807 (2016), <http://onlinelibrary.wiley.com/doi/10.1002/jcop.21797/full>.

Abstract

Community attitudes toward the police are of increasing concern to scholars and practitioners. Although it is widely accepted that perceptions of procedural justice are influential in shaping citizens' attitudes toward police, prior studies have not considered its relationship to crime density. To address this gap, we examined the relationship between crime density, perceptions of procedural justice, and intentions to report crimes to police using data from a demographically representative survey in an urban center widely known for exhibiting extremely high violent crime rates. We created a path model predicting perceptions of procedural justice, the likelihood of contacting police to report a crime, and the likelihood of socially interacting with police other than in relation to crime. The results indicate that independent of race and educational background, community members' trust in police mediates the relationship between local crime density and their intentions report crimes to and otherwise interact with the police.

Maarten Van Craen & Wesley G. Skogan, *Achieving Fairness in Policing: The Link Between Internal and External Procedural Justice*, POLICE Q. (published online July 2016), <http://pqx.sagepub.com/content/early/2016/07/13/1098611116657818.abstract>.

Abstract

Decades of research on public support for the police has documented the prominent role of procedural justice in shaping popular views of police legitimacy and the predisposition of citizens to comply and cooperate with them. However, much less attention has been given to the issue of how to get police officers to actually act in accord with its principles when they interact with the public. Reminders of the importance and the difficulty of fostering police legitimacy are not hard to come by, as witnessed in events in the United States during 2014 to 2015. This article addresses the hard, multifaceted issue of fostering procedural justice in the ranks. It theorizes and assesses the relationship between fair

supervision and fair policing. The results of our study indicate that perceived internal procedural justice is directly related to support for external procedural justice (modeling thesis), and also indirectly, via trust in citizens.

Thomas E. Christoff, *Humor with a Shade of Blue: Examining Humorous Exchanges During Police-Community Interactions* (July 2016) (unpublished Ph.D. dissertation, University of Illinois at Chicago), <https://indigo.uic.edu/handle/10027/20838>.

Abstract

A study of the antecedents for a police officer displaying a sense of humor was carried out as well as the effects of humor on elements of procedural justice and satisfaction. Surveys from 11,138 community members with recent police interaction in 51 communities were collected and analyzed. Information on demographic, incident, and community characteristics were utilized for the first part of the analysis (antecedents of officer humor). Community member perceptions of procedural justice elements and their overall satisfaction with the officer encounter were utilized for the second part of the analysis (effects of officer humor). Overall, demographics such as officer age, community member age, and community race were found to be significantly related to whether an officer displayed a sense of humor. Incident characteristics (such as who initiated the interaction and the type of crime involved) were also related to officer displays of humor, as well as community characteristics. When examining the effects of officer humor, there was a direct relationship with the community member's overall satisfaction with the encounter. Officer humor's effect on satisfaction was also mediated by elements of procedural justice (trustworthy, empathy, competence, and respectful), with empathy having the most salient relationship with humor.

Andrea N. Allen, *Do Campus Police Ruin College Students' Fun?* *DEVIANT BEHAV.* (published online August 2016), <http://www.tandfonline.com/doi/abs/10.1080/01639625.2016.1197005>.

Abstract

College students drink alcohol to have fun, but this can lead to trouble with campus police. Based on qualitative data obtained via interviews with 73 students, this article draws on the ethnographic perspective to describe and explain their perceptions of whether campus police ruin college students' fun. Findings are discussed with respect to prior research on the topic, as well as their broader relevance to utilitarianism, police legitimacy, and procedural justice.

Robert E. Worden & Sarah J. McLean, *Measuring, Managing, and Enhancing Procedural Justice in Policing: Promise and Pitfalls*, *CRIM. JUST. POL'Y REV.* (published

online August 2016),

<http://cjp.sagepub.com/content/early/2016/08/03/0887403416662505.abstract>.

Abstract

The procedural justice that citizens subjectively experience with the police affects police legitimacy. The procedural justice of policing is typically not measured in police agencies, nor is it an outcome for which managers are held accountable. We examine whether and how the measurement of procedural justice would affect its management. Survey-based measures of subjective procedural justice in police contacts were reported to two departments' command staffs on a monthly basis in Compstat meetings. The impacts of thusly measuring performance were estimated. We also analyzed an indicator of procedural justice that was based on systematic observation through video and audio recording of police-citizen encounters, and we interviewed patrol officers and supervisors about supervisors' efforts to manage procedural justice. Neither indicator of police performance revealed consistent changes. However, a modest improvement on one platoon was detected. We discuss the implications for enhancing police legitimacy.

Katy Sindall, Daniel J. McCarthy & Ian Brunton-Smith, *Young People and the Formation of Attitudes Towards the Police*, EURO. J. CRIMINOLOGY (published online August 2016),

<http://euc.sagepub.com/content/early/2016/08/03/1477370816661739.abstract>.

Abstract

Much is now known about public trust and confidence in the police, especially regarding the important role of procedural justice in police–citizen engagements. However, less is known about perceptions of the police amongst young people and how their views are formed. We use survey data from more than 1500 young people aged 10–15 years whose parents were also interviewed in the Crime Survey for England and Wales (2010–12) to explore the extent that children's views of the police correspond with those of their parents. We find a strong and consistent link between the views of children and their parents – a relationship moderated by perceptions of police visibility, experience of victimization and the age of the child.

Emma Antrobus & Andrew Pilotto, *Improving Forensic Responses to Residential Burglaries: Results of a Randomized Controlled Field Trial*, 12 J. EXPERIMENTAL CRIMINOLOGY 319 (2016), <http://link.springer.com/article/10.1007/s11292-016-9273-z>.

Abstract

Objectives: Residential burglaries (or break and enters) can cause great concern to the public but are typically a routine police job. The present study sought to evaluate an enhanced police approach to this high-volume crime by emphasizing police–victim interactions and more thorough forensic examinations.

Methods: Scenes of crime officers (forensic examiners) were randomly assigned to either a control (business-as-usual) or experimental condition. Officers in the experimental condition received additional

training and resources to upskill them in DNA and fingerprint evidence collection and crime scene evaluation. Experimental officers also received additional training on procedurally just approaches to dealing with victims and were encouraged to be more thorough and spend more time at these high-volume crime scenes.

Results: The trial revealed that the enhanced, experimental, approach offered a number of benefits, including greater evidence collection, identification, and incidents solved. Further, this enhanced approach boosted victims' perceptions of officers' procedural justice and satisfaction with the procedures used. However, this approach was more costly in relation to time, and the additional collection of extra DNA evidence did not greatly add to the crime solvability of these incidents.

Conclusions: High-volume crimes such as break and enters have a significant impact on the victims and often go unsolved. This study provides causal evidence that enhancing officers' attendance and attention to victims and evidence at these scenes can increase solvability and enhance victim experiences.

Emily Cahill, Questions of Chivalry in Policy-Citizen Interactions: An Examination of Procedural Justice (2016) (unpublished M.A. thesis, George Mason University), http://digilib.gmu.edu/jspui/bitstream/handle/1920/10324/Cahill_thesis_2016.pdf?sequence=1&isAllowed=y.

Abstract

This thesis examines whether a citizen's gender predicts the amount of procedural justice that he or she is shown by an officer during a police-citizen encounter. Possible gender effects are examined in the context of the chivalry and the selective chivalry hypotheses in order to determine whether females are shown more procedurally just treatment than males and whether a female citizen's treatment by police is contingent upon her conformity to traditional gender norms. Using multiple linear regression to analyze data collected during systematic social observations of 243 police-citizen interactions, no evidence of a significant gender effect on officers' procedural justice decision making was revealed. It was found, however, that a citizen's minority status, involvement in an encounter with a service-related primary problem, and negative attitude toward police at the beginning of an interaction all have a significant negative impact on procedural justice. Consideration of these results and of the predictors' effects on the individual elements of procedural justice suggests that chivalry theory may not be applicable to procedural justice decision-making; that service-related encounters do not offer as many opportunities for officers to show neutrality as do other encounters; and that minority citizens do not benefit from as neutral of decision-making by the agents of the criminal justice system as do their White, non-Hispanic counterparts.

Mike Hough et al., Misconduct by Police Leaders in England and Wales: An Exploratory Study (August 2016) (unpublished manuscript),

https://www.researchgate.net/publication/306319728_Misconduct_by_police_leaders_in_England_and_Wales_an_exploratory_study.

Abstract

The study that this article is based on examined cases of alleged misconduct involving chief police officers and staff. It described the nature of cases that came to light, examined pathways that lead to misconduct, and suggested ways of mitigating risks. The study was based on interviews with key stakeholders and with investigating officers in chief officer misconduct cases since April 2008. Cases involving chief officer misconduct fell into two broad categories: those associated with professional decision-making and those related to interpersonal conduct. In around a third of cases, no misconduct was found. There were various routes into misconduct. The ethical climate of a police force was a key determinant of chief officer misconduct. Behaviour was also shaped by individual vulnerabilities, including lack of support, lack of challenge, exposure to corrupting influences, and cognitive failures in decision-making. Various things can be done to mitigate the risk of chief officer misconduct: police leadership needs to develop a greater consensus on what constitutes misconduct; chief officers need to recognise the specific risks of cognitive failure that organisational leaders face, and the temptations of exempting themselves from rules and norms. There also needs to be an organisational ethos in which leaders can be challenged and in which leaders are given the right sort of support when faced with ethical challenges. There needs to be more recognition of the impact of selection and training processes, and of performance management systems, on the ethical climate of police organisations.

Gali Aviv & David Weisburd, *Reducing the Gap in Perceptions of Legitimacy of Victims and Non-Victims: The Importance of Police Performance*, 22 INT'L REV. VICTIMOLOGY 83 (2016), <http://irv.sagepub.com/content/22/2/83.abstract?rss=1%25E2%2580%259D>.

Abstract

Crime victims are a unique subgroup who evaluate the police and police legitimacy more harshly than those who have not been victimized. This could be explained by their victimization, and their special needs from and expectations of the police. Due to the importance of crime victims for the criminal justice system, the current study examines the mechanisms underlying differences in legitimacy evaluations of victims and non-victims. We focus on the two main antecedents of legitimacy: procedural justice and police performance. We find that procedural justice operates similarly for victims and non-victims, but that police performance plays a much more important role as an antecedent for victims. These findings suggest that managing perceptions of police performance may be key to closing the gap in legitimacy evaluations between victims and non-victims.

Matt Radburn et al., *When Is Policing Fair? Groups, Identity and Judgments of the Procedural Justice of Coercive Crowd Policing*, POLICING & SOC'Y (published online September 2016),

https://www.researchgate.net/publication/308502238_When_is_policing_fair_Groups_identity_and_judgements_of_the_procedural_justice_of_coercive_crowd_policing.

Abstract

Procedural justice theory (PJT) is now a widely utilised theoretical perspective in policing research that acknowledges the centrality of police 'fairness'. Despite its widespread acceptance this paper asserts that there are conceptual limitations that emerge when applying the theory to the policing of crowd events. This paper contends that this problem with PJT is a result of specific assumptions that are highlighted by two studies using a novel experimental approach. Study 1 systematically manipulated the social categories used to describe crowd participants subjected to police coercion. The experiment demonstrates how these social categories dramatically affected participants' perceptions of the same police action and that it was participants' relational identification with the police, rather than a superordinate category, that mediated the association between judgements of procedural fairness and intentions to cooperate. In Study 2, using a quasi-experimental design, we then replicated and extended these findings by demonstrating how perceptions of procedural fairness are also influenced by levels of in-group identification. The paper concludes by exploring the implications of the data for reconceptualising the social psychological processes mediating these judgements and impacts of police legitimacy.

Mustafa Demir, *Recorded Justice* (2016) (unpublished Ph.D. dissertation, Rutgers University), <https://rucore.libraries.rutgers.edu/rutgers-lib/50514/>.

Abstract

The perceived benefits of body-worn cameras (BWCs) are grounded in self-awareness theory, which argues that when people are aware that they are being watched, they modify their behavior, exhibit more socially-acceptable behavior, and cooperate more fully with the rules (Duval & Wicklund, 1972). . . . However, so far, a rigorous study has not been conducted to investigate the effect of BWCs on police legitimacy, procedurally just policing, citizen behavior (compliance and cooperation) (White, 2014), trust and confidence in police, and satisfaction (Roy, 2014). This study, believed to be the first study of its kind in the literature, investigated the effect of using BWCs on police and citizens during traffic stops. More specifically, this study experimentally tested the impact of BWCs on police legitimacy, traffic police legitimacy, procedural justice, general compliance, specific compliance, cooperation, satisfaction, and citizen perceptions of police. A randomized controlled trial (RCT) was conducted. Drivers assigned randomly to the experimental group encountered traffic police officers wearing BWCs, whereas those assigned to the control group encountered traffic police officers not wearing a BWC. After the initial encounter, drivers were asked to participate in a survey. The sample size was 299 for the experimental group and 325 for the control group, with 624 participants in total. In addition, the data on complaints about traffic tickets were collected as external data. Both bivariate and multivariate analyses indicated that BWCs had a statistically significant positive impact on all outcomes. In addition, no complaints about traffic tickets were received from the drivers in the experimental group, whereas six complaints about traffic tickets were received from drivers in the control group during the study period. To conclude, BWCs have positive impact on the behavior of both police and drivers. Thus, a new policing strategy, "Recorded Just Policing," should be implemented by police departments.

Daniel K. Pryce, *Ghanaian Immigrants' Experiences with and Perceptions of U.S. Police: A Qualitative Study*, CRIM. JUST. REV. (published online September 2016), <http://cjr.sagepub.com/content/early/2016/09/22/0734016816669982.abstract>.

Abstract

Focus groups help researchers obtain rich, experiential data in order to increase our sociological and psychological understanding of human interactions. In this study, I used qualitative data obtained from two focus groups, comprising 13 participants from the Ghanaian community, to understand Ghanaian immigrants' personal experiences with and perceptions of the police in the United States. The rise in immigration from sub-Saharan Africa means that these immigrants' views of and experiences with the police will become increasingly important to successful policing in local communities across the United States. The results of this study point to the need for U.S. police to employ procedural justice and distributive justice in their dealings with Ghanaian immigrants. These immigrants also believe that both their skin color and foreign accent pose a disadvantage when dealing with police. By addressing these concerns, the U.S. police would gain the trust and cooperation of the Ghanaian immigrant community. The policy implications of the findings are discussed.

Nathalie-Sharon N. Koster, *Victims' Perceptions of the Police Response as a Predictor of Victim Cooperation in the Netherlands: A Prospective Analysis*, PSYCHOL. CRIME & L. (published online September 2016), <http://www.tandfonline.com/doi/abs/10.1080/1068316X.2016.1239098>.

Abstract

The current study prospectively explores whether crime victims' willingness to cooperate with the police is predicted by victims' perceptions of police officers' behaviour with regard to their case through their perceptions of police legitimacy. Structural equation modelling was used to examine the interrelationships between the study variables while controlling for baseline values among a sample of 201 crime victims in the Netherlands. Results indicate that victims' perceptions of procedural justice and police performance were predictive of both indicators of perceived police legitimacy (i.e., obligation to obey the law and trust in the police). Moreover, victims' willingness to cooperate with the police was indirectly predicted by victims' perceptions of procedural justice and police performance, through their perceptions of obligation to obey the law. These findings suggest that police officers may play an important role in stimulating victims' willingness to cooperate with the police by treating victims fairly and by taking investigative actions to solve the crime.

New Thinking and Interpretations

Alec Kraus, *The Consent Search Warning Argument: Procedural Justice and What a Warning Might Do for Police Legitimacy* (March 2016) (unpublished honors thesis,

Western Michigan University),

http://scholarworks.wmich.edu/cgi/viewcontent.cgi?article=3715&context=honors_theses

Abstract

In 1966, the Supreme Court delivered the landmark *Miranda v. Arizona* decision that created the Miranda warning, which reminds citizens of their rights to remain silent and have an attorney present during custodial interrogations. However, through *Schneckloth v. Bustamonte* in 1973, the Court decided not to create a mandatory warning that reminds citizens of their right to refuse a consent search. Through these cases and the others discussed, the Court has often argued over whether or not these types of warnings impair police work, whether the contexts surrounding these instances amount to coercion, and whether or not a warning is constitutionally necessary. This paper explores the practicality and voluntariness premises but does not discuss whether or not a consent search warning should be considered constitutionally mandatory. After reviewing the research, consent searches inherently involve some amount of compulsion but are not impractical, as some have claimed. Since research shows that a warning would not influence a significant change in the amount of consent searches or make these situations any more voluntary, any argument for or against a warning should not be based solely on those grounds. Instead, this paper introduces a new aspect: procedural justice. A warning could have an impact in the areas of procedural justice and police legitimacy. Accordingly, police agencies and other police regulatory entities should adopt consent search warning rules in order to increase their own legitimacy and citizens' perceptions of procedural justice.

Seth W. Stoughton, *Principled Policing: Warrior Cops and Guardian Officers*, WAKE FOREST L. REV. (published online August 2016),

http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2830642.

Abstract

Policing in the United States is in crisis. . . . Activists, politicians, and police officials themselves have called for better education and equipment, from de-escalation training to body-worn camera systems. But while training and equipment can marginally improve policing practices and public perceptions of the profession, and while both may prove to be necessary components of meaningful, long-term reform, they will not be sufficient. Law enforcement's problems are, in large part, the result of principles that underlie policing. Resolving the crisis requires acknowledging and changing those principles.

Policing principles shape the police mission and how officers perceive their relationship to the public, which affect in turn affect officers' decisions and actions. This Article explores perhaps the most problematic aspect of modern policing: the idealization of the "Warrior" metaphor. To officers, the Warrior represents honor, duty, and resolve, and the concept provides them with both psychological and pragmatic benefits. But although it was adopted with the best of intentions, the Warrior ideal has been corrupted and its benefits more than offset by hidden costs. The Warrior concept contributes to an adversarial approach to policing that has undermined police/community relations, frustrated effective law enforcement, needlessly endangered officers and civilians, and stymied meaningful reform.

As a profession, policing must realign its principles by emphasizing that the principle goal is protecting civilians from unnecessary indignity and harm. To resolve the friction that the Warrior metaphor has countenanced, law enforcement must adopt a procedurally just culture emphasizes communication over commands, cooperation over compliance, and legitimacy over authority. Officers must be capable of being Warriors when it is necessary, of course, but the profession and the public would be better served if officers patterned themselves on the image of the Guardian.

Jonathan Blanks, *Thin Blue Lies: How Pretextual Stops Undermine Police Legitimacy*, 66 CASE W. RES. L. REV. 931 (2016),

<http://object.cato.org/sites/cato.org/files/articles/blanks-cwrlr-v66n4.pdf>.

Excerpt from Introduction

Whren v. United States clarified the Supreme Court's support of the practice of pretextual stops—using minor traffic violations as a reason to stop a person in order to investigate suspicious activity. However, a tactic's legality does not make it inherently ethical, just, or effective. The following essay considers the role of pretextual stops in relation to police departments' relationship with minority communities, particularly black communities. I argue that pretextual stops are one part of a larger and deeply troubling mélange of legal fictions, intentional deception of the innocent, and perverse incentives that undermine the perceptions of legitimacy of law enforcement, particularly for black Americans. As a partial remedy to the larger problem of police legitimacy in black communities, I contend the use of pretextual stops ought to be severely curtailed or eliminated outright in order to improve police relationships with African Americans.

Business and Management

Cecilia Albin & Daniel Druckman, *Negotiating Effectively: Justice in International Environmental Negotiations*, GROUP DECISION & NEGOTIATION (published online September 2016), <http://link.springer.com/article/10.1007/s10726-016-9509-3>.

Abstract

Are negotiators who rely on justice principles in the process of bargaining and drafting agreements more—or rather less—effective than others? This article examines whether adherence to principles of procedural and distributive justice in negotiations contributes to more effective results, with a focus on international environmental negotiations. Effectiveness is defined in terms of the extent of agreement (among parties and on issues), time to reach agreement, and comprehensiveness of the agreement. A set of hypotheses is evaluated on a selection of bilateral and multilateral cases of environmental negotiations, using statistical methods. The analyses reveal that adherence to principles of procedural justice contributes to more effective results in multilateral environmental negotiations. These principles are found to hinder effectiveness in the bilateral cases. On the other hand, adherence to principles of distributive justice is only moderately related to effectiveness in both the bilateral and multilateral cases.

Koen Tackx, Ludo Van der Heyden & Paul Verdin, *Fairness in Strategy: A Fair Process Evaluation of Strategy Schools* (INSEAD Working Paper No. 2016/47/TOM/EFE, 2016), http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2803145.

Abstract

The ‘strategy creation’ process – the process of formulating and implementing strategy – has been under critical study for decades for not delivering the desired results. The discussion on how a strategy process should be run has resulted in a number of ‘strategy schools’. Procedural justice theory is relevant to this discussion. It states that when people impacted by a process consider the process as ‘fair’ they demonstrate a higher level of trust and commitment, and performance increases. This article evaluates the extent to which traditional ‘strategy schools’ comply with the tenets of procedural justice theory and highlight the non-compliance with these tenets for each of these schools. The authors then propose a new strategy process model which has a greater fair process dimension than any of the more traditional ‘strategy schools’ and as such offers the potential to bring greater effectiveness to the strategy process.

Yu-Li Lin, Hsiu-Wen Liu & Phuoc-Thi Ngo, *Silence Is Not Golden: The Effects of Prohibitive Voice on Customer Citizenship Behaviors*, 9 INT'L BUS. RESEARCH (published online July 2016), <http://www.ccsenet.org/journal/index.php/ibr/article/view/60842>.

Abstract

This work analyzes the effects that service employee prohibitive voice behavior has on customer perceptions of the procedural justice received, and the consequent customer citizenship behaviors (CCB). Prohibitive voice expresses the service workers’ concern about existing or upcoming practices, events, or acts that may harm their service outcome. While this voice has been recognized as constructive and

helpful to organizations, its roles regarding customer perceptions and CCB remain unexplored. Beginning with a brief review of the conceptual background of prohibitive voice, procedural justice and CCB, this paper proposes a model to test these relationships empirically. This study contributes to service research by applying the concept of “prohibitive voice” to service encounters. Implications for managing service encounters are also discussed herein.

Nele Lüker, Till J. Winkler & Thomas Kude, *IT Consumerization and Compliant Use: Do Policies Matter?* PACIS 2016 Proceedings, Paper 32 (June 2016), <http://aisel.aisnet.org/pacis2016/32>.

Abstract

Facing the ongoing IT consumerization trend, organizations take different strategies that permit or regulate the acquisition and use of consumer-originated IT devices at the workplace. This paper investigates the effect of two types of IT consumerization strategies (‘laissez-faire’ and ‘middle ground’) on the policy-related attitudes of employees and their level of policy-compliant device usage (voice, email, and data) at two higher education institutions. Based on hypotheses derived from two theories – i.e., procedural justice theory and transaction cost theory – and mixed methods interviews with 36 employees, our findings suggest a paradox where middle ground strategies accommodating for IT consumerization are associated with a higher understanding of, but a lower satisfaction with these policies. Differences in compliant behavior are found for voice and data usage on professional devices. Extending the procedural justice view, we conclude that transaction cost theory serves as a complementary lens to explain policy compliance.

Hanif Qureshi et al., *Organisational Justice's Relationship with Job Satisfaction and Organisational Commitment Among Indian Police*, POLICE J. (published online August 2016), <http://pjax.sagepub.com/content/early/2016/08/19/0032258X16662684.abstract>.

Abstract

The concept of justice plays an important role in shaping the attitudes of citizens towards criminal justice agencies. Additionally, research indicates that police officers’ perceptions of justice within their own organisation can affect their attitudes towards it. Most of the research to date has focused on police officers in Western nations; however, the effects of organisational justice could be universal (i.e. cut across different police agencies and nations) or contextual (i.e. vary between cultures). The current study examined the association between perceptions of two dimensions of organisational justice, distributive (fairness in outcomes) and procedural (fairness in procedures/processes), with job satisfaction and organisational commitment among Indian police officers. Ordinary least squares (OLS) regression analysis of survey data collected from 827 officers stationed in the Sonapat and Rohtak districts in the north Indian state of Haryana indicated that perceptions of distributive justice and procedural justice (in terms of promotions and evaluations) had significant positive relationships with both job satisfaction and

affective organisational commitment. The findings support the contention that perceptions of organisational justice have important effects on Indian police officers.

Ralf Bebenroth, Maimunah Ismail & Tomoki Sekiguchi, *Target Firm Employee Perceptions of Procedural and Interpersonal Justice*, 35 HUM. SYSTEMS MGMT. 165 (2016), <http://content.iospress.com/articles/human-systems-management/hsm0864>.

Abstract

This study contributes to the understanding of how target firm employees perceive organizational change after a cross-border acquisition. Based on the tenets of the group engagement model, we pick procedural and interpersonal justice and investigate how it influences the organizational identification of target employees. We extend previous findings from the literature, that employees who are treated better have a higher organizational identification to the new firm. Overall we find that procedural justice matters more to target employees than interpersonal justice does. Furthermore, while procedural justice matters earlier at the post-acquisition integration, interpersonal justice becomes more salient a year after the deal. Managers are therefore advised to inform their target employees immediately after the deal about procedures, and especially about their (possible) future stay at the new firm. Implications and future research directions are discussed.

Jiatian Chen et al., *Exploring the Boundaries of Career Calling: The Moderating Roles of Procedural Justice and Psychological Safety*, J. CAREER DEV. (published online September 2016), <http://jcd.sagepub.com/content/early/2016/09/28/0894845316671214.abstract>.

Abstract

The purpose of this research was to examine how the relation between an individual's calling and his or her job satisfaction, turnover intentions, and career success is affected by two dimensions of organizational context, procedural justice and psychological safety. Data were obtained from 526 employees of a law enforcement agency in the Midwest United States. Our results indicate that calling is important to both employees and employers since individuals with higher sense of calling are more satisfied with their jobs, less likely to turn over, and are more content with their careers. Moreover, this study provides evidence that under poor contextual conditions, the relation between calling and job satisfaction is stronger than in good contextual conditions (i.e., procedurally just or psychologically safe contexts). Our findings also suggest that a psychologically safe organizational environment is of some importance to experiencing a feeling of career success for those with a higher sense of calling.

Miscellaneous

Marc Hooghe & Dieter Stiers, *Elections as a Democratic Linkage Mechanism: How Elections Boost Political Trust in a Proportional System*, 44 ELECTORAL STUD. 46 (2016), <http://www.sciencedirect.com/science/article/pii/S0261379416300877>.

Abstract

Elections offer a privileged moment in representative democracy, when citizens have the opportunity to express their views, both on the track record of the incumbent government, as on the way the country should be governed in the future. Procedural fairness theory assumes that taking part in a decision making procedure that is perceived to be fair, strengthens the legitimacy of the entire process. Most of the empirical research assumes that the attitudinal effects of elections are mainly due to the fact that one's preferred party wins the elections. In multi-party systems, however, such a clear distinction is not always possible and therefore it is hypothesized that the winner-loser-logic is weaker in this kind of party system. In this study we rely on a unique Belgian panel study to ascertain how electoral participation has an effect on political trust. The results show that in a proportional system all voters rise in political trust following their participation in elections. The winner-loser effect is not significant. Furthermore, the analyses suggest that especially the respondents with the initially lowest trust levels gain most by participating in elections. The theoretical implication of this finding is that apparently elections are still considered to be an important and legitimate linkage mechanism between citizens and the political system.

Roland Burger, *Student Perceptions of the Fairness of Grading Procedures: A Multilevel Investigation of the Role of the Academic Environment*, HIGHER EDUC. (published online August 2016), <http://link.springer.com/article/10.1007/s10734-016-0049-1>.

Abstract

The purpose of this study is to examine the effects of assessment method (essays vs. examinations) and instruction method (seminars vs. lectures) on student perceptions of the fairness of the assessment process. Department-specific combinations of these factors give a unique profile to the assessment process and to the way students interact with faculty. It is argued that the conditions thus created place students in some departments in a more advantageous position when it comes to meeting justice-related expectations. The variables of interest are procedural justice (PJ) and informational justice (IJ). For PJ, aspects regarding the amount of control students can exert on the grading process (PJ-C) are distinguished from aspects regarding the perceived validity of grading procedures (PJ-V). The sample consists of 1549 students from 48 departments of a German university. Analysis is done via multilevel mixed effects models. Models also check for cross-level interactions between effects of the academic environment and student socioeconomic status (SES). Results show that PJ-C and PJ-V are significantly affected by the assessment method. Higher proportions of essays relative to examinations in a department lead to higher ratings of PJ-C, while they decrease ratings of PJ-V. Ratings of IJ are higher as well if assessment is more essay-based, although this only affects low-SES students. Regarding the instruction method, a higher proportion of seminars was found to significantly increase PJ-C and IJ. Again, effects on IJ are moderated by parental SES. Policy implications for reducing feelings of injustice are discussed.

Andrea Olive, *It Is Just Not Fair: The Endangered Species Act in the United States and Ontario*, 21 *ECOLOGY & SOC'Y* 13 (2016), <http://www.ecologyandsociety.org/vol21/iss3/art13/>.

Abstract

The United States and the Canadian province of Ontario have enacted endangered species laws that regulate private land. The rationale for this is that the vast majority of endangered species in the two countries rely on private lands for survival. However, from a landowner perspective the law is deemed unfair. This paper presents analysis from 141 interviews with landowners in three U.S. states and Ontario. In recognition of distributive justice claims, both the U.S. government and the Ontario government have enacted programs aimed at increasing financial incentives for participation and compliance with the law. However, the law is still perceived as unfair. The central argument of this paper is that future amendments and new policies for endangered species should confront two other forms of environmental justice: procedural justice and justice-as-recognition. Landowners in both countries expressed not only concerns about compensation, but also a deep desire to be included in the protection and recovery process, as well as to be recognized by government and society as good stewards of the land. The paper concludes by stating that future policy amendments need to address justice-as-recognition if endangered species conservation on private lands is to be considered fair by landowners.

Pedro C. Magalhães, *Economic Evaluations, Procedural Fairness, and Satisfaction with Democracy*, 69 *POL. RES. Q.* 522 (2016), <http://prq.sagepub.com/content/69/3/522>.

Abstract

Although public support for political authorities, institutions, and even regimes is affected by the delivery of positive economic outcomes, we know that judgments on authorities are also made on the basis of several other aspects that fall into the general theme of “procedural fairness.” So far, most of the literature examining satisfaction with democracy has, from this point of view, focused on the direct effects of both economic and procedural fairness indicators or evaluations. This study takes as its starting point a large number of studies in social psychology showing that procedural fairness moderates the effects of outcome favorability in the explanation of citizens’ reactions to authorities. It expands those findings to the macro-political level, using representative samples of European populations in twenty-nine countries. It reveals that the general depiction of satisfaction with the way democracies work in practice as a fundamentally “performance-driven attitude” needs to be qualified: economic evaluations matter, but they do not matter in the same way in all contexts and for all people, with procedural fairness playing a relevant moderating role in this respect.

Jangmin Kim & Saba Siddiki, *Linking Diversity of Collaborative Policymaking Venues with Procedural Justice Perceptions: A Study of U.S. Marine Aquaculture Partnerships*, *AM. REV. PUB. ADMIN.* (published online September 2016), <http://arp.sagepub.com/content/early/2016/09/15/0275074016669442.abstract>.

Abstract

Diversity has long been recognized as a critical component of collaborative governance. Among many rationales, the representation of diverse perspectives and participants in collaborative governance arrangements is expected to facilitate holistic understandings of complex public policy and management issues while promoting principles of democracy and inclusion. Such outcomes, however, are typically only achievable if the process of collaboration similarly engenders these principles. In this article, we investigate the dynamic relationship between diversity and perceived procedural justice in the context of 10 collaborative policymaking groups involved in guiding U.S. marine aquaculture policy development. Among our key findings is that certain types of participant diversity (i.e., affiliation and intergovernmental diversity) and diversity in beliefs about science and local knowledge are significantly associated with perceptions of procedural justice among participants within the collaborative groups. We also find that the relationship between participant diversity and perceived procedural justice is curvilinear; the positive effect of diversity is highest when the level of diversity is moderate (an inverted U-shaped pattern). We conclude our article with practical implications and suggestions for future research on procedural justice within collaborative partnerships.

Xuan-Na Wu, Xue Wu & Wei Wang, *How Do Cognitive and Affective Trust Impact Process–Outcome Interaction?*, 44 *SOC. BEHAV. & PERSONALITY* 1395 (2016), <https://www.sbp-journal.com/index.php/sbp/article/view/5891>.

Abstract

Procedural justice interacts with outcome favorability to influence people's beliefs and behaviors. However, different patterns of process–outcome interaction have been observed. In this study, we proposed that cognitive trust in authority and affective trust in authority would determine the pattern of process–outcome interaction in the field of public policy. A scenario designed to assess acceptance of public policy was used to examine our hypotheses. Participants were 373 Chinese undergraduate students. Results showed that cognitive trust moderated the process–outcome interaction, but affective trust did not. When participants had strong cognitive trust in authority, procedural justice reduced the negative effect of an unfavorable outcome (low–low interactive pattern); when participants had little cognitive trust in authority, procedural justice heightened the positive effect of a favorable outcome (high–high interactive pattern). The implications of our findings and possible avenues to explore in future research are discussed.

Jingkang Gao, *Why the Chinese Obey the Law: Case Studies from Transportation* (2016) (unpublished S.M. thesis, Massachusetts Institute of Technology), <http://dspace.mit.edu/handle/1721.1/104121>.

Abstract

Why do people obey the law? Economists take the instrumental perspective, according to which compliance is based on tangible gains and losses to the individual; policymakers can obtain compliance through increasing the certainty or severity of punishment for violations. Psychologists have added the normative perspective to the compliance literature. According to the normative perspective, compliance is

based on internalized social values irrespective of utility changes to the individual. Two important types of normative motivations explored in this thesis are the perceived legitimacy of the authorities and the perceived morality of the laws. This thesis contains three papers that address compliance in the context of transport in China. The first paper examines compliance with a wide set of laws and regulations from public disturbance to distracted driving and explores which set of evaluations determine legitimacy. The results show that morality is the most important motivation, that the severity of punishment is more influential than the perceived risk of apprehension, and that legitimacy is determined by procedural fairness. The second paper examines compliance with twelve traffic laws. The results also show that morality is the most important motivation, that legitimacy influences younger drivers while safety influences older drivers, and that there is a social norms gap between distracted driving laws and conventionally studied traffic laws. The third paper examines compliance with the Shanghai license plate auction policy. The results again while normative, instrumental, and image motivations influence compliance for local hukou holders, only instrumental motivations influence compliance for non-local hukou holders. The findings contribute to the research on compliance and provide potential recommendations for authorities and policymakers.

Barbara Fersch, *Welfare Service Professionals, Migrants, and the Question of Trust: A Danish Case*, 6 PROFESSIONS & PROFESSIONALISM (2016), <http://www.forskningsdatabasen.dk/en/catalog/2343177467>.

Abstract

The aim of this article is to analyze migrants' interpretations of their encounters with welfare service professionals in Denmark, focusing on client trust and exploring its diversity across professions. It is based on qualitative interviews with migrants. Migrants as newcomers to the welfare state constitute an interesting case that might allow specific insights into how and in what ways trust and distrust emerge. Aspects such as procedural justice, professional morality, and personal feelings have emerged from the explorative analysis as important trust-generating features of encounters. Trust in the welfare state appears to be useful for "overriding" negative experiences with individual professionals and in other cases of distrust, and migration specific exit practices have been observed. Finally, some migrants do indeed seem to apply experiences of trust with welfare service professionals to the Danish state or even society, and thus the professionals involved can be called hidden "integrative" resources.

Neil Simcock, *Procedural Justice and the Implementation of Community Wind Energy Projects: A Case Study from South Yorkshire, UK*, 59 LAND USE POL'Y 467 (2016), <http://www.sciencedirect.com/science/article/pii/S0264837716300618>.

Abstract

In policy and activist discourses there is often an expectation that community wind energy projects will avoid the conflicts and local opposition often associated with private-developer-led developments. However, the empirical validity of this assertion has not been widely investigated. In previous research on private-developer wind projects, the fairness of decision-making processes ('procedural justice') during project implementation has been identified as an important factor in shaping local acceptance, but has not

been deeply studied in relation to community-led schemes. Using in-depth qualitative research of a proposed community wind project in South Yorkshire, this paper examines stakeholder interpretations of procedural justice during the design and siting of this scheme. Although the project leaders explicitly aimed for a fair and ‘democratic’ implementation process, considerable conflict emerged over whether this goal was achieved. The analysis shows that these conflicting views were the result, firstly, of different normative expectations of what ‘procedural justice’ actually meant and involved, and, secondly, of contrasting stakeholder experiences of the decision processes that were utilised. It cannot be assumed that community wind projects will always be considered procedurally just at the local level, with much resting on the details of how they are undertaken.

New Thinking and Interpretations

Saila Ouald Chaib, *Procedural Fairness as a Vehicle for Inclusion in the Freedom of Religion Jurisprudence of the Strasbourg Court*, 16 HUM. RTS. L. REV. 483 (2016), <http://hrlr.oxfordjournals.org/content/16/3/483>.

Abstract

The increasing religious diversity in western Europe poses challenges for courts, including the European Court of Human Rights (‘the Court’), whose jurisprudence on the right to freedom of religion has been widely criticized for being too restrictive, unprotective and non-inclusive. This criticism mainly refers to the substantive aspect of the Court’s case law. Indeed when dealing with the question how the religious diversity can be best dealt with from a human rights perspective, the first focus of the Court should relate to the substantive inclusion of this diversity. However, in a diversity context it is inherently impossible to substantively accommodate all religious claims and needs. Building on the social psychology notion of procedural fairness, this article will show how, despite the impossibility of always providing applicants with favourable inclusive outcomes in their case, the Court can, and should always, ensure that it communicates inclusion at a procedural level. It does so through an in-depth analysis of the Court’s Article 9 case law delivered from 1999 until today.

Now in Print

These articles have been listed in past quarterly reports as forthcoming but have recently been published in print. This section also includes older articles that have just recently come to our attention.

Hiroshi Nonami et al., *Effects of Voice and Similarity on Procedural Fairness and Trust: A Dual Process Model of Public Acceptance Based on Representatives’ Participation*, 18 ASIAN J. SOC. PSYCHOL. 216 (2015), <http://onlinelibrary.wiley.com/doi/10.1111/ajsp.12097/abstract>.

Tom R. Tyler, Phillip Atiba Goff & Robert J. MacCoun, *The Impact of Psychological Science on Policing in the United States: Procedural Justice, Legitimacy, and Effective*

Law Enforcement, 16 PSYCHOL. SCI. PUB. INTEREST 75 (2015),
https://uploads.trustandjustice.org/misc/Psychological_Science_in_the_Public_Interest-2015-Tyler-75-109.pdf.

Ian Brunton-Smith & Daniel J. McCarthy, *Prison Legitimacy and Procedural Fairness: A Multilevel Examination of Prisoners in England and Wales*, 33 JUST. Q. 1029 (2016),
<http://www.tandfonline.com/doi/abs/10.1080/07418825.2015.1023215>.

Francis D. Boateng, *Students and the Police in Ghana: Mixed Feelings*, 17 POLICE PRAC. & RES. 555 (2016),
<http://www.tandfonline.com/doi/abs/10.1080/15614263.2015.1086877>.