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New Developments in Procedural Fairness: A Quarterly Report
Fall 2018

General Research

Kim A. Young & Shahidul Hassan, *How Procedural Experiences Shape Citizens' Perceptions of and Orientations Toward Legal Institutions: Evidence from a Household Survey in Bangladesh*, INT'L REV. ADMIN. SCI. (published online July 2018), <http://journals.sagepub.com/doi/abs/10.1177/0020852318768097>.

Abstract

Integrating theories and research on procedural justice and policy design, this article provides insight about how institutional context and experiences shape citizens' perceptions about procedural fairness and trust and confidence in legal institutions. We address this question with data collected through a household survey in Bangladesh. The analysis shows that citizens' experiences with legal institutions vary across four separate justice venues. We find that openness of decision processes, perceived competency of the decision maker, and whether citizens needed to pay a bribe to obtain legal service affect procedural fairness perceptions. Moreover, the results show that perceptions of procedural fairness relate positively with citizens' willingness to return to that justice institution but not with complying with authorities. Implications for research on effective governance are discussed.

Kyle McLean, Scott E. Wolfe & Travis C. Pratt, *Legitimacy and the Life Course: An Age-Graded Examination of Changes in Legitimacy Attitudes over Time*, J. RES. CRIME & DELINQUENCY (published online August 2018), <http://journals.sagepub.com/doi/abs/10.1177/0022427818793934>.

Abstract

Objectives: A body of literature has demonstrated that the perceived legitimacy of legal authorities is an important predictor of criminal offending. Criminal offending is itself age-graded and good explanations of offending should offer some insight for how it changes as individuals age. This article attempts to address this gap by developing and testing seven hypotheses regarding how legitimacy changes over time.

Method: Using panel data from the Pathways to Desistance study, a latent growth model (LGM) for legitimacy examines how evaluations of legitimacy change from adolescence to emerging adulthood as well as what factors influence this change.

Results: During the period individuals were involved in the study, the LGM revealed that perceptions of legitimacy increase as individuals progress through adolescence before stabilizing in emerging adulthood. Several theoretical factors were related to individuals' legitimacy evaluations including parental evaluations of legitimacy, family support, emotionality, and self-control. Most importantly, perceptions of procedural justice were found to be related to legitimacy, but this relationship weakened as individuals aged.

Conclusions: Evaluations of the legitimacy of legal authorities are, in fact, age-graded. Criminologists should continue to explore the sources of legitimacy evaluations in further developing legitimacy as an important theory of criminal behavior.

Shuwei Zhang & Jie Zhou, *Social Justice and Public Cooperation Intention: Mediating Role of Political Trust and Moderating Effect of Outcome Dependence*, 9 FRONTIERS PSYCHOL. 1381 (2018), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6102404/>

Abstract

Cooperation is vital to human evolution and the development of society. In addition, social justice is one of humanity's long pursuits. Based on social exchange theory and system justification theory, we built and tested a comprehensive mediated moderation model of the relationship between social justice and public cooperation intention via the mediation of political trust and with the moderation of outcome dependence. This research consisted of two studies using laboratory experiment (N = 320) and field survey (N = 1240) methods. Data were collected from participants located in China. The results showed that (1) both competence-based trust and motive-based trust mediated the relationship between social justice (i.e., distributive justice and procedural justice) and public cooperation intention; (2) outcome dependence moderated the relationship between social justice and public cooperation intention; and (3) the moderation of outcome dependence functioned through the mediating effect of competence-based and motive-based trust. The theoretical and practical significance of these findings is discussed.

Juan Liang, Liu Wu & Hongyu Ma, *When Does Procedural Justice Influence Perceived Legitimacy? The Role of Standing Uncertainty and Group Identification*, ASIAN J. SOC. PSYCHOL. (published online September 2018), <https://onlinelibrary.wiley.com/doi/abs/10.1111/ajsp.12340>.

Abstract

Many empirical studies have shown that procedural justice is the key determinant of whether an individual perceives an authority figure as legitimate. However, based on relational models of procedural justice and the uncertainty management model, there is reason to believe that the association between

procedural justice and perceived legitimacy may be stronger for individuals who are uncertain about their standing as group members (moderation); this interaction might predict group identification and, in turn, perceived legitimacy (mediation). We tested this mediated moderation model in two experiments (Studies 1a and 1b) and a field study (Study 2) using different operationalizations of standing uncertainty across studies. The results of Studies 1a and 1b demonstrated that the association between procedural justice and perceived legitimacy was stronger for participants with high (vs. low) standing uncertainty. Study 2 showed that group identification mediated the association between this interaction effect and perceived legitimacy. Together, the results of the mediated moderation analysis showed that procedural justice was positively associated with perceived legitimacy through high group identification when standing uncertainty was high. The theoretical contributions and practical implications of our findings are discussed.

New Thinking and Interpretations

Glenn D. Walters & P. Colin Bolger, *Procedural Justice Perceptions, Legitimacy Beliefs, and Compliance with the Law: A Meta-Analysis*, *J. EXPERIMENTAL CRIMINOLOGY* (published online September 2018), <https://link.springer.com/article/10.1007/s11292-018-9338-2>.

Abstract

Objectives: The purpose of this study was to compare procedural justice and legitimacy as correlates and predictors of compliance with the law.

Methods: A literature review produced 64 studies, 95 samples, and 196 effect sizes from studies published or conducted sometime between 1990 and February 2018 in which procedural justice was correlated with legitimacy and/or compliance, or legitimacy was correlated with compliance. Fifty samples included all 3 correlations, 3 samples included 2 correlations, and the remaining 42 samples included a single correlation. Two random effects meta-analyses were performed.

Results: Pooled univariate effects for all three correlations achieved significance. Although there was a high degree of heterogeneity in the results and modest evidence of publication bias in one of the subsamples, sensitivity testing indicated that no one study had an undue influence over the results. Using a generalized least squares (GLS) multivariate approach, a path analysis revealed a significant a path from procedural justice to legitimacy, a significant b path from legitimacy to compliance, and a significant path from procedural justice to compliance, but only the a and b paths were significant when the analysis was restricted to studies with longitudinal data.

Conclusions: The current findings suggest that legitimacy beliefs are instrumental in promoting compliance with the law and that while procedural justice perceptions also appear to predict compliance, the effect was relatively weak in this meta-analysis and could not be reliably established in longitudinal datasets.

Compliance and Cooperation

Courts and Dispute Resolution

RACHEL SWANER ET AL., CTR. FOR CT. INNOVATION, WHAT DO DEFENDANTS REALLY THINK? PROCEDURAL JUSTICE AND LEGITIMACY IN THE CRIMINAL JUSTICE SYSTEM (September 2018),

[https://www.courtinnovation.org/sites/default/files/media/documents/2018-09/what do defendants really think.pdf](https://www.courtinnovation.org/sites/default/files/media/documents/2018-09/what%20do%20defendants%20really%20think.pdf).

Excerpt from Executive Summary

In the last decade, reformers have sought to strengthen the legitimacy of the United States criminal justice system by embracing the concept of procedural justice. . . . This study examines how those who go through multiple components of the justice system (e.g., arrest, adjudication, incarceration) perceive procedural justice across sectors. With funding from the Bureau of Justice Assistance at the U.S. Department of Justice, the Center for Court Innovation conducted a mixed-method study to provide a research-informed foundation for interventions and policies to increase perceptions of procedural justice and overall fairness across the criminal justice system. We administered closed-ended surveys to 807 justice-involved people to determine their perceptions of procedural justice and overall feelings of fairness related to multiple criminal justice actors and agencies. Additionally, we conducted in-depth, qualitative interviews about procedural justice with 102 people who had significant experience with the police, the courts, and corrections. Data collection took place in Newark, NJ and Cleveland, OH.

Tyrell A. Connor, *Legitimation in Action: An Examination of Community Courts and Procedural Justice*, J. CRIME & JUST. (published online September 2018),

<https://www.tandfonline.com/doi/abs/10.1080/0735648X.2018.1506708>.

Abstract

We are at a critical moment in criminal justice reform as public distrust grows and threatens the legitimacy of the justice system. This is especially true for poor communities of color who have lower levels of trust because they have been disproportionately involved in the system, compared to their white counterparts. Community courts represent one way to restore trust and legitimacy in our criminal justice system. Although community courts are gaining popularity among policymakers, there has been little research about them. Using the theoretical framework of procedural justice, this study examines the way community courts attempt to achieve such reform. Observations, field notes, and interviews were taken over a three-month time period in three community courts: Midtown, Red Hook, and Newark. The findings illustrate the various ways judges in community courts practice and apply principles of procedural justice. Furthermore, this paper highlights findings that demonstrate how certain courtroom practices and procedures may be potentially problematic to procedural justice.

Policy implications of this paper give advice on the ways community courts can strengthen their use of procedural justice in order to maintain legitimacy and trust in communities.

Mickael Nickolas Bojczenko, *The Role of Procedural Justice Reasoning in the Reintegration of Sexual Offenders into the Community* (2018) (unpublished Ph.D. thesis, Swinburne University of Technology),

<https://researchbank.swinburne.edu.au/items/1dee63a6-be0b-4de2-9a18-e4c80b7dda8b/1/>.

Abstract

Preventive detention schemes operate in jurisdictions around the world and were created to protect the community from individuals who still present an unacceptable risk of harm following a term of incarceration. Legislation stipulates ongoing detention or supervision should serve utilitarian purposes and depend on the potential risk of future harm. However, research has indicated retributive factors may also influence preventive detention decisions. In five experimental studies, this research project found that both utilitarian and retributive motives drive preventive detention decision making. Results are discussed in terms of implications for legal decision making in a preventive detention context.

Kevin J. Brown & Faith Gordon, *Older Victims of Crime: Vulnerability, Resilience and Access to Procedural Justice*, *INT'L REV. VICTIMOLOGY* (published online August 2018), <http://journals.sagepub.com/doi/abs/10.1177/0269758018791426>.

Abstract

This article provides the first comprehensive examination of the phenomenon of unequal access to procedural justice for older victims of crime. It analyses quantitative and qualitative data exploring the interactions of older people with the criminal justice system of Northern Ireland. It identifies that older victims of crime are less likely to have a successful crime outcome (known as 'detection' or 'clear-up' in other jurisdictions) to their case when compared to other adults. The results provide evidence of a system failing to adequately take into account additional vulnerabilities that disproportionately impact on older victims' ability to engage with the justice process. There is an analysis of the relationships between vulnerability, resilience and access to justice. The current conceptual understanding of vulnerability as applied to older people within the justice system is challenged. The findings are relevant for researchers and policy-makers in the United Kingdom, Ireland and further afield concerned with the treatment of older and vulnerable victims by the justice system.

Sabine Braun, Elena Davitti & Sara Dicerto, *Video-Mediated Interpreting in Legal Settings: Assessing the Implementation*, in *HERE OR THERE: RESEARCH ON INTERPRETING VIA VIDEO LINK* 144 (Jemina Napier, Robert Skinner & Sabine Braun eds., 2018),

https://www.researchgate.net/profile/Sabine_Braun3/publication/326000009_Video-Mediated_Interpreting_in_Legal_Settings_Assessing_the_Implementation/links/5b32bfc_eaca2720785e97381/Video-Mediated-Interpreting-in-Legal-Settings-Assessing-the-Implementation.pdf.

Abstract

This chapter reports the key findings of the European AVIDICUS 3 project, which focused on the use of video-mediated interpreting in legal settings across Europe. Whilst judicial and law enforcement authorities have turned to videoconferencing to minimise delays in legal proceedings, reduce costs and improve access to justice, research into the use of video links in legal proceedings has called for caution. . . . [W]hilst the use of video links may eliminate delays, it may also reduce an individual's "opportunity to be heard in a meaningful manner". Against this backdrop, the main aim of AVIDICUS 3 was to identify institutional processes and practices of implementing and using video links in legal proceedings and to assess them in terms of how they accommodate and support bilingual communication mediated through an interpreter. The focus was on spoken-language interpreting. The project examined 12 European jurisdictions (Belgium, Croatia, England and Wales, Finland, France, Hungary, Italy, the Netherlands, Poland, Scotland, Spain and Sweden). An ethnographic approach was adopted to identify relevant practices, including site visits, in-depth and mostly *in-situ* interviews with over 100 representatives from different stakeholder groups, observations of real-life proceedings, and the analysis of a number of policy documents produced in the justice sector. The chapter summarises and systematises the findings from the jurisdictions included in this study. The assessment focuses on the use of videoconferencing in both national and cross-border proceedings, and covers different applications of videoconferencing in the legal system, including its use for links between courts and remote participants (e.g. witnesses, defendants in prison) and its use to access interpreters who work offsite.

Anne Wallace, Sharyn Roach Anleu & Kathy Mack, *Judicial Engagement and AV Links: Judicial Perceptions from Australian Courts*, INT'L J. LEGAL PROF. (published online July 2018), <https://www.tandfonline.com/doi/abs/10.1080/09695958.2018.1490294>.

Abstract

Use of technology significantly impacts the nature of judicial work. While audio-visual ("AV") links may generate some efficiencies, the increasing use of this technology conflicts with other important developments, notably procedural justice and therapeutic jurisprudence, which recognise and valorise the interactive nature of judicial work, especially sentencing in criminal cases. Analysing judicial perceptions of AV use in courts creates a clearer picture of its benefits and disadvantages, particularly in light of expectations of direct personal engagement.

Naomi Creutzfeldt & Ben Bradford, *Procedural Justice in Alternative Dispute Resolution: Fairness Judgments Among Users of Financial Ombudsman Services in Germany and the United Kingdom*, J. EUR. CONSUMER & MKT. L. (published online

August 2018), <https://westminsterresearch.westminster.ac.uk/item/q5w5x/procedural-justice-in-alternative-dispute-resolution-fairness-judgments-among-users-of-financial-ombudsman-services-in-germany-and-the-united-kingdom>.

Abstract

This article uses the lens of procedural justice theory to explore peoples' experiences of an alternative dispute resolution (ADR) model: ombudsman services. We focus on two specific services that deal with complaints about financial services in Germany and the UK. Using and expanding upon procedural justice theory we ask two key questions: is the complaints process more important than its outcome; and does the importance of process and outcome vary between countries? In both countries we find a strong association between perceptions of procedural justice and outcomes such as overall perceptions of fairness, confidence in the ombudsman service, and decision acceptance. Against expectations, these associations are broadly invariant across the German and UK samples; but, despite this, all else equal German respondents expressed consistently more positive views. Our data add some nuance to the existing literature on procedural justice and suggest that the national context also plays a role in people's decision-acceptance of ombudsmen. We suggest that national legal cultures provide for a framework of rules that guide people's perceptions and behaviors in legal, quasi-legal and related environments.

New Thinking and Interpretations

Lisa Whitehouse, Susan Bright & Mandeep K. Dhimi, *Improving Procedural Fairness in Housing Possession Cases*, CIV. J. Q. (published online September 2018), <http://eprints.mdx.ac.uk/25048/>.

Abstract

This article offers an insight into the context and practice of housing possession hearings in which a social landlord seeks a possession order against a tenant who is in rent arrears. Drawing on the findings of the authors' empirical research, supplemented by insights from the psychology of decision-making, this article questions whether judges are able to exercise discretion in a manner consistent with the fundamental demands of 'procedural fairness'. We find that while the legal process requires judges to engage in rational decision-making, and while judges believe that this is what they are doing, the reality is very different: judges are likely to be relying on intuition. It is not that judges eschew engaging in more deliberative decision-making but rather that they are constrained by limits of the human mind as well as the conditions under which they make their decisions. In particular, the practice of housing possession is characterised by information deficits, low levels of legal representation and time constraints, and this does not facilitate decision-making that meets accepted standards of fairness. In response, we propose ways in which to enhance the consistency, transparency and accountability of decision-making while recognising the current climate of reform and diminishing resources within the legal system.

Dorcas Quek Anderson, *The Convergence of ADR and ODR Within the Courts: The Impact on Access to Justice*, CIV. JUST. Q. (published online August 2018), https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3213481.

Abstract

The complexion of justice within many judiciaries has changed dramatically through the influence of two global movements – the modern alternative dispute resolution (ADR) movement and the more recent development of online dispute resolution (ODR). The former wave led to the creation of multi-door courthouses, court-annexed mediation programmes and innovations such as judicial settlement conferences. In the last decade, the rapid growth of ODR has precipitated more changes in the administration of justice. Online courts have been designed in England and Wales (the Online Solutions Court suggested by Lord Briggs) and British Columbia (the Civil Resolution Tribunal). This paper discusses the impact of the ADR and ODR waves on access to justice within the courts. It examines how substantive justice, procedural justice and accessibility to the judiciary have undergone transformation as the courts have incorporated these two waves into the justice system. The paper also considers the implications of the increasing convergence of both waves within the justice system. It argues that greater clarity is needed concerning the changes to access to justice amidst the courts' embracing of innovation.

John F. Hollway, *Legal Optimism: Restoring Trust in the Criminal Justice System Through Procedural Justice, Positive Psychology and Just Culture Event Reviews* (August 2018) (unpublished M.A. capstone project, University of Pennsylvania), https://repository.upenn.edu/cgi/viewcontent.cgi?article=1155&context=mapp_capstone.

Abstract

Like any complex, dynamic system, the American criminal justice system makes mistakes. Unfortunately, criminal justice organizations lack a systematic process enabling them to learn from cases of error. Ignoring or minimizing errors erodes organizational legitimacy and contributes to a downward spiral of legal cynicism that increases violent crime. This paper describes the application of positive psychology and procedural justice to restore legal optimism – confidence and trust that the criminal justice system will respond in a just fashion to criminal activity – through Just Culture Event Reviews (JCERs), non-blaming multi-stakeholder reviews of cases where the system has erred. JCERs identify contributing factors to error and generate corrective actions designed to prevent those errors in the future, while accurately allocating systemic, organizational and individual accountability to protect communities and criminal justice professionals. JCERs offer the potential to enhance the legitimacy of participating organizations, generating increased engagement and affiliation with the criminal justice system from community members and criminal justice professionals. Infusing JCERs with specific positive psychological interventions designed to inspire trust, innovation and empathy can optimize their outcomes, creating a newfound legal optimism that has the potential to reduce crime over time.

Prisons and Prisoners

Meghan Mitchell, *The Convict Code Revisited: An Examination of Prison Culture and Its Association with Violent Misconduct and Victimization* (August 2018) (unpublished Ph.D. Dissertation, Sam Houston State University),

<file:///C:/Users/grevejum/Downloads/MITCHELL-DISSERTATION-2018.pdf>.

Abstract

Within some inner-city neighborhoods, a street culture exists that values autonomy, violence, risk-taking, and street smarts. Street culture is not solely confined to the street; rather, values and beliefs from the street are imported into the prison—where a unique prison culture also exists. The convict code—an inmate-defined and -regulated culture consisting of a set of values that govern behaviors and interactions with inmates and correctional staff—encourages inmates to refrain from snitching, do their time, be tough, and never become too friendly with officers. Following the start of mass incarceration, studies of the convict code almost disappeared from academia, which has led scholars to call for a resurgence of research on prison culture. I sought to answer these calls by creating quantitative measures of the convict code and devising four research questions to explore the subject. . . . Through face-to-face interview-based surveys, data were collected from 802 randomly sampled male inmates preparing for release in 2016. . . . Results from exploratory and confirmatory factor analyses reveal that the convict code is multi-dimensional, consisting of four factors: social distance, masculinity, invisibility, and strategic survival. Moreover, ordinary least squares regressions indicate that adherence to factors of the convict code was consistently associated with the code of the street and some prison contextual factors (i.e., procedural justice, and exposure to violence), but other correlates also mattered. . . . The results from this dissertation have implications for correctional policy and practice pertaining to the prison environment, procedural justice, risk assessments, and treatment programming.

Benjamin Steiner & John Wooldredge, *Prison Officer Legitimacy, Their Exercise of Power, and Inmate Rule Breaking*, *CRIMINOLOGY* (published online August 2018), <https://onlinelibrary.wiley.com/doi/full/10.1111/1745-9125.12191>.

Abstract

Prison officers are directly responsible for transmitting penal culture and prison policy to the confined, yet few studies of officers' impact on inmate behavior have been conducted. We examined the effect of inmates' perceptions of officer legitimacy on rule breaking within prisons, as well as the effects of officers' reliance on different power bases on rates of rule breaking across prisons. The findings from bi-level analyses of data from inmates and officers from 33 prisons revealed that inmates who held stronger views regarding officer legitimacy committed fewer nonviolent infractions but that perceived legitimacy did not affect the number of violent offenses inmates committed. We also examined a subsample of inmates encountered by officers for a rule violation and found no relationship between perceived legitimacy and subsequent rule breaking, although stronger perceptions of procedural justice related to the incident did directly and indirectly (through perceived legitimacy) coincide with lower odds of nonviolent

misconduct. At the prison level, we found that prisons in which officers exercised their authority more lawfully and fairly (positional power) or by relying more on their skills and expertise (expert power) had lower rates of violent or nonviolent rule violations. Prisons in which officers relied more on coercion had higher levels of nonviolent infractions.

Kitty Calavita & Valerie Jenness, *Race, Grievance Systems, and Prisoners' Perceptions of Justice in Three California Prisons*, 15 DU BOIS REV. 153 (2018),

<https://www.cambridge.org/core/journals/du-bois-review-social-science-research-on-race/article/race-grievance-systems-and-prisoners-perceptions-of-justice-in-three-california-prisons/A9219522E4640ACC3FABF87D442B5272>.

Abstract

A large body of social science consistently documents race differences in the U.S. criminal justice system and in related perceptions of justice. It is now beyond dispute that the criminal justice system is racialized in a plethora of ways that have consequences for how people perceive justice. Another vast body of literature documents the importance of perceptions of procedural justice in people's satisfaction with dispute management and outcomes. Informed by these two well-established literatures, we draw on original quantitative and qualitative data, including a random sample of interviews with 120 men in three California prisons, to present an empirical analysis of prisoners' experiences with the prisoner grievance system, their level of satisfaction with the process and outcomes of that system, and their perceptions of fairness. We find an absence of race effects regarding how fairly they say they have been treated in the past by the criminal justice system and in how they assess justice in the prisoner grievance system in particular. Specifically, we find that: 1) male prisoners' perceptions of whether the overall criminal justice system has been fair to them in the past does not vary by race in statistically significant ways; and 2) the dominance of substantive grievance outcomes over procedural elements in prisoners' satisfaction holds regardless of racial self-identification. We explain these findings by arguing that prison may perversely level the attitudinal gap among those who are subject to this profound experience of state power.

Policing

Thomas Baker, *Shared Race/Ethnicity with Police and Male Offenders' Self-Regulating Beliefs: Exploring the Salience of Instrumental and Normative Factors for Securing Obedience*, CRIM. JUST. & BEHAV. (published online August 2018),

<http://journals.sagepub.com/doi/abs/10.1177/0093854818794228>.

Abstract

This study examines the impact of shared race/ethnicity with police on male offenders' perceptions of voice, procedural justice, and obligation to obey. In addition to exploring propositions of the process-based model of self-regulation, this study also examines elements of sanction-based models of social control. Findings indicate that respondents who shared the race/ethnicity with police experienced more

voice and a greater obligation to obey. In addition, male offenders who perceived the police as more procedurally just reported significantly greater obligation to obey while perceived certainty of arrest and ambiguity of arrest risk were not significantly related to respondent's self-regulating beliefs.

Mie Birk Haller, Randi Solhjell & Elsa Saarikkomäki, *Minor Harassments: Ethnic Minority Youth in the Nordic Countries and Their Perceptions of the Police*, CRIMINOLOGY & CRIM. JUST. (published online September 2018), <http://journals.sagepub.com/doi/abs/10.1177/1748895818800744>.

Abstract

As different social groups are directly and indirectly confronted with diverse forms of police practices, different sectors of the population accumulate different experiences and respond differently to the police. This study focuses on the everyday experiences of the police among ethnic minority young people in the Nordic countries. The data for the article are based on semi-structured interviews with 121 young people in Sweden, Norway, Finland and Denmark. In these interviews, many of the participants refer to experiences of “minor harassments” – police interactions characterized by low-level reciprocal intimidations and subtle provocations, exhibited in specific forms of body language, attitudes and a range of expressions to convey derogatory views. We argue that “minor harassments” can be viewed as a mode of conflictual communication which is inscribed in everyday involuntary interactions between the police and ethnic minority youth and which, over time, can develop an almost ritualized character. Consequently, minority youth are more likely to hold shared experiences that influence their perceptions of procedural justice, notions of legitimacy and the extent to which they comply with law enforcement representatives.

Diego Farren et al., *Trust in the Police and Police Legitimacy Through the Eyes of Teenagers*, in MINORITY YOUTH AND SOCIAL INTEGRATION: THE ISRD-3 STUDY IN EUROPE AND THE US 167 (Sebastian Roché & Mike Hough eds., 2018), <https://books.google.com/books?hl=en&lr=&id=8V1mDwAAQBAJ&oi=fnd&pg=PA166&dq=%22procedural+justice%22&ots=V7OyYYtgni&sig=Lb2RLJAYnxcIieVoazzNWqk7chs#v=onepage&q=%22procedural%20justice%22&f=false>.

Excerpt

Procedural justice theory has made a substantial contribution to our understanding of policing, but research and theorizing have focussed almost exclusively on policing adults Those in late adolescence and early adulthood are, however, a critically important age group of policing and constitute a key ‘customer group’. Crucially, it is during this period that young people undergo what is probably the most relevant phases of legal socialization in terms of developing their attitudes and orientations towards the police. We also know that offending careers generally start in the early teens. Because of this, in the third wave of the ISRD project, a small amount of questionnaire space was devoted to the procedural

justice theory. . . . Overall, the findings show that young teenagers' attitudes towards the police have a similar dynamic to that established for adults. Trust in the police . . . engenders a sense of police legitimacy that is associated with a sense of *moral alignment*, *lawfulness* and *obligation to obey*; and teenagers who confer legitimacy on the police appear less willing to break the law. These findings appear to be robust across different countries—although the levels of trust and perceived legitimacy expressed by teenagers vary from country to country and the effects on intention to offend are not significant in all countries.

Kathy Ellem & Kelly Richards, *Police Contact with Young People with Cognitive Disabilities: Perceptions of Procedural (In)justice*, YOUTH JUST. (published online August 2018), <http://journals.sagepub.com/doi/abs/10.1177/1473225418794357>.

Abstract

The interactions of police with young people with cognitive disabilities (YPWCD) have seldom been considered in research, even though this group is over-represented in the criminal justice system. This article presents the results of a qualitative study into YPWCD's experiences with police in Queensland, Australia. Semi-structured interviews were undertaken with service providers who work with YPWCD and YPWCD themselves. The procedural justice perspective was used as an analytic framework to provide an insight into YPWCD's relationships with the police. Findings point to ways in which police can better respond to YPWCD in procedurally just ways, as well as to the role that family and service providers might play in supporting this outcome.

Ivan Y. Sun et al., *Police Legitimacy and Citizen Cooperation in China: Testing an Alternative Model*, ASIAN J. CRIMINOLOGY (published online July 2018), <https://link.springer.com/article/10.1007/s11417-018-9270-4>.

Abstract

Past research has identified several mechanisms of promoting citizen cooperation with the police, with Tyler's process-based policing model being one of the most frequently tested frameworks in this line of inquiry. Using data collected from a large sample of residents in a large Chinese city, this study assesses an alternative model of Tyler's work proposed by Tankebe (2013), positing that police legitimacy, embodied in four aspects of procedural justice, distributive justice, effectiveness, and lawfulness, affects people's obligation to obey the police, which further influences their cooperation with the police. Results from second-order confirmatory factor analysis and structural equation modeling analysis suggested that Tankebe's work is supported by the Chinese data. Implications for future research and policy are discussed.

Nathalie-Sharon N. Koster, Joanne P. Van der Leun & Maarten J. J. Kunst, *Crime Victims' Evaluations of Procedural Justice and Police Performance in Relation to*

Cooperation: A Qualitative Study in the Netherlands, POLICING & SOC'Y (published online July 2018),

<https://www.tandfonline.com/doi/abs/10.1080/10439463.2018.1502290>.

Abstract

Previous research suggests that perceived negative treatment by police officers may have consequences for victims' willingness to share information with the police. This might explain why particularly repeat victims are less likely to cooperate with the police. The current study explores why this would be true by conducting in-depth interviews with 32 crime victims who had recently reported their victimisation of property crime or violent crime to the police. Results indicate that victims of both types of crime had similar thoughts on what was deemed fair treatment. Victims who were deeply touched by the crime and/or the offender thought it was also important that the police took a clear-stance against the crime. While rapid case handling seemed to be more important for property crime victims than police officers' investigative actions and the outcome, victims of violent crime expected the police to find the offender to make it clear to the offender that such (law-breaking) behaviour was not tolerated. When victims of violent crime felt that the police had failed in this task, they would feel abandoned by the police. This feeling had not only negative consequences for these victims' willingness to cooperate, but could even lead to feelings of vigilantism, particularly among victims of violent crime who knew their offender. Implications for policy and future research are discussed.

Kofi O. Addo, *Implications of the Different Experiences of Corruption on Police Confidence and Legitimacy in Ghana: An Exploratory Study* (2018) (unpublished Ph.D. thesis, University of Essex), <http://repository.essex.ac.uk/22997/>.

Abstract

Based on 6 months of fieldwork and conducting 9 sets of observation in Ghana, this thesis explores the effects of the different corruption experiences upon confidence in the police as well as police legitimacy. . . . Various studies have sought to clarify the meaning of legitimacy and to examine the factors that influence public perceptions of police legitimacy and confidence. . . . What remains under-researched in criminological discourse however, is the effects of police corruption upon public confidence and police legitimacy. . . . This study addresses these issues by examining the effects of both perceptions and different experiences of public-police corruption in Ghana. The research is focused on the experiences of corruption at the street level. Data was obtained from the police and retired police officers, commercial drivers, and private entrepreneurs (market traders). These actors encounter the police more often than any other, and that their expectations in corrupt encounters are conflicting. For example, while some members of the public condemn police corruption at police checkpoints, others, or the same people, in turn criticise and get infuriated at commercial drivers for failing to pay bribes to the police resulting in, for instance, unnecessary journey delays. The impact of these experiences on citizens' perceptions of police legitimacy and confidence in the Ghanaian police are discussed.

David Lydon, *Police Legitimacy and the Policing of Protest: Identifying Contextual Influences Associated with the Construction and Shaping of Protester Perceptions of Police Legitimacy and Attitudes to Compliance and Cooperation Beyond the Limits of Procedural Justice and Elaborated Social Identity Approaches* (2018) (unpublished Ph.D. thesis, Canterbury Christ Church University), <http://create.canterbury.ac.uk/17598/1/Lydon.pdf>.

Abstract

Police legitimacy is fundamental to the relationship between the state, citizens and their police, and this is nowhere more challenging than in public order policing contexts. Procedural Justice (PJ) and the Elaborated Social Identity Model (ESIM) have gained dominance in UK policing as the means of establishing greater perceptions of police legitimacy and public compliance and cooperation with the police and the law. . . . The findings presented in the thesis suggest that PJ and the ESIM do not necessarily work in protest contexts, because protesters' self-policing, a key claim of the ESIM, does not necessarily equate to compliance with the law and authority. Personal values and moral legitimacy are important aspects of protest contexts that feature less prominently than required within the PJ and ESIM research. . . . The empirical research comprises an exploratory quantitative survey (n=40), qualitative interviews (n=79) and non-participant observations at thirteen protest events in London between 2010 and 2015. The findings establish that while the general claims of PJ hold and that social identity forms part of perceived police legitimacy, protesters' perceptions need to be understood contextually. A contextually driven model of police legitimacy (CDM) developed from empirical data is presented, it suggests that additional influences other than fair and respectful policing play a determining role in constructing and shaping protester perceptions of police legitimacy and their attitudes to compliance and cooperation.

Justice Tankebe, *In Their Own Eyes: An Empirical Examination of Police Self-Legitimacy*, INT'L J. COMP. & APPLIED CRIM. JUST. (published online July 2018), <https://www.tandfonline.com/doi/abs/10.1080/01924036.2018.1487870>.

Abstract

In their paper *Beyond Procedural Justice*, Bottoms and Tankebe specified two interrelated dimensions of legitimacy: audience legitimacy and self-legitimacy. Criminologists have given considerable attention to audience legitimacy, but police officers' belief in their own legitimacy remains understudied. This paper extends Bottoms and Tankebe's theory and reports findings on some of its key propositions, using survey data from a UK police force. Three key findings emerge. First, contrary to previous studies, feelings of recognition by supervisors and clientele did not predict self-legitimacy; self-legitimacy was found to depend on feelings of peer recognition and acceptance. Second, self-legitimacy predicted officers' commitment to external procedural justice but not their moral orientations towards crime victims. Finally, perceived police effectiveness but not supervisor recognition – that is, internal procedural justice – was the key predictor both of external procedural justice and of normative orientations towards crime victims. The implications of these findings are discussed.

Adewumi I. Badiora, *Shaping Community Support for Vigilantism: A Nigerian Case Study*, POLICING (published online August 2018),
<https://www.emeraldinsight.com/doi/abs/10.1108/PIJPSM-08-2017-0101>.

Abstract

In Nigeria, vigilantism appears to be a common response to dissatisfaction about the state police in the recent time. Using survey data of residents in Lagos, Nigeria, the purpose of this paper, therefore, is to explore whether what is already known about perceptions of procedural (in) justice of state police also applies to self-help security groups in Nigeria. . . . Six categories of variables were analyzed. These are procedural justice, distributive justice, vigilante corps' performance, legitimacy, residents' satisfaction with vigilante corps activities and socio-economic characteristics. Results reveal that respondents are not primarily instrumental in their support for vigilantisms. Instead, their support is associated with their basic communal values. More than effectiveness in controlling crime, vigilantisms receive community support provided they use procedural justice in dealings with the public. Respondents who perceive vigilantisms use procedural justice also view them as legitimate, and as well satisfy with their activities and services. Besides, results show that support for and satisfaction with vigilantisms are associated with environmental, social and economic characteristics of the residents in the community they serve. The thesis supported in this research paper is that public support for and satisfaction with vigilantisms can be influenced significantly through policing strategies that builds legitimacy.

Jessica Huff, Charles M. Katz & Vincent J. Webb, *Understanding Police Officer Resistance to Body-Worn Cameras*, 41 POLICING 482 (2018),
<https://www.emeraldinsight.com/doi/pdfplus/10.1108/PIJPSM-03-2018-0038>.

Abstract

The purpose of this paper is to examine factors that could explain variation in officer receptivity to body worn cameras (BWCs). The authors assess differences between officers who volunteered to wear a BWC and officers who resisted wearing a BWC as part of a larger randomized controlled trial of BWCs in the Phoenix Police Department. The authors specifically examine whether officer educational attainment, prior use of a BWC, attitudes toward BWCs, perceptions of organizational justice, support for procedural justice, noble cause beliefs, and official measures of officer activity predict receptivity to BWCs among 125 officers using binary logistic regression. The findings indicate limited differences between BWC volunteers and resisters. Volunteers did have higher levels of educational attainment and were more likely to agree that BWCs improve citizen behaviors, relative to their resistant counterparts. Interestingly, there were no differences in perceptions of organizational justice, self-initiated activities, use of force, or citizen complaints between these groups.

Kyle McLean, *The Importance of Outcome Fairness: Revisiting the Role of Distributive Justice* (2018) (unpublished Ph.D. dissertation, University of South Carolina),

<https://search.proquest.com/openview/e93de1ccb62aa3034d8768f34b812264/1?pq-origsite=gscholar&cbl=18750&diss=y>.

Abstract

Distributive justice, or the perceived fairness of outcomes, has played a minimal role in research into procedural justice and legitimacy in policing. However, allegations of racial bias that have contributed to the present legitimacy crisis in policing are more consistent with the concept of distributive justice than procedural justice. As such, the present study attempts to re-orient distributive justice within policing research. This study proposes that individuals infer the fairness of outcomes from the treatment that they receive from police officers. These judgments about outcome and treatment then combine to influence individuals' perceptions of the legitimacy of police. In addition to testing this theoretical framework, the present study proposes a new concept, justice-restoring responses, from the field of social psychology. Justice-restoring responses are actions individuals take after experiencing injustice to rectify the injustice they experienced. In the case of policing, these actions may take the form of complaints filed against police officers regarding the interaction. Procedural justice, distributive justice, and outcome favorability are proposed as potential predictors of justice-restoring responses. To test these proposals randomized vignettes with varying conditions of procedural justice and outcome favorability were assigned to a national convenience sample. Structural equation modelling was then used to assess the relationships between the concepts of interest.

New Thinking and Interpretations

Vinodkumar Prabhakaran et al., *Detecting Institutional Dialog Acts in Police Traffic Stops*, 6 TRANSACTIONS ASS'N COMPUTATIONAL LINGUISTICS 467 (2018), https://www.mitpressjournals.org/doi/abs/10.1162/tacl_a_00031.

Abstract

We apply computational dialog methods to police body-worn camera footage to model conversations between police officers and community members in traffic stops. Relying on the theory of institutional talk, we develop a labeling scheme for police speech during traffic stops, and a tagger to detect institutional dialog acts (Reasons, Searches, Offering Help) from transcribed text at the turn (78% F-score) and stop (89% F-score) level. We then develop speech recognition and segmentation algorithms to detect these acts at the stop level from raw camera audio (81% F-score, with even higher accuracy for crucial acts like conveying the reason for the stop). We demonstrate that the dialog structures produced by our tagger could reveal whether officers follow law enforcement norms like introducing themselves, explaining the reason for the stop, and asking permission for searches. This work may therefore inform and aid efforts to ensure the procedural justice of police-community interactions.

Business and Management

Mladen Adamovic et al., *Does Procedural Justice Increase the Inclusion of Migrants? A Group Engagement Model Perspective*, ACAD. MGMT. PROC. (published online July 2018), <https://journals.aom.org/doi/10.5465/AMBPP.2018.15725abstract>.

Abstract

Workforces have become more culturally diverse due to globalization, skilled labor shortages, aging societies, and hardships in developing countries. One critical challenge associated with managing a culturally diverse workforce is ensuring inclusion. Migrant workers often experience discrimination, social exclusion, and lower organizational identification. Further attention is required to address these challenges and create inclusive workplaces for migrants. We integrate research on migrant workers with research on the group engagement model to create a model for understanding and enhancing migrant worker inclusion. We test our model using data drawn from employees in a large-scale survey of Australian workplaces. The results of our multilevel moderated mediation analysis indicate that, consistent with the group engagement model, a procedurally fair work environment tends to increase organizational identification, which in turn is associated with higher levels of work engagement. Importantly, our results also indicate that procedural justice climate is more important for migrant than for native workers. Our work has clear implications for practice. Organizations should establish a procedurally fair work environment in which cultural minorities experience consistent and unbiased policies and procedures, are able to express their opinions, and participate in decision-making.

Hung-Yue Suen, *The Effects of Employer SNS Monitoring on Employee Perceived Privacy Violation, Procedural Justice, and Leave Intention*, 118 INDUS. MGMT. & DATA SYS. 1153 (2018), <https://www.emeraldinsight.com/doi/abs/10.1108/IMDS-10-2017-0453>.

Abstract

Purpose: The purpose of this paper is to propose a model to understand how and when employees' perceived privacy violations and procedural injustice interact to predict intent to leave in the context of the use of social networking sites (SNSs) monitoring.

Design/methodology/approach: This study was conducted in a field setting of Facebook to frame the hypotheses in a structural equation model with partial least squares-structural equation modeling. Variables were measured empirically by administering questionnaires to full-time employed Facebook users who had experienced SNS monitoring.

Findings: The results showed that when an employee believed that he/she had more ability to control his/her SNS information, he/she was less likely to perceive that his/her privacy had been invaded; and when an employee believed that the transparency of the SNS data collection process was higher, he or she was more likely to perceive procedural justice in SNS monitoring.

Research limitations/implications: This research draws attention to the importance of intent to leave in the absence of perceived procedural justice under SNS monitoring, and the partial mediation of the perception of justice or injustice by perceived privacy violations.

Secil Bayraktar, *How Leaders Cultivate Support for Change: Resource Creation Through Justice and Job Security*, ACAD. MGMT. PROC. (published online July 2018), <https://journals.aom.org/doi/abs/10.5465/AMBPP.2018.10693abstract>.

Abstract

It is well documented that employees' supportive behavior is essential for the success of change initiatives and that leaders are considerably influential on generating this support. Drawing from Conservation of Resources theory, this paper investigates how leader member exchange (LMX) is associated with behavioral support for change through resource creation. It is proposed that high quality leader-member relationships increase resource reserves of employees regarding their fairness and job security perceptions, which in turn enhance their support for change. A survey was conducted in organizations going through change using a sample of 269 employees and their immediate supervisors. The results showed that the relationship between LMX and behavioral support was fully mediated by the two underlying mechanisms of procedural justice and job insecurity. Findings demonstrate that managers who want to enhance support for change should pay attention to fair procedures and nurturing a climate of security.

Cindy Zapata et al., *Self-Defeating Consequences of Bias: A Social Exchange Perspective on Bias Toward Minority Leaders*, ACAD. MGMT. PROC. (published online July 2018), <https://journals.aom.org/doi/abs/10.5465/AMBPP.2018.10835abstract>.

Abstract

Much of the work examining the effects of bias against minority leaders tends to a) draw from information processing and b) emphasize detrimental outcomes to leaders. Our work expands and builds on this work by proposing a social exchange mechanism to explain how the followers of a minority leader can also experience negative outcomes. Specifically, we surmise that, due to racial bias, employees tend to form weaker social exchange relationships with minority leaders. While this is detrimental to leaders, it should also negatively impact employee job performance. However, drawing from fairness heuristic theory, we identify a potential solution to this important workplace problem—adherence to procedural justice by the leader. Results from two field studies provide strong and consistent support for our theory. As hypothesized, employees report weaker social exchange relationships with minority leaders, these weaker relationships lead to lower levels of performance, with low (high) procedural justice exacerbating (weakening) these negative effects. Thus, our work both expands the scope of the conversation involving minority leaders to include the employees of these leaders and provides minority leaders with one avenue by which to start to close the gap with their Caucasian counterparts.

Jean-Pierre Thomassen et al., *Prosocial Compensation Following a Service Failure: Fulfilling an Organization's Ethical and Philanthropic Responsibilities*, J. BUS. ETHICS (published online August 2018), <https://link.springer.com/article/10.1007/s10551-018-3992-1>.

Abstract

Prosocial compensation (PC) is a corporate social responsibility (CSR) practice that involves donating money to a charitable cause on behalf of customers as a means to compensate them for their loss after a service failure. In order to determine the effectiveness of PC, we carried out three experiments while also comparing its effectiveness within private and public settings. . . . Experiments 2A and 2B focused on the effects of offering PC after a service failure on perceptions of justice. Results show that PC contributes to perceived distributive justice, procedural justice, and post-recovery satisfaction in both private and public settings. Our study showed that PC could be a relevant new CSR practice for organizations wanting to enhance their CSR image while contributing to fulfilling their ethical and philanthropic CSR responsibilities. We discuss the implications of our findings and offer several avenues for follow-up research on this initial study on PC.

Chris Wai Lung Chu, Reuben Mondejar & Akira Kamoshida, *Politics, Abusive Supervision and Perceived Organizational Support: The Influence of Work-Family Conflict and Procedural Justice*, in KNOWLEDGE MANAGEMENT IN ORGANIZATIONS 13TH INT'L CONF. PROCEEDINGS (Lorna Uden, Branislav Hadzima & I-Hsien Ting eds., 2018), <https://link.springer.com/book/10.1007/978-3-319-95204-8>.

Abstract

Underpinned by conservation of resources theory, this study examined why and how abusive supervision and perceptions of organizational politics is related to work-family conflict and perceived organizational support in a sample of employed parents in Hong Kong (N = 206). The results revealed that consistent with our predictions, work-family conflict mediated the relationship between the antecedents (abusive supervision and perceptions of organizational politics) and perceived organizational support while procedural justice moderated the relationship between work-family conflict and perceived organizational support.

Sonja K. Ötting & Günter W. Maier, *The Importance of Procedural Justice in Human-Machine Interactions: Intelligent Systems as New Decision Agents in Organizations*, 89 COMPUTERS HUM. BEHAV. 27 (2018), <https://www.sciencedirect.com/science/article/pii/S0747563218303443>.

Abstract

In the present study, the effects of procedural justice (fair or unfair) and the type of decision agent (human, robot, or computer) on employee behavior and attitudes (e.g., job satisfaction, organizational citizenship behavior, or counterproductive work behaviors) were examined. It was predicted that the type of decision agent (or the source of justice) would moderate the relationship between procedural justice and employee behavior and attitudes, with the relationship being strongest when the decision agent is a human team leader, medium when the decision agent is a humanoid robot, and weakest when the agent is a computer system. This research question was investigated with a between-subjects design in two experiments (N1 = 149 and N2 = 145) that displayed two different decision situations in organizations (allocation of new tasks and allocation of further vocational trainings). Results of both studies showed significant effects of procedural justice on employee behavior and attitudes, confirming the importance of procedural justice at the workplace for both human and system decision agents. Furthermore, both studies failed to verify any interaction effects of procedural justice and the decision agent. This further emphasizes the importance of procedural justice in decision situations because there is no difference in reactions to procedural justice of human or system decisions. Limitations and implications for future research and the integration of justice and human-machine interaction research are discussed.

Shalini Sahni & Chandranshu Sinha, *Effect of Fairness on Employee Outcome: An LMX Perspective on Indian Banks*, GLOBAL BUS. REV. (published online August 2018), <http://journals.sagepub.com/doi/abs/10.1177/0972150918779276>.

Abstract

The current study is proposed to test the mediated effect of social exchange mechanism of leader-member exchange (LMX) between organizational justice and employee outcomes in the Indian banking industry. Stratified random sampling was used to collect the data from 346 employees of two Indian public and two Indian private banks listed in the CNX index. Data were analysed using confirmatory factor analysis and path analysis of the proposed model. Findings reveal that LMX partially mediated between all justice dimensions and employee outcomes. However, procedural justice is the strongest predictor of employee outcomes in public sector banks and weakest in private sector banks. This study has implications for both academicians and practitioners and adds to the previous literature by testing the projected model in the Indian settings, thus providing some empirical validity to justice-LMX-employee outcomes relationships.

Wendy J. Bailey & Kimberly M. Sawers, *Moving Toward a Principle-Based Approach to U.S. Accounting Standard Setting: A Demand for Procedural Justice and Accounting Reform*, ADVANCES ACCT. (published online August 2018), <https://www.sciencedirect.com/science/article/pii/S0882611018301032>.

Abstract

In the wake of numerous accounting scandals in the early 2000s, the U.S. began considering a move away from a more rule-based approach to accounting standard setting and toward a more principle-based approach to accounting standard setting. Although it is often assumed that this move toward a more

principle-based approach is driven by stakeholder preferences, we examine whether this move is driven by demands for procedural justice. Specifically, we analyze one hundred and two comment letters submitted in response to the Financial Accounting Standard Board (FASB) proposal for principle-based standards. We find respondents from different stakeholder groups (preparers, accounting professionals, regulators, users, and academia) do not express a unified preference for rule-based or principle-based standards. We do, however, find that respondents identify benefits and costs of principle-based standards that map into the six elements of fair procedures (representativeness, accuracy, bias suppression, consistency ethicality, correctability). These elements are significantly associated with both the respondent's degree of support for the FASB proposal and the perceived quality of principle-based standards.

Mingang Geiger & Mark Geiger, *Gender, Justice, and Trust in Supervisor: A Moderated Mediation Model Predicting OCB*, ACAD. MGMT. PROC. (published online July 2018), <https://journals.aom.org/doi/abs/10.5465/AMBPP.2018.17819abstract>.

Abstract

Drawing from the underpinnings of equity theory, we present and empirically test a model that examines the relationship between gender (female) and organizational citizenship behavior (OCB) through a moderated (organizational justice) mediation (trust in supervisor) pathway. Results show that gender (female) is related to OCB and this relationship is mediated by trust in supervisor. Furthermore, distributive justice and procedural justice display a moderating influence on the overall pathway linking gender (female) to OCB. However, while distributive justice has a positive moderating influence, procedural justice has a negative moderating influence. We discuss the implications of these findings for gender (female) and OCB research.

Danni Wang, Yuwen Liu & Ying-Che Ali Hsieh, *Examining Reciprocal Relationships Between Leader Humility and Team Voice*, ACAD. MGMT. PROC. (published online July 2018), <https://journals.aom.org/doi/abs/10.5465/AMBPP.2018.12607abstract>.

Abstract

There is a scarcity of research on antecedents of leader humility and how team members may help leaders to become humble over time. We examine a longitudinal model on reciprocal relationships between leader humility and team voice, and how team voice carries through the effect of humble leaders on team collective turnover intention. We also investigate the moderating role of team procedural justice climate. Using three waves of repeatedly measured data from 411 work teams, we found positive, reciprocal relationships between leader humility and team voice over time (i.e., an upward spiral). The positive effect of leader humility on subsequent team voice is stronger when team procedural justice climate is high. In contrast, the positive effect of team voice on subsequent leader humility is stronger when procedural justice climate is low. Furthermore, team voice mediates the effect of leader humility on subsequent turnover intention of the team as a collective.

Mohd Ridwan Abd Razak & Azman Ismail, *The Mediating Effects of Procedural Justice on the Relationship Between Performance-Based Remuneration Management and Job Satisfaction*, 52 JURNAL PENGURUSAN (published online July 2018), <http://ejournals.ukm.my/pengurusan/article/view/26175>.

Abstract

The purpose of this study is to explore the influence of performance-based remuneration management on employee's job satisfaction through the mediating role of procedural justice. A cross-sectional technique was employed to collect primary data from 232 employees of private higher educational institutions in Peninsular Malaysia who experienced the implementation of performance-based remuneration. The Partial Least Square Structural Equation Modelling (PLS-SEM) was used in the data analysis. The outcomes displayed three important findings: first, the relationship between management of performance-based remuneration and procedural justice was significant. Second, the relationship between management of performance-based remuneration, procedural justice and intrinsic job satisfaction was significant. Third, the relationship between management of performance-based remuneration, procedural justice and extrinsic job satisfaction was significant. Statistically, this result confirms that influence of management of performance-based remuneration on job satisfaction is indirectly affected by procedural justice in the studied organizations. This study provides empirical evidence on the importance of procedural justice in managing performance-based remuneration. It is an important input to enhancing employee's job satisfaction in the organization. Further, the study concludes with a discussion on the contributions, limitations and suggestions for future research.

Evangelia Mylona & Dimitrios Mihail, *Enhancing Employees' Work Performance Through Organizational Justice in the Context of Financial Crisis: A Study of the Greek Public Sector*, INT'L J. PUB. ADMIN. (published online July 2018), <https://www.tandfonline.com/doi/abs/10.1080/01900692.2018.1491592>.

Abstract

In a period of economic crisis, the increasing pressure of sparse financial resources and the structural reforms in labor law are factors pushing and forcing managers of both public and private organizations to do more with less. The current study explores how employees' performance in the public sector is affected by perceptions of organizational justice in terms of resource allocation (e.g., benefits and compensation). The responses received from a sample of 490 employees working for public organizations in Greece indicated that work performance is significantly and positively related not only to employees' satisfaction with pay, but also to employees' perceptions of distributive and procedural justice.

Bidyut B. Hazarika, James Gerlach & Lawrence Cunningham, *The Role of Service Recovery in Online Privacy Violation*, 14 INT'L J. E-BUSINESS RES. (published online

September 2018), <https://www.igi-global.com/article/the-role-of-service-recovery-in-online-privacy-violation/213976>.

Abstract

In this study, the authors address the question of whether firms may successfully pursue service recovery strategies after severe online privacy violations. The study treats online privacy violations as a service failure and uses justice theory to measure repurchasing intention after consumer complaints in three different scenarios. The three scenarios differ in the sense that the accountability and the outcome of the service failure are different. The results indicate that despite the different instances of online privacy violation in each scenario, the service recovery efforts consistently created satisfaction with service recovery, significantly increased consumer trust, decreased perceived risk and increased repurchase intentions. The study finds that both distributive and procedural justice plays an important role in online service recovery while interactional justice did not have any impact. Finally, even in cases of severe online privacy violation service recovery plays an important role generating repurchase intentions.

Christoph Lutz & Gemma Newlands, *User Perceptions of Fairness and Regulation in the Sharing Economy*, ACAD. MGMT. PROC. (published online July 2018), <https://journals.aom.org/doi/abs/10.5465/AMBPP.2018.13885abstract>.

Abstract

The evolution of the sharing economy over the last decade has ushered in a variety of technological advances, particularly with regard to intelligent matching software and connectivity services. . . . Although greater insight into the necessity of regulation is crucial, current discussions surrounding the merits and desirability of regulation, among policy makers, academics, and platform advocates, are conducted in a top-down fashion. What is often left out is the user perspective - a critical oversight if the purpose regulation is presented as resolving social concerns. In an attempt to resolve this omission, for the context of the sharing economy at least, we therefore examine user perceptions on regulatory desirability. In particular, we suggest that one of the most fundamental shapers of a user's perspective on regulation may be a user's own experiences of the sharing economy, where a key factor is the perceived fairness of the service. As such, we examine the impact of procedural, interpersonal, and informational fairness perceptions on regulatory desirability, in addition to other demographic and use-based antecedents. Based on a large-scale survey in 12 European countries, we find that procedural fairness has a positive effect on the desire for regulation, while interpersonal fairness has a negative effect. The findings are interpreted in light of the sharing economy, fairness, and regulation literature.

Raphael M. Herr et al., *Organizational Justice, Justice Climate, and Somatic Complaints: a Multilevel Investigation*, 111 J. PSYCHOSOMATIC RES. 15 (August 2018), <https://www.sciencedirect.com/science/article/pii/S0022399917311418>.

Abstract

[T]he objective of this study was to examine whether individual perceptions of poor justice as well as a poor justice climate are related to elevated somatic complaints. In addition, this study examined if justice climate moderates the relationship between individual-level justice perceptions and somatic symptom reporting. Cross-sectional data from a large industrial manufacturing company was used, involving 1,102 employees in 31 departments. A validated scale covering interactional and procedural justice assessed individual-level organizational justice. A 19-item symptom checklist measured somatic complaints. Multilevel analyses estimated individual-level associations (within-department effects) with somatic complaints, department-level associations (between-department effects), and the cross-level interaction of both. Individual-level justice perceptions were negatively associated with somatic complaints. Collective justice climate was likewise significantly associated with somatic complaints. There was no indication for a moderation effect of justice climate. A poor justice climate correlated positively with individual somatic complaints while controlling for individual perceptions, i.e., above and beyond individual justice perceptions. These findings may imply that interventions targeting department-level perceptions of justice may have the potential to reduce individual somatic complaints beyond the effects of individual-level interventions.

Alexander Owiredu, *The Influence of Perception and Attitude on Tax Compliance: Evidence from Small and Medium Scale Enterprises Taxpayers in Ghana*, 6 INT’L J. ECON., COMMERCE & MGMT. 198 (2018), <http://ijecm.co.uk/wp-content/uploads/2018/08/6814.pdf>.

Abstract

The study evaluated the influence of perceptions and attitude of Small and Medium Scale Enterprises (SMEs) taxpayers on the tax authority and its effects on tax compliance in Ghana. A questionnaire based on a 5 point Likert scale ranging from 1-strongly disagree to 5-strongly agree was used to collect data from a sampled 275 SMEs respondents who are on the database of the Small Tax Office Unit of Ghana Revenue Authority (GRA) in Greater Accra Region and the data collected were analyzed via the Structural Equation Modelling (SEM) approach, using Partial Least Squares (PLS) technique. The findings supported the opinion that perceived effectiveness and perceived procedural fairness of the tax authority on compliance behaviour is statistically significant. By an extension, non-compliant behaviour will decrease as the taxpayer gain a more favourable perception about the tax authorities’ effectiveness and procedural fairness. The study outcome provides some insight in addressing tax noncompliance problems among the informal sector in Ghana; hence provide insightful information to the authority in addressing tax compliance issue.

Miscellaneous

Darrick Evensen, *The Relationship Between Justice and Acceptance of Energy Transition Costs in the UK*, 222 APPLIED ENERGY 451 (2018), <https://www.sciencedirect.com/science/article/pii/S0306261918305130>.

Abstract

Here, we examine public perceptions of who should fund programmes designed to ease the transition to a more sustainable and equitable energy system, finding most responsibility assigned to energy companies, and beliefs about procedural justice meaningfully shaping thoughts on who should pay. Our UK-based mixed methods inquiry reveals that whilst our respondents (survey) and participants (focus groups) accept some personal costs directed towards governmental programmes that could reduce energy injustices, acceptance is dependent on several factors, including perceived importance of distributive justice and whether the energy system exhibits procedural justice. The influence of normative factors on cost acceptance has implications for feasibility of policies to promote energy justice. We conducted a survey (N = 3,150), followed by five focus groups (N = 6–9 each) throughout Great Britain with survey respondents to explore further their answers and explain some of our quantitative findings.

John C. Besley et al., *Conflict of Interest Mitigation Procedures May Have Little Influence on the Perceived Procedural Fairness of Risk-Related Research*, RISK ANALYSIS (published online September 2018),

<https://onlinelibrary.wiley.com/doi/abs/10.1111/risa.13182>.

Abstract

Two between-subject experiments explored perceived conflict of interest (COI)—operationalized as perceived procedural unfairness—in a hypothetical public–private research partnership to study the health risks of trans fats. Perceived fairness was measured as subjects’ perceptions that health researchers would be willing to listen to a range of voices and minimize bias (i.e., COI) in the context of a research project. Experiment 1 (n = 1,263) randomly assigned research subjects to a partnership that included (1) a combination of an industry partner, a university partner, and a nongovernmental organization (NGO) partner; and (2) one of three processes aimed at mitigating the potential for COI to harm the quality of the research. The procedures included an arm’s-length process meant to keep the university-based research team from being influenced by the other partners, an independent advisory board to oversee the project, and a commitment to making all data and analyses openly available. The results suggest that having an industry partner has substantial negative effects on perceived fairness and that the benefit of employing a single COI-mitigation process may be relatively small. Experiment 2 (n = 1,076) assessed a partnership of (1) a university and either an NGO or industry partner and (b) zero, one, two, or three of the three COI-mitigation procedures. Results suggest there is little value in combining COI-mitigation procedures. The study has implications for those who aim to foster confidence in scientific findings for which the underlying research may benefit from industry funding.

Don-Xin Li et al., *The Role of Environmental Justice in Sustainable Development in China*, SUSTAINABLE DEV. (published online September 2018),

<https://onlinelibrary.wiley.com/doi/abs/10.1002/sd.1896>.

Abstract

This study drawing concepts from the fields of sociology, organizational behavior, and marketing examines residents’ perceptions of justice in relation to environmental development. Although prior

research raised issues related to environmental development from the justice perspective, very little is known about how residents perceive justice related to environmental development. Therefore, our study examines residents' perceptions of justice and how those perceptions influence the relationship with the government. More specifically, the study proposes that four types of justice (distributive, procedural, interpersonal, and informational) are related with the residents' trust in the government, which predicts their intentions to support for future projects and the government. To test the proposed model, we collected data from residents of four cities in China that were going through environmental development projects. The results of the study show perceptions of distributive justice and interpersonal justice have a significant positive effect on the residents' trust in the government and the environmental development. The study also finds that trust in the government and trust in the environmental development are positively related with residents' intentions to support the government and additional environmental developments. Our finding, however, does not support that either perceptions of procedural justice or perceptions of informational justice are important in the Chinese context. Implications of the study are presented.

Nicholas T. Davis & Christopher R. Weber, *Perceptions of Racial Discrimination and Democratic Satisfaction* (working paper prepared for presentation at the 2018 Annual Meeting of the Int'l Soc'y of Pol. Psychol., July 4-7, 2018), http://www.nicholastdavis.com/wp-content/uploads/2018/06/ispp18_davis_weber-1.pdf.

Abstract

Much of democracy's appeal rests on the guarantee that governing authorities will treat citizens fairly and equally with respect to the exercise of state power. What happens to democratic satisfaction, however, when expectations regarding fair treatment are violated? This manuscript investigates the link between perceptions of racial (institutional) discrimination and democratic attitudes. In Study 1, we explore 2016 ANES Time-Series survey data. Using factor analysis, we first parse attitudes regarding perceived institutional discrimination toward African Americans from overt racial prejudice. We then show that individuals who perceive the existence of such discrimination are as equally dissatisfied with democracy as garden-variety racists. Next, in Study 2, we analyze Voter Study Group panel data and find that changes in perceived discrimination from 2011 to 2016 translate into negative affect toward democracy. We probe these findings in Study 3, where we test experimentally whether exposure to information about discrimination degrades support for democracy. We uncover modest evidence that satisfaction with democracy decreases when individuals are exposed to stories regarding protests over racial inequalities. Taken together, these findings illustrate that dissatisfaction with democracy is responsive to contemporaneous evaluations of institutional failures to meet the broad demands of procedural fairness.

Weiyu Zhang & Tian Yang, *The Interaction Between Perceived Procedural Fairness and Perceived Disagreement in Deliberation*, ACTA POLITICA (published online August 2018), <https://link.springer.com/article/10.1057/s41269-018-0112-2>.

Abstract

In this study, we examined one key factor in the process of deliberation, namely, perceived procedural fairness. Another important factor, perceived disagreement, which has played a mixed role in deliberation, was used to test its interactive relationship with perceived procedural fairness. A field study utilizing cross-sectional survey data showed that perceived procedural fairness positively related to both enjoyment and perceived institutional legitimacy of deliberation. Perceived disagreement positively related to perceived institutional legitimacy. Meanwhile, perceived disagreement functioned as a moderator that conditioned the influence of perceived procedural fairness: disagreement strengthened the positive relationship between procedural fairness and enjoyment, while weakened the positive relationship between procedural fairness and perceived institutional legitimacy. Theoretical and practical implications are discussed at the end of the paper.

W. A. Asekun, *Structure Versus Process: Exploring the Link Between Distributive and Procedural Justice Beliefs and National Identification Among the Peoples of Southern and Northern Nigeria*, 9 MEDITERRANEAN J. SOC. SCI. (published online September 2018), <http://www.mcser.org/journal/index.php/mjss/article/view/10300>.

Abstract

Nigeria's ethno religious plurality has persistently hindered cohesion among its many peoples. Thus, for over four decades, a debate has been ongoing over whether or not the Nigerian polity should be restructured. The present study drew from System Justification Theory to examine how the constituent groups in Nigeria are apparently kept united amidst perceptions of injustice from some of her ethnic groups. The paper also examined the extent to which the perceptions of distributive and procedural justice influence national identification. The study involved a survey of 230 federal university undergraduates. Participants responded to a scale on distributive and procedural justice beliefs as well as on measures of national identification. Results revealed that distributive and procedural justice beliefs have a significant influence on national group identification. Furthermore, respondents from the southern Nigeria showed strong identification with their ethnic groups but weak identification with the national group, while participants from northern Nigeria showed strong identification with the ethnic group and an equally strong identification with the national group. These findings suggest there is less national cohesion among Nigerian ethnic groups than is necessary for faster national development. Recommendations are therefore made on how national cohesion might be achieved in spite of cultural differences.

Maija Jäska, *Participatory Innovations and Maxi-Publics: The Influence of Participation Possibilities on Perceived Legitimacy at the Local Level in Finland*, EUR. J. POL. RES. (published online September 2018), <https://onlinelibrary.wiley.com/doi/abs/10.1111/1475-6765.12304>.

Abstract

Participatory innovations (PIs) have been introduced as one possible cure to democratic malaises. Empirical research on these mechanisms for citizen participation has, however, focused on their effects on

individuals and policy outcomes, leaving aside their consequences for the wider public. This article fills part of the gap by examining the effect of PIs on perceived legitimacy. The article acknowledges that citizens value not only outcomes but also the inclusiveness of decision-making processes, and defines procedural fairness and outcome satisfaction as the key evaluative criteria behind perceived legitimacy. Both total number and type of PIs are considered as possible factors shaping legitimacy evaluations. By analysing data from 9,022 citizens in 30 Finnish municipalities, the article reveals that introducing PIs is not a simple fix for legitimacy of local governments. The type of participation matters, with discursive participation generating the strongest effects on procedural fairness. However, attention should also be paid to citizens' awareness of participation possibilities.

Jochen Hundsdoerfer & Eva Matthaei, Gender Discriminatory Taxes and Labor Supply (unpublished paper prepared for presentation at the American Accounting Association's 10th Annual Behavioral Tax Symposium, published online June 2018), <https://www.nhh.no/globalassets/departments/business-and-management-science/brownbag-seminars/2018/250918.pdf>.

Abstract

In this paper, we examine the impact of discriminatory taxation on individual labor supply decisions. Using the controlled environment of an experimental laboratory, we manipulate both outcome fairness as well as procedural fairness of taxation between participants. While mere outcome inequality does not influence labor supply decisions significantly, we find evidence of a strong negative effect of gender-based discrimination on labor supply by both female and male participants. The results further demonstrate a positive effect of fairness perceptions on individual labor supply decisions. However, we find severe differences in fairness perceptions by gender when comparing preferential and disadvantageous outcome inequalities.

New Thinking and Interpretations

Joseph Dwyer & David Bidwell, *Chains of Trust: Energy Justice, Public Engagement, and the First Offshore Wind Farm in the United States*, 47 ENERGY RES. & SOC. SCI. 166 (2019), <https://www.sciencedirect.com/science/article/pii/S2214629618300756>.

Abstract

Public acceptance of renewable energy technologies (RETs) is critical to the broader adoption of these technologies and reducing the role of fossil fuels in electricity generation. Recent investigations into the public engagement processes surrounding RET projects reveal certain procedural deficits, especially concerning procedural fairness and stakeholder trust. With this in mind, we analyze two engagement processes that led to the Block Island Wind Farm, the first operational offshore wind farm in the United States. Through semi-structured interviews we identify certain procedural techniques that allowed process leaders to first build public trust in themselves, then in the process, and ultimately in the outcome. This

chain of trust was fostered through informal efforts of process leaders to meet stakeholder expectations concerning process leaders' ability to work for the public interest, provide meaningful engagement opportunities, and to produce non-discriminatory outcomes. This case study highlights the potential of such informal actions to meet stakeholder expectations and build trust, while also empirically demonstrating specific techniques that future process leaders could employ to increase stakeholder acceptance of RETs.

Noa Nelson, Inbal Peleg-Koriat & Rachel Ben-Ari, *Perceived Procedural Justice and Conflict Management in Intimate Relationships: The Moderating Effects of Anxious Attachment and Personal Power*, 7 COUPLE & FAM. PSYCHOL. 34 (2018), <http://psycnet.apa.org/record/2018-32711-003>.

Abstract

Perceived procedural justice (PPJ) was recently associated with collaborative conflict management styles among married and cohabiting spouses. In a correlational study of 160 adults, we tested how avoidant and anxious attachment and personal power perceptions moderate the associations between spouse's PPJ and participants' conflict management styles, because previous research (e.g., in organizations) suggested that personal traits and status-related power moderated responsiveness to procedural justice. In our study, participants who perceived themselves as powerful were less responsive to spouse's PPJ, as was evident by its lower or insignificant correlations with their inclination for collaborative conflict management styles. Anxious attachment also moderated responsiveness to spouse's PPJ, by changing its nature; anxious participants who reported more spouse's PPJ did not reciprocate it; they were more dominating and contrary to their peers, no more compromising. Interpretations for these findings are discussed in the article.

Richard Kirkham et al., *The Procedural Fairness Limitations of Fitness to Practise Hearings: A Case Study into Social Work*, LEGAL STUD. (published online August 2018), http://eprints.whiterose.ac.uk/135075/12/Legal_Studies_resubmission%20-%20August%20-%20with%20names-1.pdf.

Abstract

The norm in fitness to practise proceedings (FTPP) is that where sanctions might be imposed procedural fairness requires a court-like hearing. This article questions that paradigm, using empirical research to focus on the FTPP to which social workers must account. Procedural fairness is a multi-faceted legitimising concept used to justify the design of decision-making processes. With FTPPs, the major justification is an 'instrumentally' focused model of procedural fairness which prioritises making decisions that look right, a goal which is delivered in the context of social work. But other justifications for procedural fairness are inadequately fulfilled, with in particular a 'dignitarian' respect not achieved due to the high levels of non-attendance by registrant social workers. Further, procedural fairness as 'public accountability' is undermined due to the relative lack of engagement of FTPPs with the perspective of the social work community. These findings hint that in the context of a poorly organised

and resource-poor profession other hybrid forms of FTPP might have a stronger claim to procedural fairness than the court-like model.

Penelope Weller, *Therapeutic Jurisprudence and Procedural Justice in Mental Health Practice: Responding to 'Vulnerability' Without Coercion*, in *CRITICAL PERSPECTIVES ON COERCIVE INTERVENTIONS: LAW, MEDICINE AND SOCIETY* (Clair Spivakovsky, Kate Seear & Adrian Carter eds., 2018),

<https://www.taylorfrancis.com/books/e/9781351657341/chapters/10.4324%2F9781315158693-18>.

Abstract

In crafting a radical reinterpretation of the principles of non-discrimination and equality before the law, the Convention on the Rights of Persons with Disabilities challenges the routine use of compulsory mental health treatment. This chapter points to the lack of empirical evidence supporting the use of compulsory treatment, while outlining the experience by people with mental health problems who have experience of compulsory treatment. The chapter seeks a way forward by exploring the insights offered by procedural justice and therapeutic jurisprudence scholarship. It highlights the connections between procedural justice, recovery-oriented practice and the human rights model in the CRPD. The chapter argues that therapeutic jurisprudence and procedural justice research provides fresh evidence about the formulation and impact of the law that could inform the creation of mental health laws and practices that are free of statutory mandated compulsory treatment.

In the News/On the Web

Marie Forleo, *Judge Victoria Pratt on Procedural Justice: It's Free, Saves Lives and Can Change the World*, MarieTV (September 2018),

<https://www.marieforleo.com/2018/09/judge-victoria-pratt-interview/>.

JEFFREY UPSON, PITTSBURGH PROCEDURAL JUSTICE: SEPTEMBER 2018 REPORT,

https://static1.squarespace.com/static/5a6786b290badee2d57c3910/t/5bca0944f9619a71ba46dbc1/1539967302453/PJ_Report_Sept_2018.pdf

Kate Wurmfeld, *Process Matters: Procedural Justice and its Impact on How Systems Respond to Domestic Violence* (webinar hosted by the Battered Women's Justice Project on July 12, 2018; PowerPoint slides available online),

<https://www.bwjp.org/training/webinar-procedural-justice-systems-respond-domestic-violence.html>.