What are the barriers preventing the police from using procedural justice when interacting with the public?

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Statement of originality

This work has not previously been submitted for a degree or diploma in any university. To the best of my knowledge and belief, the thesis contains no material previously published or written by another person except where due reference is made in the thesis itself.

Alistair Fildes
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Abstract

Over the last ten years there has been an increasing focus on procedural justice policing. Interest in this area has grown as studies have established that public perceptions of the police as procedurally just can improve public compliance, cooperation, and satisfaction with law enforcement. However, less is known about the factors that prevent or inhibit police officers from demonstrating procedural justice when dealing with the public. The literature that does exist on procedural justice barriers has proposed a range of issues – from time constraints limiting officers’ ability to demonstrate procedural justice, to procedural justice not being a priority for officers. There is a research gap for a systematic identification of the barriers that may inhibit officers from using procedural justice.

When examining police behaviour towards the public, a characteristic of the policing literature is the focus on the operational stage of officers’ careers, to the exclusion of how recruit training may instil these behaviours. Recruit training is where officers learn the knowledge and skills to be an operational officer; knowledge and skills that will adapt and change once they begin to apply them in real-life situations. As yet, there is no in-depth understanding of the effect of recruit training on procedural justice policing, the consequence being that there may be factors in how recruits are prepared for police work that inhibits police demonstrations of procedural justice when they become operational.

The aim of the thesis is to identify and examine the barriers that inhibit or prevent police officers from demonstrating procedural justice to the public. This thesis consists of three studies within one police jurisdiction in Australia. In order to ascertain the existence of procedural justice barriers, Study 1 identified how police officers’ sense of themselves as procedurally just changed over time. For instance, if officers self-assessed as less procedurally just, then this would indicate the presence of factors that prevented or inhibited procedural justice policing. The study tracked changes in officers’ attitudes across recruit training and the transition into operational work. This study provided a quantitative baseline – using data from a longitudinal survey – of how recruits’ attitudes regarding procedural justice changed within and across these two environments. It was found that officers’ sense of themselves as procedurally just had become more negative by the end of recruit training, and that officers’ procedural justice self-assessments were explained to a
greater degree by their self-assessed interpersonal skills than by their attitudes to procedural justice or the public.

Study 2 examined police recruit training to identify what factors may facilitate or inhibit police use of procedural justice in encounters with the public. This study used document analysis, observations of training, and interviews with police trainers, to identify the presence of procedural justice principles in recruit training and elements of training that may contradict these principles. It was found that the principles of procedural justice had only a minor presence in training, and that interpersonal skills training predominantly revolved around coercing compliance from the public, rather than encouraging voluntary compliance through procedural justice.

The third study examined the barriers to procedural justice in the operational environment. Using semi-structured interviews with recruits and operational officers, Study 3 also examined why these perceived barriers made demonstrations of procedural justice more difficult, and if these barriers changed as a result of operational experience. The perceived barriers were: officers’ understandings of procedural justice principles; officers’ interpersonal skills; non-white cultural and ethnic minority groups; residents of high and low socioeconomic areas; efficiency concerns; procedurally unjust police partners; intoxication; and mental illness. It was also found that some of these barriers were the result of officers’ misunderstanding the procedural justice principles, a reliance on coercion in dealing with non-compliance, and certain groups being as more deserving of procedurally just treatment. In addition, Study 3 found that officers’ understandings of procedural justice and its barriers remained broadly consistent over time.

The findings from the thesis indicate that if police organisations wish to encourage officers to act in a procedurally just way, then more resources need to be allocated to developing officers’ interpersonal skills. In particular, rather than just teaching officers about the procedural justice model, officers should be trained how to use their interpersonal skills to demonstrate procedural justice, and so encourage voluntary compliance from the public. Through doing so, the effects of these procedural justice barriers can be minimised, and so both the police and the public can benefit from procedural justice policing.
Chapter 1 – Overview of the thesis

1.1 Genesis of the thesis

My main impetus for doing the thesis stems from a conversation I had in a previous job. In 2012, I was involved in the evaluation of a police procedural justice training package (Wheller, Quinton, Fildes, & Mills, 2013a, 2013b). As part of the evaluation, officers were interviewed about their experience of the training, and on one such occasion I was speaking to an officer with a negative view of the package. As the interview progressed, it became clear that the officer was becoming irritated with the questions on procedural justice, and so I probed him on what his issues were with the principles. The officer said:

It’s all very well saying we have to use this stuff [procedural justice], but it’s easier to act this way when you’re dealing with an old granny that’s been robbed for the first time, than with a yob [young delinquent] that’s just spat in your face.

That statement stuck. What makes procedural justice so different from past attempts by scholars and police agencies to change police behaviour? The policing literature stands as testament to the difficulties in stimulating long-term changes in police behaviour towards the public (Quinton & Morris, 2008; Skogan & Hartnett, 1997). It occurred to me that there were likely factors that inhibited or prevented officers from using procedural justice. If these unknown factors influenced officer behaviour towards the public, then it followed that any positive changes that procedural justice training produced would be unlikely to be sustainable long-term.

1.2 Background

Over the last fifteen years there has been an increasing focus on procedural justice policing. Interest in this area has grown as studies have established that public perceptions of the police as procedurally just can improve public compliance, cooperation, and satisfaction with law enforcement (Murphy, 2009; Reisig, Bratton, & Gertz, 2007; Sunshine & Tyler, 2003). Initially driven by scholars seeking to evaluate the effect of procedural justice perceptions on the public’s attitudes and behaviour towards the law and police, these studies have attracted attention outside of academia. Following the 2014 riots in Ferguson, Missouri in the United States, the President’s Task Force on 21st Century Policing (2015)
report made a series of recommendations endorsing police use of procedural justice when interacting with the public. These recommendations have driven interest in how police can be taught to act in a way that encourages the public to see them as procedurally just (Mazerolle et al., 2014; Skogan, Van Craen, & Hennessy, 2015; Wheller et al., 2013b).

For police to be perceived as procedurally just by the public, they must fulfil four criteria: to act in a neutral manner; treat people with respect and dignity; give the public a voice in decision-making; and demonstrate trustworthy motives (Lind & Tyler, 1988; Mazerolle, Antrobus, Bennett, & Tyler, 2013). Studies of police procedural justice training have found that officer attitudes to procedural justice can be improved, and that such training can encourage the public to see the police as procedurally just (Mazerolle, Antrobus, et al., 2013; Wheller et al., 2013b). However, it is unknown to what degree procedural justice can be sustained long-term. To date, little is known about what factors prevent officers from demonstrating procedural justice in police-public interactions – otherwise known as procedural justice barriers. Only a few studies have dealt with this topic. These studies have either provided an overview of possible barriers (Mazerolle et al., 2014), or have focused on particular issues that hamper police demonstrations of procedural justice (MacCoun, 2005; Mastrofski, Jonathan-Zamir, Moyal, & Willis, 2016; Sivasubramaniam & Heuer, 2007). As yet, there is not one empirical study that specifically identifies and examines the factors that prevent or inhibit officers from using procedural justice across different stages of an officer’s career. The findings from such a study would be beneficial to academics and police practitioners that wish to apply procedural justice in practice, and those parties that have an interest in the factors that influence police interactions with the public.

1.3 Aim, objectives, and research statements

The aim of this thesis is to identify and examine the barriers that inhibit or prevent police officers from demonstrating procedural justice to the public. The aim consists of three objectives. First, assess how officers’ sense of themselves as procedurally just changes over time, and identify what factors influence these self-assessments. Second, examine the barriers to procedural justice in the recruit training environment. Third, examine the barriers to procedural justice in the operational environment. The combination of these three objectives will quantify the existence of procedural justice barriers, and examine how recruit
training and the operational environment influence the development of these barriers. Each of these three objectives has a set of attached research statements:

**1.3.1 Objective 1 – Assess how recruits’ procedural justice self-assessments change over time, and identify what factors influence these self-assessments**

1) Measure how procedural justice self-assessments and related factors change over time.

2) Identify the factors that predict procedural justice self-assessments at the end of recruit training.

**1.3.2 Objective 2 – Examine the barriers to procedural justice in the recruit training environment**

1) Identify the extent to which procedural justice principles are present in recruit training.

2) Examine the interpersonal skills training recruits receive.

**1.3.3 Objective 3 – Examine the barriers to procedural justice in the operational environment**

1) Identify officers’ perceived barriers to demonstrating procedural justice in the operational environment.

2) Explore why the identified barriers in operational practice are perceived to make demonstrations of procedural justice more difficult in the field.

3) Examine whether the perceived barriers change with operational experience.

**1.4 Contribution of thesis**

This thesis will make a unique contribution to policing scholarship, both to the procedural justice field as well as to policing more generally. Only a few studies have addressed factors that might prevent officers from using procedural justice (MacCoun, 2005; Mastrofksi et al., 2016; Mazerolle et al., 2014; Sivasubramaniam & Heuer, 2007), but as yet no study has primarily focused on identifying barriers and examining where and why these barriers take root. In particular, Objective 3 will examine the factors within the operational environment
that act as procedural justice barriers, while Objective 2 will examine the factors in the recruit training environment. By substantiating what procedural justice barriers exist, and examining how and why they develop, the thesis will produce knowledge that will inform procedural justice scholarship, and will assist in the development of effective police procedural justice interventions.

A contribution of the thesis to the wider policing literature is concerned with recruit training. The thesis will establish how police are trained, and in particular, to what extent procedural justice and interpersonal skills are core elements of training. It has been noted that the lack of research on recruit training limits the ability to distinguish the effects of training on officer behaviour from those of other influences (Skogan & Frydl, 2004). The thesis will add to this small body of research. Objective 2 will provide detail on the structure and content of recruit training, in particular on the presence of procedural justice principles and interpersonal skills training in this period of a police officer’s career. Aside from capturing to what extent procedural justice is threaded through recruit training, Objective 2 will document how recruits are trained to use their interpersonal skills. Officers at the Constable rank are primarily dealing with the public, and so are required to use a range of interpersonal skills in a range of circumstances to achieve their goals (Roberts & Davies, 2011; Terrill, 2003). It would follow that recruits receive substantial training on how to use their interpersonal skills. As yet, there has not been a study that has specifically examined police interpersonal skills training at a recruit level to examine whether procedural justice principles are embedded in these skills. As such, this thesis will establish to what degree interpersonal skills are part of recruit training as well as the presence of procedural justice principles more broadly in training, what types of skills are taught, and the ramifications for developing officers that identify as procedurally just.

To begin with, however, the thesis will first quantify whether or not barriers do exist, as measured by officers’ procedural justice self-assessments – that is, the extent to which they view themselves as procedurally just. Objective 1 will establish how self-assessments change over time, providing an evidential basis that will indicate to what extent barriers emerge in recruit training or in operational work. In addition, Objective 1 will also establish what factors influence officers’ procedural justice self-assessments in recruit training. The benefit of this investigation is that it will provide a greater understanding of how positive
procedural justice self-assessments can be best encouraged during recruit training. For example, if the study finds that recruits’ procedural justice self-assessments are strongly linked to their attitudes to the public, then this indicates an effective means of improving recruits’ self-assessments would be to enhance their attitudes to the public. A potential outcome of this type of finding is that interventions can be designed that are based on a clear conceptual and empirical link between procedural justice and the associated factor.

1.5 Chapter summary
Chapter 2 will discuss what is known about procedural justice in policing; its development as a concept from the study of instrumental and normative perspectives, its effect on law enforcement outcomes, the studies that have employed procedural justice in practice, and the scarce literature on barriers to its use in operational work. Chapter 3 will then broaden out the review of procedural justice barriers by examining research on police behaviour towards the public. Presentation of this large body of research will be organised by the factors that influence police behaviour towards the public; namely individual, situational, community and organisational factors. These studies will be examined to identify potential procedural justice barriers that might prevent or inhibit officers from demonstrating procedural justice principles when dealing with the public. Chapter 3 will end with a presentation of the objectives of this thesis. Chapter 4 will lay out the methodological approach to each of the three studies undertaken in this thesis to achieve these objectives.

Chapters 5, 6, and 7 present the findings of the three studies. Specifically, Chapter 5 will utilise survey data from police recruits to assess how officers’ procedural justice self-assessments change over time, and identify what factors influence these self-assessments. Chapter 6 will present an overview of the police training program within the Queensland Police Service, and will use a range of qualitative methods to examine the barriers to procedural justice in the recruit training environment. Chapter 7 will examine the barriers to procedural justice in the operational environment, this time through interviews with both recruits and operational officers. Finally, Chapter 8 concludes the thesis with a summary of the accumulated findings, a discussion of their implications for police practice and procedural justice scholarship, and a discussion of the limitations of the thesis, recommendations that arise from the thesis for police practice, and avenues for future research.
Legal authorities – such as the police and the courts – are interested in how they can encourage members of the public to voluntarily comply with the law. The logic is that increasing public compliance with the law leads to less crime being committed, leading to less enforcement of the law being required. Research suggests that self-reported voluntary compliance with the law can be stimulated by legal authorities being seen as legitimate, thereby engaging the public’s sense of obligation to obey the law (Sunshine & Tyler, 2003; Tyler, 1990). Such an obligation to obey occurs not just because the public fear the consequences of non-compliance with the law, but because complying with the law is seen as right and just. While legitimacy begets obligation to obey, legitimacy itself is encouraged through demonstrations of procedural justice.

According to procedural justice scholars, for legal authorities to demonstrate procedural justice, they must be fair in their treatment of others and be fair in how decisions are made. In particular, they must fulfil four criteria: act in a neutral manner; treat people with respect and dignity; give the public a voice in decision-making; and demonstrate trustworthy motives (Goodman-Delahunty, 2010; Lind & Tyler, 1988; Tyler & Huo, 2002). If legal authorities are seen by the public as acting in a procedurally just way, research suggests that authorities can stimulate a range of positive outcomes for the police and the public. These positive outcomes include the public’s voluntary compliance with directives and laws, public cooperation with authorities, and satisfaction with those authorities (Elliott, Thomas, & Ogloff, 2011; Mastrofski, Snipes, & Supina, 1996; Murphy, Hinds, & Fleming, 2008). One important question that remains unanswered in the procedural justice literature, however, is: what barriers might exist that either prevent or inhibit police officers from demonstrating procedural justice in interactions with the public?

The purpose of this literature review is to discuss what is currently known about procedural justice in the policing context, including its benefits to both the police and the public, but also the factors that could inhibit police use of procedural justice. There are two literature review chapters. Chapter 2 discusses the studies concerning procedural justice policing and its theoretical antecedents, the benefits of procedural justice to both the police and the
public, and the small body of literature on procedural justice barriers. Chapter 3 expands the scope of the review and examines the broader policing literature for likely procedural justice barriers.

Chapter 2 is structured into six sections. Section 2.1 of the chapter will examine the instrumental versus normative perspective of public compliance with the law. It will discuss the importance of deterrence for shaping human behaviour, and most importantly, will canvass an alternative body of scholarly work that indicates there is a link between the perceived legitimacy of authorities and public compliance with the law. Section 2.2 will explain the development of the procedural justice concept and why it is considered important to the public. Section 2.3 will link the research on procedural justice and its effects on legitimacy and other law enforcement outcomes like public compliance, cooperation, and public satisfaction with police services. Section 2.4 will examine if police officers can be trained to demonstrate procedural justice, and the effects of such training. Section 2.5 summarises the scarce literature on the factors that prevent or inhibit officers from demonstrating procedural justice. The final section (Section 2.6) will summarise the key findings from this chapter.

2.1 Compliance with the law: Instrumental vs normative perspectives

The law, at its most basic level, is a mechanism for controlling public behaviour. Laws are written and enforced to ensure an appropriate standard of behaviour from the public according to the norms and values of the society they live in. If a person breaks the law, that person can expect to be sanctioned for their actions. Conversely, if a person obeys the law, that person is free of such sanctions. In other words, the law uses sanctions to deter unlawful behaviour and to encourage lawful behaviour. Such an understanding of public behaviour is reflected in how legal authorities operate. The police identify potential law-breaking, the courts decide whether the law has been broken and what penalty is to be applied, and the prison and probation systems administer the punishment. How each legal authority operates adds credence to the fundamental principle of the criminal justice system – that the public obey the law because sanctions deter them from breaking the law.

The principle of deterrence runs throughout the entire criminal justice system (Gibbs, 1968; Nagin, 1998; Tyler & Huo, 2002; Von Hirsch, Bottoms, Burney, & Wikström, 1999). Courts
ensure the risks of non-compliance outweigh the reward by using fines or imprisonment to punish and deter people from breaking the law. The police increase the certainty of punishment by patrolling the streets and responding quickly to public calls for assistance. There is an intuitive logic to deterrence; that the public make decisions to comply or not on the basis of what course of action is of greatest benefit to them. Advocates of the deterrence perspective suggest that undesirable behaviours can be discouraged by ensuring the risk of sanctions outweigh the benefit of the reward (Von Hirsch et al., 1999).

Deterrence is, therefore, an example of an instrumental perspective of human behaviour. An instrumental perspective explains human behaviour as the result of rational decisions in the pursuit of personal goals (Gibbs, 1968; Tittle, 1969). For example, if a person wishes to be rich, that person will weigh up the costs and benefits of each opportunity to make the most money with the least effort. If an opportunity to make money includes breaking the law, then, to ensure the person complies with the law, the deterrent must outweigh the benefits to be gained from breaking the law.

The major limitation of deterrence, however, is it can only ever give a partial explanation for why people obey the law (Ayres & Braithwaite, 1992; Tyler, 1990). A deterrent may prevent law-breaking, but it does not explain why people obey the law in the absence of a deterrent. For example, what stops a person from stealing when no one is watching, or from ignoring a red traffic light when driving at 3am? Considering the number of opportunities each of us has each day to break the law without sanction, from a deterrence perspective it is surprising how many of us do obey the law voluntarily. Deterrence may discourage most people from breaking the law most of the time, but the instrumental perspective of human behaviour is less useful in explaining why people obey the law voluntarily in the absence of a deterrent.

An alternative perspective offered in the literature is that people obey the law not because they fear the consequences of breaking the law, but because they see obeying the law as right and just. This normative perspective of human behaviour supposes that people voluntarily obey the law based on a sense of moral obligation to do so. According to this normative perspective, if a person sees the police as right and just, or the laws they enforce as right and just, then they will feel obligated to comply with police requests to obey a law,
or in the absence of a request they will obey a law because it is right to do so (Tyler, 1990). The benefit of encouraging voluntary compliance is that public obedience to the law is assured even in the absence of a deterrent.

A key scholar who explored the normative perspective of compliance is Tom Tyler (1990). He argued that normative factors explain why people obey the law to a greater degree than instrumental factors. Tyler (1990) tested this hypothesis by surveying the American public on what motivated them to obey the law. He found that self-reported compliance with the law was motivated to a greater degree by normative factors than instrumental factors. These findings called into question whether instrumental perspectives of human behaviour, exemplified by deterrence, are an effective method for encouraging voluntary compliance with the law.

Tyler (1990) sought to examine in greater detail the constituent parts of a normative perspective on compliance with the law. He hypothesised that normative compliance consisted of two elements – legitimacy and personal morality. Legitimacy was the degree to which people recognised the right of an authority to govern their behaviour, and was demonstrated by the public willingly deferring to the wishes of a party deemed legitimate (Murphy, 2014). In other words, if the law and its authorities were seen as legitimate, a person felt obligated to obey the law (regardless of their personal view about the law). Personal morality meant that people obeyed the law because they felt it was the right thing to do; because the law aligned to their own ethical values.

Tyler’s study found that both personal morality and legitimacy predicted self-reported compliance with laws, but also that perceptions of the legitimacy of police had an independent effect on compliance (Tyler, 1990). These findings meant that in cases where police were seen as legitimate and the laws they enforced were aligned to a person’s morality, that person reported they were more likely to comply. However, the independent effect of legitimacy was significant for cases where compliance with the law contravened a person’s sense of personal morality. Even if the person saw the law as going against their morals, if the police were seen as legitimate then they were more likely to comply. So it was not the case that people only obeyed laws that they agreed with; legitimacy could encourage compliance even in cases where the public disagreed with these laws.
These findings are of particular interest to the police. A core element of the job is obtaining compliance from the public, whether it is instructing individuals to leave an area for their own safety, or controlling a situation so as to make an arrest safely (Bittner, 1975; Mastrofski et al., 1996). In addition, police also have legal powers that enable them to lawfully use physical force in response to public non-compliance. These powers mean that police are able to coerce compliance in situations where the public is unwilling to comply. This last example illustrates the instrumental perspective – if a person refuses to comply because compliance is not in their interest, police can use force to obtain their compliance.

Tyler’s normative perspective, in contrast, proposes that public non-compliance can be reduced if the police are seen as legitimate, even in such situations where the person is likely to resist the law otherwise. In other words, the normative perspective denotes methods of encouraging voluntary compliance, whereas the instrumental perspective is indicative of methods of coercing compliance. Put simply, Tyler’s work demonstrated that encouraging public perceptions of legitimacy may be a more effective police strategy for encouraging public compliance with the law than traditional strategies built on deterrence or coercion.

The next logical step in Tyler’s research was to identify how legitimacy could be best encouraged by authorities. Tyler (1990) found that if legal authorities were seen as demonstrating procedural justice, then this predicted people’s positive perceptions regarding the authority’s legitimacy.

2.2 What is procedural justice?

The origins of procedural justice scholarship can be traced back to the work of Thibaut and Walker (1975). Their research investigated what the public saw as fair procedures when dealing with legal disputes. Their study used a laboratory experiment to assess how fairness was assessed by disputants in a legal hearing. Using a scenario, law students were asked to rate the fairness of the hearing. The experiment found that the disputants’ perceptions of the fairness of procedures were evaluated primarily by the fairness inherent to being given the opportunity to state their case, rather than by the outcome benefitting their interests. This early finding called into question whether self-interest was the chief determinant of public satisfaction with the fairness of legal authorities.
Tyler (1990) subsequently argued that Thibaut and Walker’s conceptualisation of procedural justice was an instrumental model of fairness; that is, disputants valued the opportunity to state their case because they believed it affected the outcome of their case. Tyler sought to examine in greater detail two elements of Thibaut and Walker’s findings. First, he wished to examine whether the findings were applicable to the wider population, and so replicated the experiment using a representative sample. Second, he wished to identify whether procedural justice improved perceptions of outcome fairness independent of the favourability of the outcome. Using data from a representative panel survey of American citizens living in a single city (n=804), Tyler found that procedural justice had a positive effect on perceptions of fairness of legal authorities irrespective of the outcome. Building on the findings of Thibault and Walker (1975), Tyler therefore provided further empirical support for the benefits of procedural justice to legal authorities.

Since Tyler’s early work in the late 1980s and early 1990s, efforts have been made in the literature to conceptualise and measure procedural justice in legal contexts. As a result, the concept of procedural justice is now typically operationalised as either a two-principle or four-principle model. Tyler (1990) originally defined the two-principle model as based on demonstrations of fair treatment and fair decision-making by legal authorities. More commonly, scholars now use a four-principle model, suggesting that procedural justice is comprised of: neutrality; respect; voice; and trustworthy motives (Lind & Tyler, 1988; Mazerolle, Antrobus, et al., 2013; Tyler & Huo, 2002). Each of these four principles are related to fair treatment or fair decision-making. Neutrality is being consistent and even-handed, ensuring that all members of the public are treated in the same manner and decisions are made without bias. Respect is treating the public with dignity and taking their concerns seriously; people value being treated politely and react negatively to being treated with disrespect (Mastrofski, Reisig, & McCluskey, 2002). Voice is giving the member of the public the opportunity to participate in decision-making and having their opinion taken seriously irrespective of the final outcome (Greenberg & Edwards, 2009). Finally, trustworthy motives demonstrate through word and action that the authority has the person’s best interests at heart.

Tyler argues that procedural justice is valued by the public because it demonstrates, through action, that legal authorities see the public as deserving of fair treatment and fair decision-
making. This explanation took form in the Group Value Model (Lind & Tyler, 1988; Tyler, 1990). The model was based on the argument that individuals choose to align themselves with groups that provide material and social benefits to them. Being a group member provides opportunities to gain knowledge and expertise, as well as esteem and support that are unavailable outside of the group. The downside is that an individual must cede control to the group and its authorities to remain a member. Conflict between the individual and the group's authorities places the individual's status within the group at risk. Actions by the authorities, therefore, communicate to the individual their status within the group (Tyler & Lind, 1992). In other words, if a legal authority treats a person disrespectfully, this diminishes the individual's social standing in the group by demonstrating they are not valued by wider society, of which the police are recognised as an authority figure and are representatives of the groups' values. Though it can be argued whether individuals make a conscious choice to become part of society, research has supported the Group Value Model as a means of explaining why procedural justice matters to the public (Elliott et al., 2011; Huo, 2003).

2.3 The relationship between procedural justice, legitimacy, and law enforcement outcomes

As noted earlier, Tyler’s (1990) study demonstrated a link between the public’s experience of procedural justice and legitimacy evaluations, and public compliance with the law. Since that point, numerous scholars have examined the effect of procedural justice and legitimacy on a range of law enforcement outcomes. There exists a systematic review of the literature that identified nearly 1,000 studies relating to police legitimacy (Mazerolle, Bennett, Davis, Sargeant, & Manning, 2013), and since that review the number of studies on these subjects has continued to increase substantially. For the most part, these studies suggest that procedural justice evaluations are linked to legitimacy perceptions, which in turn can have a positive effect on a range of attitudinal and behavioural outcomes. While this thesis cannot review all of the studies that have been undertaken in this space, it will discuss a selection of studies that have emerged since Tyler’s (1990) seminal publication that demonstrate the effect of procedural justice on certain law enforcement outcomes. In particular, the following two sections of this chapter will focus on studies that link procedural justice and
legitimacy to the following outcomes: public compliance with the law and police; cooperation with the police; and public satisfaction with police.

Of note are the different methodological approaches used in these studies. The bulk of research in this area has measured *self-reported outcomes*; for example, a person’s intentions to cooperate with police in the future (Sunshine & Tyler, 2003). There are fewer studies that analyse *observed outcomes*, like actual public compliance with police instructions (McCluskey, 2003). As such, the following section will discuss the research on the link between procedural justice and self-reported outcomes, and the section after will examine the effect of procedural justice on observed outcomes.

**2.3.1 Studies of the effect of procedural justice on self-reported outcomes**

In the policing literature, procedural justice has been found to positively influence four key outcome variables: legitimacy perceptions; cooperation with police; public satisfaction with police, and compliance with the law and police. Importantly, some studies reveal procedural justice has a direct effect on the latter three variables, while other studies find procedural justice influences these variables through the mediating effect of legitimacy. All these studies, however, consistently reveal that procedural justice is a vital predictor of people’s perceptions of the legitimacy of police.

One influential piece on procedural justice and police legitimacy was by Sunshine and Tyler (2003). Their research sought to understand the comparable effects of instrumental and normative factors on public perceptions of police legitimacy, and the effect of legitimacy perceptions on a range of law enforcement outcomes. These outcomes included self-reported cooperation with police (i.e., by reporting crime or voluntarily providing information to police), compliance with the law regarding minor crimes (i.e., littering and traffic laws), and attitudes towards empowering the police to enforce the law. Legitimacy was operationalised as the obligation to obey a legal authority and trust in both local police officers and the police more generally. Instrumental factors included the perceived likelihood of being caught and punished for law-breaking, police performance in fighting crime, and distributive fairness (i.e., the perception that services are equally distributed across ethnic and socio-economic groups). Normative factors referred to procedural justice, more specifically the quality of police decision-making and treatment. In addition, the
participant’s level of education, gender, income, and ethnicity were also measured. To investigate whether relationships changed over time, their study collected data from New York residents at two periods of time, one year apart. The first study consisted of a random sample of residents that received a postal survey (n=586), the second study was a stratified sample of residents that received a telephone survey (n=1,653).

In both studies it was found that procedural justice was the key predictor of perceptions of police legitimacy, and that legitimacy was also the primary predictor of compliance, cooperation, and police empowerment. In other words, procedural justice was linked to a range of positive law enforcement outcomes through the mediating influence of legitimacy. The second study confirmed that legitimacy was the strongest predictor of all the law enforcement outcomes except for the participant’s age being a marginally greater predictor of compliance with the law. In addition, it was also found that the relationship between procedural justice and legitimacy, and the effect of legitimacy on these law enforcement outcomes, held firm for all ethnic groups in the study. This study was significant because it suggested that procedural justice could encourage a range of benefits that directly affect police business, like compliance with the law and the voluntary reporting of crimes, by improving perceptions of police legitimacy. Other studies have since found that the relationship between procedural justice, legitimacy, and law enforcement outcomes holds for those with recent encounters with police officers (Tyler & Fagan, 2008) and also applies to jurisdictions outside of the US (Hough, Jackson, Bradford, Myhill, & Quinton, 2010; Murphy et al., 2008).

Other studies have examined in detail at how legitimacy encourages positive law enforcement outcomes. An emblematic study was by Reisig et al. (2007) which sought to validate the measurement scales of procedural justice, legitimacy, and their effect on law enforcement outcomes. The study used data from a nationwide telephone survey (n=432) of American citizens. The participants were asked about their general opinions about police; it was not recorded whether participants had had recent contact with police or not. The study had two dependent variables – cooperation with police by either providing information or reporting a crime, and compliance with the law for minor infractions like breaking traffic laws and littering. The independent variables included procedural justice, distributive fairness, and control variables like age, gender, ethnicity, and a person’s
socioeconomic and marital status. Of particular note was the choice to measure legitimacy as a single aggregate scale and two distinct scales, of which the two scales measured obligation to obey the law and trust in police respectively.

As with Sunshine and Tyler (2003), the study found that procedural justice was the key predictor of police legitimacy perceptions, and that legitimacy predicted both the public’s self-reported cooperation with police and compliance with the law. Legitimacy was the strongest predictor for public cooperation with police, while legitimacy was a significant but weaker predictor of compliance than age and gender. As in Sunshine and Tyler (2003), procedural justice was linked to compliance and cooperation through the mediating effect of legitimacy. However, the study found that once legitimacy was split into obligation to obey the law and trust in police, that obligation to obey the law ceased to be a significant predictor of both cooperation and compliance. In other words, procedural justice encouraged cooperation and compliance because it engendered trust in the police, and not because the public felt obligated to obey police. This finding suggested that the public cooperated and complied because of their views of the police, instead of due to a public expectation that the police were entitled to obedience.

The debate on the constituent elements of legitimacy has expanded to include the notion of the police and the public as sharing the same moral values. The following study sought to test a different formulation of legitimacy, this time constructing the concept as an amalgam of obligation to obey and moral alignment between the police and the public (Jackson et al., 2012). The study consisted of a random sub-sample (n=937) of a larger representative survey of U.K. adults. Measures included police effectiveness, police procedural justice, obligation to obey the police, moral alignment with the police, personal morality a la Tyler (1990), perceived risk of sanction, legitimacy of the law, and compliance with the law. In addition, offending behaviour was measured using a self-report measure of how many minor offences the participant had recently committed (i.e. shoplifting, vandalism etc.).

The study found that police procedural justice predicted both obligation to obey the police and moral alignment with the police. In contrast to Reisig et al. (2007), obligation to obey the police was found to predict obligation to obey the law, which in turn predicted offending behaviour. Nevertheless, moral alignment with police did not predict obligation to
obey the law, but had an independent effect on offending behaviour. In other words, procedural justice was argued to be valuable because it was linked to a decrease in offending behaviours; either indirectly through the obligation to obey the law, or directly through moral alignment with the police. Jackson et al.’s (2012) findings indicated that the positive effect of procedural justice on law enforcement outcomes may not exclusively work through legitimacy.

Though studies have tended to find that the relationship between procedural justice and legitimacy holds firm across all ethnic groups (Sunshine & Tyler, 2003; Tyler, 1990; Tyler & Fagan, 2008), research from Australia has indicated that this may not always be the case. For example, Murphy and Cherney (2011) used survey data from a representative sample of Australians (n=1,204). They compared ethnic minorities within the sample to the general population and found that procedural justice actually had a negative relationship with minorities’ perceptions of police legitimacy. For the general population, in contrast, procedural justice had the expected positive relationship with legitimacy. Using Australian survey data, Bradford et al. (2014) sought to examine how a person’s social identity may affect the relationship between procedural justice and legitimacy. The hypothesis was that those unaffiliated with an Australian social identity would weaken the relationship between procedural justice and legitimacy. The study used a random national sample of Australian citizens, of which two waves of data were captured two years apart (n=1,023). The two dependent variables were the person’s sense of Australian social identity, otherwise known as citizen identity, and legitimacy as measured through the perceived duty to obey police. Independent variables included police procedural justice, that person’s identification with their ethnic group, as well as control variables like police effectiveness, concern about anti-social behaviour, worry about crime, and demographic information. The study found that procedural justice was the key predictor for legitimacy, but that this relationship was weaker for those that identified strongly with their ethnic group. This finding implied that those who identified as part of an ethnic minority group may place less of a focus on procedural justice than those of the predominant white ethnic group. Likewise, using survey data from members of different ethnic minority communities in Australia (i.e., Vietnamese and Indian ancestral groups, as well as Arabic speaking communities), Sargeant et al. (2014) revealed that some ethnic minority groups valued procedural justice less than other ethnic
minority groups. Elsewhere it has been found that for members of ethnic minority groups that questioned the legitimacy of the law, procedural justice decreased their willingness to cooperate with police (Murphy & Cherney, 2012). As such, these findings indicate that the effect of procedural justice on legitimacy may not apply in cases where non-white cultural and ethnic minority group ties may predominate.

Another area of interest is the relationship between procedural justice and public satisfaction with the police. Inspired by Tyler’s (1990) study, Hinds & Murphy (2007) sought to examine to what degree procedural justice and legitimacy contributed to public satisfaction with police in Australia. The study used a postal survey data collected from Australian residents (n=2611) in a medium-sized city. The dependent variable was self-reported satisfaction with police services. The independent variables included procedural justice, distributive justice, assessments of police performance, legitimacy, and a set of control variables that measured participants’ age, education and income level. The study found that police legitimacy perceptions were predicted most strongly by procedural justice, though police performance also contributed to legitimacy (only marginally less than procedural justice). Furthermore, legitimacy was the key predictor of public satisfaction with police. In other words, if police were viewed as legitimate, then the public were more satisfied with the police. These findings suggested that the link between procedural justice and legitimacy also applied to public satisfaction with police.

An additional study that examined the link between procedural justice and public satisfaction explored the potential effects of police-initiated and public-initiated contact on the link between procedural justice and public satisfaction (Murphy, 2009). The study used a stratified random sample of Australian citizens, and data was collected using a survey. Only those survey respondents who reporting having had a recent police-public interaction were of interest (n=1,462). The dependent variable was public satisfaction with police, and the independent variables included procedural justice, police performance, as well as control variables like age, ethnicity, gender, as well as education and income level. Separate analyses were run for participants with experience of either a police-initiated contact or a public-initiated contact. The study found that procedural justice was the key predictor of satisfaction ratings for those members of the public that had been subject to a police-initiated contact, whereas police performance was the strongest predictor for public-
initiated contact. These findings suggested that procedural justice was a greater concern for the public when their dealings with officers were police-initiated.

2.3.2 Studies on the effect of procedural justice on observed outcomes

The studies discussed above established that procedural justice predicted satisfaction with police, cooperation with police or compliance with the law, either through legitimacy (Reisig et al., 2007; Sunshine & Tyler, 2003) or through legitimacy and moral alignment to the police (Jackson et al. 2012). The limitation of that work, however, is that the outcome variables of interest were self-reported outcomes (Jackson et al., 2012; Reisig et al., 2007; Sunshine & Tyler, 2003). Such data has been criticised because of its inability to demonstrate a causal link between procedural justice and actual public law-abiding behaviour (Murphy, 2014; Tankebe, 2009a). Only a small body of literature has examined the effect of procedural justice policing on observed outcomes.

Kochel et al. (2011), for example, examined to what degree public cooperation with police in a developing nation was predicted by an instrumental or normative model of human behaviour. The study was, in part, spurred on by research from Ghana that found intentions to cooperate with police were predicted to a greater degree by perceptions of police effectiveness than legitimacy (Tankebe, 2009b). The data of Kochel et al.’s (2011) study consisted of surveys (n=280), conducted as in-person interviews, of victims of crime in Trinidad and Tobago. Cooperation with police – the dependent variable – was measured by whether participants had actually reported a serious crime to police in the last six months. The independent variables included procedural justice, legitimacy, police effectiveness, the seriousness of the offence committed against the participant, and the demographic control variables age, gender, as well as ethnicity and education level. The study found that both police effectiveness and procedural justice predicted legitimacy, which in turn predicted crime reporting. However, procedural justice also independently predicted crime reporting. In other words, procedural justice policing could encourage actual changes in public behaviour, either through legitimacy or by itself. Of note is that the study suggested that treating victims of crime with procedural justice could have flow-on benefits to the police.

A key study linking procedural justice perceptions to actual compliance with the law examined police responses to domestic violence incidents, and its impact on recidivism.
rates of spousal assaults (Paternoster, Brame, Bachman, & Sherman, 1997). The study analysed data collected from a US city as part of a larger experiment on the effectiveness of domestic violence sanctions (Sherman & Cohn, 1989). Recidivism was calculated by measuring changes across respondents from the initial sanction to a later period of time. As such, the study measured the effect of procedural justice on observed compliance with the law. Procedural justice was measured by the offenders completing a survey of their experience with police following the initial interaction (n=1,200). The survey contained three measures relating to the four-principle model of procedural justice: neutrality; respect; and voice. The study found that being treated with procedural justice inhibited future recidivism, as recorded by re-arrest rates. In contrast to the studies earlier that measured compliance with laws concerning minor crimes (Jackson et al., 2012; Reisig et al., 2007; Sunshine & Tyler, 2003), the study by Paternoster et al. (1997) showed that procedural justice can generate future compliance with the law even for serious crimes.

The purpose of McCluskey’s (2003) study was to examine the effect of procedural justice on police requests for public compliance. The study used observation techniques to analyse interactions (n=1,022) between the police and the public in two US cities. Both procedural justice and compliance were measured by independent observers. Procedural justice was measured using two categories – ethicality, and decision-making quality. The variables contained three of the four principles of procedural justice: neutrality; respect; and voice. The study found that police entering interactions in a friendly manner – as opposed to coercive tactics like giving commands and threatening arrest – increased the likelihood of public compliance with a police request. More importantly, the study found that being treated in a procedurally just manner predicted compliance; members of the public that received respectful treatment from police were almost twice as likely to comply, and those that received disrespectful treatment were nearly twice as likely to rebel. However, the study also found that repeated public non-compliance with police instructions, even with officers that had used procedural justice from the outset, led officers to adopt coercive tactics. The findings indicated that procedural justice was more successful at obtaining public compliance overall than coercive practices. However, procedural justice was not always effective and, where it was initially ineffective, it was unlikely to be effective later in the interaction.
Dai et al. (2011) also examined the effect of police demonstrations of procedural justice in actual police-public interactions, however their study focused on antagonistic encounters. The study analysed observational data of police-public encounters where the member of the public expressed disrespect towards the officer (n=818), a sub-sample of which also did not comply with police instructions (n=332). Of the variables measured in Dai et al.’s study, two were related to the four-principle model of procedural justice – police care resembled *trustworthy motives*, and the inclusion of the person in decision-making was similar to *voice*. Only *voice* was found to reduce public non-compliance; public disrespect toward police was not reduced by either *trustworthy motives* or *voice*. These findings support the view that procedural justice may be less effective in situations where public disrespect and non-compliance is an issue.

The study by Jonathan-Zamir et al. (2015) expanded on both McCluskey’s and Dai et al.’s work by fully operationalising the four-principle model of procedural justice. However, their key outcome variable of interest was public satisfaction with the encounter. The purpose of the research was to validate an instrument for measuring police use of procedural justice in police-public interactions. The research observed twelve officers across 32 shifts in one city. In total, 233 police-public interactions were observed. The dependent variable was the satisfaction of the member of the public after the police-public interaction had taken place. The variable was rated by the observer according to the person’s attitude towards the police at the end of the interaction. The independent variables were the four principles of procedural justice. *Respect* was measured by the demonstration and duration of respect by the officer throughout the interaction. *Neutrality* consisted of the officer indicating they would seek all views about the matter in hand and would not make a decision until all necessary information was gathered, not acting in a discriminatory manner, and by explaining their presence and decision-making. *Trustworthy motives* were measured by asking after the wellbeing of others, and providing advocacy or guidance on behalf of the persons present. *Voice* was measured by the officer asking the member of the public for information or their viewpoint, and the degree to which the officer expressed interest in what the person had to say. The four principles of procedural justice were analysed as a single index and separately against the dependent variable. The study found that the single
index of procedural justice predicted public satisfaction, and three of the four principles (not *neutrality*) predicted public satisfaction with the encounter.

In summary, the literature indicates that procedural justice policing can have a positive effect on a range of law enforcement outcomes. These outcomes include legitimacy perceptions, public cooperation with police, public satisfaction, and compliance with the law and police. The majority of this research employed self-report measures as outcomes; of particular interest to the current thesis was the effect of procedural justice on observed outcomes. It is of note that in these studies officers had not been trained to demonstrate procedural justice; the presence of procedural justice was defined by either the member of the public (Kochel, Parks, & Mastrofski, 2013; Paternoster et al., 1997), or by an independent observer (Dai, Frank, & Sun, 2011; Jonathan-Zamir, Mastrofski, & Moyal, 2015; McCluskey, 2003). Based on this wealth of research establishing the positive benefits of procedural justice to members of the public, the next step in the evolution of procedural justice was to examine whether officers could be trained to demonstrate procedural justice, and to what extent such training actually stimulates the expected outcomes.

2.4 Training police in procedural justice: Can it be done, and what are the flow-on effects?

The links between procedural justice and law enforcement outcomes have led to widespread interest from police agencies (President’s Task Force on 21st Century Policing, 2015) in adopting procedural justice into policing practice. These efforts have also been evaluated. Of note are experimental and quasi-experimental studies that have tested: 1) the use of procedural justice scripts by police officers to improve public perceptions of police (MacQueen & Bradford, 2015; Mazerolle, Bennett, Antrobus, & Eggins, 2012; Sahin, Braga, Apel, & Brunson, 2016); 2) training officers in a suite of interpersonal skills aligned to the principles of procedural justice (Wheller et al., 2013b); and 3) raising awareness of unconscious bias in police behaviour (Shaefer & Hughes, 2016; Skogan et al., 2015). The main focus of these studies has either been to measure changes in officer behaviour, measured through officers’ alignment with, or willingness to use, procedural justice principles, or to examine how changes in officer behaviour impact public perceptions of police. These studies provide insight into whether police can be trained to demonstrate procedural justice effectively.
The world’s first randomised control trial of procedural justice policing was conducted in Queensland, Australia. The Queensland Community Engagement Trial (QCET) was designed to test whether public perceptions of police and their legitimacy could be improved within a short police-public interaction where police were trained to use procedural justice (Mazerolle et al., 2012). The policing context chosen was an alcohol breath testing encounter during a random road-side traffic stop. This represented a controlled environment in which to test the effectiveness of a procedural justice manipulation. The four criteria of procedural justice were operationalised as a short script and delivered by an experimental group of officers during a random breath test of drivers. The officers in the control group conducted breath tests as normal. Sixty RBT operations were performed (n=30 in the control group; n=30 in the experimental group), with more than 21,000 drivers participating in the RBT, of which 2,747 completed and returned a survey of their experience. The effect of the experiment on public attitudes was measured by a short survey distributed to all drivers participating in the experimental and control groups. The study found that perceptions of procedural justice within the interaction increased the public’s positive perceptions of the police, and receiving the procedural justice intervention predicted more positive perceptions of the interaction and of the police more generally. However, the study did not have an effect on the public’s intentions to cooperate with the police in the future. The trial is significant as it demonstrated police officers can be trained to deliver procedurally just interactions, in this case through the use of a script. In addition, the use of a script increased positive public perceptions of the police. Subsequent published pieces on QCET include: Bates et al. (2015); Mazerolle et al. (2013, 2014); Murphy, Mazerolle and Bennett (2014); and Murphy and Mazerolle (2016).

Of note is Bates et al.’s (2015) study using QCET data. This study examined both the views of the police officers and the members of the public involved in the trial. The study analysed data from the drivers (n=2,747), but also data accrued from the officers assigned to the control and experimental groups (n=202). It was found there were no differences in the attitudes of those officers assigned to the control and the experimental group, however, there was a difference in willingness to cooperate between drivers and officers; officers reported the public to be less willing to cooperate than what the drivers actually reported. In other words, there was a lack of congruence between the perceptions of the public and
the police. By extension, this could lead to officers expecting more resistance from the public than they actually received. In addition, procedural justice was seen as more important by the drivers than by the police. As such, the study indicated that there existed differences between how the police and the public perceived interactions, though it is unknown to what extent they may have hindered the intervention beyond its demonstrable positive effects.

QCET was replicated twice. The first replication was the Scottish Community Engagement Trial (ScotCET) (MacQueen & Bradford, 2015). The site of the intervention was police roadside safety tests of drivers, the aim of which were to address any minor mechanical issues before a caution or fine is required. The intervention consisted of the safety test and a checklist of procedurally just messages that officers delivered to members of the public. The control group received only the standard safety test. A survey was given to drivers subjected to either the control or intervention group (n=816). In contrast to QCET, the ScotCET procedural justice intervention condition had a negative effect on public perceptions of the police relative to the control condition. Drivers that received the intervention actually reported less trust in police and lower satisfaction with their conduct relative to the drivers in the control group. One explanation offered by the authors for the decrease in public trust and satisfaction was that the procedural justice checklist inflated the amount of time needed to complete the interaction, leading the public to become frustrated with the officers. It has been noted by the QCET authors that drivers subject to elongated procedural justice interactions reported less favourable attitudes to the police (Mazerolle et al., 2014). However, the explanation for the SCOTCET finding was anecdotal as the intervention and control groups were not monitored to ensure that these interactions were conducted as they were supposed to be. In contrast, QCET interactions were extensively monitored by both researchers and supervising officers to ensure the intervention was delivered as intended. These findings suggest that training officers to use procedurally just checklists may backfire, especially if there is not enough adequate supervision to ensure the intervention is delivered as intended.

The second replication was conducted in Turkey, this time the encounter was police stops for excessive speeding (Sahin et al., 2016). As with QCET and ScotCET, the treatment group delivered a set of procedurally just key messages, in addition to the typical police actions in
such a traffic stop. The control group received the typical police behaviour for a traffic stop only. In contrast to both previous interventions, the survey data was gathered at the time of the police stop. A researcher conducted a face-to-face interview with the drivers immediately after the completion of the traffic stop (n=458). The study found that the drivers that were part of the experimental group reported significantly more positive perceptions of the police than those in the control group, but this effect only extended to their perception of the encounter and not to their broader opinions of the police. As such, the findings from the Sahin et al. (2016) study indicate that procedural justice has a positive but small effect on public perceptions of a police encounter. Overall, QCET and its replications suggest that police can be trained to deliver self-contained procedurally just interventions, and these interventions can lead to positive outcomes. However, as demonstrated by MacQueen and Bradford (2015), there is also the risk that such an intervention may be hindered by implementation issues.

An alternate approach to training officers in procedural justice interventions was conducted in Britain (Wheller et al., 2013a, 2013b). Instead of directing officers to use scripts to deliver procedural justice, the Greater Manchester Police procedural justice experiment trained officers in a set of generic communication skills. The randomised control trial consisted of training an experimental group of frontline officers in how to communicate with victims of crime. Officers were trained in a number of skills related to procedural justice: establishing rapport; demonstrating empathy; and avoiding the use of negative language, such as declining requests without providing a reason. There were two sets of outcomes relevant to this thesis: first, the effect of the intervention on officer behaviour and the resultant effect on public perceptions of the police; second, the effect on officer attitudes to procedural justice. The study also measured the willingness of the public to cooperate with police in the future.

Differences in officer behaviour between groups were measured using two methods in the study – a roleplay exercise, and victim satisfaction scores. Three months after receiving the training, officers from both the control and experimental group performed a role-play exercise of dealing with a victim (n=363). The role-play was measured using independent researchers coding videotapes of officers performing the role-play. Second, differences in officer behaviour between the groups were based on a victim satisfaction survey conducted
by the police force, with victim satisfaction scores collected for both the experimental and control groups (n=308). Both the role-play and victim satisfaction measures used a 'quality of interaction' scale to evaluate the officer's use of procedural justice. Officers who received the communication skills training scored significantly higher in the 'quality of interaction' role-play scale, again suggesting that procedural justice training can work to change officer behaviour. Using the victim satisfaction scores, the study also found that victims attended to by the experimental group of officers were more satisfied than victims attended to by the control group. There were no differences in cooperation from victims across the two groups. The findings suggest that training officers in communication skills related to the principles of procedural justice can lead to changes in officer behaviour and consequentially public perceptions of the police, which can then have a positive effect on police-victim interactions.

Importantly, the study by Wheller et al. (2013a) also demonstrated that procedural justice training can impact officers’ attitudes to procedural justice. The study measured the differences in officer attitudes to procedural justice of those in the control and the experimental groups. Experimental group officers had a higher self-assessment of their ability to demonstrate fair decision-making than control group officers, though the experimental condition had no effect on their self-assessed ability to demonstrate fair treatment, or their view of the perceived efficacy of procedural justice in obtaining compliance and cooperation. Self-assessments in this context are valuable because for officers to improve their policing skills they require the ability to self-reflect on their behaviour and adjust as necessary (Wheller & Morris, 2010). As such, the findings suggested that the effect of procedural justice training could improve such officer self-assessments.

There are two other studies on police procedural justice training that have used officers’ attitudes regarding procedural justice as an outcome measure (Shaefer & Hughes, 2016; Skogan et al., 2015). Skogan et al.’s (2015) study was an evaluation of police procedural justice training in the Chicago Police Department. Training consisted of a set of modules designed to increase officers’ knowledge of procedural justice and awareness of the influence of unconscious bias on police behaviour towards racialised groups. The purpose of the evaluation was to assess to what degree training improved officer attitudes to each of the four procedural justice principles over the short- and long-term. The outcome measure
was the officer’s preference for the police to demonstrate the four principles of procedural justice when dealing with the public (e.g., ‘if people ask why we are treating them as we are, we should stop and explain’ as an example of neutrality).

To measure the short- and long-term effects of the training on officers’ attitudes to procedural justice, Skogan et al. (2015) conducted two quasi-experimental studies. The short-term study used a survey distributed to the trained officers before and immediately after training (n=2,681). The long-term study used a survey that was conducted on randomly selected officers that had attended training or had not yet attended (n=714). The long-term study used a survey that contained similar items to the survey of the first study. Due to implementation issues, the long-term study was unable to ascertain what period had elapsed since the trained officer had completed training; the intervals were estimated to range from a few weeks to ten months, thereby not making it possible to ascertain at what point the training effects had dispersed.

The short-term study found that training made officers more positive towards each of the four principles of procedural justice. The long-term study found that training had a positive effect on officer attitudes to three of the four principles, with trustworthy motives failing to be significant. However, overall the effect of training on officer attitudes was overshadowed by the effect of officer ethnicity; being African-American more strongly predicted positive officer attitudes towards demonstrating neutrality, respect and voice. The white officers were less influenced by the training. The findings indicated that procedural justice training can have a positive effect on officer attitudes to procedural justice, but there can also be confounding factors external to training interventions that may better explain such attitudes.

A study inspired by the training programme evaluated by Skogan et al. (2015) was Shaefer and Hughes’ (2016) evaluation of the procedural justice training package ‘Honing Interpersonal Necessary Tactics’ (H.I.N.T.). With a training format similar to the Chicago study, Louisville Metro Police Department developed a training programme discussing the value of legitimacy and procedural justice, the policing of non-white groups in the United States, and developing emotional resilience for operational police work. The training was evaluated using a pre- and post-survey of training attendees (n=983) based on the items
from the first survey of Skogan et al.’s study (2015). As with Skogan et al.’s (2015) study, the training increased officers’ post-training preference for police actions aligned to the four principles of procedural justice, indicating that procedural justice training can improve short-term attitudes to police use of procedural justice when dealing with the public.

In summary, the review of the procedural justice literature appears to suggest that procedural justice can influence public cooperation and compliance. Likewise, the small number of police training studies also suggests that police can be trained to use procedural justice. What is still uncertain from the literature, however, is whether procedural justice has a long term effect on voluntary public cooperation and compliance with police. It is also unclear whether training of police in the use of procedural justice will have long-term effects on officers’ commitment to using procedural justice. Though Mazerolle et al. (2013) found procedural justice had a positive effect on the public’s self-reported compliance in the interaction and their satisfaction with the encounter, police use of procedural justice had no effect on intended compliance with police in the future. Sahin et al. (2016) reported that procedural justice had a positive effect on the public’s perception of the encounter, but not on their wider perceptions of the police. Wheller et al. (2013) found procedural justice policing had no effect on intended cooperation with the police from victims as measured through victim surveys. One explanation is that the likelihood of a single police-public interaction having a significant effect on the future compliance behaviour of the public is small; a person’s attitudes and behaviours are the agglomeration of a lifetime’s experiences, and a single positive encounter with the police is unlikely to significantly change the public’s willingness to comply with laws. In addition, negative police-public interactions do tend to have a more impactful effect on public opinions of the police, what has been referred to as the ‘asymmetry effect’ (Bradford, Jackson, & Stanko, 2009; Rosenbaum, Schuck, Costello, Hawkins, & Ring, 2005; Skogan, 2006).

Nevertheless, the research seems to indicate that procedural justice training can have a positive effect on officers’ attitudes. It was found that training improved officers’ self-assessed decision-making (Wheller et al., 2013a) and made them more positive towards police using procedural justice principles (Shaefer & Hughes, 2016; Skogan et al., 2015). The exception was Bates et al. (2015) who found that the experiment had no effect on officers’ attitudes to procedural justice. This difference may be related to the type of intervention
that was conducted; the officers in the Bates et al. (2015) study required minimal training to deliver the script, whereas procedural justice training was conducted over at least a day for the other studies discussed.

Interventions designed to encourage officers to engage with the public have typically not sustained over longer periods of time, however (Quinton & Morris, 2008; Skogan & Hartnett, 1997). As yet, there are no studies that have measured the effect of the procedural justice interventions long-term. It is also possible that the positive effects of procedural justice training are being inhibited by unknown factors. As noted earlier, procedural justice in the QCET study was seen as more important by drivers than by the police officers themselves (Bates, Antrobus, Bennett, & Martin, 2015). If officers see procedural justice as less important than the public, this may inhibit their willingness to act in a procedurally just manner. In addition, the study also found officers anticipated less cooperation from the public than the public themselves. By extension, if officers enter police-public interactions with the expectation that they will not receive cooperation, this could result in them taking a more coercive – and less procedurally just – approach to dealing with the public. These are examples of factors that might therefore inhibit or prevent officers from using procedural justice. The next section examines the small number of studies that identify barriers that influence whether officers will demonstrate procedural justice in encounters with the public.

2.5 Barriers to police using procedural justice: What do we know?

Only four publications have discussed the factors that can prevent or inhibit police officers from using procedural justice with members of the public; of which two are empirical studies. The scholarship is split into two categories – one article that draws together the policing literature to identify a range of potential barriers (Mazerolle et al., 2014), and three articles that identify specific barriers (MacCoun, 2005; Mastrofski et al., 2016; Sivasubramaniam & Heuer, 2007).

As the procedural justice barriers literature is still in its infancy, it is also valuable to interrogate the wider policing literature to identify factors that could affect police using procedural justice. This literature will be examined in greater detail in Chapter 3. But for the
purposes of this chapter, the four studies that specifically examine barriers to police use of procedural justice will be discussed below.

The first publication to identify potential procedural justice barriers from the wider policing literature was by Mazerolle et al. (2014). The study organised the literature into four categories: external and political; organisational; individual; and community level barriers (Mazerolle et al., 2014).

External and political barriers referred to issues emanating from the relationship between police organisations and other governmental institutions. For example, it was argued that one barrier was the political pressure for police to use a performance-based model of managing officers. Such models defined police effectiveness through quantifiable measures like arrest and detection rates, rather than how officers treated the public. Performance management became a barrier because it sent the message to officers that arrest rates were more valued by the organisation than how they dealt with the public. This could result in officers disregarding procedural justice in favour of delivering these performance measures.

An example provided by Mazerolle et al. (2014) of an external pressure was financial restrictions that limited available police resources. These restrictions were argued to be a barrier because fewer officers meant more pressure on officers to complete their dealings with the public quickly. If officers attempted to complete these interactions quickly, it was argued that this would hinder the demonstration of respect and trustworthy motives by the police, and give the public the impression officers did not care about their predicament.

Organisational barriers related to the imbalance between officers treating people fairly in police-public interactions and the same practices being used towards officers within the organisation. The division between frontline officers and senior management, especially in a hierarchical paramilitary working environment, could lead to frontline officers being unwilling to demonstrate procedural justice in police-public interactions as this was not the norm for intra-organisational interactions. In fact, it has been found recently that if police officers do not feel they receive procedural justice from their work superiors then they will be less likely to say they would treat the public with procedural justice (Myhill & Bradford, 2013; Quinton, Myhill, Bradford, Fildes, & Porter, 2015).
Individual barriers refer to officers’ preferences for how they interact with the public. For example, if an officer holds the expectation that the public should defer to their instructions, then the officer may apply coercive methods to obtain compliance, rather than interacting in a procedurally just way to encourage the person to comply voluntarily. Individual barriers also relate to the degree to which officers see procedural justice as a suitable approach to dealing with the public. Situations that are dangerous or have the potential to be dangerous may influence officers to adopt more forceful methods to minimise the risk for those present, though such actions may be seen by the public as not procedurally just.

Finally, Mazerolle et al. (2014) discussed community barriers to police using procedural justice, and described how different populations may perceive the police differently – especially groups with long-standing poor relations with the police. A poor relationship between a community and the police may inhibit a ‘vicious cycle’ of mistrust, leading both parties to avoid treating each other in a procedurally just way. For example, if a neighbourhood is considered to be ‘anti-police’ (Herbert, 1998), then officers may be less willing to treat people in a procedurally fair way if they expect their efforts to be spurned and met with hostility. Public hostility toward the police leads officers to use coercive approaches instead of procedural justice, and the public expectation of police coercion fuels public hostility, and so on.

The remaining three articles on procedural justice barriers explored the potential disconnection between how the public perceive police use of procedural justice and how the police demonstrate procedural justice. MacCoun’s (2005) article was a conceptual piece. He argued that officers being seen as less than sincere in demonstrating procedural justice would undermine their attempts to obtain voluntary compliance from the public. In such cases, the barrier would be the officer’s lack of commitment to the principles. This is a potential explanation for the implementation failure of the ScotCET study by MacQueen and Bradford (2015) (see Section 2.4), where the intervention was delivered with little oversight from supervisors or researchers. It can also be argued that framing procedural justice to police exclusively as a means of obtaining public compliance overlooks the value of treating the public in this way as a positive outcome in itself (Murphy, 2014). These points suggest
that negative police officer attitudes to procedural justice could affect their demonstrations of these principles.

While not actually couched within a policing context, an article that is applicable to understanding police procedural justice barriers was an empirical piece by Sivasubramaniam and Heuer (2007). They argued that the importance of procedural justice differed based on the role of each person in an interaction; the two roles being either a decision-maker or a decision-recipient. The study sought to test in a laboratory experiment whether there was a difference in the importance of procedural justice to decision-makers and decision-recipients. In a fictional vignette, an authority figure (the decision-maker) investigated a report of drug possession in university housing in which a student (the decision-recipient) was a resident. Versions of the vignette varied by whether drugs were found or not, and whether the decision-maker acted in a respectful manner or not. Participants in the experiment were randomly assigned\(^1\) to either the decision-maker or the decision-recipient role, and different versions of the vignette were assigned to the participants. All participants then completed a questionnaire on the search procedure, the search outcome, and their preferred outcome. The study found that the search outcome mattered more to the decision-makers, whereas for the decision-recipients it was being treated in a respectful manner.

In the context of a police-public interaction, the police officer is the decision-maker and the member of the public is the decision-recipient. By extension, it could be that police officers do not demonstrate respect – an element of procedural justice – because their priority is achieving an outcome, despite the public placing the highest emphasis on being treated with respect. It is likely that officers have a variety of factors to consider when trying to achieve an outcome – whether a crime has been committed, to what extent the law should be enforced, how much time is available to achieve a successful resolution. It is, therefore, possible that these other priorities further reduce demonstrations of respect, thereby making the member of the public feel the police are not procedurally just. Alternatively, a member of the public may perceive themselves to be unfairly treated because they have not been treated with respect, whilst a police officer may perceive themselves to have used a

\(^1\) Their paper does not report the total number of participants in the experiment.
degree of respect appropriate considering the other priorities. These findings mirror those found in QCET where the public placed more importance on procedural justice than the officers (Bates et al., 2015). The ramifications of Sivasubramaniam and Heuer’s (2007) study for procedural justice barriers is that police officers may not see procedural justice as a priority due to the need to achieve an outcome, and so may neglect to act in a procedurally just way.

The final paper relevant to understanding potential procedural justice barriers was an observational study of police officers from the US. Building on the framework of how officers can demonstrate procedural justice behaviours by Jonathan-Zamir et al. (2015) discussed earlier (see Section 2.3.2), (Mastrofski et al., 2016) sought to predict procedural justice in officer behaviour. The study observed police-public interactions lasting at least one minute across two sites (Site 1 n=233; Site 2 n=217). The dependent variable was an index of the four procedural justice principles. The study found that officers were less likely to use procedural justice when in the presence of large groups of the public, when acting as backup to the primary officer, and if the encounter occurred later in the officer’s shift. These points provided empirical evidence, specific to the police, for factors that could reduce the likelihood of officers demonstrating procedural justice.

The scarce research undertaken to understand potential barriers to officers’ use of procedural justice indicates that there are a range of factors that may impinge on an officer’s decision to act in a procedurally just manner. Where there is a research gap is in a more systematic detailing of the influences that may affect police officers’ procedurally just behaviour towards the public, and how both the recruit training and operational environment may contribute to this. It is this gap in knowledge that the current thesis focuses on.

2.6 Conclusion

The findings from the literature review indicate that procedural justice policing is valued by the public, and that if the police act in a manner that the public see as procedurally just, then this can lead to a range of positive law enforcement outcomes. These outcomes include increased public compliance and cooperation with police, as well as a public that see the police as legitimate and are more satisfied with police services. The majority of
procedural justice research to date has focused on what the public want or value from police; there is less research on how the police actually view or demonstrate procedural justice in practice. Of the research that has been conducted in the latter area, these studies have tended to focus on evaluating police procedural justice training, and then testing whether procedural justice can have a positive effect on public attitudes and behaviour. The research seems to suggest that training officers in procedural justice does positively influence public evaluations of police. However, it is still unclear to what degree procedural justice training leads to long-term changes in officer attitudes and behaviour. A handful of studies suggest there are factors that prevent or inhibit officers from demonstrating procedural justice when interacting with the public. There are likely to be a much broader range of impediments that prevent or inhibit officers from acting in a procedurally just manner towards the public. The next chapter will discuss what is known about the factors that influence police officer behaviour more generally, and what this may tell us of potential barriers to police use of procedural justice.
Chapter 3 – Factors influencing police behaviour

If procedural justice is to be a sustainable approach in policing practice, it is necessary to understand what the barriers are that prevent or inhibit officers from demonstrating procedural justice. As noted in Chapter 2, there has been comparatively little research in the procedural justice field on the factors that might pose barriers to, or negatively affect, an officer’s ability to use procedural justice. However, studies from the wider policing literature have identified factors that more generally affect police behavior towards the public. This chapter will build on the procedural justice barriers identified in Chapter 2 to specify other factors that could inhibit police demonstrations of the principles. This chapter begins with a brief discussion of the framework used to categorise the police behaviour literature. Following this, a review of the literature will be presented, with particular attention being paid to discussing how these findings identify likely procedural justice barriers.

3.1 Categorising factors that influence police behaviour

The literature on police behaviour is defined here as research relating to the actions of police officers towards members of the public. There is a large amount of research on police behaviour. When identifying factors that influence police behaviour, Riksheim and Chermak’s (1993) review split the police behaviour literature into four categories: individual; situational; organisational; and community factors that influence police behaviour. These categories will be used to organise the studies that highlight potential procedural justice barriers. Individual factors (Section 3.2) will cover the characteristics of the officer conducting the interaction, such as their demographic characteristics and attitudes to the public. Situational factors (Section 3.3) concern elements within the interaction that the police officer evaluates to help decide what action to take. This can include the characteristics or demeanour of the persons involved, or the presence of other parties at the scene. Community factors (Section 3.4) relate to the effect of the location of police-public interactions on how officers deal with the public. Finally, organisational factors (Section 3.5) refer to the characteristics of the police organisation in how they develop and manage their resources.
Riksheim and Chermak's categories of police behaviour factors are thematically similar to those adopted by Mazerolle et al. (2014) in classifying the barriers to police use of procedural justice (see Section 2.5). There are two differences between the categorisations, however. The first difference is that Mazerolle et al. (2014) included ‘individual factors’ within their ‘situational factors’ category. For the purposes of the current thesis and the review of the literature in Chapter 3, it was decided to separate situational factors from individual factors, as per Riksheim and Chermak's model, because there is a large amount of literature on situational factors. Hence, it is better suited to discussion as a separate category. The second difference is that Mazerolle et al. (2014) included a category relating to external and political barriers. Mazerolle and her co-authors argued that reductions in police funding placed more pressure on police organisations to spend time on activities directly related to crime, prioritising police responses to calls for service rather than how the police interact with the public (Mazerolle et al., 2014, p.81). Australian police forces are funded by a central government block grant, therefore, such external and political pressures are applicable to all police organisations in Australia, leading to fewer opportunities to compare and contrast how police organisations respond with differing levels of funding. A study of the effect of funding arrangements on police-public interactions stands outside the remit of this thesis, and so this specific factor has been excluded from this review. Riksheim and Chermak's categorisation was, therefore, employed to structure the literature.

A key point to note is that the policing literature has tended to measure police behaviour through formal law enforcement behaviours, such as the use of force and arrests. For example, officers are required to submit use of force reports and arrest logs, and so these ‘formal’ behaviours are measurable and quantifiable outcomes. However, such measures are less useful to this thesis because procedural justice is not a single outcome. Instead, it is a perceptual frame used by the public to assess the fairness of an officer’s actions within a police-public interaction. Studies that investigate ‘informal’ police behaviour – such as on the topics of police demeanour and public compliance – are more useful to identifying barriers to procedural justice than studies of ‘formal’ police behaviour. In light of this, the review of the literature will distinguish between studies of formal and informal police behaviour, and place a greater focus on studies of informal police behaviour.

3.2 Individual factors that influence police behaviour
Individual causes of police behaviour refer to the characteristics of the police officer interacting with the public. Research into this topic is split into three types of factor: the demographic profile of the officer, such as their age, gender, or ethnicity; officer attitudes to the public (and procedural justice); and the years of experience the officer has working in law enforcement.

3.2.1 Officer demographics

As a whole, the research suggests that the demographic profile of an officer has little to no effect on how police officers behave. For example, an officer’s ethnicity has been found to have no direct effect on formal or informal law enforcement outcomes (Brown & Frank, 2005; Dai et al., 2011; Friedrich, 1980), nor has gender (Crawford & Burns, 1998; Dejong, 2005; Novak, Brown, & Frank, 2011; Paoline & Terrill, 2005a; Worden & Shepard, 1996). Other factors, such as an officer’s level of education (Klahm & Tillyer, 2010) or age (Crawford & Burns, 1998), also tend not to explain differences in police behaviour. The two remaining types of individual factors – officer attitudes to the public, and level of police experience – have also been shown to have little effect on formal police behaviour, but evidence suggests they may have an effect on informal police behaviour.

3.2.2 Officer attitudes

As Worden (1989) noted, there is an intuitive understanding that attitudes are related to behaviour, an understanding in part substantiated by the social psychological literature (Ajzen & Fishbein, 1977). Observations of police behaviour in early policing studies suggested a link between negative officer attitudes to the public and both police disrespect towards the public and a predisposition to use physical force (Banton, 1964; Bittner, 1967). Since that point, a body of quantitative work has challenged this conclusion, finding that officer attitudes had little to no effect on formal law enforcement behaviours like arrests (Worden, 1989), but may (Geller & Toch, 1996) or may not (Friedrich, 1980) predict police use of force. It has been argued that the lack of a relationship between attitudes and formal police behaviour is to be expected as the effect of attitudes is likely to be larger in discretionary informal police behaviour (Skogan and Frydl, 2004, p.135). As procedural justice is conveyed through informal behaviours, there is the potential for officer attitudes to have an effect on their likelihood of using procedural justice.
An important study linking officer attitudes and informal police behaviour was conducted by Mastrofski et al. (1996). The study conducted large-scale observations in two US cities to identify what type of police attitudes and informal behaviours were associated with public compliance. The study analysed police-public interactions (n=346) where police instructions were issued. Officer attitudes to the public were measured by the researchers using a proxy – a single item in an officer survey measuring their attitudes toward the principles of community policing. The study found that officers with positive attitudes to community policing were more likely to obtain public compliance without resorting to force than officers with negative attitudes.

Mastrofski et al. (1996) also examined whether officers with positive attitudes to the public behaved differently to those with less positive attitudes. Of the eleven police behaviour variables measured, only one had predictive value – officers with positive attitudes to the public entered interactions in a friendlier or more non-threatening way. This result suggested that the more positive an officer’s attitude to the public, the more likely they were to begin an interaction in a non-threatening manner, which increased the likelihood of achieving voluntary public compliance. These findings suggest that officer attitudes to the public can have an effect on informal behaviours, and that these informal behaviours can in turn affect public compliance. By extension, a procedural justice barrier would be officers holding negative attitudes to the public, thereby making them less willing to engage in non-coercive informal behaviours like entering interactions in a friendly manner.

If officer attitudes do have an influence on informal police behaviour, it is important to establish how officer attitudes might change over time. There are two distinct time periods where police officer attitudes to the public have been found to change – during recruit training, and during their first experiences as operational officers. Recruit training can increase positive attitudes towards the public (Haarr, 2001; Heslop, 2011; Rosenbaum, 1987; Wortley & Homel, 1995) or have no effect (Chan, 2003; Rosenbaum & Lawrence, 2011), whilst operational experience has been found to have a uniformly negative effect on officer attitudes towards the public (Chan, 2003; Rosenbaum & Lawrence, 2011). If officers develop more negative attitudes to the public the longer they do the job, a procedural justice barrier could be the years of experience they have in the role. This idea will be discussed later (Section 3.2.3).
As procedural justice is a method of encouraging rather than coercing compliance (Tyler, 1990), it is possible that officer attitudes to using physical force has an inverse relationship with procedural justice; that is, officers that have positive attitudes to procedural justice have negative attitudes to using force. Research into police use of force has tended to focus on examining instances of force (Alpert & Dunham, 2004; Paoline & Terrill, 2010; Terrill, 2003), rather than officer attitudes to the use of force. An exception is a study by Oberfield (2012). Oberfield measured officers’ attitudes to using force when dealing with the public. Approximately fifty police recruits from a US police department were surveyed at five points, covering their entrance into recruit training to the completion of two years in the police. His study found officers’ believed the use of force was less necessary the longer they were exposed to operational work. Likewise, if officers become less favourable towards coercing compliance by using force, this may mean as they gain experience they could become more favourable to encouraging compliance through procedural justice. Nonetheless, it is unclear if this would happen if, as discussed earlier in this section, officers become more negative towards the public as they gain experience.

In summary, though, the research does not support a strong relationship between officer attitudes and their formal behaviour towards the public. But there is the suggestion that officer attitudes to the public and to the use of physical force may influence demonstrations of procedural justice; hence, have an effect on informal behaviour. A combination of negative attitudes to the public and positive attitudes to using physical force, as well as these attitudes tracking towards a more coercive approach as officers become more experienced in the job, may make officers less likely to act in a procedurally just way. There is also the potential for demonstrations of procedural justice to become more likely as officers become more negative about using force. On this basis, negative attitudes to the public and positive attitudes to using force are argued to be potential procedural justice barriers.

### 3.2.2.1 Officer attitudes to procedural justice

A recently emerging topic in the policing literature has been police officer attitudes to procedural justice. This type of research is valuable because procedural justice attitudes are a means of identifying procedural justice barriers. For example, if an officer sees themselves
as less procedurally just over time, then this may indicate that there are factors within policing that are creating a procedural justice barrier. Of particular relevance to this topic are five recent studies that specifically measured different types of officer attitudes towards procedural justice. These measures include officers’ alignment to procedural justice principles (Bates et al., 2015; Bond, Murphy, & Porter, 2015; Skogan et al., 2015), the perceived effectiveness of procedural justice (Bond et al., 2015; Wheller et al., 2013b), officers’ sense of themselves as procedurally just (Bates et al., 2015; Wheller et al., 2013b), and officers’ perceptions of public opinion (Nix, 2015).

Wheller et al. (2013)\(^2\) tested the effect of training U.K. police officers in a suite of interpersonal skills related to the principles of procedural justice. Supplementary to the primary outcome, the study measured the differences in procedural justice attitudes between trained and untrained officers. The first construct was the perceived efficacy of procedural justice in obtaining public compliance and cooperation with police. The second construct consisted of procedural justice self-assessments. The construct was split by perceptions of oneself as demonstrating fair treatment and fair decision-making. When compared to untrained officers, trained officers had significantly more positive self-assessments of demonstrating fair decision-making when dealing with the public, but the training had no effect on fair treatment self-assessments or on the perceived efficacy of procedural justice in obtaining compliance and cooperation.

Another intervention study that incorporated procedural justice self-assessments was Bates et al. (2015)\(^2\). To recap, QCET was a randomised control trial that examined the effect of a procedural justice script on drivers’ self-reported attitudes and intentions to cooperate and comply with the law (Mazerolle, Antrobus, et al., 2013; Mazerolle et al., 2014). The Bates et al. (2015) study examined the effect of the intervention on officers’ attitudes, but also the differences between officers’ attitudes and drivers’ attitudes. Two constructs in this paper are relevant to the arguments being made in this Chapter. The first construct was officers’ perceptions of themselves as having performed the road stop in a procedurally just way – procedural justice self-assessments. The second construct consisted of the officer’s alignment to procedural justice principles. The study found that both trained and untrained

\(^2\) These studies were discussed earlier in Section 2.4.
officers’ self-assessed as procedurally just and were aligned to procedural justice principles, though trained officers were more likely to self-assess as procedurally just than untrained officers. The intervention had no effect on officers’ alignment to procedural justice principles. The findings from both Bates et al. (2015) and Wheller et al. (2013) indicate that procedural justice interventions can have a positive effect on officers’ sense of themselves as procedurally just.

Another study that measured the effect of training on officers’ alignment to procedural justice principles was Skogan et al. (2015)\(^3\). The study evaluated a procedural justice training programme in Chicago. The training aimed to increase police officers’ knowledge of procedural justice and awareness of the influence of unconscious bias on police behaviour towards racialised groups. The outcome measure was officers’ preference for how the police should behave towards the public, what Skogan et al. (2015) referred to as officers’ alignment to the principles of procedural justice (e.g., ‘If people ask why we are treating them as we are, we should stop and explain’). The study found that trained officers were more favourable to procedural justice, indicating that procedural justice training could have a positive impact on officers’ alignment to procedural justice principles. This finding stands in contrast to Bates et al. (2015) that found the QCET intervention had no effect on the same measure.

In contrast to the three studies discussed earlier, Bond et al. (2015)\(^4\) was not a procedural justice intervention, and instead examined officers’ attitudes to procedural justice and how they changed over time. The study used survey data from 450 Australian police recruits. They asked recruits about the perceived effectiveness of procedural justice in gaining compliance from the public (e.g., ‘If you let people vent their feelings first, you are more likely to get them to comply with your request’), and to what extent their values aligned with procedural justice principles, referred to as ‘procedural justice norms’ (e.g., ‘All people should be treated with respect regardless of their attitude’). The study found that both the perceived effectiveness and alignment to procedural justice significantly predicted recruits’

\(^3\) This study was discussed earlier in Section 2.4.

\(^4\) It should be noted that this paper used the same data as Study 1, though the Bond et al. (2015) study analysed Wave 1 data only.
reported intentions to use procedural justice when interacting with others, as well as the prioritisation of procedural justice responses in a typical policing encounter (i.e., a traffic violation). These findings suggested that positive attitudes to procedural justice could encourage officers to use procedural justice.

The final study, by Nix (2015), explored police officers’ perceptions of public opinion; specifically, public opinion that the police act in a procedurally just way (e.g., ‘Residents believe officers treat those they encounter with politeness and dignity’). The purpose of Nix’s study was to explore what police officers thought the public wanted from the police. The study surveyed a nationally representative sample of US law enforcement officers (n=643). It found that police officers believed that the public were encouraged to cooperate with police because the police were effective in responding to, and solving, crimes, rather than because they treated the public in a procedurally just way. This contrasts with much of the public opinion survey research in the procedural justice field, which shows that the public typically place more value on procedural justice than police effectiveness (Elliott et al., 2011; Murphy et al., 2008). As with the study discussed in Section 2.5 on the differing levels of importance parties place on procedural justice (Sivasubramaniam & Heuer, 2007), Nix’s (2015) study indicated that officer understandings of what the public want from police can differ substantially from what the public actually wants. A point to take away from this study is that officers’ procedural justice attitudes were conceptualised as public perceptions of police behaviour, rather than officer’s own opinions of police behaviour.

In summary, the five studies discussed above suggest there are a variety of constructs that can be grouped as police attitudes to procedural justice, each of which measure different elements of the procedural justice concept. The value of procedural justice attitudes research to this thesis is that it can be used as an indicator of procedural justice barriers. For example, if officers’ attitudes to procedural justice became more negative, this could suggest that were factors present that inhibited procedural justice. Of these attitudinal measures, it is argued that procedural justice self-assessments (as per Wheller et al. 2013 and Bates et al. 2015) is the most suitable indicator of procedural justice barriers. First, the measure is based on an officer’s own reflections of ‘doing’ policing, and so roots the measure in an officer’s own lived experience. Second, the aforementioned studies demonstrated an empirical link between demonstrating procedural justice (the purpose of
the interventions) and these self-assessments. As such, this would suggest that if officers’ acted in a less procedurally just way, this may be reflected in their self-assessments also becoming more negative. Tracked over time, procedural justice self-assessments could be used to identify at what points in an officer’s career barriers form and inhibit police demonstrations of procedural justice.

3.2.3 Officer experience

Only a few studies have considered the effect of police experience on formal police behaviour, in part because some studies tend to conflate officers’ experience with age (Klahm & Tillyer, 2010). Complementing Oberfield’s (2012) study discussed earlier (Section 3.2.2), experienced officers are less likely to use force (Paoline & Terrill, 2007), or for experience to have no effect on the use of force (McCluskey, 2003), and less likely to sustain injuries as a result of using force (Kaminski & Sorensen, 1995). In addition, experienced officers obtain compliance from the public more than less experienced officers, though these experienced officers were more likely to coerce this compliance by making requests in a commanding or threatening way (Mastrofski et al., 1996).

The challenge for advocates of procedural justice is that the use of coercion is a fundamental part of police work (Bittner, 1975; Muir, 1977). Whether it is the actual or threatened use of force, either method contravenes procedural justice principles. The research suggests that experienced officers are more effective in obtaining compliance from the public, but they also obtain compliance more through coercion than by encouraging it through procedural justice-like methods.

3.2.4 Summary of individual factors

The research indicates that officer attitudes to the public and the use of force may be procedural justice barriers, insofar as they may potentially influence the officer’s disposition towards the public. It is less clear to what degree officer experience may affect demonstrations of procedural justice. However, the procedural justice attitudes literature indicates that there are a variety of concepts that can be used to measure differences in police attitudes to procedural justice over time and, therefore, identify the presence of procedural justice barriers.
3.3 Situational factors influencing officer behaviour

Situational factors are elements within a police-public interaction that an officer evaluates to help make decisions regarding how to respond. A consistent theme in the police behaviour literature is that more needs to be known about how officers interpret situational factors as a means of explaining their own behaviour (Worden, 1996). The literature in this field includes a variety of factors that have been shown to influence police behaviour towards the public. Three themes were identified: the demographics of the public; the person’s behaviour; and the presence of other officers or other members of the public during a police-public interaction.

3.3.1 Demographics of the public

Research is mixed on the effect of a person’s demographic profile on police behaviour. In terms of formal law enforcement outcomes, males were more likely to have force used against them (Garner, Maxwell, & Heraux, 2002) and to be arrested (Novak et al., 2011). Regarding informal police behaviour, females were more likely to receive emotionally supportive comments and behaviour from officers than were men (Dejong, 2005); such behaviours are indicative of a procedurally just approach. However, it has also been found that women were actually less likely to be compliant than men (Mastrofski et al., 1996). All things being equal, it would be anticipated that more coercive approaches would be used towards women than men. This disproportionality in treatment has been called the ‘chivalry hypothesis’ (Visher, 1983). On this basis, a procedural justice barrier could be that men are treated in a more coercive manner than women.

The age and ethnicity of the person have also been shown to explain differences in police behaviour. Studies have found that juveniles were more likely to be arrested (Brown & Frank, 2005; Novak et al., 2011), but were also more likely to be non-compliant with police requests (Dai et al., 2011; Mastrofski et al., 1996). Early policing studies also suggested that the police behaved more coercively towards members of minority ethnic groups (Westley, 1970). Further research in this area has found in the United States that African Americans people are more likely to be arrested than non-African Americans (Novak et al., 2011), but are also more compliant with police instructions (Mastrofski et al., 1996), or were no more or less likely to be noncompliant (Dai et al., 2011). In Australia, indigenous Australians are
more likely to be arrested than non-indigenous Australians (Borland & Hunter, 1999). These points indicate that police may use more coercive approaches towards non-white cultural and ethnic minority groups than white groups. It may be that officers’ anticipate resistance from such groups, and so adopt coercive approaches early. As a result, a procedural justice barrier could be how officers perceive non-white cultural and ethnic minority groups.

The social class of a person is also linked to differences in police behaviour. People from lower social classes were shown to be less likely to receive comforting statements or actions from police (Dejong, 2005), and received less encouragement to contact the police the next time an incident occurs (Dai & Nation, 2009). A potential explanation for the differences in police behaviour towards those (assumed to be) of lower social class can be found in an early policing study. Sykes and Clark (1975) evaluated whether interactions between the police and public were influenced by a difference of status between the two parties. This meant a lower status person was expected to make more frequent demonstrations of deference – like being respectful – to a higher-status person. The study proposed that police officers occupied a social status straddling lower status and higher status groups, and so officers would demonstrate deference more frequently to those above them than below them. The study observed police-public interactions (n=1,466), and found that police officers treated those of lower-status with less deference than those of higher-status. Officers’ perspectives of interactions with lower-status groups could represent a procedural justice barrier. If officers enter interactions with such groups with a pre-conception that they are entitled to demonstrations of respect, then the lack of these demonstrations could be seen to forfeit that group’s right to be treated in a procedurally just way in the eyes of the officer.

The social psychological literature has investigated the process and effects of implicit bias on human behaviour (Gilovich, 1991; Kahneman, 2015). Implicit bias is defined as cognitive shortcuts that link groups to given stereotypes and occurs outside of conscious awareness; these stereotypes influence our perceptions, and thereby impact our behaviour towards such groups (Fridell, 2016). Instances of officers holding implicit biases against other groups have also been identified in the literature as affecting police behaviour. Loftus (2009) discussed the use of language to distinguish those more likely to be involved with police; the ‘assholes’ (Van Maanen, 1978), those that are ‘rough’ and ‘dirty’ (Loftus, 2010) or from
‘anti-police’ areas (Herbert, 1998), constituting police stereotypes of groups more likely to be involved in crime (Young, 1991). Such pre-conceptions and implicit biases were the subject of the procedural justice training study by Skogan et al. (2015) (Section 2.4). A barrier could be those groups that are perceived to be in opposition to the police, which could then be seen as grounds for them being treated in a less procedurally just way.

In summary, the research suggests that police behave in a more coercive fashion towards the young, men, those identified as a member of ethnic minority groups, and those from low-status groups. A potential explanation for these differences is the implicit biases officers hold towards these groups, which coupled with the expectation of non-compliance, leads officers to use coercive methods. As such, the procedural justice barrier could be officers’ expectations of dealing with such groups, leading them to not use procedural justice and adopt coercive methods instead.

3.3.2 Behaviour of the public

There is research to suggest that the public’s behaviour affects how officers subsequently behave towards the person – the more antagonistic or aggressive a person is, the more likely they will receive a more coercive police response. Resistance or non-compliance with police instructions increases the likelihood of police use of force (Mastrofski et al., 1996; McCluskey, 2003), arrest (Worden & Shepard, 1996), and physical injury to both the person and the officer (Smith et al., 2011). Additionally, the more irrational or intoxicated a person is, the more likely they will be subject to arrest (Novak et al., 2011) or the use of force (Friedrich 1980). Interestingly, displays of irrationality, either as a consequence of heightened emotions or intoxication, have been found to increase the likelihood of disrespect and non-compliance by the public (Dai et al., 2011). These points suggest that behaviours like public aggression and intoxication are handled in a coercive manner by officers. Responding to public non-compliance in a coercive manner is likely to limit the ability of the officer to demonstrate the principles, and so constitute procedural justice barriers.

In terms of informal police behaviours, the observational studies of police behaviour shed light on this topic. Early observational studies tended to code public and police behaviour as a single variable – for example, a member of the public could be compliant, aggressive,
passive (Reiss, 1971). Since that point, observational studies have become more complex in their analysis and can now establish the temporal order of the behaviour of the public and the officer. Mastrofski et al. (1996) argued that there are two perspectives on the importance of capturing the temporal order – the sociological and the interactional perspective. Research from the sociological perspective aims to identify aggregate patterns of behaviour across police-public interactions, such as the relationship between the behaviour of the public and formal law enforcement outcomes. An example would be identifying that aggressive behaviour by the public increases the likelihood of arrest. An interactionist perspective, in contrast, looks at the interplay of police and public behaviour within the interaction; the cycle of how a police officer responds to the public and vice versa (Bottoms & Tankebe, 2012; Sykes & Clark, 1975). Taking the same example, an interactionist perspective explores what behaviours the officer exhibits in response to aggression, and would not just focus on the formal law enforcement outcome. It is the literature from the interactionist perspective that is most useful to the current thesis because it is designed to capture informal police behaviour and its effects.

A pivotal study from the interactionist perspective was undertaken by Sykes & Brent (1980). The purpose of their study was to investigate how officers behaved when confronted with public non-compliance, selecting a sub-sample (n=95) of the observational data used in Sykes & Clark (1975) discussed earlier (Section 3.3.1). They found that the most common technique a police officer used when confronted by non-compliance was repeating the original instructions in a civil manner. In three-quarters of the cases, repeating instructions was successful in obtaining public compliance. Other research has found that police officers tend to most frequently use verbal commands to obtain compliance (Terrill, 2003), though disrespect from the public also increases the likelihood of police disrespect (Mastrofski et al., 2002). The interactionist perspective contributes a more nuanced understanding of police behaviour in response to non-compliance than is available in the studies utilising a sociological perspective of police behaviour. While non-compliance by the public may increase the likelihood of arrest, police officers do not necessarily respond immediately in a more coercive fashion. Nevertheless, there is a risk that public disrespect compels police disrespect, and so public disrespect is perceived as grounds for abandoning procedural
justice and using coercive methods. A procedural justice could be officers’ perceptions that coercive methods are to be employed in response to public disrespect.

McCluskey’s (2003) study, discussed earlier (Section 2.3.2), added more context to the interplay between public non-compliance and police coercion. The observational study found that if officers began a police-public interaction in a procedurally fair way it increased the likelihood of compliance from the public, while beginning the interaction in a more forceful manner decreased compliance. However, procedural justice policing did not always result in compliance. Repeated public non-compliance with police instructions, even with officers that had used procedural justice from the outset, led officers to adopt more coercive tactics. This finding suggests that, whilst procedural justice was more effective in obtaining compliance from the public, in certain types of police-public interactions it may not be effective and more coercive police tactics will eventually be used. Use of coercion by the police may be necessary in certain situations, but such behaviour is unlikely to be seen as procedurally just. As such, a potential barrier to procedural justice is the point in an interaction at which an officer is ineffective. Bond et al. (2015) (Section 3.2.2.1) found that the more officers saw procedural justice as effective, the more they reported they would use procedural justice. A procedural justice barrier is the extent to which officers see the principles as effective in obtaining public compliance. It should also be noted that this may vary across interactions. For example, if an officer believes one instance of non-compliance from an intoxicated person justifies coercion, then this might not give an initial procedural justice strategy ample opportunity to be effective. As such, a procedural justice barrier is the perceived effectiveness of procedural justice in obtaining public compliance.

In summary, the research seems to suggest that the behaviour of the public will impact upon an officers’ ability or willingness to demonstrate procedural justice, in particular public aggression and intoxication. In these situations, officers are more likely to adopt a coercive approach and use methods that will be seen as procedurally unjust. Nevertheless, the move to coercive methods is not always immediate. Studies also consistently find that officers will persist with verbal instructions for a period of time before using force. As a whole, these findings indicate that two further barriers are the officers’ willingness to enter an interaction in a procedurally just way, but also the perceived effectiveness of procedural justice in police-public interactions.
3.3.3 Presence of other parties

In the policing literature, police-public interactions have tended to be conceptualised as encounters between a single police officer and member of the public (Mastrofski et al., 1996; Reiss, 1971). Nonetheless, studies have measured the effects of the presence of others in police-public interactions on officer behaviour. This issue is particularly relevant because it has been found that officers were less likely to demonstrate procedural justice when in the presence of large groups of people (Mastrofski et al., 2016) (Section 2.5).

The presence of others in police-public interactions has been found to have a mixed effect on the behaviour of the public. For example, it has been found that the presence of other members of the public had no effect on public demonstrations of disrespect towards the police (Dai et al., 2011), but increased the likelihood of public compliance (McCluskey, 2003). Nevertheless, the more people present also increased the odds of police issuing a citation instead of taking no action (Brown & Frank, 2005), though the numbers of people present had no relationship with police use of force (Paoline & Terrill, 2005b). Allied to findings from Mastrofski et al. (2016) above, it would suggest that policing in large groups of people may make officers less likely to demonstrate procedural justice.

A stronger conclusion can be made regarding the presence of police officers. Larger numbers of officers tend to be dispatched to more risky situations (Wilson & Brewer, 1991), and the use of force is more likely to be used when in the presence of other officers beyond the standard organisational policy of either single- or double-crews (Friedrich, 1980; Novak et al., 2011). The presence of additional officers has also been found to increase public disrespect (Dai et al., 2011) and noncompliance (Mastrofski et al., 1996). An explanation for these findings is that more officers are dispatched to dangerous situations, and so the situation has already escalated to such an extent that a more coercive approach is required. The issue is not that police organisations should not resource dangerous incidents appropriately, but rather that the number of officers dispatched to a scene may also indirectly predispose officers to act in a more coercive fashion at the outset. As such, a procedural justice barrier could be both the presence of additional officers or members of the public in police-public interactions, thereby leading officers to take a more coercive approach.
3.3.4 Summary of situational factors

The research indicates that police interactions with particular groups – including the young, ethnic minority groups, those from lower-status groups, and the aggressive and intoxicated – could represent procedural justice barriers. The greater likelihood for officers to use coercive approaches in these interactions means that there might be limited opportunities to demonstrate procedural justice. In addition, officers’ willingness to enter an interaction in a procedurally just way, but also their propensity to move to a coercive approach in response to non-compliance more quickly, also represents barriers to police using procedural justice. Finally, the presence of other officers in police-public interactions could also inhibit officers from demonstrating procedural justice.

3.4 Community factors

In the police behaviour literature, community factors refer to where a police-public interaction takes place. Communities have been studied at length in the criminology and policing literatures; in particular, the relationship between communities and crime. Higher levels of crime are associated with neighbourhoods characterised by high levels of ethnic heterogeneity (Sampson, Morenoff, & Raudenbush, 2005), low levels of average income (Sherman, Gartin, & Buerger, 1989), and low levels of social cohesion (Goudriaan, Wittebrood, & Nieuwbeerta, 2006). It is to be expected that the police will spend more time in communities with high levels of crime, but less well known is whether the police behave differently in such communities.

Early research on formal police behaviours found that police use of deadly force was more frequent in less affluent areas, though the difference in rates was linked to the greater propensity for violent encounters in low-status neighbourhoods (Binder & Scharf, 1982). Kaminski and Sorensen (1995) looked at this issue when investigating what factors were related to the likelihood of police officer injury from an assault. Their study found that officer injury from an assault was more likely in lower-status neighbourhoods than in higher-status neighbourhoods. This would suggest that police work in lower-status neighbourhoods is more physically risky than in higher-status neighbourhoods. However, it is not possible to say whether police behaviour within these police-public interactions was quantifiably different depending on where the interaction took place.
More coercive police behaviour has been found to increase the risk of officer injury (Smith et al., 2011). All things being equal, it is difficult to know whether the increased risk of physical injury is because the situation necessitates the need to use physical force (and thus increasing the risk of physical injury), or whether officers use physical coercion quicker in lower-status neighbourhoods than elsewhere. Without controlling for the behaviour of members of the public and the police officer across different sites, it is not possible to say that officers act in a more coercive fashion because conditions in lower-status areas require more frequent use of force than conditions in higher-income areas. It may be that low-status areas are perceived to be more dangerous, which could inhibit officers from acting in a procedurally just way in such locales.

Another study of formal police behaviour investigated the factors that influenced arrest decisions in three US metropolitan police areas (Klein & Smith, 1984). The study found that police behaviour differed in two respects – in lower socioeconomic status neighbourhoods police officers were more likely to arrest, but also less likely to comply with a person’s request for the arrest of another. This suggests residents of neighbourhoods of a lower socioeconomic status (henceforth referred to as lower-status neighbourhoods) were more likely to receive a more punitive and less collaborative approach to law enforcement than those living in higher-status neighbourhoods, a finding supported by research elsewhere (Dejong, 2005). By extension, officers may decide not to use procedural justice in low-status neighbourhoods. Based on the research on police use of force and arrest decisions, a potential procedural justice barrier is officers’ expectations they will be required to use coercive methods in these areas.

Other studies point towards a potential link between the socioeconomic status of an area and differences in informal police behaviour. In his case study of a destitute community in the United States, Egon Bittner (1967) found that residents of ‘skid row’ were subject to coercive police behaviours, including arrest without adequate legal justification. Such an approach was justified by police officers’ ‘evaluation of coercion as relatively insignificant in the lives of the inhabitants’ (Bittner, 1967, p.712). Westley (1970) found in his observations of a US police department that police officers distinguished between different categories of the public, of which one was a ‘better class of people’, resident in more prosperous neighbourhoods (Westley, 1970, p.97). Officers explained that such people were to be
treated in a friendly and less physical way than residents of the slums. Sykes and Clark (1975), as discussed in earlier (Section 3.3.1), also found officers did not defer to residents of low socio-economic neighbourhoods as frequently as when dealing with residents of high socio-economic areas.

Another study investigated the relationship between the socioeconomic status of a neighbourhood and informal police behaviour, in particular the factors that precipitate police disrespect towards suspects. Mastrofski et al. (2002) utilised a measure of disrespect as speech or gestures that violated public expectations of respect from the police – being argumentative did not constitute disrespect. The study found that, though suspect disrespect was the strongest predictor of police disrespect, once this variable was controlled, the police were more likely to be disrespectful in low-income neighbourhoods. In other words, police respond to challenges to their authority in a more disrespectful way when such behaviour takes place in lower-status neighbourhoods. Hence, the findings from the literature regarding informal police behaviour indicates that a barrier to procedural justice is officers’ expectations they will be required to use coercive methods in low socio-economic areas.

3.4.1 Summary of community factors

The studies indicate that there are two procedural justice barriers that relate to community factors. First, the expectation that police will encounter potentially dangerous situations in low socio-economic areas could lead officers to be less willing to use procedural justice. Second, officers’ expectations that they will be met with public non-compliance in such areas increases the likelihood of coercive approaches, behaviour that stands opposed to procedural justice. The expectation that coercive methods will be required could predispose officers to such approaches, which would also be a procedural justice barrier.

3.5 Organisational factors influencing police behaviour

The third set of factors that have an effect on police behaviour within police-public interactions are organisational in nature. Organisational factors refer to the characteristics of the police organisation the officer works for and how these affect procedural justice barriers. Procedural justice is concerned with how the police deal with the public, and
research has found that officer attitudes to the public change at two distinct stages of an officer’s career – within recruit training, and following operational experience. More specifically, a number of studies have found that recruit training increased positive attitudes to the public (Haarr, 2001; Rosenbaum, 1987; Wortley & Homel, 1995) or had no effect (Chan, 2003; Rosenbaum & Lawrence, 2011); in contrast, operational experience had a uniformly negative effect on officer attitudes to the public (Chan, 2003; Rosenbaum, 1987; Rosenbaum & Lawrence, 2011; Wortley & Homel, 1995). These findings support the view that there are elements in each environment that affect officers’ opinions of the public, which by extension could affect their willingness to use procedural justice. The following two sections will discuss potential procedural justice barriers in both recruit training and operational police work.

3.5.1 Recruit training

Recruit training is where officers are equipped with the knowledge and skills required to be a police officer. Typically, research into recruit training has examined the effect of training on officer attitudes (Haarr, 2001; Rosenbaum, 1987; Wortley & Homel, 1995), with comparatively fewer studies examining what knowledge and skills are actually taught and how they are imparted. It has been argued that the absence of in-depth studies into the format and content of recruit training limits any conclusions that can be drawn on the effect of training on police interactions with the public (Skogan & Frydl, 2004).

A potential barrier relates to what knowledge and skills officers are taught in recruit training. Chan’s (2003) book examined the New South Wales Police recruit training programme in Australia. Her study noted that recruit training consisted of three components: the knowledge to understand the ‘social, legal, and organisational context of police work’ (Chan, 2003, p.89); training in skills like the use of force and questioning techniques; and the knowledge and skills required to handle common incidents like property theft and street offences. This distinction between knowledge and skills is fundamental to developing an effective police officer. Police work requires an in-depth knowledge of the criminal law and the police role in upholding the law, as well as the skills required to manage volatile situations and use physical force if required. A potential barrier to police use of procedural justice is the extent to which the principles of procedural justice
are incorporated into the knowledge component of police training, but also the extent to which the principles are present in the skills recruits learn to use to deal with the public.

As such, it is anticipated that recruit training will devote a substantial proportion of its time to instructing officers in how to manage police-public interactions. A key element of such training will be recruits learning a set of interpersonal skills to enable them to manage these interactions in an appropriate manner. Interpersonal skills are ‘goal-directed, inter-related, situationally appropriate social behaviours which are learned and controlled’ (Hargie, 1997, p.12), and include a wide variety of skills including leadership skills, communication skills, conflict management skills, and team-building skills, that have been found to have a positive effect on behavioural and learning outcomes (Arthur Jr, Bennett Jr, Edens, & Bell, 2003).

Interpersonal skills are fundamental to police work. Officers use their interpersonal skills in a variety of ways – to gather credible and pertinent information (Roberts & Davies, 2011), but also as a means of obtaining compliance and cooperation from the public. In such cases, officers use a range of interpersonal skills to coerce, mediate, or negotiate compliance from the public (Muir, 1977). It may be that officers are taught to use their interpersonal skills to coerce compliance – by giving commands or making threats – which would contravene the principles of procedural justice. As yet, it is unknown not only the range of interpersonal skills recruits are taught and the time spent teaching these skills, but also for what purpose these skills are expected to be used. A potential procedural justice barrier is that recruits’ interpersonal skills training does not align with procedural justice principles.

An interpersonal skills model that is relevant to this discussion is the Behavioural Influence Stairway Model (Vecchi, Van Hasselt, & Romano, 2005). The purpose of the model is to obtain voluntary compliance from the public by using verbal de-escalation skills, as opposed to other methods like giving commands that seek to coerce compliance. Developed by police negotiators, the model guides officers through a series of behaviours – the ‘stairway’ until they have established an open and non-coercive relationship with the person, and obtained their voluntary compliance. The model is relevant to procedural justice because it is indicative of officers demonstrating neutrality, respect, trustworthy motives, and voice to the public. As such, the model is potentially useful in terms of examining recruits
interpersonal skills training for how to manage public non-compliance in a procedurally just way.

Nevertheless, the use of coercion in police work is necessary. Recruits learn to identify and deal with dangerous situations by using physical force to obtain public compliance (Chan, 2003). It is likely that great attention is placed on training recruits to use force appropriately, at the expense of their interpersonal skills, not only because of the risk of complaints and civil action, but also less experienced officers suffer higher rates of physical injury when using force than more experienced officers (Kaminski & Sorensen, 1995). Of course, the potential focus on use of force in recruit training may be justified with recruits having little familiarity with using force or the use of accoutrements like batons and firearms. However, it also could act as a barrier to recruits being willing to use procedural justice when they become operational. Using force can be seen as lacking respect, as denying a person a voice, and the reasoning behind the use of force may be seen as biased and lacking neutrality. As such, a potential procedural justice barrier is the focus on training officers to use coercive practices like the use of force, at the expense of non-coercive approaches like procedural justice.

The final barrier relates more broadly to the transition between recruit training and operational work. As mentioned earlier (Section 3.2.2), officer attitudes to the public become more negative following the move into operational work (Chan, 2003; Rosenbaum, 1987; Rosenbaum & Lawrence, 2011; Wortley & Homel, 1995). The reasons why this change happens has been explored in detail by Chan (2003). Her study explored the notion of ‘training decay’ – the negative effect on police attitudes when officers move from training to operational police work. Chan argued that recruit training culture embodied a standard for the professional police officer, an understanding in direct opposition to what was required for the operational work environment. In contrast, the culture of the operational environment perceived the training environment as producing recruits unprepared for the strictures and reality of operational police work. As Chan stated:

*The academy constituted a relatively idealistic, formal environment, based on conceptions of proper behaviour and liberal hopes for reform through education. Relative to the controlled,
restrained, and formal environment of the academy, operational policing presented a more organic, coercive, and powerful socialising environment (Chan, 2003, p.143)

This point suggests that recruit training and the operational environment are distinct organisational cultures, each communicating distinct sets of values that assist its members in coping and thriving in their environment (Paoline & Terrill, 2005a). The changes in police attitudes to the public reflect that recruit training conveys the formal organisational principles of working with the public, whilst in the operational work environment officers are confronted with the reality of dealing with the public at its worst. This would also suggest that as recruits become operational police officers a process of adaptation occurs, where, through a process of trial and error, they learn to apply or discard what has been learnt in training. A procedural justice barrier could, therefore, be what knowledge and skills officers learn in recruit training, and how they apply them once they begin working in the operational environment.

3.5.2 Operational work

Police officers work in a hierarchical top-down environment, where orders are handed down a chain of command. Nevertheless, police work is characterised by a large degree of discretion in how officers deal with the public (Banton, 1964; Bittner, 1967; Bronitt & Stenning, 2011). In such situations, informal behaviours directed towards the public – of which procedural justice will be one – will be affected by the organisational culture. Police culture encompasses the shared values and norms held by police officers that manifest in common understandings and interpretations of the police working environment (Reiner, 2000). They also express values that help officers to manage the strains of their occupational and organisational environment (Paoline & Terrill, 2005a). Shared values identified as important to officers in the literature include the necessity to use coercion (Bittner, 1975; Muir, 1977), a sense of social isolation from the public and solidarity with fellow officers (Loftus, 2009; Reiner, 2000; Reuss-Ianni & Ianni, 1983), and subscribing to traditional notions of masculine behaviour (Loftus, 2009; McElhinny, 2003; Reiner, 2000). Another shared value of traditional police culture is expressed through negative attitudes regarding the public, discussed earlier (Section 3.2.2) (Loftus, 2009; Reiner, 2000; Westley, 1970). These points suggest that procedural justice barriers could be formed from officers
subscribing to traditional notions of police culture, which leads officers to see procedural justice as incompatible with police work. For example, if procedural justice is seen as ‘soft’ or un-masculine, then it may be rejected. By the same token, if officers hold negative attitudes to the public, then they may not see the public as deserving of procedurally fair treatment.

Another factor that could be a procedural justice barrier is efficiency, a factor raised earlier by Mazerolle et al. (2014) in the review of likely procedural justice barriers (Section 2.5). Since the 1980s, new methods have been adopted by police organisations to demonstrate efficiency – the use of business management principles like New Public Management (Leishman, Cope, & Starie, 1995), and management systems designed to collect officer activity data such as COMPSTAT (Willis, Mastrofski, & Weisburd, 2007). Such systems require officers to demonstrate their efficiency by working to quantifiable outcomes: attending calls for service; time at scene; arrests; and sanction detections. Officers are incentivised to meet these outcomes through performance management reviews and the inclusion of efficiency measures into the criteria assessed by promotion boards. The nature of how the police interact with the public is not so easily quantified, however; police organisations do not distinguish between coerced and voluntary compliance, unless the interaction requires a use of force report to be filed or a public complaint is made. This suggests a potential barrier to police use of procedural justice is the lack of incentive for officers to use procedural justice as they do not translate to performance management measures.

Concerns around efficiency may also have an indirect effect on how the police conduct police-public interactions (Loftus, 2009). Police officers have to prioritise their workload, striking a balance between responding to the most urgent calls for service whilst following up on previous cases from other shifts. The result can be that the time spent on individual police-public encounters may be curtailed due to the need to address other tasks, and that procedural justice is seen as less of a priority (Sivasubramaniam & Heuer, 2007) (Section 2.5). This suggests that police concerns about efficiency – in this case prioritising their workload – may lead some officers to neglect procedural justice because other tasks need to be completed.
3.5.3 Summary of organisational factors

How police organisations develop and manage their officers are organisational factors. These factors were split between barriers within recruit training and barriers in the operational environment. In terms of recruit training, the degree of procedural justice in the training curriculum, the types of interpersonal skills taught, and a focus on the use of force, were identified as procedural justice barriers. In operational work there are potential barriers to using procedural justice in the form of officers being required to obtain formal law enforcement outcomes like arrests and cautions, leading to less time and resources being put into prioritising demonstrations of procedural justice. In addition, an operational culture that rejects the principles of procedural justice, either on the basis of the principles opposing traditional notions of police work or negative attitudes to the public, could also be a procedural justice barrier.

3.6 Summary of police behaviour literature

At this time, there is limited research into what factors prevent or inhibit officers from demonstrating procedural justice when dealing with the public. However, there is a large amount of research on the factors that influence police officer behaviour towards the public more generally. An analysis of this literature has identified a number of factors that could affect police officer demonstrations of procedural justice during police-public encounters.

There were a number of potential barriers identified that emanated either from individual officers or how the organisation managed officers. Some studies suggested a combination of negative attitudes to the public and positive attitudes to using physical force could inhibit officers from exhibiting procedural justice. Organisational issues revolved around the need to prioritise efficiency, thereby limiting the amount of time spent interacting with the public, and how officers were prepared for operational work in recruit training. In particular, the concerns in recruit training were based on the degree to which procedural justice principles were part of training, how recruits are trained to use their interpersonal skills, and the expected focus on training officers to use coercion as opposed to procedural justice.

The characteristics and demeanour of the public, as well as the neighbourhoods in which these interactions take place, could inhibit police officers’ demonstrations of procedural
Studies suggest that youth, men, those that are intoxicated and aggressive, and those identified as part of ethnic minority or low-status groups are more likely to be subject to coercive police action. In addition, residents of low socio-economic areas tend to receive less procedurally just treatment than residents of higher socio-economic areas. These findings suggest that officers may choose not to act in a procedurally just way due to their expectations that these groups will not comply voluntarily, and so coercive approaches will be required.

In summary, the literature suggests there are a wide range of factors that are potential procedural justice barriers. The aim of the thesis is to identify and examine the barriers that inhibit or prevent police officers from demonstrating procedural justice to the public.

3.7 Present study

The review of the literature indicates that there are wide-ranging benefits to police demonstrating procedural justice in encounters with the public, but as yet little is known about the factors that inhibit or prevent officers from using procedural justice during these encounters. Of the literature that is available on such procedural justice barriers, they have either proposed a range of potential barriers (Mazerolle et al., 2014), or focused on particular elements of police-public interactions that could inhibit officers’ use of procedural justice (MacCoun, 2005; Mastrofski et al., 2016; Sivasubramaniam & Heuer, 2007). As a consequence, this chapter has expanded the search for procedural justice barriers to the wider policing literature. These factors were clustered into individual, situational, organisational, and community level factors. The subsequent review in Chapter 3 identified a range of factors that were procedural justice barriers.

However, what is as yet unknown is the degree to which these factors are procedural justice barriers, but also how recruit training contributed to these barriers. Recruit training is where officers learn the knowledge and skills to be a police officer; training which will inform their attitudes and behaviour towards the public. By extension, it is not enough to examine the procedural justice barriers in the operational environment, it is also necessary to understand how recruit training contributes and informs these procedural justice barriers. In this way, policing scholars and practitioners can have a more nuanced understanding on
the factors that inhibit police use of procedural justice, but also where these barriers come from.

The aim of the current thesis is to draw from existing research, but to also extend that research to identify and examine the barriers that inhibit or prevent officers from demonstrating procedural justice when dealing with the public. Particular attention will be paid to both barriers in recruit training, and barriers in the operational environment. Objective 1 will establish that procedural justice barriers exist, and identify whether they emerge in recruit training or the operational environment. Procedural justice barriers will be highlighted by identifying change over time in officers’ procedural justice self-assessments (Section 3.2.2.1). For instance, if officers self-assess as less procedurally just, then this would indicate the presence of factors that prevent or inhibit procedural justice policing. Objective 2 will examine in greater depth the barriers in the recruit training environment identified as organisational level barriers – the extent to which procedural justice principles are part of training, and examining the interpersonal skills training recruits receive. Objective 3 will do the same for the operational environment, but instead examine the range of individual, situational, organisational, and community level factors that are perceived to be barriers. In addition, Objective 3 will explore why these factors make demonstrations of procedural justice more difficult, and examine whether the perceived barriers change with operational experience. In summary, the thesis will provide an in-depth insight into the factors that prevent or inhibit officers from using procedural justice, but also an understanding of how recruit training may help or hinder these barriers. The next chapter will present the objectives of this thesis, as well as the methodology and justification for the three studies undertaken for this thesis.
4.1 Aim, objectives, research statements

The literature review presented in Chapter 2 suggests that police use of procedural justice during their interactions with the public can lead to positive outcomes for both the police and the public. The literature also indicated that police can be trained to act in a manner that encourages the public to see them as procedurally just. The literature examined in Chapter 3 showed that there are a number of factors that affect police officer behaviour towards the public; factors that are also likely to affect officer demonstrations of procedural justice. That research typically looks at the influences within operational police work, with less attention being paid to the influence of recruit training on this behaviour. Recruit training is where officers learn the formal knowledge and skills to be a police officer, and in particular learn how to interact with the public. Experiences gained in the recruit environment are also likely to influence officers’ long-term behaviour as they move into operational police work. As such, both recruit training and operational work are likely to influence the willingness of officers to use procedural justice; in other words, present within both environments are likely to be factors that result in barriers to procedural justice being endorsed or used in the field.

The aim of this thesis is to identify and examine the barriers that inhibit or prevent police officers from demonstrating procedural justice to the public. This aim consists of three objectives, all of which will be investigated in a single police jurisdiction. First, the thesis assesses how officers’ sense of themselves as procedurally just changes over time, and identify what factors influence these self-assessments. Second, it examines the barriers to police endorsing and using procedural justice that may exist in the recruit training environment. Third, it will examine the barriers to police using procedural justice in the operational environment. The combination of these three objectives quantifies the existence of procedural justice barriers, and also explores how recruit training and the operational environment influence these barriers. The rationale for each of the objectives is explained below.
4.1.1 Objective 1 – Assess how officers’ procedural justice self-assessments change over time, and identify what factors influence these self-assessments

The purpose of Objective 1 is to establish that procedural justice barriers exist, and at what point in an officer’s career they emerge. This is achieved by assessing how officers’ procedural justice attitudes change over time. As discussed in Chapter 3 (Section 3.2.2.1), there are a range of attitudinal measures of the procedural justice concept. The measure chosen is the degree to which officers see themselves as procedurally just – otherwise known as procedural justice self-assessments. The measure was selected because it quantifies the extent to which officers evaluate their own behaviour as procedurally just. If officers’ procedural justice self-assessments became more negative over time, this would suggest that barriers exist that curtail officers’ sense of themselves as being procedurally just. Study 1 compares this self-assessment and associated factors at three points in time: at the beginning of training; at the end of training; and after one year of operational experience. Hence, to address Objective 1, Study 1 measures how procedural justice self-assessments and related factors change over time.

Whilst procedural justice self-assessments are an attitudinal concept, they are also a measure of an individual’s thoughts on their own actions. As the literature review discussed in Chapter 2 (Section 2.4), there is a strain of thought in research on procedural justice training that asserts that procedural justice can be encouraged by improving officers’ attitudes to the concept or to the public (Shaefer & Hughes, 2016; Skogan et al., 2015). However, this work has focused on operational officers only. Where the current thesis differs is that it examines whether improving officers’ attitudes to procedural justice in recruit training can improve these self-assessments. As such, Study 1 also aims to identify the factors that predict positive procedural justice self-assessments at the end of recruit training.

4.1.2 Objective 2 – Examine the barriers to procedural justice in the recruit training environment

The literature review indicates that there may be procedural justice barriers in recruit training (Section 2.5), a hypothesis that is tested in Study 1. With recruit training likely to be very important to how officers are trained to view procedural justice, it is crucial that the structure and content of recruit training be examined. Study 2 complements Study 1 by
exploring how recruits are trained, in what manner, and how these elements either reinforce or hinder the production of officers that self-identify as procedurally just. Study 2 aims to identify the extent to which procedural justice principles are present in recruit training.

The research that is available on police training indicates that recruits do receive interpersonal skills training (Roberts & Davies, 2011), the purpose being to equip recruits with the required skills for dealing with the public. Interpersonal skills are ‘goal-directed, inter-related, situationally appropriate social behaviours which are learned and controlled’ (Hargie, 1997, p.12), and include a wide variety of skills including leadership skills, communication skills, conflict management skills, and team-building skills. Procedural justice primarily requires an interpersonal interaction, and so how recruits are trained to use their interpersonal skills is likely to have an effect on their ability to demonstrate procedural justice. Recruits will need to be able to express respect, convey neutrality, encourage the public’s voice in decision-making, and exemplify trustworthy motives. As such, Study 2 aims to examine the interpersonal skills training recruits receive.

4.1.3 Objective 3 – Examine the barriers to procedural justice in the operational environment

The literature review in Chapters 2 and 3 suggests that there are a range of factors that could prevent or inhibit officers from demonstrating procedural justice in the field. Having identified in Study 1 how procedural justice self-assessments change, and examined how recruit training affects procedural justice barriers in Study 2, the next stage is to examine the barriers to procedural justice in the operational environment. Whereas recruit training provides a foundation of knowledge and skills from a standardised curriculum, the operational environment is where officers are exposed to a range of situations that will lead them to develop and adapt what they have learned about policing (Chan, 2003). As such, not only could recruit training procedural justice barriers manifest in the operational environment, but new barriers may present themselves as officers gain experience in the field. The first step of Study 3, therefore, is to identify the perceived barriers to demonstrating procedural justice in the operational environment.

The choice of the phrase ‘perceived barriers’ in the statement above is a deliberate one. It is not an easy task to distinguish between, for example, police dealing with young people
being a barrier and the officer’s perception of young people (e.g., their biases/expectations of young people’s behaviour) being a barrier. Where perception ends and the actualité begins is a question far larger than this thesis. However, regardless, of whether officers’ perceptions are correct or not, it is vital to better understand what factors drive the perceptions and how they affect their use of procedural justice. As such, Study 3 aims to explore why the identified barriers in operational practice are perceived to make demonstrations of procedural justice more difficult in the field.

As officers become more familiar with the operational environment, they also broaden their knowledge and skills, which in turn may affect their understandings of the world and the police role in it. By extension, their understandings of procedural justice barriers may also change; not only what is a barrier, but why it is a barrier. Organisational attempts to address these barriers without a broader understanding of the myriad ways in which barriers could be perceived and rationalised would inevitably hinder attempts to incorporate procedural justice as standard policing practice. As such, it is necessary to understand whether these perceived barriers, and officers’ understandings of why they are barriers, remain stable or change over time. Hence, Study 3 aims to examine whether the perceived barriers to using procedural justice change with operational experience.

4.2 Methods

Each of the three objectives of this thesis corresponds to one of three studies, each using a range of methods. Objective 1 (Study 1) uses a quantitative survey methodology to measure how procedural justice self-assessments change over time from entering recruit training to the end of one year’s operational experience, and identifies the factors that predict procedural justice self-assessments at the end of recruit training. In contrast, both Objective 2 and 3 (Study 2 & 3, respectively) use a qualitative methodology to examine the barriers in both the recruit training and operational environment. As such, the thesis employs mixed methods – quantitative methods to establish the existence of procedural justice barriers, and qualitative methods to examine what these barriers are and why they exist. The choice of methodology for each Objective (italicised) is discussed below, and is summarised in Table 4.1 below.
Objective 1 employs a quantitative method to assess how recruits’ procedural justice self-assessments change over time, and identify what factors influence these self-assessments. As Bryman states (2004, p.66), there are three main reasons for employing a quantitative method: to delineate fine differences; as a consistent device for making distinctions; and as a basis for more precise estimates of the relationships between concepts. Recruits’ sense of themselves as procedurally just, and related factors like their perceptions of various facets of police work, are attitudinal constructs. The thematic similarities are likely to result in the constructs resembling one another, and so a quantitative method is suited to distinguishing between these constructs. Measuring attitudes consistently across recruits, and over time as these same recruits progress through their career, will also assist in making these distinctions. Finally, the survey methodology allows the use of a range of statistical analyses to be employed that will establish the degree of confidence with which it can be stated that these constructs are similar or different to one another. As such, Objective 1 uses a longitudinal survey. Chapter 5 (Section 5.1) contains more detail on this data collection method and subsequent analyses used.

Objectives 2 and 3 are to examine barriers to procedural justice in the recruit training environment and operational environment, respectively. This thesis is the first of its type to identify and explore procedural justice barriers in the recruit training environment, and so an exploratory approach is adopted. Not only is a qualitative method appropriate to exploratory work, the conceptual nature of procedural justice and its barriers in training and the operational environment are suited to methods that explore how social actors attach meaning to their experiences (Ritchie & Lewis, 2003). For example, a researcher can ask an officer what prevents them from demonstrating procedural justice. The officer will first have to grasp what the meaning of procedural justice is to them, and then apply this meaning to their experiences or expectations of police-public interactions where the use of procedural justice could be more difficult.

Study 2 uses a combination of document analysis, training observations, and trainer interviews to identify potential procedural justice barriers in the recruit training environment. Study 3 uses interviews with recruits and operational officers. The method sections of Chapter 6 and 7 (Sections 6.3 and 7.1 respectively) contain greater detail on the data collection and analyses employed in each of these two studies.
### Table 4.1 Aim, objectives, research statements, and data collection methods

<table>
<thead>
<tr>
<th>Aim – identify and examine the barriers that inhibit or prevent police officers from demonstrating procedural justice to the public</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Objective 1</strong> – Assess how officers’ procedural justice self-assessments change over time, and identify what factors influence these self-assessments</td>
</tr>
<tr>
<td>1.a. Measure how procedural justice self-assessments and related factors change over time</td>
</tr>
<tr>
<td>1.b. Identify the factors that predict procedural justice self-assessments at the end of recruit training</td>
</tr>
<tr>
<td><strong>Objective 2</strong> – Examine the barriers to procedural justice in the recruit training environment</td>
</tr>
<tr>
<td>2.a. Identify the extent to which procedural justice principles are present in recruit training</td>
</tr>
<tr>
<td>2.b. Examine the interpersonal skills training recruits receive</td>
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<tr>
<td><strong>Objective 3</strong> – Examine the barriers to procedural justice in the operational environment</td>
</tr>
<tr>
<td>3.a. Identify the perceived barriers to demonstrating procedural justice in the operational environment</td>
</tr>
<tr>
<td>3.b. Explore why the identified barriers in operational practice are perceived to make demonstrations of procedural justice more difficult in the field</td>
</tr>
<tr>
<td>3.c. Examine whether the perceived barriers to procedural justice change with operational experience</td>
</tr>
<tr>
<td>Longitudinal survey</td>
</tr>
<tr>
<td>Document analysis, observations, police trainer interviews</td>
</tr>
<tr>
<td>Recruit and operational officer interviews</td>
</tr>
</tbody>
</table>

### 4.3 Research site

Before proceeding to introduce Study 1 in Chapter 5 it is important to discuss the research site chosen for the current thesis. The research site selected is the Queensland Police Service (QPS) in Australia. QPS has two training academies – a small academy in Townsville that serves North Queensland, and a much larger academy in Brisbane. Both academies provide the same training to recruits. Study 1 participants were recruited from both the Brisbane and Townsville academies, and the training materials analysed in Study 2 were
used in both academies. Study 2 observations of training, as well as interviews with trainers and recruits in Study 2 and 3, were conducted in Brisbane only.

The state of Queensland is one of the largest geographical areas in Australia, and is served by one of the largest police services in Australia, employing nearly 12,000 police officers (Queensland Police Service, 2016). The QPS is a major police service in Australia, incorporating a combination of rural and urban policing responsibilities. Police officers in Queensland have broadly similar legal powers to other state-based police services, and so policing in Queensland is likely to be similar to other Australian jurisdictions. The findings of this thesis are, therefore, likely to be generalisable to other Australian police services.

The findings may also be applicable to police services outside of Australia. Police-public interactions are the bedrock of police work, and the literature indicates that the same types of factors that influence police behaviour exist across national boundaries (Chan, 2003; Loftus, 2009; Reiner, 2000; Skogan & Frydl, 2004). If these factors remain consistent, then it is likely that the procedural justice barriers will also be similar. As for data collection being conducted in a single jurisdiction, much of the research on police officer attitudes to procedural justice has also been conducted in a single site (Shaefer & Hughes, 2016; Skogan et al., 2015; Wheller et al., 2013b). As such, it is anticipated that the thesis’ findings will be broadly generalisable outside of the QPS and Australia.

The QPS has attracted international attention in academic circles as being the first police service in the world to conduct a randomised control trial assessing the efficacy of procedural justice policing; the Queensland Community Engagement Trial (Mazerolle, Antrobus, et al., 2013). There is also a stated commitment by the QPS, present within the long-term Strategic Plan, to delivering services with fairness and treating people with respect (Queensland Police Service, 2014). These points suggest that there is organisational support for procedural justice, and so it is possible that the principles are already incorporated into both recruit training and the operational environment. As such, officers may have more familiarity with procedural justice and its principles than in other jurisdictions, which would assist in exploring what is seen by officers as procedural justice barriers.
The selection of QPS as the research site is also the product of timing. Griffith University academics, led by Dr Louise Porter, have conducted a longitudinal survey of police recruits (Bond et al., 2015). That broader study was concerned with identifying factors that influence police use of force. As part of that study, data was collected on recruits’ attitudes to a range of issues. The survey was of a sufficient sample size and breadth that a range of concepts could be modelled from the data. The longitudinal survey is part of a cohort study consisting of one year’s worth of police recruits trained within QPS. These recruits were surveyed in their first two weeks of entering the training academy, were surveyed again at the conclusion of their training six months later, and were followed-up a third time after one year’s service as an operational police officer. This represents a large and generalisable sample from which to examine a range of concepts. It is from this dataset that Study 1 of the current thesis draws. Thus, Study 1 analyses secondary data, while Studies 2 and 3 use primary data collected by the author.

4.4 Ethics
The quantitative survey used in Study 1 of this thesis had received approval prior to the commencement of the thesis. Approval was granted by both the Griffith University Human Research Ethics Committee (Approved number: CCJ/23/12/HREC) and the Queensland Police Service Research Committee to conduct the longitudinal survey of police recruits. The qualitative element of the thesis required separate ethical approval from both Griffith University (Approved No: CCJ/08/15/HREC) and the QPS. This information was also given to the participants in the form of an information sheet (see Appendix A).

4.5 Summary of objectives and methods
The aim of the thesis is to identify and examine the barriers that inhibit or prevent police officers from demonstrating procedural justice to the public. Study 1 assesses how officers’ procedural justice self-assessments change over time, and identify what factors influence these self-assessments at the end of recruit training. Study 1 uses a longitudinal survey to ascertain where the procedural justice barriers are, but not what the barriers are. The following two studies explore in detail what the barriers are. Study 2 examines the barriers to procedural justice in the recruit training environment using a combination of document analysis of recruit training materials, observations of training, and interviews with trainers. Study 3 also examines barriers – this time in the operational environment – using interviews
with officers of varying levels of operational experience. As a consequence, the three studies will identify at what point in an officer’s career procedural justice barriers emerge, what these barriers look like, and a more in-depth understanding of what underlying factors propel these barriers.
Chapter 5 – Study 1

How do procedural justice self-assessments change over time, and what factors influence these assessments?

The aim of the thesis is identify and examine police procedural justice barriers. To achieve this aim, the first task is to ascertain if procedural justice barriers exist. One method of identifying these barriers is by measuring officer attitudes as they change through time. For example, if officers become more negative towards procedural justice over time, then this would suggest that there are barriers that either prevent or inhibit procedural justice policing. Research from the wider policing literature indicates that police attitudes to the public change at two distinct periods of an officer’s career – within recruit training, and following operational experience. Studies suggest that recruit training can increase positive attitudes towards the public (Haarr, 2001; Wortley & Homel, 1995), while operational experience has a uniformly negative effect on officer attitudes towards the public (Chan, 2003; Rosenbaum & Lawrence, 2011). If this same pattern was reflected in officers’ procedural justice attitudes, then this would suggest that there were procedural justice barriers in the operational environment. As such, measuring officer attitudes to procedural justice across the periods of recruit training and operational work are a means of identifying the presence of barriers in these environments.

There are a number of studies that have analysed officer attitudes to procedural justice, each employing different conceptualisations. Studies have measured officer attitudes of the effectiveness of procedural justice in dealing with the public (Bond et al., 2015; Wheller et al., 2013b), police perceptions of public opinion (Nix, 2015), and officer alignment to procedural justice principles (Bates et al., 2015; Skogan et al., 2015). Study 1 will use procedural justice self-assessments; in other words, an officer’s sense of themselves as procedurally just (Bates et al., 2015; Wheller et al., 2013b). Police work is characterised by a large degree of discretion in how frontline officers’ conduct police-public interactions (Bronitt & Stenning, 2011; Reiner, 2000). Hence, this type of work is less amenable to direct observation by supervisors. The organisational mechanisms to identify and rectify procedurally unjust behaviour are limited to responding to public complaints or feedback
from co-workers (Prenzler & Porter, 2014). This means there is an onus on the individual officer to reflect on their own behaviour and make alterations as required. Whilst procedural justice self-assessments are not a measure of officer behaviour, they do provide a means by which to measure procedural justice through the eyes of those tasked with delivering it. Measuring such a concept over time would assist in identifying whether there are barriers in training and the operational environment; barriers that would result in officers seeing themselves as less procedurally just.

Of particular interest to Study 1 is recruit training. It is argued here that how police-public interactions are conducted is influenced by the officer’s knowledge and skills that are developed in the recruit training environment. Recruit training is a formative stage of a police officer’s career in which police organisations, in a closed environment, can instil the attitudes and behaviours expected of a professional police officer (Chan, 2003). However, any evidence-based decisions that can be made regarding recruit training are limited by the paucity of research on this topic (Skogan & Frydl, 2004). As such, it would be of benefit to police organisations to understand what factors influence positive procedural justice self-assessments by recruits, so as to direct their resources in developing officers that identify as procedurally just.

Study 1 examines the following. First, it will measure how police officers’ procedural justice self-assessments and related factors change over time. Measures will be taken to examine two periods of time: 1) from the beginning to the end of recruit training; and 2) from the end of recruit training to the end of one year of operational work. Here, the purpose is to understand how recruit training and operational work affects officers’ sense of themselves as procedurally just. As was discussed in detail in Chapter 3 (Section 3.2.2), prior research suggests that recruit training can improve officer attitudes to the public (Haarr, 2001; Wortley & Homel, 1995), and that operational police work has a negative effect on attitudes (Chan, 2003; Rosenbaum & Lawrence, 2011). Hence, it is hypothesised that recruit training will have a positive effect on procedural justice self-assessments over time, while

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5 It should be noted that Study 1 has been published with my supervisors in Policing and Society (doi: 10.1080/10439463.2017.1290089). 80% of the work was by the researcher, the remaining 20% was by my supervisors.
operational experience will result in a negative effect over time. Such a finding would indicate that there are procedural justice barriers in the operational environment.

Second, Study 1 will identify the factors that predict procedural justice self-assessments at the end of recruit training. Of particular interest are factors that can promote positive procedural justice self-assessments. Hence, the purpose is to identify the factors within recruit training that might contribute to the development of officers who self-assess as being more procedurally just. Based on the review of the literature (Sections 3.2.2 and 3.2.2.1 respectively), five factors are considered: 1) the perceived efficacy of procedural justice; 2) alignment to procedural justice principles; 3) attitudes to the public; 4) attitudes to the use of force; and 5) interpersonal skills self-assessments. It is hypothesised that all factors except the attitudes to use of force will have a positive relationship with procedural justice self-assessments, while officers less in favour of using force will self-assess as more procedurally just. Understanding the relationship between procedural justice self-assessments and these factors will provide insight into how positive procedural justice self-assessments can be best encouraged during recruit training.

5.1 Method

5.1.1 Participants and Procedure

Study 1 utilised survey data collected from a panel sample of Queensland Police Service (QPS) recruits participating in the Police Recruit Operational Vocational Education (PROVE) programme at the Queensland Police Academy in Australia. The sample represented all recruits from a one year cohort\(^6\). Survey data were collected at three points in time: at the commencement of recruit training (Wave 1); at the end of the PROVE programme six months later (Wave 2); and approximately one year after recruits completed the PROVE programme (Wave 3). At Wave 3, all participants had been engaged in operational police work for almost one year. A one year follow-up was chosen because research indicates that officers’ attitudes tend to change quite early during operational experience (Haarr, 2001). Participants were recruited using a short presentation delivered to recruits within their training. It was explicitly stated that participation was voluntary. All surveys were then

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\(^6\) Recruit intakes are staggered throughout the year. During the study period, a new intake occurred every six weeks.
administered online. Wave 1 and 2 participants were provided class time at the Academy to complete the survey\(^7\), while Wave 3 participants were not always granted time in their work day for completing the survey, which would have likely to have contributed to the decreased response rate.

All recruits entering the Academy between March 2013 and March 2014 (approximately 750) were invited to participate. They were provided a link to an online survey, from which 577 completed surveys were received at Wave 1 (response rate=76.9%). Of the 577 surveys received in Wave 1, 501 surveys had sufficient data for analysis for this study. For the Wave 2 survey six months later, all 750 recruits were again invited to participate in the study and 331 surveys were received (response rate=44.1%). The Wave 3 survey was again sent to the original cohort of 750 recruits who had become operational, with 152 responses received (response rate=20.3%). A series of reminder emails were sent to non-responders at each wave to boost response rates.

Where possible, responses were matched across waves, resulting in a total of 220 participants completing both Wave 1 and Wave 2, 72 participants completing both Wave 2 and Wave 3, and 53 participants completing all three Waves. Tests for non-response bias found that there were no significant differences between participants and non-participants at Wave 2 and 3 by gender, age, education, and whether or not they were born in Australia.

Thirty five per cent (35%) of those who responded to the Wave 1 survey were female, 84% were born in Australia, and 21% had a university graduate or postgraduate qualification. The mean age of the sample was 28 years (SD=7.18), with ages at the start of training ranging from 19 to 50 years of age.

### 5.1.2 Measures

The survey items used in this study were adapted from a recruit survey developed through the National Policing Research Platform in the US (Rosenbaum & Lawrence, 2011), except for the items concerning procedural justice self-assessments, which were adapted from the work of Murphy, Murphy and Mearns (2010). Table 5.1 presents the exact wording of the

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\(^7\) Some intakes were not provided class time at Wave 2, which affected the response rate.
items used in this study. The survey was hosted online by Qualtrics and was distributed using a weblink sent to recruits’ official Queensland Police Service email address. The items measuring the concepts of interest were selected from the Wave 1 survey and were subjected to an exploratory factor analysis. Principal Components Analysis was used and Oblimin rotation was applied as it was expected that the factors would correlate with one another. All analyses presented were undertaken using SPSS version 22.

As can be seen in Table 5.1, six distinct factors with Eigenvalues exceeding 1.0 were found in the Wave 1 data: 1) Procedural justice self-assessments; 2) Interpersonal skills self-assessments; 3) Efficacy of procedural justice; 4) Attitudes to use of force; 5) Attitudes to the public; and 6) Alignment to procedural justice principles. All factor loadings in the analysis exceeded 0.5, except for two items that cross-loaded across two factors. Removing the two cross-loaded items left only two items in the ‘Alignment to procedural justice principles’ scale with a Cronbach Alpha of 0.37. The concept was therefore excluded from further analysis.

Each of the remaining five factors were converted into mean score scales and consisted of items measured with a five-point Likert scale (1 = Strongly disagree to 5 = Strongly agree). All scales were computed by adding up scores to each survey item in the scale and dividing by the number of items used to construct each scale (i.e., a mean score scale). Cronbach’s Alpha reliability coefficients for each of the remaining five scales were either well above or approaching 0.70 (see Table 5.1), indicating the scales have moderate to high internal reliability.
Table 5.1 Exploratory factor analysis of items used to construct the scales and Cronbach’s Alpha coefficients

<table>
<thead>
<tr>
<th>Items</th>
<th>Factor</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1</td>
</tr>
<tr>
<td><strong>Interpersonal skills self-assessments (Cronbach Alpha=0.89)</strong></td>
<td></td>
</tr>
<tr>
<td>I have good communication skills.</td>
<td>0.82</td>
</tr>
<tr>
<td>I know how to talk with people.</td>
<td>0.80</td>
</tr>
<tr>
<td>I am good at reading other people’s emotions.</td>
<td>0.77</td>
</tr>
<tr>
<td>I feel confident when using my communications skills.</td>
<td>0.75</td>
</tr>
<tr>
<td>I know how to resolve conflict between people.</td>
<td>0.73</td>
</tr>
<tr>
<td>I know how to make someone comfortable.</td>
<td>0.70</td>
</tr>
<tr>
<td>I know how to use nonverbal cues to communicate my feelings to others.</td>
<td>0.69</td>
</tr>
<tr>
<td><strong>Attitudes to use of force (Cronbach Alpha=0.72)</strong></td>
<td></td>
</tr>
<tr>
<td>Sometimes forceful police actions are very educational for members of the public.</td>
<td>0.83</td>
</tr>
<tr>
<td>Police officers should use force more often to get members of the public to comply.</td>
<td>0.69</td>
</tr>
<tr>
<td>Some people can only be brought to reason the hard, physical way.</td>
<td>0.68</td>
</tr>
<tr>
<td>Members of the public will have more confidence in police if officers use a tough, physical approach on the street.</td>
<td>0.64</td>
</tr>
<tr>
<td><strong>Attitudes to the public (Cronbach Alpha=0.69)</strong></td>
<td></td>
</tr>
<tr>
<td>The community shows a lot of respect for the police.</td>
<td>0.82</td>
</tr>
<tr>
<td>Most members of the public have confidence in the police.</td>
<td>0.78</td>
</tr>
<tr>
<td>The community doesn’t appreciate what police do for them. (REVERSE CODED)</td>
<td>0.61</td>
</tr>
<tr>
<td>Most people are honest.</td>
<td>0.64</td>
</tr>
<tr>
<td>In an emergency, most community members would come to the aid of a police officer who needs assistance.</td>
<td>0.53</td>
</tr>
<tr>
<td><strong>Efficacy of procedural justice (Cronbach Alpha=0.67)</strong></td>
<td></td>
</tr>
<tr>
<td>Officers who are polite to criminal offenders are less likely to get into trouble.</td>
<td>0.84</td>
</tr>
<tr>
<td>Officers who are polite to criminal offenders are less likely to get hurt.</td>
<td>0.81</td>
</tr>
<tr>
<td>Treating angry members of the public with respect increases the community’s confidence in the police service.</td>
<td>0.61</td>
</tr>
<tr>
<td><strong>Procedural justice self-assessments (Cronbach Alpha=0.90)</strong></td>
<td></td>
</tr>
<tr>
<td>I treat people fairly.</td>
<td>-0.79</td>
</tr>
<tr>
<td>I try to be fair when making decisions.</td>
<td>-0.75</td>
</tr>
<tr>
<td>I make decisions based upon facts, not my personal opinions.</td>
<td>-0.73</td>
</tr>
<tr>
<td>I treat people with dignity and respect.</td>
<td>-0.65</td>
</tr>
<tr>
<td>I am always polite when dealing with people.</td>
<td>-0.65</td>
</tr>
<tr>
<td>I respect people’s rights when i make decisions.</td>
<td>-0.63</td>
</tr>
<tr>
<td>I listen to people before making decisions.</td>
<td>-0.62</td>
</tr>
<tr>
<td><strong>Alignment to procedural justice principles (Cronbach Alpha=0.37; not included in study)</strong></td>
<td></td>
</tr>
<tr>
<td>Officers who are polite to criminal offenders are less likely to get intelligence from them.</td>
<td>0.71</td>
</tr>
<tr>
<td>Being respectful is nearly impossible when you are dealing with an offender.</td>
<td>0.30#</td>
</tr>
<tr>
<td>Being concerned about ‘customer service’ shouldn’t be part of a police officer’s job</td>
<td>0.58</td>
</tr>
<tr>
<td>Being nice to criminal offenders can damage an agency’s reputation for toughness.</td>
<td>0.31#</td>
</tr>
<tr>
<td><strong>Eigenvalues</strong></td>
<td>7.8</td>
</tr>
<tr>
<td><strong>Explained variance (%)</strong></td>
<td>25.8</td>
</tr>
</tbody>
</table>

Extraction Method: Principal Component Analysis with Oblimin rotation and Kaiser Normalisation. # Denotes cross-loading.
Procedural justice self-assessments. Procedural justice is often conceived as a two-dimensional concept, consisting of perceived fair treatment and fair decision-making (Tyler, 1990). In this instance, recruits’ procedural justice self-assessments were measured as a single scale comprising seven items (see Table 5.1), with a higher mean score representing stronger agreement that they perceived themselves as procedurally just (see Table 5.2).

Interpersonal skills self-assessments. The second self-assessment measure was recruits’ perception of themselves as having good interpersonal skills. A total of seven items were included in the scale, with a higher score indicating stronger agreement that they believed they had good interpersonal skills.

Efficacy of procedural justice. This scale measures the extent to which officers believe procedurally just approaches to be effective in gaining confidence and/or compliance and cooperation from the public. The concept consisted of three items, with a higher score indicating stronger agreement that procedural justice is effective.

Attitudes to use of force. A concept antithetical to the principles of procedural justice was recruit attitudes to the use of force. Higher scores on the four-item scale indicated stronger agreement and support for using physical force when dealing with the public.

Attitudes to the public. The fifth and final scale measured recruits’ attitudes to the public, with higher scores on the scale indicating more favourable opinions about the public. The scale consisted of four items.

Control variables. Several demographic variables were also measured in the survey and served as control variables. These were age, gender (0=female; 1=male), whether the recruit was born in Australia (0=no; 1=yes), and the highest level of educational achievement attained. Education was recoded into a dummy variable, distinguishing between those participants that had attained a graduate/postgraduate university qualification or not.

5.1.3 Analysis

Three types of statistical analysis were used: factor analysis; T-tests; and regression analysis. The purpose for using factor analysis was to identify and develop a number of suitable scales from the data (Field, 2009). In addition, the factor analysis was used to establish that
procedural justice self-assessments and related factors were empirically distinct concepts. Exploratory Factor Analysis was used because the concept of procedural justice self-assessments has not been examined much in the literature to date; Confirmatory Factor Analysis was rejected because it is more suited to verifying established concepts and factors. The survey also contained a large number of items concerning officer attitudes and perceptions. It was expected that a number of underlying factors would be related to one another, and so oblique (Oblimin) rotation was employed.

Study 1 first measures how procedural justice self-assessments and related factors change over time. The survey data are items measured on five point Likert scales, with recruits being measured at three different points in time. As such, paired samples T-tests are suitable because they are designed to measure statistically significant change in samples consisting of the same participants. An ANOVA was originally considered, however the attrition rate between Wave 2 and 3 did not meet the preconditions of the test.

Study 1 also identifies the factors that predict procedural justice self-assessments at the end of recruit training. Study 2 used a regression model to predict the dependent variable (e.g., procedural justice self-assessments at the end of training) from a set of independent variables (e.g., demographics; interpersonal skills self-assessments; attitudes to the public; attitudes to use of force; efficacy of procedural justice; and alignment to procedural justice principles). The advantage of a regression model is that the model can incorporate the variables from both Wave 1 and 2, and so estimate the predictive value of both sets of variables on procedural justice self-assessments at the end of recruit training. The model used was an Ordinary Least Squares regression, thereby allowing the researcher to enter the variables in chronological order and test the predictive value of each step sequentially.

5.2 Results

5.2.1 Descriptive statistics and bivariate correlations

Table 5.2 contains the mean scores and standard deviations for each of the measures described in the section above, as well as the bivariate correlations between each measure. Scales were computed for data collected in Waves 1, 2 and 3; demographic data was collated from Wave 1 data. On average, recruits saw themselves as procedurally just and
having good interpersonal skills across all three waves, with an average score above four on the five-point scale. Recruits also had favourable attitudes to the public and perceived procedural justice as an effective means of gaining public confidence/compliance. The lowest mean score was for attitudes to the use of force, with a mean score of 3.01 on a 1 to 5 scale suggesting that recruits’ attitudes are, on average, neither supportive nor dismissive of using force.

Turning to the bivariate relationships, procedural justice self-assessments at Wave 2 were found to have a strong positive association with Wave 2 interpersonal skills, and a weak positive association with Wave 2 perceived efficacy of procedural justice. In other words, recruits that self-assess as procedurally just at the end of training were also more likely to self-assess as having good interpersonal skills, and to a lesser extent perceive procedural justice as an effective method of gaining public confidence/compliance. Also of note is that the procedural justice self-assessment scale is the only Wave 2 concept that does not have a significant relationship with its Wave 1 equivalent, suggesting procedural justice self-assessments at the beginning of recruit training are not related to future self-assessments.
# Table 5.2 Means, standard deviations and bivariate correlations for all measures

<table>
<thead>
<tr>
<th>Measure</th>
<th>Mean</th>
<th>SD</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
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<th>7</th>
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<th>16</th>
<th>17</th>
<th>18</th>
<th>19</th>
<th>20</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Procedural justice (Wave 2)</td>
<td>4.14</td>
<td>0.63</td>
<td>1.00</td>
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<tr>
<td>2. Procedural justice (Wave 1)</td>
<td>4.34</td>
<td>0.42</td>
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<tr>
<td>3. Interpersonal skills (Wave 1)</td>
<td>4.16</td>
<td>0.43</td>
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<tr>
<td>4. Efficacy of PJ (Wave 1)</td>
<td>3.55</td>
<td>0.69</td>
<td></td>
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<tr>
<td>5. Attitudes to use of force (Wave 1)</td>
<td>3.01</td>
<td>0.68</td>
<td>-0.10</td>
<td>-0.10</td>
<td>0.02</td>
<td>-0.12</td>
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<tr>
<td>6. Attitudes to the public (Wave 1)</td>
<td>3.36</td>
<td>0.60</td>
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<tr>
<td>7. Interpersonal skills (Wave 2)</td>
<td>4.05</td>
<td>0.67</td>
<td>0.76**</td>
<td>0.18</td>
<td>0.18</td>
<td>0.06</td>
<td>-0.10</td>
<td>0.13</td>
<td>1.00</td>
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<tr>
<td>8. Efficacy of PJ (Wave 2)</td>
<td>3.52</td>
<td>0.56</td>
<td>0.18</td>
<td>-0.05</td>
<td>-0.04</td>
<td>0.43**</td>
<td>-0.05</td>
<td>0.09</td>
<td>0.15</td>
<td>1.00</td>
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<tr>
<td>9. Attitudes to use of force (Wave 2)</td>
<td>2.89</td>
<td>0.57</td>
<td>-0.12</td>
<td>-0.06</td>
<td>-0.02</td>
<td>-0.03</td>
<td>0.50**</td>
<td>-0.13</td>
<td>-0.03</td>
<td>-0.04</td>
<td>1.00</td>
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<tr>
<td>10. Attitudes to the public (Wave 2)</td>
<td>3.32</td>
<td>0.57</td>
<td>0.03</td>
<td>-0.11</td>
<td>-0.08</td>
<td>0.05</td>
<td>-0.16</td>
<td>0.47**</td>
<td>0.05</td>
<td>0.07</td>
<td>-0.27**</td>
<td>1.00</td>
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<tr>
<td>11. Procedural justice (Wave 3)</td>
<td>4.16</td>
<td>0.33</td>
<td>-0.06</td>
<td>0.17</td>
<td>0.14</td>
<td>0.05</td>
<td>0.01</td>
<td>-0.03</td>
<td>-0.04</td>
<td>-0.13</td>
<td>-0.03</td>
<td>-0.09</td>
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<tr>
<td>12. Interpersonal skills (Wave 3)</td>
<td>4.07</td>
<td>0.34</td>
<td>-0.12</td>
<td>0.14</td>
<td>0.48**</td>
<td>-0.14</td>
<td>0.07</td>
<td>0.00</td>
<td>0.07</td>
<td>-0.24</td>
<td>0.06</td>
<td>0.00</td>
<td>0.65**</td>
<td>1.00</td>
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<tr>
<td>13. Efficacy of PJ (Wave 3)</td>
<td>3.61</td>
<td>0.62</td>
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<tr>
<td>14. Attitudes to use of force (Wave 3)</td>
<td>2.84</td>
<td>0.51</td>
<td>-0.20</td>
<td>0.03</td>
<td>0.28</td>
<td>-0.26</td>
<td>0.59**</td>
<td>-0.24</td>
<td>-0.12</td>
<td>-0.12</td>
<td>0.59**</td>
<td>-0.14</td>
<td>-0.06</td>
<td>0.08</td>
<td>-0.32**</td>
<td>1.00</td>
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<tr>
<td>15. Attitudes to the public (Wave 3)</td>
<td>3.30</td>
<td>0.50</td>
<td>-0.12</td>
<td>-0.03</td>
<td>-0.05</td>
<td>-0.20</td>
<td>-0.22</td>
<td>0.43**</td>
<td>-0.12</td>
<td>-0.14</td>
<td>-0.24</td>
<td>0.35**</td>
<td>0.01</td>
<td>0.03</td>
<td>0.08</td>
<td>-0.18</td>
<td>1.00</td>
<td></td>
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</tr>
<tr>
<td>16. Gender (0=female; 1=male)</td>
<td>0.65</td>
<td>0.48</td>
<td>0.01</td>
<td>-0.05</td>
<td>-0.09</td>
<td>0.02</td>
<td>0.32**</td>
<td>-0.11</td>
<td>-0.04</td>
<td>-0.03</td>
<td>0.32**</td>
<td>-0.14</td>
<td>0.02</td>
<td>0.09</td>
<td>-0.21</td>
<td>0.35**</td>
<td>-0.15</td>
<td>1.00</td>
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<tr>
<td>17. Age</td>
<td>28.25</td>
<td>7.18</td>
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<tr>
<td>18. Australian born (0=no; 1=yes)</td>
<td>1.16</td>
<td>0.37</td>
<td>0.07</td>
<td>-0.01</td>
<td>-0.02</td>
<td>-0.05</td>
<td>0.06</td>
<td>0.03</td>
<td>-0.01</td>
<td>-0.05</td>
<td>-0.06</td>
<td>0.02</td>
<td>-0.11</td>
<td>-0.01</td>
<td>0.15</td>
<td>0.32**</td>
<td>-0.01</td>
<td>-0.03</td>
<td>0.14</td>
<td>1.00</td>
<td></td>
<td></td>
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<tr>
<td>19. University educated (0=not University educated; 1=University educated)</td>
<td>0.21</td>
<td>0.41</td>
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</tbody>
</table>

* significant at p<0.05  
** significant at p<0.01
5.2.2 How do procedural justice self-assessments and related factors change over time?

In order to examine whether participants’ attitudes changed over time, a series of repeated measures T-tests were conducted to assess how ‘time’ (the independent variable: Wave 1 vs 2, and Wave 2 vs 3 respectively) affected the outcome variables of interest. Table 5.3 presents the comparisons between the Wave 1 and 2 data, while Table 5.4 presents the comparisons between the Wave 2 and 3 data.

As can be seen in Table 5.3, the mean scores for three variables decreased significantly during the recruit training period: self-assessed procedural justice; self-assessed interpersonal skills; and attitudes supporting use of force. There was a statistically significant decrease in the scores from Wave 1 to 2 for: self-assessed procedural justice (t(161)=3.49, p=<0.01); for interpersonal skills (t(162)=2.02, p=<0.05); and attitudes to use of force (t(168)=2.30, p =<0.05). The effect sizes for self-assessed procedural justice (d=0.27), interpersonal skills (d=0.16), and attitudes to use of force (d=0.18) were small. After Bonferroni adjustment, only the first comparison remained significant.

Table 5.3 Comparisons of officers’ mean attitude scores between Wave 1 and 2 using repeated measures T-tests

<table>
<thead>
<tr>
<th></th>
<th>Wave 1</th>
<th>Wave 2</th>
<th>n</th>
<th>t</th>
<th>Cohen’s d</th>
</tr>
</thead>
<tbody>
<tr>
<td>Self-assessment of procedural justice</td>
<td>4.34</td>
<td>0.42</td>
<td>4.14</td>
<td>0.63</td>
<td>162</td>
</tr>
<tr>
<td>Self-assessment of interpersonal skills</td>
<td>4.16</td>
<td>0.43</td>
<td>4.05</td>
<td>0.67</td>
<td>163</td>
</tr>
<tr>
<td>Efficacy of procedural justice</td>
<td>3.55</td>
<td>0.69</td>
<td>3.52</td>
<td>0.56</td>
<td>167</td>
</tr>
<tr>
<td>Attitudes to use of force</td>
<td>3.01</td>
<td>0.68</td>
<td>2.89</td>
<td>0.57</td>
<td>169</td>
</tr>
<tr>
<td>Attitudes to the public</td>
<td>3.36</td>
<td>0.60</td>
<td>3.32</td>
<td>0.57</td>
<td>176</td>
</tr>
</tbody>
</table>

*p<0.05; **p<0.01 (Bonferroni correction)

Table 5.4 details the differences in Wave 2 and 3 mean scores and t-test results comparing mean scores for the five constructs. Interestingly, none of the variables changed significantly between the end of recruit training and after one year of operational policing experience. The findings indicate that changes in attitudes took place within the recruit training period rather
than in the operational environment; this means the hypothesis that the operational environment would lead to negative change was rejected.

Table 5.4 Comparisons of officers’ mean attitude scores between Wave 2 and 3 using repeated measures T-tests

<table>
<thead>
<tr>
<th></th>
<th>Wave 2</th>
<th>Wave 3</th>
<th>n</th>
<th>t</th>
<th>Cohen’s d</th>
</tr>
</thead>
<tbody>
<tr>
<td>Self-assessment of procedural justice</td>
<td>4.17*</td>
<td>4.16</td>
<td>55</td>
<td>0.11</td>
<td>-</td>
</tr>
<tr>
<td>Self-assessment of interpersonal skills</td>
<td>4.05</td>
<td>4.07</td>
<td>56</td>
<td>-0.22</td>
<td>-</td>
</tr>
<tr>
<td>Efficacy of procedural justice</td>
<td>3.57</td>
<td>3.61</td>
<td>61</td>
<td>-0.35</td>
<td>-</td>
</tr>
<tr>
<td>Attitudes to use of force</td>
<td>2.86</td>
<td>2.84</td>
<td>61</td>
<td>0.28</td>
<td>-</td>
</tr>
<tr>
<td>Attitudes to the public</td>
<td>3.39</td>
<td>3.30</td>
<td>67</td>
<td>1.39</td>
<td>-</td>
</tr>
</tbody>
</table>

*p<0.05; **p<0.01 (Bonferroni correction)

5.2.3 What factors predict positive procedural justice self-assessments at the end of recruit training?

Study 1 also sought to identify what factors predicted recruits’ self-assessments of procedural justice at the end of recruit training (Wave 2). It was found in the prior section that recruit training, and not operational experience, significantly affected procedural justice self-assessments (in the negative direction). Hence, it was decided to focus on procedural justice self-assessments at the end of recruit training (Wave 2) as the dependent variable. This allowed further exploration of the change within the recruit training environment and, in particular, to consider what factors might promote positive officer procedural justice self-assessments at this stage of an officers’ career.

To address this purpose, an Ordinary Least Squares regression model was undertaken (see Table 5.5). Demographic data were entered into the model at Step 1 as controls, Wave 1 variables were entered at Step 2, and then Wave 2 variables were entered at Step 3 to predict

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8 The Wave 2 means reported in Table 5.4 differ slightly from the Wave 2 mean scores reported in Table 5.2 due to a different sample size being used to undertake repeated measures analysis of data.
procedural justice self-assessments at Wave 2 (i.e., the end of recruit training). In this way it can be deduced to what extent attitudes at the beginning and end of recruit training predict recruits’ sense of themselves as being procedurally just by the end of training, while controlling for demographic factors.

Table 5.5 OLS regression analysis using procedural justice self-assessments (Wave 2) as the dependent variable

<table>
<thead>
<tr>
<th>Predictor</th>
<th>Step 1</th>
<th></th>
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<th>Step 2</th>
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<th></th>
<th>Step 3</th>
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<tbody>
<tr>
<td></td>
<td>B</td>
<td>SE</td>
<td>b</td>
<td>B</td>
<td>SE</td>
<td>b</td>
<td>B</td>
<td>SE</td>
</tr>
<tr>
<td><strong>Step 1</strong></td>
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<td></td>
</tr>
<tr>
<td>Constant</td>
<td>3.85**</td>
<td>0.29</td>
<td></td>
<td>2.55*</td>
<td>0.96</td>
<td></td>
<td>1.41*</td>
<td>0.66</td>
</tr>
<tr>
<td>Gender</td>
<td>0.00</td>
<td>0.12</td>
<td>0.00</td>
<td>0.03</td>
<td>0.13</td>
<td>0.02</td>
<td>0.08</td>
<td>0.08</td>
</tr>
<tr>
<td>Age</td>
<td>0.01</td>
<td>0.01</td>
<td>0.06</td>
<td>0.00</td>
<td>0.01</td>
<td>0.03</td>
<td>0.00</td>
<td>0.01</td>
</tr>
<tr>
<td>Born in Australia</td>
<td>0.11</td>
<td>0.15</td>
<td>0.07</td>
<td>0.13</td>
<td>0.15</td>
<td>0.08</td>
<td>0.15</td>
<td>0.09</td>
</tr>
<tr>
<td>University educated</td>
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<td>0.15</td>
<td>-0.03</td>
<td>-0.08</td>
<td>0.15</td>
<td>-0.05</td>
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<td>Self-assessment of procedural justice (Wave 1)</td>
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<td></td>
<td></td>
<td>0.32</td>
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<td>0.19</td>
<td>0.24#</td>
<td>0.12</td>
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<td></td>
<td>-0.13</td>
<td>0.21</td>
<td>-0.08</td>
<td>-0.32*</td>
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</tr>
<tr>
<td>Efficacy of procedural justice (Wave 1)</td>
<td></td>
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<td>0.09</td>
<td>0.08</td>
<td>0.02</td>
<td>0.06</td>
</tr>
<tr>
<td>Attitudes supporting use of force (Wave 1)</td>
<td></td>
<td></td>
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<td>0.10</td>
<td>-0.03</td>
<td>0.06</td>
<td>0.07</td>
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<tr>
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<td>0.11</td>
<td>0.09</td>
<td>0.02</td>
<td>0.07</td>
<td>0.02</td>
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<td></td>
</tr>
<tr>
<td>Self-assessment of interpersonal skills (Wave 2)</td>
<td></td>
<td></td>
<td></td>
<td>0.73**</td>
<td>0.05</td>
<td>0.79</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Efficacy of procedural justice (Wave 2)</td>
<td></td>
<td></td>
<td></td>
<td>0.11</td>
<td>0.07</td>
<td>0.09</td>
<td></td>
<td></td>
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<tr>
<td>Attitudes supporting use of force (Wave 2)</td>
<td></td>
<td></td>
<td></td>
<td>-0.18*</td>
<td>0.07</td>
<td>-0.17</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Attitudes to the public (Wave 2)</td>
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<td></td>
<td></td>
<td>-0.07</td>
<td>0.07</td>
<td>-0.06</td>
<td></td>
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</tr>
</tbody>
</table>

|          | R²     | 0.01     |          | 0.05     |          | 0.67     |
|          | Adjusted R² | -0.02   |          | -0.01    |          | 0.63     |
|          | R² change | 0.01     |          | 0.04     |          | 0.62     |
|          | F       | 0.33     |          | 0.81     |          | 19.12**  |
|          | F change | 0.33     |          | 0.48     |          | 18.31**  |

*p<0.05; **p<0.01; #p<0.06

The predictors entered into the regression model in Step 1 and Step 2 explained only a very small percentage of the variance in the procedural justice self-assessment dependent variable.
at Wave 2. The inclusion of the Wave 2 variables in Step 3, however, greatly increased the percentage of variance explained in the model. Inclusion of the Wave 2 items at Step 3 accounted for 63% of the variance in the dependent variable.

From Step 3, it can be seen that only three items significantly predicted procedural justice self-assessments at the end of recruit training. The hypothesis that the efficacy of procedural justice and attitudes to the public would positively predict procedural justice self-assessments was rejected. They were self-assessments of interpersonal skills at both Wave 1 and 2, and attitudes to use of force at Wave 2. Of these variables, self-assessed interpersonal skills at Wave 2 had the largest predictive value (B=0.73, p<0.01); those recruits who felt they had stronger interpersonal skills at Wave 2 were also more likely to say they were procedurally just at Wave 2. Interestingly, lower self-assessed interpersonal skills at the beginning of recruit training predicted higher procedural justice self-assessments at the end of training (B=-0.32, p<0.05). Recruit attitudes to police use of force at Wave 2 also predicted procedural justice self-assessments at the end of recruit training, with recruits less in favour of police use of force at the end of training also more likely to self-assess as procedurally just at the end of training (B=-0.18, p<0.05). Finally, one additional item came close to reaching significance at Step 3. The Wave 1 procedural justice self-assessment measure was positively associated with the Wave 2 procedural justice self-assessment measure (B=0.24, p<0.06). Hence, new recruits who viewed themselves as more procedurally just at Wave 1 were close to being significantly more likely to indicate that they were procedurally just at the end of recruit training.
5.3 Discussion

Recruit training is where officers learn the core skills of policing, from which officers are then expected to learn on-the-job in the operational environment. Central to improving their policing skills is the ability to self-reflect on their behaviour and adjust as necessary (Wheller & Morris, 2010). This is especially important because officers have a large degree of discretion in how they deal with the public (Bronitt & Stenning, 2011; Reiner, 2000) and there are limited organisational mechanisms for identifying poor police-public interactions (Prenzler & Porter, 2014). With interest growing in applying procedural justice principles into police practice, Study 1 has focused on one particular type of self-reflection of procedural justice; that is, officers’ procedural justice self-assessments. The value of such a self-assessment is that it can be used to measure how procedural justice changes over time, and so identify at what point in an officer’s career there may be procedural justice barriers. First, the study measured how procedural justice self-assessments and related factors changed over time (from entry to recruit training, at the end of recruit training, and one year into operational police experience). Second, the study identified the factors that predicted positive procedural justice self-assessments at the end of recruit training.

Based on prior research indicating the positive effects of recruit training and negative effects of operational experience on officer attitudes to the public (Chan, 2003; Wortley & Homel, 1995), it was hypothesised that these results would also apply to procedural justice self-assessments in the current study. Specifically, procedural justice self-assessments were expected to become more positive between the beginning and end of recruit training, and more negative between the end of training and after one year of operational experience. Contrary to expectations, it was found that, though these self-assessments remained high, procedural justice self-assessments actually decreased during the course of recruit training, and did not change once recruits had transitioned to operational police work. Both of these hypotheses were rejected.

9 A potential explanation for the lack of change between Wave 2 and 3 is the attrition rate (see Section 5.1.1). Two-thirds of those officers that participated in Wave 2 did not complete a survey at Wave 3. However, tests of
In addition, it was also found interpersonal skills self-assessments become more negative, as did officers’ support for using force on the public, though the effect sizes for each of these variables were small.

At first glance it seems that decreases in both self-assessed interpersonal skills and procedural justice indicate recruit training may not be working as intended in some areas. This finding is counterbalanced by officers becoming more negative towards using force than when they began training. Police organisations want to produce officers who are confident in their ability to communicate and demonstrate fairness. The negative changes in self-assessments presented above suggest that the opposite might occur; that there may in fact be procedural justice barriers in recruit training.

There are a number of explanations for the changes in these three concepts. Perhaps it is the case that the change in officers’ attitudes is a necessary consequence of preparing recruits for police work. For example, we know from prior research that, compared to the public, officers tend to see procedural justice as less important (Sivasubramaniam & Heuer, 2007). In the training environment, recruits learn that other factors – enforcing the law, gathering evidence, and ensuring the safety of themselves and others – are extremely important to the job. It might be the case, therefore, that recruits come to learn that priority should be given to these other tasks before procedural justice. As such, a procedural justice barrier could be how recruits are trained to perform police work.

Another explanation for the findings is how recruits learn the role of a police officer, and how this may lead recruits to re-evaluate their opinions on these issues. The social role of a police officer is to enforce the law and keep the peace, using their interpersonal skills to gather evidence from witnesses and victims, control violent situations, and deal with queries from the public (Mclean & Hillier, 2011). The interpersonal skills officers use go beyond what a typical member of the public will use on a day-to-day basis; police officers use a combination of

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non-response bias found there to be no difference between participants and non-participants at Wave 2 and 3 by gender, age, education, and whether or not they were born in Australia.
requests, commands, and threats as a means of obtaining compliance from the public (Terrill, 2003). It may be that recruit training provides feedback on recruits choice of, and competence in, using their interpersonal skills and demonstrating procedural justice that leads recruits to re-evaluate their own proficiency in this area. The impact of this knowledge may then lead to their procedural justice and interpersonal skill self-assessments becoming more negative by the end of recruit training. In this way, the negative change would be the result of recruits having a more realistic evaluation of their own skills.

It is likely that recruits practice how to conduct police-public interactions; role-plays are suited to practicing interpersonal skills, and are typically used in other areas of police training like use of force (Chan, 2003; Fyfe, 1996). Not only can such methods give recruits a better understanding on their ability to communicate with the public, it may also be that such role-plays have educated them for what degree of procedural justice or interpersonal skills they are expected to use in these police-public interactions. The decrease in self-assessments may, therefore, be more in line with the organisational expectations on them as police officers, and the opportunities they have been afforded to incorporate procedural justice and interpersonal skills into their repertoire.

As noted above, attitudes to the use of force also changed during recruit training. Recruits were less in favour of using force by the end of recruit training, which does lend itself to the hypothesis that attitudes to the public would become more positive in training, notwithstanding that the actual ‘attitudes to public’ in Study 1 did not change. One explanation for the negative change is that recruits became more aware of the risks to themselves and others of using physical force against the public, and so this knowledge led recruits to be less in favour of using force.

In contrast to Oberfield’s (2012) study, these attitudes did not change further after completing one year of operational work. In Oberfield’s study, recruits’ attitudes became more negative after two years of operational experience. The difference in results could be accounted for by the difference between one year in the current study and two years of operational experience.
in the Oberfield study. Perhaps with a further follow-up of the officer cohort, change might occur.

With attitude change taking place exclusively within the recruit training period in the current study, attention was focused on identifying the factors that might predict recruits’ positive procedural justice self-assessments by the end of training. If police organisations wish to encourage the development of officers that identify as procedurally just, then understanding what factors influence this at the end of training would be of assistance to police agencies. Three variables were found to predict recruits’ procedural justice self-assessments at the end of recruit training. These variables were interpersonal skills self-assessments at the beginning and end of training, and attitudes to the use of force at the end of training.

Self-assessed interpersonal skills at both Waves 1 and 2 were the largest predictors of procedural justice self-assessments at the end of training. Police are trained to use a range of interpersonal skills within police-public interactions to achieve their goals (Roberts & Davies, 2011), and so these skills are the primary means of demonstrating procedural justice to the public. By extension, the degree to which an officer self-assesses as demonstrating procedural justice is likely to be linked to what degree they self-assess as a good communicator. The reason this finding is important is because some procedural justice training interventions have sought to encourage procedural justice policing through changing officers attitudes to the public and procedural justice (Shaefer & Hughes, 2016; Skogan et al., 2015), rather than developing officers’ procedural justice skills (Wheller et al., 2013b). The finding from Study 1 indicates that if police organisations wish to develop police officers who identify as procedurally just, improving recruits’ confidence and competence in their interpersonal skills might be more effective than delivering training designed to increase positive attitudes to the public or training that focuses on the effectiveness of procedural justice.

One finding that does need further explanation, however, is why participants with lower self-assessed interpersonal skills at the start of training were more likely to have higher procedural justice self-assessments by the end of recruit training, while recruits with higher interpersonal
skills self-assessments at the end of training had *higher* procedural justice self-assessments. Perhaps recruits with lower self-assessed interpersonal skills at the beginning of training had identified greater scope for improvement in their skills, and that by the end of training had developed confidence in their interpersonal skills and felt more able to act in a procedurally just way. Though this study cannot demonstrate true causal relationships between the key variables, the relationships between our variables indicate that interpersonal skills are an important contributor to police officers seeing themselves as procedurally just.

The final construct that predicted recruits’ self-assessed use of procedural justice was attitudes to the use of force. The study found that recruits with less supportive attitudes to the use of force were more likely to self-assess as procedurally just at the end of recruit training. Procedural justice scholarship is often concerned with explaining how interactions with members of the public can result in voluntary compliance (Tyler, 1990). In contrast, police use of force is concerned with *coerced* compliance during an actual encounter. Attitudes supportive of the use of force are diametrically opposed to the principles of procedural justice. The finding indicates that encouraging positive procedural justice self-assessments may be assisted by challenging officers’ preferences for using physical force. It is also interesting to note that the perceived efficacy of procedural justice approaches had no predictive value on procedural justice self-assessments at the end of recruit training. This is of relevance to police organisations. The finding suggests that changing attitudes to the use of force may have a stronger relationship with officers’ procedural justice self-assessments than changing their views about the effectiveness of procedural justice.

### 5.3.1 Conclusion

The purpose of Study 1 was to assess how recruits’ procedural justice self-assessments change over time, and identify what factors influence these self-assessments at the end of recruit training. This study found recruit training appears to be a site where attitudes change, and those changes are likely a consequence of developing a more realistic outlook on the nature of police work. The change in these attitudes, though the self-assessments and associated factors
remained high, does suggest that there are elements in recruit training that are leading officers to see themselves as less procedurally just than when they started training. What was surprising was that, against expectations, attitudes did not change to a significant degree for the same participants after one year of operational experience. As such, Study 1 suggests that there may be barriers that occur within recruit training, but as yet it is unclear what those barriers may be. In addition, if police organisations wish to develop officers who identify as procedurally just, then the study suggests that a more effective approach would be for police organisations to focus on improving recruits’ interpersonal skills rather than changing their attitudes to the public or changing their views regarding the perceived efficacy of procedural justice.

Based on the key findings of Study 1, the purpose of Chapter 6 is to identify the barriers in the recruit training environment that might explain the negative change in procedural justice and interpersonal skills self-assessments found in Study 1. The next chapter will identify the presence of procedural justice principles in recruit training, and examine the structure and content of interpersonal skills training that recruits receive.
Chapter 6 – Study 2

Examining the barriers to procedural justice in the recruit training environment

The objective of Study 1 was to assess how recruits’ procedural justice self-assessments changed over time, and to identify what factors influence these self-assessments. The study found that recruits’ sense of themselves as procedurally just, as well as their assessment of their interpersonal skills, became more negative by the end of recruit training. The study also found that interpersonal skills self-assessments strongly predicted procedural justice self-assessments, suggesting that recruits’ procedural justice could be improved by enhancing their interpersonal skills. Both sets of findings indicate that there are procedural justice barriers within recruit training that are leading recruits to see themselves as less procedurally just by the end of their training, and that these factors are likely to be related to how recruits are trained to use their interpersonal skills.

Recruit training is where officers receive the fundamental knowledge and skills to be an officer of the law. It is also where recruits learn how to deal with the public and potentially demonstrate procedural justice. A potential barrier to police use of procedural justice is the degree to which the principles of procedural justice are integrated (or not) into the training recruits receive in how to deal with the public. How recruits learn to deal with the public will also involve interpersonal skills training. How recruits are trained to use their interpersonal skills may also influence the degree to which they see themselves as procedurally just.

The objective of Study 2 is to examine the potential procedural justice barriers that may arise in the recruit training environment. To achieve this objective recruit training will be examined; first, to identify the presence of procedural justice principles in recruit training and, second, to examine the interpersonal skills training recruits receive.

This chapter begins with an overview of two potential barriers specific to police recruit training: 1) the methods employed to teach procedural justice and interpersonal skills, and 2) the influence of the trainer’s comportment towards the topics. From there, the chapter will
summarise the structure and content of the Queensland Police Service’s (QPS) recruit training. Following this, the method section will detail the sampling, data collection, and coding framework employed to deal with the collected data in Study 2. The results section will then detail the presence (or absence) of procedural justice principles in recruit training, as well as the structure and content of interpersonal skills training in this environment. Finally, the discussion section will consider how this confluence of issues results in procedural justice barriers within the recruit training environment.

6.1 Barriers specific to recruit training delivery

The literature review in Chapter 3 (Section 3.5.1) discussed the potential influences of recruit training on police officer behaviour. Whilst this body of literature has been characterised as lacking sufficient studies to draw robust conclusions on its impact on behaviour (Skogan & Frydl, 2004), there remains literature from other training topics that is pertinent. This section will discuss two specific issues that could affect recruits interpersonal skills and procedural justice self-assessments. First, the methods used to train officers, and second, the individual trainers’ attitude to the principles of procedural justice and their delivery of those principles.

Literature outside of the police training context suggests there are five types of training methods: direct; indirect; interactive; experiential; and independent (Saskatchewan, 1991, p.13). Direct instruction consists of lectures and explicit teaching, and is typically used to provide information. Indirect instruction uses reflective discussion, guided inquiry, and problem-solving to allow participants to learn from their mistakes and to build their own understandings of the material. Interactive instruction consists of discussions and sharing amongst participants to organise their thoughts and develop rational arguments. Experiential learning uses roleplays and other forms of ‘hands-on’ experience to produce practical understandings that can be applied to other contexts. Finally, independent study uses extra-curricular activities like homework to develop participant initiative and self-reliance.

Of particular interest to this thesis is the degree to which experiential learning is used in the police recruit training curriculum. Research suggests that experiential learning techniques have
a positive and significant effect on learning (Burch et al., 2014). Experiential learning is suited to police-public interactions because officers need to apply their skills to a wide variety of situations in the field where they will have a large amount of factors to consider. Experiential learning – which includes case studies, roleplays, and simulations – allows recruits to put into practice their skills in a safe environment. There is evidence to suggest that experiential learning is used elsewhere in police recruit training – typically as a form of assessment and in ‘use of force’ training (Chan, 2003; Fyfe, 1996). However, procedural justice skills training is still in the process of being adapted into a syllabus of demonstrable behaviours (Fildes & Thompson, 2016; Mastrofski et al., 2016); a potential barrier to the use of procedural justice in operational environments is, therefore, the lack of experiential learning techniques used to teach procedural justice and interpersonal skills.

Aside from the mode of delivery, a further factor perhaps affecting how recruits view procedural justice is how training is delivered by police trainers. Studies of one-off police training packages have found marked differences between training materials and how those materials are actually delivered; trainers were found to often deliver materials in such a way that undermined the key messages of the training (Hoggett & Stott, 2010; Rosenbaum & Lawrence, 2011). In some respects the use of procedural justice and interpersonal skills stands opposed to traditional notions of police culture as harbouring negative attitudes to the public (Chan, 2003; Loftus, 2009). There is the potential, therefore, for procedural justice and interpersonal skills training to be undermined by trainers that reject the notion that these skills are important. As such, Study 2 will examine how recruit trainers deliver material in the syllabus, but will also identify to what degree the training employs experiential methods.

6.2 QPS recruit training structure

Recruit training for the Queensland Police Service (QPS) is conducted over a period of 25 weeks. Training is divided into three Phases, each of which contains a set of training modules. The three Phases run consecutively, beginning with the basic knowledge and skills required of a police officer in Phase 1, and building towards dealing with more complex incidents like domestic violence and mental health in Phase 3. A module takes one of two forms – training
recruits in transferable skills to be used across all types of incidents (e.g., communication or report writing), or training in how to deal with specific types of incidents (e.g., liquor offences or street checks).

There are two sets of modules that stand outside the three Phases – Investigative Interviewing and Use of Force. Investigative Interviewing covers how to conduct police interviews with the public, and typically takes place between the end of Phase 2 and the beginning of Phase 3. The Use of Force modules train recruits in the decision-making and application of physical force. Use of Force modules are interspersed throughout the 25 weeks of recruit training. Whereas the other sets of modules are delivered by the Recruit Training Unit, the Use of Force modules are delivered by the Policing Skills Section of QPS.

The three Phases and the two additional sets of modules discussed above comprise 65 modules. Table 6.1 presents each of the 65 modules taught at the QPS training academy and where in the schedule (Phase 1 to 3) each module is delivered.

Recruits are required to pass assessments for each Phase, as well as for Investigative Interviewing and Use of Force. There are three types of assessment used within training: formal examinations; online quizzes; and Scenario Based Assessments. Of particular interest to the current study are the Scenario Based Assessments (SBAs). Such assessments are used to evaluate recruits’ skills in dealing with the public using a roleplay of an incident. Recruits are required to roleplay as an officer attending the incident, and to obtain control of the situation.

There are three categories of training that have not been included in this framework. The first is firearms training. The module has been excluded because it concerns weapon handling and firing, and contains no content on conducting police-public interactions. Second, driver training covers defensive driving and the considerations for driving at high speed. Driver training is conducted by specialist trainers outside the Recruit Training Unit and is not relevant to the current study of police-public interactions. The third is watch-house observations, where recruits are assigned to a police station to witness police work first-hand. The incidents and types of police-public interactions recruits will observe vary considerably by the watch-house they are assigned to, and do not constitute formal training in conducting police-public interactions. On this basis, watch-house observations have also been excluded from the framework.
ascertain what laws have been broken, and make an arrest if required. The role of the offender is performed by another recruit, and the roleplay is evaluated by a trainer using criteria contained in a marking scheme. The SBAs are the only opportunity for recruits to put into practice the knowledge and skills they have learnt in the modules, and to be formally assessed on their ability to perform police-public interactions.
Table 6.1 Recruit training modules and time recruits spend in training for each phase

<table>
<thead>
<tr>
<th>Phase 1</th>
<th>Hours</th>
<th>Use of Force</th>
<th>Hours</th>
<th>Investigative Interviewing</th>
<th>Hours</th>
<th>Phase 2</th>
<th>Hours</th>
<th>Phase 3</th>
<th>Hours</th>
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<td>Introduction to policing</td>
<td>1</td>
<td>Situational Use of Force model</td>
<td>1</td>
<td>Witness interviewing</td>
<td>14</td>
<td>Arrest and alternatives</td>
<td>6</td>
<td>Domestic Violence</td>
<td>17</td>
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<tr>
<td>Receive Respond Resolve Report</td>
<td>4</td>
<td>Tactical communication</td>
<td>1</td>
<td>Statement taking Suspect interviewing</td>
<td>14</td>
<td>Liquor Offences</td>
<td>4</td>
<td>Assault</td>
<td>9</td>
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<tr>
<td>Communication</td>
<td>3</td>
<td>Presence skills</td>
<td>3</td>
<td></td>
<td></td>
<td>PPRA Offences</td>
<td>3.5</td>
<td>Drug Investigations</td>
<td>7</td>
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<tr>
<td>Telephone radio procedure</td>
<td>3</td>
<td>Handcuff introduction</td>
<td>3</td>
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<td></td>
<td>Court brief</td>
<td>2.5</td>
<td>Stealing</td>
<td>11</td>
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<tr>
<td>Operational Procedures Manual; First Response Handbook; Operational Assistance Kit</td>
<td>3</td>
<td>Positional asphyxia / excited delirium</td>
<td>1</td>
<td></td>
<td></td>
<td>Case Conferencing</td>
<td>1</td>
<td>Unlawful Use of Vehicles</td>
<td>7</td>
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<tr>
<td>Statutory interpretation</td>
<td>4</td>
<td>Open hand / handcuff</td>
<td>13</td>
<td></td>
<td></td>
<td>Full brief of evidence</td>
<td>1</td>
<td>Property damage</td>
<td>7</td>
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<tr>
<td>Police Powers and Responsibilities Act</td>
<td>3</td>
<td>Search persons</td>
<td>1</td>
<td></td>
<td></td>
<td>Street Offences</td>
<td>3</td>
<td>Burglary</td>
<td>7</td>
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<tr>
<td>Activity log notebook occurrence report</td>
<td>7</td>
<td>Watch-house</td>
<td>1</td>
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<td></td>
<td>Traffic Crash</td>
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<td>Mental Health</td>
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<td>Report writing</td>
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<td>Motorised offenders</td>
<td>3</td>
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<td>Drink Drive</td>
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<tr>
<td>Street checks</td>
<td>4</td>
<td>Tyre deflation devices</td>
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<td>Release techniques</td>
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<td>Property procedures</td>
<td>3</td>
<td>Closed-hand tactics</td>
<td>4</td>
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<td>Sudden death</td>
<td>6</td>
<td>Ground defence</td>
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<td>Manual traffic control</td>
<td>4</td>
<td>Ground restraint</td>
<td>2</td>
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<td>Move on</td>
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<td>Ground transitions</td>
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6.3 Method

6.3.1 Approach

Based on there being few published studies available on the structure and content of recruit training, coupled with uncertainty about what data was available for analysis, it was decided to approach Study 2 in an exploratory manner (Ritchie & Lewis, 2003). The rationale of Study 2 was to employ a range of complementary approaches to data collection to explore in-depth the barriers to procedural justice in the recruit training environment. The first approach was document analysis, thereby collating and analysing recruit training material pertaining to both procedural justice and interpersonal skills training. Document analysis is appropriate for those studies that may require further observation (Bowen, 2009), which is the case here (as discussed below), and so the second stage of Study 2 involved observation of relevant modules. The third stage used semi-structured interviews with trainers to contextualise the role of procedural justice in recruit training.

The document analysis consisted of examining the material used to train QPS recruits to be police officers. This included examining material such as lesson plans, Powerpoint presentations, and the workbook given to recruits. Each of these pieces of material could only be viewed at the academy, and so detailed notes were taken of the content. The material was examined for any reference to procedural justice principles or interpersonal skills. The disadvantage of document analysis, however, is that it does not inform how the material is delivered by trainers. As was discussed in the preceding section (Section 6.1), differences between how training is designed and how it is delivered could undermine the key messages of the training objectives, and could be a barrier to procedural justice implementation (Hoggett & Stott, 2010; Rosenbaum & Lawrence, 2011). Hence, observations of recruit training concerned with either procedural justice or interpersonal skills were also conducted. The advantage of observations is that they provide a richer understanding of how actors act in their social world (Mack, Woodsong, MacQueen, Guest, & Namey, 2005), in this case how training was delivered to recruits. This enabled the identification of any discrepancies between the training material and how it was delivered by trainers.

The third source of data for Study 3 was interviews with recruit trainers. As the purpose of the observations was to capture any differences between training content and delivery, the
aim of the interviews were to understand what trainers thought about procedural justice and its value and relevance to police work, and to what extent they saw the principles of procedural justice residing in the recruit training environment. It was anticipated that trainers would not be aware of the term ‘procedural justice’. It was therefore vital that the researcher and trainer collaborated to ensure they understood the concept, and these perspectives were captured as data.

6.3.2 Sample and Participants

Data was collected from the department responsible for recruit training in the Queensland Police Service, the Recruit Training Unit. The Recruit Training Unit holds all the relevant training materials delivered at the Queensland Police Academy. As noted in Chapter 4, QPS has two academies; a small academy in Townsville serving North Queensland, and the main academy in Brisbane. Training materials are used in both academies; however the observations and trainer interviews were conducted in the Brisbane academy only. All trainers that were either observed or interviewed received an information sheet and completed a consent form (see Appendix A).

All the available training materials were collected and analysed, a total of 6,568 document pages. Of the 65 individual modules (See Table 6.1 and Section 6.3.1), nine modules were found to contain material pertaining to procedural justice principles or interpersonal skills. These nine modules were selected for observation. A convenience sample of five trainers was also selected for interview, with each trainer having at least three years’ experience in the Recruit Training Unit.

6.3.3 Data collection

6.3.3.1 Document analysis

For the document analysis, the relevant documents related to public-police interactions were identified following discussions with the Inspector responsible for the Recruit Training Unit and the trainers. There are three types of documents used in recruit training: lesson plans; learning packages; and SBAs. Individual lesson plans and learning packages are written documents prepared for each module; SBAs are roleplay scenarios used at the end of the three Phases and the Investigative Interviewing set of modules. A total of 6,568 document pages were collated and analysed.
A lesson plan brings together all the relevant documentation that trainers need to deliver a module. This includes the instructions for what material is to be delivered and the training methods to be used, Powerpoint presentations that illustrate the key points, and references to other material that recruits are expected to review. The main reference material referred to in the lesson plan is the Operational Procedures Manual. The Manual is a reference tool used by all operational officers to access all the relevant legislation, policy and guidance for dealing with incidents.\footnote{It could be argued that encouraging procedural justice perceptions can be undermined not just by how the law is enforced, but also by which laws the officer chooses to enforce. It has been established that police officers do have a large degree of discretion in how they act towards the public, but also in what penalties they apply for law-breaking (Carter, 2006; Goldstein, 1960). For example, an officer may decide to charge an assault when the same actions could be charged as a breach of the peace, a choice that entails greater consequences for the aggressor and an action that could be perceived by the public as a procedurally unjust action by the officer. Such perceptions relate to distributive justice – the perceived fairness of the outcomes, not the fairness of the procedures that constitutes procedural justice (Tyler 1990). For that purpose, the training that recruits receive on the law outside of the Operational Procedures Manual exists outside of the parameters of this thesis and is not part of the analysis.}

At the beginning of training, recruits receive a learning package. The package consists of a learning guide summarising the key points from each of the 65 modules to be covered in training, and references the Operational Procedures Manual. A workbook for classroom exercises is also provided. The material in the learning package is derived from the lesson plan, meaning that there is supposed to be very little variation in what recruits are taught in class and what is covered in the learning package.

The final document source is the Scenario Based Assessments (SBAs). The SBAs consist of written roleplay instructions for the recruits, and marking criteria used by the trainers to evaluate recruits’ performance. The marking criteria for each module are broadly similar, whereas the criteria for Investigative Interviewing assessments contain more detail on the behaviours to exhibit in the interaction. Though recruits are also assessed by examination and through online learning products, the SBAs are the only form of assessment that is concerned with simulated police-public interactions.
6.3.3.2 Observations

Following the document analysis, nine of the 65 available modules were found to have material relating to procedural justice and interpersonal skills, and each of these modules was selected for further observation. The purpose of the observations was to examine to what extent the training material was delivered as per the lesson plan. Notes were taken on the degree to which the training delivery matched the lesson plan, and for any utterances or discussion originating from the trainer regarding the use of procedural justice principles or interpersonal skills when dealing with the public.

Five Phase 1 modules were selected for observation: ‘introduction to policing’; ‘Receive Respond Resolve Report’; ‘communication’; ‘front counter’; and ‘sudden death’. In Phase 2, no modules had substantial material related to procedural justice or interpersonal skills. In Phase 3, ‘mental health’ was selected. ‘Suspect interviewing’ and ‘witness interviewing’ were observed in the Investigative Interviewing set of modules. Finally, one Use of Force module was observed – ‘tactical communication’. The details regarding the number of observations and the type of training methods employed can be found in Table 6.2.

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12 The ‘Arrest & Alternatives’ module made reference to the Operational Procedures Manual, of which it was stated that children, suspects and witness should be treated with dignity – a proxy for the principle of respect. The Manual was supplementary to the material delivered in the module, and the module was therefore not observed.
### Table 6.2 Modules selected for observation and type of instruction employed

<table>
<thead>
<tr>
<th>Presence of procedural justice</th>
<th>Type of instruction</th>
<th>Number of observations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Module set</td>
<td>Direct</td>
<td>Experiential</td>
</tr>
<tr>
<td><strong>Phase 1</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Introduction to policing</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Receive Respond Resolve Report</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Communication</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td><strong>Phase 2</strong></td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td><strong>Phase 3</strong></td>
<td>Mental health</td>
<td>Yes</td>
</tr>
<tr>
<td>Investigative Interviewing</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Investigative Interviewing</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Use of Force</td>
<td>Yes</td>
<td>No</td>
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</tbody>
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<table>
<thead>
<tr>
<th>Interpersonal skills</th>
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<tbody>
<tr>
<td>Module set</td>
<td>Type of instruction</td>
<td>Number of observations</td>
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<tr>
<td><strong>Phase 1</strong></td>
<td></td>
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</tr>
<tr>
<td>Communication</td>
<td>Yes</td>
<td>Yes</td>
<td>3</td>
</tr>
<tr>
<td>Front counter</td>
<td>Yes</td>
<td>Yes</td>
<td>1</td>
</tr>
<tr>
<td>Sudden death</td>
<td>Yes</td>
<td>Yes</td>
<td>1</td>
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<tr>
<td><strong>Phase 2</strong></td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td><strong>Phase 3</strong></td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td>Investigative Interviewing</td>
<td>Yes</td>
<td>Yes</td>
<td>2</td>
</tr>
<tr>
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<td>Yes</td>
<td>Yes</td>
<td>2</td>
</tr>
<tr>
<td>Use of Force</td>
<td>Yes</td>
<td>No</td>
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Each module was observed once, except for the ‘mental health’ module that could not be observed\(^{13}\). Two modules were selected for more than one observation based on the amount of material they contained regarding procedural justice and interpersonal skills. The ‘communication’ module was observed three times, and the ‘suspect interviewing’ and ‘witness interviewing’ modules were observed twice. All modules were observed in their entirety.

A potential limitation of the study is the small number of observations that were conducted, meaning that variation within modules over time could not be accounted for. The purpose of the study was foremost identifying to what degree procedural justice and interpersonal skills were part of training, and so the bulk of the researcher’s time at the Academy was spent documenting the structure of recruit training and analysing these documents. In other

\(^{13}\) Two attempts were made to observe the mental health module. However, on both occasions the module timetable had been altered to an earlier week without the researcher’s knowledge.
words, the study explored variation across modules, rather than variation within modules. As the results will attest, future studies in this area could build on this study and direct their efforts to systematic observations of differences and similarities of training within modules.

SBAs are a formal assessment method conducted at the end of each Phase. Twelve observations of these assessments were conducted – four observations each of the Phase 1 and Phase 2 SBAs, and four of the Investigative Interviewing SBAs. Phase 3 SBAs could not be observed due to last-minute changes in the scheduling. As will be discussed later in the results section (Section 6.4), the use of the same marking criteria for Phase SBAs, combined with the lack of variance in the trainer feedback given to recruits as part of the Phase 1 and 2 SBAs, indicated that a lack of observations for Phase 3 was not a major issue. Each assessment observed – consisting of the roleplay and trainer feedback to the recruit – took approximately twenty minutes each.

6.3.3.3 Interviews

A convenience sample of five recruit trainers was interviewed using a semi-structured interview schedule. The interviews were conducted for the purpose of identifying the extent to which procedural justice principles were present in recruit training. The topics in the schedule included the challenges recruits were expected to face in getting the public to obey their instructions, whether use of procedural justice was an achievable goal for the police, and what they would change about training and policing to encourage the use of procedural justice. The schedule has been included in Appendix B. Each interview took between 45 to 60 minutes to complete, and was audio recorded and transcribed.

6.3.4 Data coding and analysis

6.3.4.1 Document analysis

The recruit training documents were analysed for any mention of terms related to procedural justice or interpersonal skills. In addition, the recruit training documents were coded by the presence of direct and experiential learning techniques. Examples of the latter techniques included case studies, role-plays, and simulations either performed by trainers or by recruits. The list of relevant procedural justice and interpersonal terms were determined from the literature and the researcher’s prior knowledge of police training. One
challenge was ensuring the list of terms was not just based on the academic literature, leaving the possibility that relevant police terminology was excluded. The researcher used his first year of the PhD to build a network of police practitioners and academics, through existing networks and presentations, to discuss procedural justice and this issue of terminology. Examples of additional terms based on these exchanges included the policing term ‘impartiality’ for the corresponding procedural justice principle of neutrality, and ‘tactical communication’ for the corresponding term ‘interpersonal skills’.

The procedural justice concept was initially coded based on the use of the following terms in the recruit training material: fairness; procedural justice or procedural fairness; and any items of the two principle (i.e., fair treatment and fair decision-making) or four principle (i.e., dignity/respect, neutral/neutrality/impartiality, participation/voice, and trust/trustworthy motives) model of procedural justice (Section 2.2). Data relating to interpersonal skills was coded by mention of: communication and interpersonal skills; effective or tactical communication. In addition, any of the five elements identified in the Behavioural Influence Stairway Model (Vecchi et al., 2005) (i.e., active listening, empathy, rapport, influence, and behavioural change) were included because of their alignment to demonstrating procedural justice principles in non-compliant situations, as discussed earlier (Section 3.5.1). All the recruit training materials for the 65 modules were analysed for these terms, including the sections of the Operational Procedures Manual referred to in the lesson plans, learning packages and the material for the SBAs.

Data was collected from the documents in four steps. First, Word documents were created for each of the 65 training modules, with the name of the module and the learning objectives included. Second, if the module contained procedural justice or interpersonal skills terms, the relevant text was copied and pasted to a separate Word document. Third, the data contained in the Word documents were entered into Nvivo and coded using the terms above. Fourth, examples of direct and experiential instruction were also coded (see Table 6.2 for details). Procedural justice principles were analysed descriptively and thematically to identify the modules that contained references to the principles. Interpersonal skills were analysed thematically to identify in what form these skills were present within training, but also to identify hindrances to the use of interpersonal skills in police-public interactions (e.g., the use of force or dealing with public non-compliance).
Codes for both procedural justice and interpersonal skills were used to identify the modules to be observed.

6.3.4.2 Observations

Observational data was collected using a coding frame. As noted above, prior to the observations the researcher reviewed the materials and highlighted instances of procedural justice and interpersonal skills, as well as instances of where direct or experiential instruction was used. This information was then recorded in a notebook, and used to mark off their delivery as the instances were observed in the training. Any deviations from the lesson plan were recorded in the notebook, including any messages from the trainers or recruits that conflicted with procedural justice principles. The notes were then inputted into the document analysis coding framework.

6.3.4.3 Trainer interviews

The interviews were audio recorded, transcribed and coded using an inductive coding approach. An inductive approach was employed because it allowed the analysis to be driven by what was in the data (Braun & Clarke, 2012), rather than by testing hypotheses using a deductive approach. Three themes pertinent to the study were identified by: 1) the types of challenges trainers expected recruits to face when dealing with the public, 2) the challenges they as trainers faced in developing recruits’ interpersonal skills, and 3) what they would change to encourage the use of procedural justice principles in the recruit training environment.
6.4 Results

There are two sections to the results, each corresponding to a research statement. The purpose of the first section is to identify the presence of procedural justice principles in recruit training. This section describes instances of where the training material referenced elements of either the two (fair treatment and fair decision-making) or four (neutrality, respect, trust, and voice) principle model of procedural justice, or the training of demonstrable actions that conveyed these principles. The purpose of the second section is to examine the interpersonal skills training recruits receive. The section details instances of training where recruits were taught how to communicate with the public, and as a consequence may help or hinder the demonstration of procedural justice principles.

The modules discussed in the procedural justice and interpersonal skills sections are each discussed in chronological order. The only exception is the SBAs, which are discussed at the end of each section. Presentation of the findings from the document analysis, observations, and trainer interviews are combined together in each section to explore thematic similarities across each source of data. It should be noted that there was more pertinent data from the trainer interviews regarding interpersonal skills than procedural justice, and so the interviews have a greater presence in that respective section.

6.4.1 Procedural justice

In reviewing the training materials it was found that the term ‘procedural justice’ was not used in the training material or the training modules. However, individual procedural justice principles were specifically referred to in seven of the 65 modules. Three of these seven modules contained substantial material on the importance of demonstrating procedural justice principles, and included the use of experiential instruction (e.g., case studies or roleplays to practice the principles). Of these three modules, the ‘suspect interviewing’ and ‘witness interviewing’ components of the Investigative Interviewing modules provided the most in-depth mix of direct and experiential instruction. Overall, it can be said that procedural justice had a minor presence within the recruit training environment. The chapter will detail the instances of procedural justice principles in each of these seven modules, and also cover the SBAs.
6.4.1.1 Introduction to policing module

The ‘introduction to policing’ module was a one hour lecture and discussion on the expectations Queensland Police Service and the public have of police officers. On three occasions references were made to procedural justice principles in the lesson plan and the single session observed by the researcher. First, *fairness*, *fair decision-making*, and *respect* are referred to momentarily in the five minutes allotted to discussing the Queensland Police Service Strategic Plan. Second, in a five minute block recruits are introduced to the SELF test that will be discussed in more detail in the ‘Receive Respond Resolve Report’ module (Section 6.4.1.2) presented later. Third, in the same five minute block a momentary reference was made to the importance of *respect* and *neutrality* as stated in the Queensland Public Service Code of Conduct. There were no opportunities for recruits to practice demonstrating these principles.

Beyond this one hour session, the Queensland Public Service Code of Conduct was not referred to elsewhere in the training materials, though it was mentioned in an observation of another module (see Section 6.4.1.3). In interviews, one trainer discussed the presence of procedural justice in the Code of Conduct, stating that greater efforts were needed to incorporate procedural justice into recruit training:

> they [procedural justice] are embedded in the Code of Conduct, they are [...] our core attributes, the issue I have is that we don’t assess directly the core attributes of police, we assess other things, we should actually [...] bring those core attributes away from the background and put them into the foreground to match all our assessments to those core attributes (Trainer 01, male)

6.4.1.2 Receive Respond Resolve Report module

The second module in Phase 1 of recruit training – ‘Receive Respond Resolve Report’ – consisted of a four hour lecture on a collection of transferable concepts that recruits were to use throughout their policing career. The module introduced recruits to five conceptual tools designed to assist officers in their decision-making within incidents. The tool most relevant to procedural justice was the SELF test, a concept used to evaluate decisions. The
mnemonic was used to evaluate whether a police decision would withstand Scrutiny, Ensure compliance, be Lawful, and be Fair. The last section of the SELF test refers to fair decision-making, one half of the two-element model of procedural justice (Tyler, 1990). The SELF test was trained using a mix of direct and experiential instruction. First, recruits received a ten minute lecture on the SELF test and prepared a group presentation on the conceptual tools. Second, recruits had two hours to apply each of the five tools to case studies of typical police-public incidents – an example of experiential instruction. In the session that was observed, the material was delivered as per the lesson plan.

From that point on, the SELF test was referred to intermittently in other training materials and modules. For example, the test was referred to in non-public facing activities like ‘report writing’ and ‘property procedures’ modules, and in the ‘tactical communication’ module run by the Policing Skills Section. In the ‘tactical communication’ module that was observed, the SELF test was mentioned briefly in relation to factors to consider before using physical force, but not practiced as either a case study or in a roleplay. Further opportunities for experiential learning beyond the ‘Receive Respond Resolve Report’ case studies were not present; the SELF test is not part of the grading scheme for the SBAs, nor was the SELF test mentioned in the SBAs observed by the researcher.

6.4.1.3 Communication

Following presentation of the ‘introduction to policing’ and the ‘Receive Respond Resolve Report’ modules was the ‘communication’ module. The purpose of the three hour module was to introduce recruits to a set of generic concepts underpinning effective communication; concepts that were designed to be applied across all types of police-public interactions. On two occasions the lesson plan mentioned procedural justice principles, both of which were referred to as barriers to communication. First, police officers’ holding implicit biases and stereotyping members of the public was presented as demonstrating a lack of neutrality that negatively affected police communication with the public. Second, it was noted that communication barriers could be overcome by showing dignity and respect towards the public at all times. The module included no opportunities for recruits to

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14 It should be noted that the SELF test is imprinted on the first page of the notebooks issued to all Queensland Police Constables.
experientially learn what a lack of neutrality looked like, or how the demonstration of respect could overcome such a communication barrier.

Three observation sessions of the ‘communication’ module were conducted, and it was found that each session was delivered by trainers in a different manner. In one session the stereotyping discussion was performed as per the lesson plan, in another the trainer referenced the need to be impartial and neutral as per the Queensland Public Service Code of Conduct (referenced in Section 6.4.1.1), while another trainer did not perform the discussion nor discuss stereotypes. Demonstrations of respect were referred to momentarily in one of the three sessions. Due to the small number of observations it is not possible to ascertain whether there is the same degree of variance in training delivery for the other modules. Nevertheless, this finding indicates that the ‘communication’ module was delivered inconsistently by trainers.

6.4.1.4 Tactical communication

The Use of Force set of modules were run by the Policing Skills Section, the group responsible for teaching skills like self-defence and the use of accoutrements (e.g., batons, capsicum spray). Of the 21 Use of Force modules, only ‘tactical communication’ referenced an element of procedural justice.

In the lesson plan, the purpose of ‘tactical communication’ was stated as: ‘saying the right thing in the right way and at the right time; so as to achieve a desired result or a desired response’. The content in this module is broadly similar to the Phase 1 ‘communication’ module, and summarised the key points from the preceding module in an hour long session. One relevant addition to the ‘tactical communication’ module was the material on professionalism. In the lesson plan, it was stated briefly that when dealing with the public it is important to ensure the subject did not ‘lose face’, and that officers helped the person maintain their dignity and respect. In the observation of the module, it was found that this phrase was delivered as per the lesson plan. Nevertheless, the training did not include opportunities to discuss how a person’s dignity and respect could be maintained by the police, nor were there opportunities to practice applying this concept in a roleplay.

6.4.1.5 Investigative Interviewing: suspect interviewing and witness interviewing
The purpose of Investigative Interviewing is to train recruits in how to conduct police interviews. Conducted between Phase 2 and 3, Investigative Interviewing contained the most comprehensive mix of direct and experiential instruction in procedural justice principles within recruit training. Both ‘suspect interviewing’ and ‘witness interviewing’ have one day each of lectures, followed by a day each of practice roleplays. Recruits were then evaluated in a Scenario Based Assessment.

Though the two Investigative Interviewing modules do not refer specifically to procedural justice terms by name, the suspect and witness interview modules did spend time training and practicing behaviours that demonstrated procedural justice principles. For example, at the beginning of each roleplay interview recruits were instructed to put the person at ease and establish a rapport. This was achieved by the recruits explaining the process of the interview, how long it would take, stating that the interview was the interviewees’ opportunity to have their say, and offering food or drink. In Investigative Interviewing such rapport building tactics are used to not only encourage a person to provide as much information as they can, but to also remove obstacles that may interrupt or inhibit the interview.

Such tactics demonstrate all four elements of procedural justice. For example, explaining what will happen in the interview demonstrated respect towards the person, demonstrated neutrality by being transparent about the interviewing process, and built confidence in the trustworthy motives of the officer. The member of the public could hold the officer to account if the interview strayed from the structure that was originally stated. The lesson plan stated that the offering of food and drink demonstrated trustworthy motives by showing that the officer truly cared about the wellbeing of the person. Stating that the interview was the opportunity for the person to have their say also elicited the element of voice from the person by conveying that their opinion was valued by the officer.

Observations were conducted of two sessions each of ‘suspect interviewing’ and ‘witness interviewing’, in which the modules were delivered as per the lesson plan. Twenty minutes was spent in the lecture on how to put people at ease and rapport building, using a mix of lecturing, discussion and videos. Recruits then practiced these behaviours in roleplays as part of a whole day of practice in preparation for their SBA. The assessments will be
discussed in greater detail later (Section 6.4.1.7). The degree of detail and time spent on training and practicing appropriate behaviours, and their link to demonstrations of the four-element procedural justice model, suggest that the principles of procedural justice were part of Investigative Interviewing training even if they were not explicitly referred to as procedural justice.

6.4.1.6 Mental health

The final module that was found to have elements of procedural justice was the ‘mental health’ module. The lesson plans and associated documents were analysed, but as noted earlier the training was not able to be observed (Section 6.3.3.2). Delivered over 15 hours in Phase 3, recruits are trained in dealing with people suffering from mental illness. Three elements of procedural justice were found to be present within the module. First, the lesson plan stated that ‘the successful ingredient in all such interactions is the positive use of humanities: fundamental concern for another human being’ – an example of trustworthy motives. Examples were given for how to deal with a person with mental health issues. Second, recruits were instructed to demonstrate respect by treating the person how the officer would like to be treated. Third, voice was encouraged by instructing recruits to ask the person if they were willing to undergo voluntary treatment.

An example of experiential instruction was the case study used in the module. Recruits had 35 minutes to complete a case study exercise in their workbook on dealing with ‘Tony’, a person suffering from mental health issues. One of the five questions posed in the case study was ‘how would you communicate with Tony in this situation?’ Following completion of the exercise, a group discussion was conducted and the trainer was instructed by the lesson plan to reiterate the lessons of ‘tactical communication’ (Section 6.4.1.4) discussed earlier.

6.4.1.7 Scenario Based Assessments (procedural justice)

SBAs are the opportunity for recruits to put into practice their acquired knowledge and skills in the form of an incident-specific roleplay like a public nuisance call. Recruits are evaluated by trainers using marking criteria. However, as mentioned earlier (section 6.3.3.1), there were two types of SBA marking criteria – criteria for each of the three Phase SBAs, and a
separate set of criteria for Investigative Interviewing SBAs.

In each of the three Phase SBAs no marking criteria evaluated procedural justice or its principles. This finding reflects the earlier point made by the trainer (Section 6.4.1.1) that acknowledged the lack of alignment between assessment criteria and the organisational values as expressed in the Code of Conduct and the QPS Strategic Plan. Eight observations of Phase 1 and 2 SBAs were undertaken to identify whether procedural justice principles were informally incorporated into the assessments, possibly through the verbal feedback recruits receive from the trainers. The feedback recruits received was focused on ensuring the safety of themselves within the interaction and coordinating with their partner, and not on demonstrating procedural justice principles when dealing with the member of the public.

In contrast, the Investigative Interviewing SBAs contained a degree of procedural justice. The marking criteria used in Investigative Interviewing included putting people at ease and rapport building, interpersonal skills that demonstrated respect and trustworthy motives. In the four observations of these assessments that were conducted, recruits received verbal feedback on the degree to which they attempted to establish a rapport, and the behaviours they used to make the interviewee comfortable. On this basis, it can be said that procedural justice was an element of the Investigative Interviewing SBAs, but not the Phase SBAs.

6.4.1.8 Summary of procedural justice in modules

In summary, procedural justice principles had a presence in the QPS’s organisational documents (e.g., Code of Conduct and Operational Procedures Manual; see Section 6.4.1.1), but this does not appear to filter down into the recruit training materials. The concept of procedural justice was not mentioned by name in recruit training, but some of the principles were represented by other terms within seven of the 65 available modules. Of these modules, respect was referred to most frequently, whilst voice was the least frequent. In the majority of these modules a procedural justice principle was referred to momentarily, but no instruction or practice was provided for demonstrating the principle in a police-public interaction. The exceptions were the ‘suspect interviewing’ and ‘witness interviewing’ modules (see section 6.4.1.5). These modules used a mix of direct and experiential instruction to demonstrate the principles, but also evaluated recruits on the demonstration of behaviours related to procedural justice.
There is the possibility that the principles were tacitly communicated to recruits by how they were taught to interact with the trainers and their colleagues. A trainer agreed with this point of view:

> it has to be from a top-down approach where it has to be demonstrated, if I’m asking say the recruits to go out and do something then I must demonstrate that to them. 
> So, if I’m asking them to go out and be respectful to the public I have to be respectful for them. If we are asking them to listen to what people are saying and give them some ownership of the decisions that are being made then I have to do that with the recruits (Trainer 02, female)

Aside from the ‘communication’ module, generally modules were delivered as per the lesson plan, but there were no discussions or demonstrations of procedural justice that were not part of the lesson plan. As such, it can be said that procedural justice principles had a minor presence in the recruit training environment.

### 6.4.2 Interpersonal skills

Interpersonal skills are the primary method police officers use to demonstrate procedural justice principles towards the public. In recruit training, interpersonal skills were referred to as ‘communication’. The communication training that recruits received generally revolved around a set of generic concepts to assist in giving and receiving verbal and non-verbal information and gathering pertinent information. Six modules had elements of communication and, of these, four modules employed direct and experiential instruction in demonstrating good communication skills. Nevertheless, the understanding and application of the communication concepts as found in the document analysis, observations, and trainer interviews indicated that communication skills were applied as a means of coercing compliance from the public. The following sections will lay out how interpersonal skills were taught and delivered in recruit training in the six modules and SBAs.

#### 6.4.2.1 Communication

The introduction that recruits received to interpersonal skills training was the three hour ‘communication’ module discussed earlier (Section 6.4.1.3). The module was delivered using direct instruction and covered the difference between how a message is delivered and how
it is received; barriers to communication like stereotyping and the physical environment; demonstrating empathy and rapport; and an introduction to ‘tactical communication’. The latter element of the training will be covered in greater depth below (Section 6.4.2).

The one instance of experiential instruction used within the module was when two recruits performed two versions of a police-public roleplay – the first demonstrating good communication skills, the second demonstrating bad communication skills. In the lesson plan and the observations, good communication skills were defined as eye contact, engaged body language, and asking non-leading questions. Bad communication skills were disinterest, poor body language, and use of slang and leading questions. In one of the three sessions observed, the roleplay was not performed, meaning that no experiential instruction was provided for the recruits. No other forms of experiential instruction were used in the module to teach communication skills.

The distinction between good and bad communication skills was presented as dependent on the situation; what one trainer described as having different voices for different occasions:

> So, say if you are dealing with a sudden death which is definitely more community related, suddenly you have to put your empathetic voice and attitude on, whereas in enforcement you might need to, you know, if someone is being non-compliant you certainly have to up the ante and maybe start to yell at them (Trainer 04, female)

Four modules contained instruction in context-specific communication skills\(^\text{15}\): ‘front counter’; ‘sudden death’; and the ‘suspect interviewing’ and ‘witness interviewing’ modules of Investigative Interviewing.

6.4.2.2 Front counter

The ‘front counter’ module covered the required activities of an officer manning the front desk of a police station. Similar to the ‘communication’ module, trainers performed a

\(^{15}\) It could be argued that ‘mental health’ discussed earlier (section 6.4.1.6) could be included in the interpersonal skills section. However, the only mental health specific skills it teaches is a single question asking if the person is willing to undergo voluntary treatment, instead focusing on more abstract concepts like demonstrating respect and encouraging trustworthy motives.
roleplay exhibiting good and bad communication skills when attempting to obtain information from the public. Good communication consisted of active listening and simple non-leading questions. After that, recruits split into pairs and roleplayed\textsuperscript{16} a front counter scenario; one recruit played the officer and the other acted as a member of the public. In the session that was observed, twenty minutes was allotted to this task, meaning that recruits had a total of ten minutes to practice their communication skills for front counter duties. The trainer monitored the role-plays and provided feedback on a pair-by-pair basis. The timings matched what was in the lesson plan.

6.4.2.3 Sudden death

The ‘sudden death’ module covered the investigation and recording of a sudden death incident. In the six hour lecture that was observed, recruits watched a video of the appropriate communication skills in delivering a death message to a member of the public, and then had forty minutes to practice a series of death message roleplays as per the lesson plan. Appropriate communication skills were defined as active listening and establishing rapport. Experiential instruction was included in the module through a roleplay. The roleplays were performed in groups of four and recruits took turns in performing the role of the police officer. This meant that if the entire forty minutes was used to roleplay, an individual recruit had a total of ten minutes’ practice in delivering a death message. In the session that was observed, recruits had between two and three opportunities to roleplay as the officer.

6.4.2.4 Investigative Interviewing: suspect interviewing and witness interviewing

The ‘suspect interviewing’ and ‘witness interviewing’ modules in Investigative Interviewing also used a mix of direct and experiential instruction to illustrate appropriate communication skills. In both modules recruits watched a video illustrating good and bad communication skills in a police interview. The good police interview consisted of verbal and non-verbal demonstrations of active listening, empathy and rapport, as well as simple non-leading questions. The interviewing modules had a broader range of skills that constituted

\textsuperscript{16} In both the front counter and the sudden death modules, recruits were not formally assessed on the roleplay as per the SBAs.
‘good’ communication skills than the ‘front counter’ and ‘sudden death’ modules. Recruits were taught how to demonstrate active listening, empathy and rapport, and question construction. Direct instruction was employed in a half hour session on these skills; experiential instruction was used the next day in a series of practice roleplays. The day after, recruits were examined on their interviewing skills using SBAs, an element that will be discussed in more depth later (see Section 6.4.2.f). In both modules that were observed the material was delivered as per the lesson plan.

The skills of active listening, empathy, and rapport were also mentioned briefly in other modules – establishing rapport was mentioned in the lesson plans for the ‘capsicum spray’ and ‘liquor offences’ modules. However, these skills were discussed in isolation and not as a means of verbally de-escalating situations. As one trainer put it:

> If we assess recruits to be strategically communicating or to deescalate we need to directly teach it. These are all implied skills; they have to be a lot more transparent and a lot more physically evident. It’s just like teaching kindergarten kids to get on the sandpit. Well, you say ‘kids get on’ or you teach them skills to get on, and that’s what it’s about. So, we are all in a sandpit here, and someone who throws sand at you - how do you handle that? Do we teach recruits how to handle that; no we don’t

(Trainer 01, male)

Each of the four modules discussed above offered a mix of direct and experiential instruction in using appropriate communication skills. These skills – active listening, empathy, rapport – were non-coercive methods of communicating. Other modules within recruit training also covered communication; however these modules were concerned more with using communication as a means of coercing compliance from the public. One example is the ‘tactical communication’ module.

6.4.2.5 Tactical communication

One module where coercive approaches were most apparent was the ‘tactical communication’ module delivered as part of Use of Force training. The one hour module was a recap of the concepts taught in the earlier Phase 1 ‘communication’ module (Section 6.4.1.3), though with additional material on using communication whilst being aware of
potential dangers. The focus of ‘tactical communication’ was ensuring recruits’ used their communication skills in service of achieving their law enforcement goals, encapsulated as ‘saying the right thing in the right way and at the right time to achieve a desired result or a desired response’. In contrast to the Phase 1 module, ‘tactical communication’ mentioned non-coercive skills like active listening, empathy, and rapport when dealing with the public. However, it was not explained how to demonstrate these non-coercive skills, or under what circumstances these skills can be used, nor were recruits given opportunities to practice demonstrating these skills. In the session that was observed, the material was delivered as per the lesson plan.

Though much of the material in the Phase 1 ‘communication’ and ‘tactical communication’ modules was the same, the context in which the training was delivered was different. In the session on tactical communication skills observed, the focus was on using these skills to give clear directions and commands – examples of coercive methods of obtaining public compliance. This is explained by the ‘tactical communication’ module being run by the Policing Skills Section. Their focus was on preparing recruits to use force and be able to protect themselves; what was observed in the module very much reflected that concern.

Another contextual issue was the minor focus on communication in the Use of Force set of modules. Preceding ‘tactical communication’ was a one hour session on the ‘Situational Use of Force Model’. The Situational Use of Force model was a diagram illustrating the different use of force options available to police. The model was a non-consecutive listing of use of force options, meaning that options are not ranked and officers are free to choose the use of force option most suitable to the situation (see Figure 6.1 below). ‘Tactical communication’ fits within the Situational Use of Force Model as ‘communication skills’, one of the eleven options officers can use to obtain compliance from the public.

Fifty hours of training in total were devoted the set of Use of Force modules. Beyond the hour apiece spent on the Situational Use of Force Model and ‘tactical communication’, the remaining forty-eight hours of Use of Force training was spent on the other use of force options presented in the model. This indicated that the communication option was seen as a minor issue compared to the larger framework of other coercive compliance methods.
Though the Situational Use of Force Model conceptualised ‘communication’ as one option among many, it was clear there was a common understanding amongst the trainers that it was the least coercive method. One trainer referred to ‘coming in low’ with their communication skills, rather than in an aggressive manner:

> if you go in certain situations and you just go, “What do you dickheads want” or “why you call the police” or something like that, it’s never going to go well, so most police have that attitude where I’ll start off respectful but I will adjust very quickly if need be (Trainer 04, female)

Despite this, the same trainer asked talked about adopting coercion if communication did not work – ‘if they are aggressive you need to up the ante’ (Trainer 04, female). In addition, three of the five trainers identified training assertiveness and giving commands as the most necessary communication skills to teach. The reason being, as one trainer put it, ‘if you are meek and mild, mouse-like, people aren’t going to obey you’ (Trainer 02, female). Another trainer discussed the lack of familiarity some recruits had in asserting themselves in
roleplays. It was noted that ‘presence’ was important; an ability to obtain compliance by exuding an air of authority was one effective way in which recruits could display presence:

So, if you are in a job [...] like an accountant for example, he doesn’t really need presence, if they’ve come from that background and they have been that profession for some time, all of a sudden coming into this world which is a bit different, they didn’t even consider that they may need that (Trainer 02, female)

One trainer discussed using experiential instruction to help a recruit with their assertiveness:

One of my girls I took her down the back oval and made her...She was so quiet. So, I just said “mate, you’ve got to just belt it out” and she just couldn’t get that “grrr”. So, we took her down to the back oval and made her call out a command as if she was in charge of the school, and we have duty recruits to belt out commands, to just to try to show her that she has got that voice in her, to bring that out (Trainer 04, female)

These points suggest that though communication is seen as an essential skill for recruits to have, it is conceptualised more as a means of coercing compliance from the public, rather than encouraging voluntary compliance or demonstrating procedural justice.

6.4.2.6 Scenario Based Assessments (interpersonal skills)

The broader understanding of communication skills as both coercive and non-coercive was also reflected in the SBAs performed at the end of each training Phase. Whereas the Investigative Interviewing SBAs evaluated recruits’ rapport building and putting interviewees at ease (Section 6.4.1.5), the Phase 1 to 3 SBAs evaluate fewer communication skills. In the eight Phase 1 and 2 SBAs that were observed, the feedback recruits received was balanced more toward the use of commands than non-coercive methods for dealing with the situation. This suggests that the understanding that communication skills are employed as a method of coercing compliance also extends to the assessments recruits are required to complete as part of their training.
6.4.2.7 Summary of interpersonal skills training

In summary, interpersonal skills training was structured around a set of generic concepts that could be applied across all types of police-public interactions, but in only four of the six modules were contextually appropriate non-coercive interpersonal skills taught and practiced. Of these four modules, the ‘suspect interviewing’ and ‘witness interviewing’ modules had the most comprehensive training in using communication skills in a non-coercive manner. Nevertheless, the analysis indicated that the generic communication concepts tended to be applied as a means of coercing compliance rather than encouraging voluntary compliance. Trainer interviews suggested that communication was understood as one option among a larger collection of use of force options for coercing compliance, and the observations of the SBAs found a focus on using communication to give commands rather than on de-escalating situations. As such, recruit training places greater emphasis on coercive methods of communication, than on teaching and practicing non-coercive methods of engaging with the public.

6.5 Discussion

Study 1 established two key findings – that recruits saw themselves as less procedurally just by the end of their recruit training, and that there was a strong positive association between seeing oneself as procedurally just and having good interpersonal skills. Study 2 sought to explain why procedural justice self-assessments became more negative over time by examining the potential procedural justice barriers present in the recruit training environment. Based on the conceptual connection between procedural justice and interpersonal skills, it was anticipated that scrutinising both procedural justice and interpersonal skills within recruit training would cross-pollinate and help identify procedural justice barriers. Hence, Study 2 had two aims: 1) to identify the presence of procedural justice principles in recruit training, and 2) to examine the interpersonal skills training that recruits receive.

The first major finding revealed was that procedural justice had only a minor presence in recruit training. Of a total of 65 training modules, references to procedural justice principles were overtly present in only seven modules, and in only three modules were the principles included beyond a brief mention. It could be argued that there is little need for explicit
mentions of the principles in training because they are included in documentation that all police officers are subject to, such as the Queensland Public Service Code of Conduct, Strategic Plan, and the Operational Procedure Manual.

However, the thesis would argue that the opposite is needed. Recruit training is designed to prepare officers for the operational environment, but training also conveys the organisational conceptions of ideal officer behaviour (Chan, 2003). The sparse demonstrations and references to procedural justice indicate that procedural justice is not part of the curriculum, nor does training adequately prepare officers to demonstrate procedural justice. This indicates that a lack of reinforcement of the principles of procedural justice in training is likely to contribute to the decrease observed in Study 1 in procedural justice self-assessments. Hence, an identified barrier to police officers using procedural justice is the lack of training material that reinforces the importance of procedural justice principles.

Aside from how infrequently procedural justice principles are alluded to in training, another finding is the distinction between trainers or written materials stating a principle and teaching recruits to demonstrate a principle. Experiential instruction through demonstrations are particularly suited to police-public interactions because of the sheer number of factors officers need to consider, and are typically used in other areas of police training like use of force (Chan, 2003; Fyfe, 1996). Of the eight modules that contained references to procedural justice, three modules used experiential instruction. An example of this disjuncture between stating and demonstrating a principle was the SELF test. The SELF test was a decision-making tool used by officers to assess the standard of their decision-making, of which one element was fairness. What is considered fair, by whom, or how to evaluate the fairness of a decision, was not formally taught or evaluated. It was left to the recruit and their knowledge of the legislation, or for informal feedback from trainers, to ensure their decision-making met the standards of the SELF test.

Sivasubramaniam and Heuer (2007) argue that the responsibilities of decision-makers, as compared to decision-recipients, lead to demonstrations of procedural justice being de-prioritised due to more pressing concerns. In this context, police officers are the decision-makers and the public are the decision-recipients. The importance assigned to
demonstrations of procedural justice can be inferred from the Phase SBAs. Recruits practiced being decision-makers in SBAs, as well as the decision-recipients. Document analysis and observations of the SBAs found that the stated priorities in the interaction were ensuring officer safety and using their interpersonal skills to convey instructions or give commands. In addition, aside from the specific SBAs for Investigative Interviewing, it was found that the marking criteria for Phase assessments did not include any references to procedural justice principles. The result is that procedural justice is not presented as a consideration in how to conduct police-public interactions. As such, another identified barrier is the lack of opportunities recruits are provided with to practice demonstrating procedural justice principles in police-public interactions.

In contrast, the Investigative Interviewing SBAs illustrated there were opportunities for demonstrating procedural justice principles. Though both SBAs did not explicitly refer to procedural justice principles, the Investigative Interviewing assessments had a greater number of criteria on the use of interpersonal skills related to the principles, such as explaining the process and establishing a rapport. It could be argued that such skills are more easily employed within police interviews that are conducted in a watch-house. Officers in this environment have fewer safety concerns and distractions than those that are conducted in public spaces. Nevertheless, the disparity between the Investigative Interviewing and Phase SBAs could lead recruits to conclude that Investigative Interviewing interpersonal skills are less suitable for interactions outside the interview room.

Interpersonal skills are the primary means by which officers demonstrate procedural justice to the public. As such, how recruits are trained to use these skills was expected to influence the degree to which procedural justice was part of the training curriculum. After all, the training may not mention the term ‘procedural justice’ or its associated concepts explicitly, but procedural justice could be demonstrated by how recruits are instructed to use their interpersonal skills. A persistent theme within training was the focus on interpersonal skills as a means of coercing compliance, rather than encouraging voluntary compliance. Research has found that procedural justice can increase voluntary compliance (McCluskey, 2003), and coercive compliance methods are antithetical to procedural justice principles. The form in which recruits were trained to use their interpersonal skills was to give commands and project one’s voice as a means of controlling a situation – examples of
exerting their authority and coerced compliance (Terrill, 2003). These methods were especially apparent in the marking criteria for Phase SBAs, as well as in the observations of these SBAs.

One perspective is that this finding stands to reason; recruits need to learn how to control situations verbally before they resort to physical methods. If officers are reticent about being the decision-maker in a quarrel, then this may place themselves or others at risk because the officer is seen as a ‘weak spot’. Giving commands and shouting are generally not seen as acceptable behaviour in society, and so recruits may need to break these ingrained social conventions and learn how to coerce. Nevertheless, the lack of alternative methods presented to recruits gives the impression that coercive methods are the only means of tackling public non-compliance. Voluntary compliance can be achieved by the police, as is shown by verbal de-escalation methods used by police negotiators (Vecchi et al., 2005). Training recruits in verbal de-escalation would provide opportunities for officers to demonstrate procedural justice even in volatile situations. As such, another identified barrier to procedural justice policing is the lack of non-coercive approaches to obtaining compliance from the public.

Of the fifty hours committed to training Use of Force, one hour concerned communication, and in that hour the focus was on using interpersonal skills to coerce compliance. This investment of time and resources in Use of Force reflects the reputational and financial costs to both the officer and the organisation of inexpert or unjustified police use of force. Newer officers suffer higher rates of physical injury when using force than more experienced officers (Kaminski & Sorensen, 1995). However, police use of force is also an infrequent occurrence (Bayley & Garofalo, 1989; Dai et al., 2011), with a large proportion of volatile incidents not requiring physical use of force (Terrill, 2003). The perspective also ignores the potential of procedural justice and de-escalation (as discussed above) for securing voluntary compliance and preventing the need to use force. The risk of focusing exclusively on coercive methods is that the cycle of violence between the police and public can continue, thereby minimising the opportunities for procedural justice and the positive benefits it can bring. In this way, a procedural justice barrier is definitely the focus on coercive compliance methods within training.


6.5.1 Conclusion

The objective of Study 2 was to examine procedural justice barriers in the recruit training environment. Study 2 found that procedural justice principles had a minor presence in training. Despite evidence of the principles in supplementary documentation, there was a lack of incorporation of procedural justice into the training materials that were delivered to recruits. In particular, a lack of demonstration – either through non-assessed role-plays or formal SBAs – meant that recruits had little opportunities to practice how they could evoke procedural justice. A major issue allied to this point was the focus on interpersonal skills being used to coerce compliance from the public, rather than using methods of encouraging voluntary compliance allied to procedural justice principles. The predominant theme of using force as a response to non-compliance meant any opportunities recruits had to demonstrate procedural justice once they became operational were likely to be minimised. As such, the two key barriers identified by Study 2 were: 1) lack of content and demonstrations of procedural justice in training, and 2) the focus on coercive compliance methods as opposed to non-coercive approaches. While these barriers were identified within the context of recruit training, it is unclear how such barriers may affect recruits beyond the academy, as they gain operational experience. It also misses the additional barriers that are likely to be present in the operational environment. Study 3 will therefore identify what officers themselves see as procedural justice barriers when dealing with members of the public – this time in operational work. In addition, Study 3 will also examine why these perceived barriers make procedural justice more difficult, and investigate how these barriers may change as officers gain operational experience.
Chapter 7 – Study 3
The barriers to procedural justice in the operational environment

Study 1 (Chapter 5) established that recruits’ sense of themselves as procedurally just and as good communicators became more negative by the end of recruit training, and that recruits’ procedural justice self-assessments were predicted to a greater degree by their self-assessed interpersonal skills than by their attitudes to the public or procedural justice. Study 2 (Chapter 6) found that procedural justice had only a minor presence in recruit training, and that the interpersonal skills recruits were taught were for the general purpose of coercing public compliance, instead of using procedural justice to encourage voluntary compliance. These findings indicate that a barrier to police using procedural justice when they become operational is how they are trained as recruits for police work. We still do not know from these results, however, whether the barriers present at recruit training persist into operational work, or in fact whether there are alternative (or additional) factors present in the operational environment that could also prevent or inhibit officers from acting in a procedurally just way in the field.

The objective of Study 3, therefore, is to examine the barriers to procedural justice in the operational environment. To do so, three issues will be investigated. First, identify what the perceived barriers are to demonstrating procedural justice in the operational environment. Second, explore why the perceived barriers make demonstrations of procedural justice more difficult. Third, examine whether the perceived barriers to procedural justice change with operational experience.

Study 3 will draw from in-depth interviews undertaken with three different groups in the Queensland Police Service: recruits; early career officers; and established officers. As such, the study will examine the perspectives of officers with varying levels of operational experience, but will also compare and contrast the understandings of these groups to draw out how these barriers change through an officer’s career.
7.1 Method

Semi-structured interviewing was the method employed to capture data in Study 3. As procedural justice was not mentioned by name in recruit training, it was anticipated that the Study 3 participants would not be familiar with the term. Hence, the onus was on exploring how they understood the principles of procedural justice and the perceived barriers that prevent its use as they relate to police work.

7.1.1 Approach

It was decided to interview officers with a range of operational experience. Two types of operational officers were interviewed – early career officers and established officers. Constables with two years or less of operational work were defined as ‘early career officers’. Constables with more than four years of experience were defined as ‘established officers’. Four years was chosen as the demarcation between early career and established officers because prior research shows that many problematic issues that officers face with the public are more common earlier in their tenure (Lersch & Mieczkowski, 1996). In addition, recruits were interviewed because the aim of the research was to identify and examine how the barriers changed as a result of operational experience. For example, if a barrier was only identified by operational officers, this would suggest that this factor was a product of operational experience. Participants that had completed the recruit training programme, but were not yet operational, were defined as ‘recruits’. The recruits and early career officers who participated in Study 3 are different to those that participated in Study 1 (see Chapter 5), but are at the same stage of their career as Wave 2 and Wave 3 participants in Study 1, respectively.

7.1.2 Sample and Participants

Forty interviews in total were conducted with police recruits and operational Constables from the Queensland Police Service. Fifteen recruits in the last week of recruit training at the Queensland Police Academy volunteered to be interviewed. None of the recruits had any operational police experience. Eight Constables were classified as early career officers, with between seven months and two years of operational experience, and an average of ten months of experience in the field. The early career officers were recruited from the Queensland Police Service’s First Year Constable programme. The exception is the one officer with two years of operational experience; this participant was recruited from the
Senior Constable programme. This former programme is for Constables preparing for promotion to Senior Constable. Seventeen established officers were also recruited from the Senior Constable programme, with between four and eight years of operational experience, and an average of five and a half years of experience in the field.

Each of the three groups was recruited voluntarily in 2016 with an informed consent procedure during their attendance at their respective programmes at the Queensland Police Academy. Interviews were subsequently conducted either at the Academy or in the officer’s watch-house (station).

7.1.3 Data collection
Semi-structured interviews were conducted using an interview schedule exploring their understanding of the four principles of procedural justice, and what participants viewed as barriers to the use of procedural justice in the field. The interview schedule was first piloted on four officers; two recruits and two established officers. An additional set of questions was included after the pilot for early career and established officers, asking them about their experiences of using procedural justice where it had or had not been effective when dealing with the public. These questions were used to explore in greater depth how officers apply procedural justice in operational practice, and what they identified as barriers in these particular situations. The interview schedule has been included in Appendix C. Each interview was audio recorded and lasted between 40 to 90 minutes. Interviews were transcribed and inputted into Nvivo for later coding.

7.1.4 Data coding and analysis
Based on the limited number of published studies available on procedural justice barriers (MacCoun, 2005; Mazerolle et al., 2014; Sivasubramaniam & Heuer, 2007), an exploratory approach was viewed as most appropriate in the current study to identify barriers beyond those already discussed in the literature. An inductive approach was employed because it allowed perceived barriers to be driven by what was in the data (Braun & Clarke, 2012), though this approach was still informed by the literature. Testing hypotheses through a deductive method would have been suitable for a more developed subject area than procedural justice barriers.

Thematic analysis was chosen as the analytical approach because of its strength in collating
and examining themes across a dataset, as opposed to restricting any findings to the questions directly concerning perceived procedural justice barriers (Braun & Clarke, 2006). This type of analysis is suitable because the study will be identifying descriptive and latent themes. In Study 3, descriptive themes were the barriers that participants identified as inhibiting their use of procedural justice, whereas latent themes were underlying assumptions and conceptualisations of the world (Braun & Clarke, 2006) that the researcher identified as influencing the perception of these barriers. An additional benefit to using thematic analysis is that it allowed a range of questions to be used to explore different dimensions of the procedural justice concept. Put simply, the alternative would be asking participants what stops them from treating the public fairly, an approach likely to be seen as assumptive or obtuse.

The first run of coding identified instances of participants discussing procedural justice barriers; namely, issues or factors that made procedural justice more difficult to demonstrate. A descriptive code was created for each barrier stated by the participant, like ‘drugs’ and ‘alcohol’. In addition, a ‘miscellaneous’ code was created for those barriers that were indistinct or not easily defined. The second run of coding created latent barriers; for example, the notion of respect as a reciprocal exchange between the police and the public. All descriptive and latent codes were then thematically analysed by listing the codes to find higher-order themes; for example, ‘drugs’ and ‘alcohol’ were combined and became ‘intoxication’. A theme was more likely to be created if its lower-order codes were mentioned frequently in the data, if the participant had a strong opinion that the issue was a barrier, or if the barrier was explicitly linked by the participant to their understanding of procedural justice principles. Themes were refined until they could be clearly defined and named, from which all the codes were re-analysed to identify any other instances of the themes in the data.

The last stage of analysis of the interviews cross-referenced the themes across the three groups of participants – the recruits, early career officers, and established officers. Differences in the frequency and content of the themes were used to identify how these barriers might change with operational experience. It should be noted that this chapter will, on occasion, use the term ‘operational officers’ to refer to both early career and established
officers, so as to draw the contrast between police who have operational experience and recruits who have no operational experience.

7.2 Results
Study 3 first aimed to identify the perceived barriers to demonstrating procedural justice in the operational environment. Seven types of barrier were identified in the analysis. These barriers include: intoxication; mental illness; non-white cultural and ethnic minority groups; residents of high and low socioeconomic areas; efficiency concerns; procedurally unjust police partners; participants’ interpersonal skills, and their understanding of procedural justice principles.

The second aim was to explore why the perceived barriers make demonstrations of procedural justice more difficult. To assist this exploration, the barriers have been grouped into categories according to where the barriers are seen to predominantly originate from. The categories used are adapted from a model discussed earlier in the literature review chapter (see Section 3.1); that is: 1) individual level barriers; 2) community level barriers; 3) organisational level barriers; and 4) situational level barriers (Riksheim & Chermak, 1993).

Individual barriers refer to the characteristics of the officer – which includes their repository of knowledge, skills and understandings of the world – that influence their actions towards the public. Community barriers refer to the effect of the geographical location, or interacting with particular populations living in these locations, on police-public interactions. Organisational barriers refer to how the police institution manages and deploys its resources. Finally, situational barriers are concerned with the circumstances of the police-public interaction that influence how the officer acts.

The third aim addressed the need to examine whether perceived barriers to procedural justice change with operational experience. It was found that the barriers identified by each group of participants were surprisingly similar. There were three exceptions; those being: 1) operational officers talked differently to recruits about voice in decision-making; 2) only operational officers discussed the influence of police partners, and; 3) established officers discussed their use of interpersonal skills to encourage voluntary compliance. These particular differences are discussed in the relevant sections on the barriers below.
7.2.1 Individual level barriers

Individual barriers refer to the knowledge, skills, and understandings of the world that can make it more challenging for officers to demonstrate procedural justice. Two specific individual level procedural justice barriers were identified. First, a barrier was how the officers understood the four procedural justice principles of neutrality, respect, trustworthy motives and voice; in particular, their understandings of demonstrating respect and encouraging the public’s voice in decision-making. The second barrier was officers being trained at the recruit level to use their interpersonal skills to coerce compliance from the public, as opposed to using such skills to encourage voluntary compliance. These two barriers will be discussed in turn.

7.2.1.1 Understanding of procedural justice principles

From the interviews it became apparent that all recruits and officers believed that procedural justice principles – neutrality, respect, trust, and voice – were ingrained within the organisation and their own approach to police work. However, their understanding of two of these principles was found to be problematic – respect and voice. Officers understood the term respect – as in police demonstrating respect towards the public – was a barrier because if the public were disrespectful or non-compliant, the participants felt they needed to escalate to more coercive methods. Likewise, a lack of understanding of the principle of voice in decision-making represents another barrier because the participants rejected the notion that the public should have a direct say in decision-making during a police-public interaction.

Respect is concerned with treating the public with dignity and taking their concerns seriously (Jonathan-Zamir et al., 2015). This was reflected in how the majority of officers talked about respect (e.g., ‘so I would talk to you in a way that I’m giving you time, and to listen to what you have to say, maybe call you sir or ask you how want to be called – to show interest’ [Recruit 005, female]). However, nearly all recruits and officers also understood respect to be subject to a reciprocal exchange between the police and the public:

I feel that respect is a two-way sort of thing. I will always give someone respect. In policing you never know these people, you have never met them before […], in return I have to get it back (Established officer 018, male)
Officers discussed how police demonstrations of respect included entering the interaction in a non-threatening manner, addressing the person in a formal manner, and not using abusive language. If these demonstrations were not reciprocated by the public, either in the form of verbal abuse or ignoring the officer, then the majority of officers indicated they would escalate to more coercive methods like giving commands or raising their voice. Here, the understanding of the concept of respect is problematic because officers qualified the circumstances for the use of respect; once these circumstances changed, officers would escalate more rapidly to coercive actions, thereby negating any further attempts to demonstrate procedural justice. The reasoning behind escalating the situation was the potential risk to the officer’s safety:

*If you treat them with respect, but you’re not getting it back and other people are watching, you need to then up the ante [...], you gotta have a mutual respect going with that person, but also how other people perceive it because that can come back [on the officer] in the situation* (Early career officer 022, male)

A few of the established officers held a different view on police displays of respect, however. Instead of responding to public disrespect or non-compliance by escalating the situation, they indicated they would persist in acting in a respectful manner:

*A lot of police will expect respect because of the uniform. I will give it, whether it’s somebody that’s under arrest or an elderly person, anybody. I will give it hoping that it calms the situation and that I might get some in return, but I’m quite happy to give it whether I get it in return, or whether I’m expecting to get it in return* (Established officer 024, female)

Whereas the majority of recruits and operational officers saw coercive measures as the only means of tackling public disrespect or non-compliance, these few established officers saw non-coercive measures as an alternative approach to dealing with the situation. This approach was one they had developed based on their operational experiences; learning from other officers and reflecting on their handling of past incidents. Nevertheless, a commitment to persistently demonstrate respect was a view held by a minority of established officers. This point indicates that a barrier to police using procedural justice is the focus on managing public disrespect and non-compliance exclusively in a coercive
manner, thereby minimising the opportunities to demonstrate procedural justice in intractable situations.

The second principle of procedural justice that was found to be problematic was how officers viewed giving the public *voice in decision making*. *Voice* is giving the person the opportunity to give their view and participate in decision-making (Jonathan-Zamir et al., 2015). This definition is an example of instrumental *voice*. Non-instrumental *voice*, in contrast, is encouraging the public to have a *voice* but not necessarily considering it in the decision-making process (Greenberg & Edwards, 2009). Greenberg and Edwards find that citizens were more likely to view authorities as procedurally fair if they receive instrumental voice, when compared to non-instrumental voice.

Almost without exception the participants conveyed a non-instrumental understanding of *voice*. They referred to *voice* as 'getting their [the citizen’s] side of the story' (Recruit 001, female), 'explain[ing] the process' (Early career officer 013, male), and 'understand[ing] what they [the public] want' (Established officer 025, male), each of which falls short of giving the public an actual say in decision-making. In particular, operational officers felt strongly that the public should not have a say in police decision-making. These officers tended to see public participation in decision-making as the preserve of democratic institutions and not within the purview of police:

*I’d think [voice in decision-making] would more come from Parliament, obviously we have got as much a role in making the law as anyone else. We don’t actually make the rules; we are just there to make sure everybody abides by them and keep everyone safe* (Early career officer 015, male)

A few operational officers did see opportunities for the public to be involved in decision-making, but these opportunities were limited to less serious matters where the infringement was minor. One officer talked through how they could demonstrate instrumental *voice*:

*I think giving people that option, if it’s possible, it comes down to “wow, I can decide what’s gonna happen now, whether I go to the watch house, whether I get a Notice...”*
to Appear, whether I just get moved on and can go home”. I think for a lot of people that makes them think a bit more (Established officer 021, male)

This point was very much a minority view. Overall, the participants did not subscribe to including the public’s voice in decision-making, but it was the operational officers that saw instrumental voice as an impediment to their ability to make decisions. This point suggests that a barrier is not only the rejection of the public having a right to instrumental voice in decision-making, but also that this perspective becomes more firmly held as officers become more experienced.

7.2.1.2 Interpersonal skills

A critical issue identified by both recruits and operational officers for dealing with the public was their interpersonal skills. Recruits talked about their ability to make themselves understood and give commands effectively. Interpersonal skills were also a concern for established officers, though they demonstrated a broader understanding of how to use these skills. For example, a minority of established officers talked about learning skills to encourage the public to voluntarily comply, rather than coercing public compliance through commands or warnings:

Prior to the job I probably was a bit narrow minded I would say, when you are there on the road and you have got to make someone do something and you’ve got to find a way to make them do it, and you learn these skills, you learn these different tips and tricks along the way. If you were to speak to a first year constable who has been on the road for three months, they’ll probably tell you different things than what people who are five to ten years in [...], you just learn them and pick them up along the way (Established officer 006, female)

Many of the established officers stated that they had learned these skills prior to joining the police, such as working in the emergency services or in hospitality, or as a result of their operational experience. None mentioned learning these skills in recruit training. The remainder of early career operational officers talked about their interpersonal skills in the same manner as the recruits, focusing on giving commands or warnings – examples of coercive methods.
These points suggest that a procedural justice barrier is the focus of officers using their interpersonal skills to coerce compliance, rather than encourage the public to voluntarily comply. Coercive methods limit the ability of officers to demonstrate procedural justice. Nevertheless, there is the capacity for officers to learn skills that encourage voluntary compliance through operational experience. This point indicates that an officer’s interpersonal skills may become less of a barrier as they accrue experience from operational work.

7.2.2 Community level barriers

Community barriers refer to the effect of the geographical location, or interacting with particular populations living in these locations, on procedural justice in police-public interactions. Two community groups were identified by officers as being more challenging to engage with in a procedurally just way: 1) non-white cultural and ethnic minority groups; and 2) residents of high and low socio-economic areas. The challenge in dealing with non-white cultural and ethnic groups was based on a perceived unwillingness of these groups to trust police or to cooperate and comply with police, but also due to different cultural understandings of respectful behaviour. For residents of high and low socio-economic areas, there was the use of different language when dealing these two groups, which pointed towards a barrier being officers having different opinions of how to demonstrate procedural justice with different groups.

7.2.2.1 Non-white cultural and ethnic minority groups

Both recruits and operational officers talked about the challenges of interacting with non-white cultural and ethnic minority groups. The difficulties officers mainly identified were based on experiences of non-compliance from members of those communities, especially when dealing with large numbers of them together:

_They will get into group mentalities and gang mentalities, and they will stick up for each other. If you fight one of them they are all going in, so you gotta be very careful when you are dealing with them, you have got to make sure you’ve got double the numbers_ (Established officer 006, female)
The primary understanding of non-white cultural and ethnic minority groups as a perceived barrier to implementing procedural justice was therefore constructed as a compliance issue; one in which officers would draw on coercive approaches if non-compliance was exhibited. The concern is that the mistrust such groups hold towards police (Murphy & Cherney, 2011), and police expectations of using coercive approaches in response to non-compliance, leads to a perpetual cycle that results in procedural justice being seen as less applicable when dealing with these groups. Beyond the challenge of controlling situations and enforcing the law, a few recruits and operational officers recognised another type of barrier when policing these communities:

> People from overseas, from different cultures and it’s very difficult to provide a solution for that [using procedural justice], because there are so many different cultures, personal space is different for people, their experience with authority and their country is different, and they might come here with preconceived ideas and it’s very difficult to change their opinion of authority [...] in an incident they are walking past you, avoiding eye contact (Early career officer 016, male)

In this case, the officer believed that some ethnic groups were wary of police because of their prior experiences of police in their native country. The perceived lack of trust ethnic groups had in police made officers believe it more difficult for demonstrations of procedural justice to have the desired effect. Another officer also recognised that ethnic groups had different understandings of respect and acceptable forms of social distance, but also proposed a solution:

> Say when you are going into someone’s house, some people might ask you take your shoes off or something like that and we have to explain I’m sorry we can’t do that. Some people might stand closer to you than other people. You just gotta be more open minded about it (Recruit 010, male)

In this case the operational requirement to wear shoes at all times so as to not to compromise their safety overrides the officer’s wish to act in a perceived respectful manner. Nevertheless, the quote illustrates that there is the opportunity for officers to partially allay this issue by being aware of the customs of particular ethnic minority groups in society, and demonstrate respect by explaining what they can and cannot do as a police officer. As such,
though non-white cultural and ethnic minority groups were constructed as a barrier based on their perceived non-compliance with police, there is the possibility for these barriers to be reduced by officers being aware of and demonstrating culturally appropriate displays of procedural justice.

7.2.2.2 Residents of high and low socio-economic areas

The notion of communities having different understandings of what constitutes procedural justice policing was found in an even greater degree when participants discussed socio-economic status. This theme pointed towards a procedural justice barrier being how police officers interpret and demonstrate procedural justice differently. It was found in the clear distinction between using more informal language with residents of low socio-economic areas, and more formal language towards those residing in high socio-economic areas:

If you were to pull over a businessman in his BMW and you went up and said, “Afternoon mate. We just stopped you for a random breath test, blah-blah-blah.” Went through their business and we did the breath test and you are like, “Okay, man thanks a lot. Have a good day.” And walked off to the car, he might have found that disrespectful because “I’m one of the finest lawyers in town and he’s calling me mate”. So, his impression of how police should respect him would be different to if I pulled over Jim the carpenter who’s been slugging it out all day and like, “Hey, I’m from whatever station, I’ve just pulled you out for a breath test. Can you comply with that? All good mate, you have a good day then.” And he might go that copper was great. [...] So, he might feel really respected because of how he sees police and how he sees himself as opposed to another member of the public (Recruit 014, male)

In this example, the officer adapts their manner of speaking to the person’s perceived social class as a means of demonstrating respect to the person. This point illustrates that some officers believed that procedural justice demonstrations were not uniform; that how they demonstrated the principles was based on the officer’s perceptions of what the person would see as respectful. As such, the barrier was not dealing with people of differing socio-economic status, but in how an officer interprets and demonstrates procedural justice when interacting with different groups.
The reasoning behind this adaptation was discussed by an early career officer:

*If we are going to X or if we are going to Y which is a very expensive area, we know that generally there is a lot of educated people in that area […]. So, we know where we are going and talk like that.*

**[Interviewer]** So, just to rephrase it, you change your language based on the area?

*Absolutely, yeah so if we go inside, we are dropping an F bomb if it’s an appropriate time we might talk like that, and someone like that talks normally we will talk normally.*

**[Interviewer]** So, why do you think that’s effective?

*It just makes them realize that we’re just people* (Early career officer 0123, male)

The theme of ‘being a person’ and ‘being human’ was mentioned most frequently by officers when dealing with low socio-economic groups. In these cases the use of informal language was to demonstrate to the person that the officer was ‘just a guy in a uniform’ (Established officer, male). The general expectation was that in low socio-economic areas individuals would oppose a police officer’s authority. Hence, using such informal language was a means of reducing the perceived power differential and obtaining voluntary compliance. An established officer discussed ‘being human’ in terms of building a relationship with this community:

*Some of the officers have talked about sometimes people just see your uniform, maybe if I could find something on a human level that they see me as [name] ...So, that can actually help so they don’t see the uniform [...], they are just a human being rather than a police officer [...] they don’t see the authority as much if they see something that they can relate to* (Established officer 020, female)

There is a similarity in how ethnic minority groups and differing socio-economic groups were constructed by officers. For a minority of officers, there was the perceived need to adapt their interpersonal skills so as to be seen as procedurally just according to the group’s customs. Nevertheless, the majority of officers did not see any change being required. These
two groups of officers – those that adjust their interpersonal skills and those that do not – represent challenges in applying procedural justice in police-public interactions.

Both groups of participants believed themselves to be interacting with the public in a procedurally just way. The officers that do adjust their interpersonal skills indicate they demonstrate procedural justice by being cognisant of and acknowledging culturally appropriate practices, or change their language to either build a relationship or to avoid the perception of being procedurally unjust. Those officers that adopted a uniform approach to dealing with the public believed that such an approach was in itself procedurally just by treating everyone equally (i.e., neutrality). The implication of these two schools of thought for procedural justice barriers is that officers can have very different understandings of the principles and what it means to demonstrate procedural justice; they also have implications for how the public views inconsistent behaviour from different officers. This point indicates that a barrier is how individual officers interpret procedural justice principles and apply them when dealing with different groups.

7.2.3 Organisation level barriers

Organisational barriers refer to the effect of how the institution manages and deploys its resources on procedural justice. Two organisational level barriers to police using procedural justice were identified from the analysis. The first was an emphasis on the need to be efficient in one’s work (see also Mazerolle et al 2014). This perceived barrier took the form of officers hurrying through police-public interactions to attend other incidents or to complete paperwork prior to finishing for the day. The second organisational level barrier identified to implementing procedural justice in the field was having a partner that did not act in a procedurally just way.

7.2.3.1 Efficiency

The majority of participants discussed the need to be efficient and noted that this inhibited their ability to use procedural justice in the field. Efficiency took the form of having to complete police-public interactions quickly, whether because the officer was required elsewhere, or because of the need to gather information and complete paperwork. One early career officer told a story of their experience:
With my mentor probably four shifts into the job, I had a missing person and it was a mum, her young son had gone missing, she had great concerns for him, he was just rebelling but we didn’t know for sure. So, I was taking the complaint quite seriously and the mum was bawling her eyes out in front of me, and my field training officer has pretty much yelled at me in front of her and says, “You need to hurry up, this is taking way too long.” And yeah, because there was that pressure [...], but that lady doesn’t care about the other jobs and what we’ve got banked up, her concern is her son, making sure that he’s okay that’s her only concern. So, it’s a fine balance (Early career officer 010, male)

This example illustrates that despite the officer wanting to demonstrate procedural justice to the mother, efficiency pressures meant the nature of the interaction had to be curtailed. Of those participants that talked about efficiency, the predominant theme was officers’ presence being required elsewhere, otherwise referred to as being ‘under the pump’. The consequences of this pressure were that officers needed to finish the police-public interaction quickly, which the participants believed would be seen as procedurally unjust by the public. In particular, officers perceived that the public would see these abbreviated interactions as lacking respect and opportunities for their voice to be heard:

And [efficiency concerns] can change [the public], they don’t feel we are listening to them [...], and we are not showing them the respect they deserve, but the fact is there is other people that need our help [...], we know the questions that we need to ask. You may not know the information that you need to give us. So, a lot of the stuff may be helpful, a lot of it is just useless information, and we do our best to listen, and try to take in as much as we can, but it gets to a point where, you don’t wanna say, “I have got other jobs” but we know it, we have got other jobs, we got places we need to go, we got people we need to see, and I need to get the information and get out (Established officer 025, male)

The balance the officer talked about is weighing the personal wish to demonstrate procedural justice, and the operational need for the officer to attend another incident. For a minority of operational officers and recruits, however, this idea of efficiency was less of a concern. They were of the opinion that time constraints would not affect their use of
procedural justice, or they would resist organisational pressures until the job was completed to their satisfaction:

[Interviewer] Do officer concerns about efficiency affect the use of [procedural justice] principles?

No, I don’t. We talked about the amount of pressure we do have on time management […], there is a lot of work that will be done behind the scenes […], a lot of paperwork and a lot of computer work, that’s the time pressure. I have never worked with anyone that has been at an incident that is concerned about time management, every time we go to a job that job is a priority (Early career officer 013, male)

In this case efficiency concerns such as the operational need to complete administrative tasks like paperwork did not impinge on demonstrating procedural justice. These two contrasting points of view – with officers’ personal wishes to demonstrate procedural justice either being conditional or pre-eminent to the prevailing efficiency concerns at that time – indicate that not all officers see such concerns as a barrier. It would be possible to reject efficiency concerns as a perceived procedural justice barrier if there was a consistent view that it was not a factor. However, the variance of opinions on this point suggests that efficiency concerns like being ‘under the pump’ is a procedural justice barrier for some officers as it requires officers to curtail their interactions with the public.

7.2.3.2 Partner not being procedurally just

A barrier raised exclusively by operational officers was the effect of having a partner on their use of procedural justice. It was felt that having a partner that acted in a forceful or disrespectful manner towards the public would undercut any efforts of the officer to demonstrate procedural justice themselves. As one established officer explained:

Working with other coppers, that can be difficult because you try to apply from this angle and they come in from this angle and then they just cut you off completely. So, once it happened a few times, they have gone to an incident, I have tried an approach, they have gone a completely different approach, just because they have that adrenaline in them, and that their reaction then caused a reaction from the
person we are dealing with and this [procedural justice] then becomes difficult to try and get back because of that initial confrontation (Established officer 018, male)

This point suggests that, for procedural justice to be effective, it is essential that both partners consistently use the approach, otherwise if one officer escalates their response in a forceful manner, it can undercut another’s ability to encourage voluntary compliance from the public. One officer explained the difficulties in rectifying issues with partners:

I think because to some extent people are worried about being seen to be picking on or bullying or anything like that, then there is potential ramifications for that. [...] the line between constructive criticism and bullying might depend on that person’s personality, [...] it certainly depends on how it’s delivered as well (Early career officer 010, male)

This point suggests that it may be difficult for officers to rectify procedurally unjust behaviour from their partners, especially as this behaviour can inhibit their own interactions with the public. By extension, the relationship is made particularly complicated when one officer has less operational experience than their partner. Given the hierarchical nature of the police as an organisation, a junior officer is expected to follow the senior officer’s lead:

Being a junior officer, you watch how they [senior officers] deal with things. [It] can definitely sculpt how you deal with things. Some people have their patience level a bit lower, whether that be that they have been on the road for longer, or that’s just the way that they deal with situations. Everyone has got their own level of tolerance. If someone is constantly going on, they go, ‘I don’t need to listen anymore, you are under arrest’. So, until you build experience, you take their lead until you can formulate your own way, and how you want to deal with things and what kind of officer you want to be (Early career officer 015, male)

This point indicates that early career officers are expected to defer to their senior officer until they have gained the necessary experience to approach police-public interactions in the manner they wish to. This means that attempts to train recruits in procedurally just approaches need to match how their mentors also perform police work in the field, otherwise the deference to operational experience may inhibit officers in their attempt to
demonstrate procedural justice. The procedural justice barrier is the consequences of a partner escalating the situation; a barrier that emerges from operational experience as officers learn the difficulties in addressing the errant behaviour of a partner.

7.2.4 Situational level barriers

Situational barriers are concerned with the circumstances of the police-public interaction that inhibit police demonstrations of procedural justice. Two specific types of incidents were consistently identified as substantial barriers to police being able to display procedural justice. They are intoxication and mental illness. In addition, a further barrier presents itself in the contrast in treatment given to intoxicated individuals versus mentally ill individuals.

7.2.4.1 Intoxication

The most frequent aspect of the job that was mentioned across the interviews as being a potential barrier to using procedural justice was dealing with those intoxicated by drugs or alcohol. There were two procedural justice barriers as it relates to intoxication. The first perceived barrier was the view that procedural justice approaches would not be effective in these situations because of the effect of the substances on a person’s ability to understand police actions and their unwillingness to be compliant. Second, was the priority placed on the safety of officers and the public. Established officers often expanded on the first theme in interviews, linking the challenges of managing intoxicated people with licensed premises, working at night, and managing large groups of people:

_People who are intoxicated, drunk, it doesn’t matter what you tell them, it doesn’t matter. Dealing with a fight in the street, in the middle of the night, it was a group of people fighting each other. How can we show respect to one person, they’ll think we are doing favours for them as opposed to the others. We try to deal with the situation and you remove them, but you are trying to show respect, you have used these principles and they haven’t worked_ (Established officer 005, male)

Demonstrating _respect_ was seen as ineffective to the intoxicated, especially as such demonstrations could be seen by others present as a lack of _neutrality_ by the officer. Also the additional situational factors – night time, licensed premises, and large groups of people – not only made it more likely officers would encounter the intoxicated, but made dealing
with them more challenging. As such, the barrier was the inability of the intoxicated to understand and comply with the police.

The second barrier identified by a majority of participants in relation to intoxication was the top priority of officers to maintain the safety of themselves and others, with procedural justice being less of a concern. Operational officers without exception talked about having to often escalate to coercive methods with the intoxicated because of the risk of violence being directed towards the officer or other bystanders. It is unclear from interviews, however, whether intoxication was seen as a safety issue because individuals were potentially violent or because they were actually violent.

[dealing with the intoxicated] in some circumstances you have to go in hard or stronger or controlled to contain the situation, which might be viewed as either heavy headed or non-respectful, but after you control the situation it’s safe, you can then still show that respect and that trust, and explain why we had to do what we do. “Here’s a glass of water, how are the cuffs, okay I might loosen them a bit for you”. So adjusting a bit after the fact [...] and that also shows that you are trustworthy when you are not acting on emotion as opposed to reacting to the situation (Early career officer 022, male)

As can be seen in the quotation above, a minority of recruits and officers saw the capacity to act in a procedurally just way after an arrest has been made. Police were required to make the situation safe using coercive approaches, but once that was achieved there were opportunities to demonstrate procedural justice. In these cases trustworthiness could be demonstrated by the officer demonstrating they were concerned with the person’s welfare, or showing respect by talking as a human being rather than an officer of the law. There is an inconsistency here between the points made earlier that police coercion makes it more difficult to demonstrate procedural justice later (Section 7.2.3.2). Here, officers indicated that procedural justice could be employed successfully after coercion has been used. It may be that procedural justice is seen as unworkable by officers when dealing with the intoxicated, but officers may be more open to demonstrating the principles once the situation is under control. Nevertheless, a procedural justice barrier was the foremost priority of officers being safety concerns when dealing with the intoxicated.
7.2.4.2 Mental illness

The first barrier identified as it related to mental illness is the same as for the intoxicated; the person’s ability to understand an officer’s instructions and actions, thereby requiring officers to find other ways of dealing with the situation. The second barrier was based on the contrast between the reasoning behind dealing with the intoxicated and the mentally ill. Despite both types of situations being challenging because of the inability of the person to understand their action, both recruits and operational officers talked about a greater degree of tolerance when dealing with the mentally ill:

*You know what, when some people are drunk, some people are just nice people and happy, some people turn into arseholes. You are still trying to deal with people [in a procedurally just] way, but sometimes it’s “you’ve got no respect for yourself” [...] and the negativity and the abuse [...] you get it from mental health patients as well, but you understand that they are not in control of their faculties, and you’ve really got to step back, as much as what’s been thrown at you will be quite confronting* (Established officer 003, male)

*It’s harder for [the mentally ill] to act normally, so it does make our job a bit difficult, but you understand through these things that sometimes they know they can’t change that, but then when you deal with the drink and drug people, well they chose to take those drugs or alcohol* (Established officer 021, male)

The difference between the treatment of the intoxicated and the mentally ill, despite the similarity in the challenges faced with dealing with them, was the degree to which the mentally ill were seen as less responsible for their predicament than the intoxicated. The difference was that the mentally ill were tolerated to a greater degree, and more likely to be treated in a procedurally just way, than the intoxicated. This point indicates that a procedural justice barrier is the degree to which officers see certain groups as being more or less deserving of procedurally just treatment.
7.3 Discussion

The objective of this chapter was to identify the barriers within operational police work that make it more challenging for officers to demonstrate procedural justice towards the public. From this, three issues were examined. First, *identify the perceived barriers to demonstrating procedural justice in the operational environment.* A range of barriers were identified: the intoxicated and the mentally ill; non-white cultural and ethnic groups; residents of high and low socio-economic areas; efficiency concerns and procedurally unjust partners; as well as officers’ own interpersonal skills and understandings of procedural justice. On this basis, it can be said that there are a range of barriers that officers perceive as either preventing or inhibiting their use of procedural justice.

The second issue concerned the need *to explore why the perceived barriers make demonstrations of procedural justice more difficult.* Before discussing the findings that relate to this statement, the third and final topic needs to be addressed. The third topic was to *examine whether the perceived barriers to procedural justice change with operational experience.* It was found that each of the three participant groups had broadly similar understandings of procedural justice barriers. There was one barrier that was identified only by those with operational experience, and two barriers that held different meanings for those with such experience. The one barrier that was identified by operational officers but not recruits was the influence of a procedurally unjust partner, suggesting that recruits’ lack of operational experience had not yet exposed them to this barrier.

The two differences in understandings were found in operational officers’ interpersonal skills and *voice* in decision-making, which will be examined later in the discussion. On this basis, it can be said that procedural justice barriers, and the circumstances as to why these barriers inhibit demonstrations of procedural justice, do not tend to change as recruits become operational. This common understanding of procedural justice barriers at the Constable level indicates that attempts to tackle such barriers would be best served by interventions at the recruit stage, thereby inhibiting their influence on officers’ behaviour in the future.

A key barrier was the predominant idea of interpersonal skills as a means of coercing compliance, rather than encouraging voluntary compliance from the public. Interpersonal
skills were not only identified explicitly by the participants as a barrier; they were also present in the discussion of respect, non-white cultural and ethnic minority groups, and the intoxicated. This finding is a barrier because if officers resort to coercive approaches, like raising their voice or giving commands rather than requests, then it is likely they will not be seen by the public as procedurally just (Fildes & Thompson, 2016; McCluskey, 2003; Wheller et al., 2013b). There were differences between how the participant groups talked about their interpersonal skills. Whereas recruits and early career officers talked about using their interpersonal skills in a coercive manner, a minority of established officers discussed using these skills to encourage voluntary compliance. Though this view was one of a minority, it does indicate that officers can develop interpersonal skills that align with procedural justice as a result of operational experience.

The findings provide further evidence that officers do not learn how to encourage voluntary public compliance in recruit training (Section 6.5). And so, when newly graduated recruits and early career officers are faced with non-compliance, they are likely to resort to behaviours that inhibit any expressions of procedural justice. With the likelihood that coercive methods will be met with suspect resistance (Terrill, 2003), the implication of this finding is that a cycle of police coercion and public non-compliance continues until the officer uses physical force or the person relents. Both outcomes are unlikely to be seen as procedurally just, and so public opinion of police declines and officers have to deal with more public disrespect and non-compliance.

Any attempts to address procedural justice barriers must also take into account another factor – the role of police as decision-makers. Sivasubramanian and Heuer (2007) argue that decision-makers are less able to demonstrate procedural justice to decision-recipients – in this case, the public – because other factors take precedence. For the participants, these priorities included the need to prioritise the safety of themselves and others, and to a lesser degree the need to be efficient with their time. Officer concerns about safety manifested in dealing with the intoxicated, and to a lesser degree dealing with the mentally ill. The expectation was that police needed to be coercive in these situations, which in itself inhibited any attempts to demonstrate procedural justice. Efficiency concerns, such as being ‘under the pump’ and needing to attend other incidents, were seen as a barrier because it was anticipated the public would see such abbreviated interactions as disrespectful.
Both of these issues suggest in situations that are seen as potentially dangerous or time-sensitive, officers are less likely to demonstrate procedural justice. By virtue of police being emergency responders it is likely that this is a barrier that can only be minimised and not eliminated. Nevertheless, with the focus of recruit training being officer safety (Section 6.4.2), a risk is that recruits and early career officers will over-compensate and adopt coercive approaches more quickly than established officers. This will be especially so as they have not been taught early on how to encourage voluntary compliance. More experienced officers can obtain more compliance with less force than inexperienced officers (Mastrofski et al., 1996), so the onus is on a policing organisation to continually reinforce the importance of not abandoning procedural justice when dealing with risky or time-sensitive situations.

The status of officers as decision-makers was also evident in how participants’ talked about the public’s voice in decision-making. The participants by and large rejected the notion that the public had a say in influencing police decisions within these interactions, what has been termed ‘instrumental voice’ (Greenberg & Edwards, 2009). As the procedural justice literature demonstrates, when people feel they are able to influence decisions they are more satisfied with their encounters with authorities (Sunshine & Tyler, 2003). Instrumental voice was seen as a barrier because it was seen as impinging on the officers’ ability to make decisions, a view most forcefully made by operational officers. This point suggests that this view becomes more embedded as officers gain operational experience.

One alternative, discussed in the results section (Section 7.2.1.1), was providing options to the public based on what the officer was required to do as an officer of the law. While it is understandable that the public have their decision-making removed when dealing with serious criminal matters, this finding suggests that particular attention needs to be paid towards training officers in methods of encouraging the public’s voice in decision-making in less serious matters.

Another barrier as it relates to officers’ understanding of procedural justice was a potential misunderstanding of the principle of respect. Demonstrating respect to the public was seen by the participants as a reciprocal exchange; if an officers’ initial demonstration was greeted by disrespect or non-compliance, then officers’ often felt the need to escalate to more
coercive methods. It has been found that entering an interaction in a procedurally just way can increase the likelihood of voluntary public compliance (McCluskey, 2003), and so there is merit to the argument that the onus is on the officer to set the tone of the encounter. The alternative is a cycle of disrespect between the public and the police (Mastrofski et al., 2002). The issue lies in the variation of opinion across officers as to what type of public behaviour requires a coercive response. In the main, recruits and operational officers talked about a few expressions of non-compliance or disrespect before they would escalate, whilst only a few would persist in using procedural justice in such circumstances. Research has found that procedural justice ceases to be effective in generating public compliance after multiple instances of non-compliance (McCluskey, 2003), so more work needs to be done to establish under what conditions procedural justice is likely to be effective.

An alternate explanation for the importance of respect is the notion of deference, and how officer attitudes may influence their expectations regarding the receipt of respect from specific groups. Sykes and Clark (1975) (see Section 3.3.1) argue that police-public interactions are based on deference exchange, with officers having an expectation that they are entitled to demonstrations of deference from the public based on their status as an officer of the law. According to Sykes and Clark (1975), officers expect to receive more frequent demonstrations of deference – like being respectful – from lower status groups than higher status groups. The logic is that officers self-identify as being above lower status groups – in this case residents of low socio-economic areas, non-white cultural and ethnic minority groups, and the intoxicated – and thus are entitled to be treated in a deferential manner. When this behaviour is not received from these groups, expressed as disrespect or non-compliance, then a more coercive approach is seen to be justified. In contrast, when dealing with high status groups like residents of high socio-economic areas, or those that are seen as less culpable for their predicament like the mentally ill, then fewer expressions of deference were expected. In these cases, officers talked about persisting with a non-coercive approach.

Procedural justice training has begun to address the unconscious influences that affect police behaviour towards particular groups (Skogan et al., 2015). This points to a procedural justice barrier being not only identifying what public behaviour requires a coercive
response, but also an account for how officers’ own opinions of particular groups may affect their decision to escalate.

A contrasting explanation for low status groups being seen as a barrier is the degree to which officers anticipate a negative interaction. Trinkner and Goff (2017) have recently found a link between officers’ concerns of being seen as discriminatory, and their confidence in interactions with groups that have been discriminated against. Those officers that are more apprehensive about an interaction report they are more likely to adopt coercive approaches when dealing with such groups. In this Study, officers acknowledged the difficulties of conducting such interactions as based on the lack of trust these communities had in the police. To apply Trinkner and Goff’s theory to this study, the procedural justice barrier would be that officers anticipate resistance, and so over-compensate in these interactions by employing coercive methods.

In Chapter 6 (Section 6.4.1.3) it was briefly noted that there was little formal cultural awareness training provided to recruits; in two of the three ‘communication’ modules examined it was briefly mentioned that Aboriginal and Indigenous groups saw being looked in the eye as disrespectful. This lack of awareness that officers may have of different cultural traditions or expectations could lead them to be more apprehensive in these interactions. This could result in an increase in the level of coercion adopted. As such, the overarching barrier is the lack of awareness officers have in culturally appropriate demonstrations of procedural justice. Training that incorporates differing cultural understandings of respect, and emphasising the importance of neutrality of all groups in society, could assist in reducing the level of coercion exhibited in interactions with non-white cultural and ethnic minority groups.

Whilst there have been attempts to develop procedural justice into a set of quantifiable behaviours (Jonathan-Zamir et al., 2015), there remains an unanswered question – can there be a standardised set of behaviours that the public can agree on is procedurally just? Part of the value of procedural justice has been its subjective nature, meaning that it is very much in the eye of the beholder. The challenge for police organisations is ensuring that officers have a common understanding of what these principles are, what they mean, how
they can be applied, and that these understandings match the expectations of the public. Indeed, it may be true that these expectations are culturally bound.

It is clear that there is a distinction between those officers that see equal treatment as procedurally just, and those that adjust their interpersonal style according to what they anticipate the party will see as procedurally just. This type of understanding was conveyed by a minority of operational officers working with residents of low socio-economic areas and non-white cultural and ethnic minority groups. It is unclear how training covering such a diverse range of contextually appropriate behaviours could be developed, notwithstanding the time required to train recruits in these skills. The opposite extreme is situating procedural justice as a set of values to adhere to; a predicament equally unsuitable based on the diverse range of officer understandings of how to demonstrate the principles. A useful middle-ground is training recruits in both procedural justice principles and skills, thereby providing a framework in which officers can incorporate or reject different methods of dealing with the public according to the principles. Such an approach can also protect against any such training being directed towards exclusively obtaining public compliance at all costs, a perception that would undermine the tenets of procedural justice (MacCoun, 2005).

7.3.1 Conclusion

The primary objective of Study 3 was to examine the barriers to procedural justice in the operational environment. Study 3 was able to identify the perceived barriers to demonstrating procedural justice in the operational environment. These barriers included: the intoxicated and the mentally ill; non-white cultural and ethnic groups; residents of high and low socio-economic areas; efficiency concerns and procedurally unjust partners; as well as officers’ own interpersonal skills and understandings of procedural justice. Study 3 also discussed why the perceived barriers make demonstrations of procedural justice more difficult. Beyond the need to control situations and enforce the law, the common theme binding these perceived barriers together was the use of interpersonal skills in a coercive manner to manage non-compliance. This point stands opposed to demonstrating procedural justice, and reflects how recruits are trained (see Chapter 6). In addition, officers’ understandings of respect and voice in decision-making as they relate to police work also underpin the perceived barriers. Finally, Study 3 examined whether the perceived barriers to
**procedural justice change with operational experience.** In the main there exists a common understanding of procedural justice barriers amongst recruits, early career officers and established officers. This finding also indicates that a recruit training programme focused on imparting procedural justice knowledge and skills could target the point in an officer’s career where it will be most effective in tackling these barriers.
Chapter 8 – Discussion and conclusion

A wealth of literature has established that procedurally just treatment of the public is associated with a range of positive self-reported and observed outcomes. Procedural justice policing has been found to improve: 1) how the public view police (e.g., they see police as more legitimate (Sunshine & Tyler, 2003; Tyler, 1990) and are more satisfied with police (Hinds & Murphy, 2007; Murphy, 2009)); and 2) how the public interact with police (e.g., citizens will be more cooperative with police (Kochel et al., 2013; Reisig et al., 2007) and the public will be more likely to comply with the law and police instructions (McCluskey, 2003; Paternoster et al., 1997)). Research has also found that police can be trained to act in a procedurally just manner, and that these interventions can have a positive effect on officers’ attitudes and behaviour towards the public (Mazerolle et al., 2012; Skogan et al., 2015; Wheller et al., 2013b). It is still unclear, however, if these positive changes in officers’ attitudes and behaviour persist long term.

On the basis of the positive findings in the literature, police organisations around the globe are being tasked with introducing procedural justice into policing practice (President's Task Force on 21st Century Policing, 2015). However, there is a clear gap in the literature that systematically identifies and examines the factors that might prevent or inhibit officers from demonstrating procedural justice. The literature on such factors, referred to in the current thesis as procedural justice barriers, is sparse. Studies to date have either simply categorised a range of potential barriers (Mazerolle et al., 2014), or examined specific issues concerning how the public perceive, and how the police demonstrate, procedural justice. These issues include whether officers are seen as sincere in their demonstrations of procedural justice (MacCoun, 2005), the diminished importance of procedural justice to decision-makers like police (Sivasubramaniam & Heuer, 2007), and situational factors that can inhibit procedural justice policing (Mastrofski et al., 2016). As yet, there is no empirical study that specifically identifies and examines the factors that prevent or inhibit officers from using procedural justice across the different stages of an officer’s career. The findings from this thesis provide an insight into the factors that influence how police officers deal with the public, and will assist those designing procedural justice interventions.
Prior to discussing the findings of this thesis and their implications for the study of procedural justice and policing practice, this final chapter will first summarise the main findings of each study reported in this thesis. Following this, there will be a broader discussion of the findings according to three key themes that were found across the studies. Next, the findings from the studies will be synthesised with the policing literature to examine to what extent these barriers could be tackled through police training or broader organisational change interventions. Furthermore, the section after will propose a set of implications and recommendations for both procedural justice scholarship and policing practice, as well as a discussion of the limitations of the three studies. Finally, the chapter will end with a concluding statement on the thesis and its contribution to the procedural justice policing literature.

8.2 Summary of studies

The thesis used a mixed methods approach across the three empirical studies. Each study addressed a specific research objective, or series of objectives. The findings are summarised in the following section. In addition, the identified barriers and the corresponding study have been outlined below in Table 8.1.

Table 8.1 Identified procedural justice barriers and corresponding Study

<table>
<thead>
<tr>
<th>Identified barriers</th>
<th>Study</th>
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<tbody>
<tr>
<td>Lack of training in procedural justice (including practice and demonstrations)</td>
<td>Study 2</td>
</tr>
<tr>
<td>Balance between coercive and non-coercive methods of obtaining public compliance</td>
<td>Study 2 &amp; Study 3</td>
</tr>
<tr>
<td>Mental health / intoxication</td>
<td>Study 3</td>
</tr>
<tr>
<td>Groups with different understandings of procedural justice</td>
<td>Study 3</td>
</tr>
<tr>
<td>Efficiency concerns</td>
<td>Study 3</td>
</tr>
<tr>
<td>Procedurally unjust partners</td>
<td>Study 3</td>
</tr>
<tr>
<td>Officers’ interpersonal skills</td>
<td>Study 2 &amp; Study 3</td>
</tr>
<tr>
<td>Officers’ understandings of procedural justice</td>
<td>Study 3</td>
</tr>
</tbody>
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8.2.1 Study 1 summary

The purpose of Study 1 was to assess how officers’ procedural justice self-assessments changed over time, and identify what factors influenced these self-assessments. The study analysed data from a longitudinal survey of Queensland Police Service recruits. The first objective of Study 1 was to measure how procedural justice self-assessments and related factors change over time. The second objective was to identify the factors that predict procedural justice self-assessments at the end of recruit training.

The purpose of the first objective was to establish that procedural justice barriers existed, and to identify at what point in an officer’s career they emerged. Barriers were identified through officers’ procedural justice attitudes; more specifically, officers’ procedural justice self-assessments. The measure was chosen because it quantified the extent to which officers evaluated their own behaviour as procedurally just. As such, negative change in the measure over time (i.e., officers’ identifying as less procedurally just) would signal the presence of procedural justice barriers.

Study 1 found officers’ procedural justice self-assessments, interpersonal skills self-assessments (i.e., to what extent officers saw themselves as good communicators), and attitudes to use of force, were all rated lower by the end of recruit training. These findings meant that by the end of training recruits saw themselves as less procedurally just, and as less effective communicators, but were also less supportive of the use of force than when they entered training six months earlier. In contrast, there was no change in any of the measures from the end of recruit training and following one year of operational experience. The findings, therefore, indicated that there were barriers in recruit training that prevented or inhibited officers’ sense of themselves as procedurally just.

With the focus of this thesis being the factors that prevented procedural justice, the second objective of Study 1 was to identify the factors that predicted positive procedural justice self-assessments at the end of recruit training. Officers’ procedural justice self-assessments were predicted by their self-assessment of their interpersonal skills and, to a lesser degree, by their attitudes to using force, as opposed to officer attitudes towards procedural justice or the public. These findings suggest that seeing oneself as procedurally just relates more to
one’s self-assessed ability to express procedural justice through one’s interpersonal skills, rather than one’s own opinions of the public or the efficacy of procedural justice.

8.2.2 Study 2 summary

As Study 1 had demonstrated that recruit training had a negative effect on officers’ self-assessments of procedural justice and interpersonal skills, the purpose of Study 2 was to examine the potential procedural justice barriers present in the recruit training environment. Study 2 used a range of qualitative methods; these included document analysis of all recruit training material, observations of training, and interviews with police trainers. The first objective of Study 2 was to identify the extent to which procedural justice principles are present in recruit training. Given the identified importance of interpersonal skills in Study 1, the second objective of Study 2 was to examine the interpersonal skills training recruits receive.

It was found that procedural justice concepts and principles had only a minor presence in recruit training. Procedural justice was not mentioned by name anywhere in training, though seven of the 65 training modules did make brief references to one or more of the four procedural justice principles (e.g., neutrality, respect, trustworthy motives, or voice). Of these modules, it was the training on suspect and witness interviews, as well as mental health training, that had the most material related to the four principles of procedural justice. In addition, the roleplays that were used to assess recruits’ skills in dealing with the public – what were called Scenario Based Assessments – focused on the need to ensure the safety of others and give commands, rather than demonstrating procedural justice. As such, an identified procedural justice barrier was the negligible presence of procedural justice in training, as well as the lack of demonstrations and practice in using procedural justice in police-public interactions. The lack of procedural justice in the training materials explained why recruits’ procedural justice self-assessments became more negative by the end of training in Study 1.

As Study 1 had established a link between procedural justice and interpersonal skills self-assessments, Study 2 examined the interpersonal skills training recruits received. As with procedural justice, it was also found that interpersonal skills were only a minor part of QPS recruit training, with six of a total of 65 modules containing relevant material. The training
consisted of a set of generic communication concepts that were to be applied across all types of police-public interactions. However, these concepts were found to be typically employed as a means of coercing compliance from the public – by giving commands or raising one’s voice – instead of being used to demonstrate procedural justice and encourage voluntary compliance from the public. This focus on coercion also extended to other elements of training. Of the fifty hours committed to training recruits in the Use of Force, one hour concerned communication, and in that hour the focus was on using interpersonal skills to coerce compliance. As such, there were two procedural justice barriers as they related to interpersonal skills. The first barrier was the focus on preparing officers to coerce compliance throughout recruit training; the second was the specific lack of training in how to use non-coercive means to encourage voluntary compliance.

8.2.3 Study 3 summary
With Study 2 identifying a number of procedural justice barriers present in recruit training, the purpose of Study 3 was to identify what recruits and officers themselves perceived as barriers to using procedural justice, why these factors were seen as barriers, and to identify how these barriers may carry through or change with operational experience. Study 3 collected data through forty-five semi-structured interviews with three groups of officers: recruits at the end of training; early career officers with two years or less operational experience; and established officers with four years or more operational experience. There were three objectives. The first objective was to identify the perceived barriers to demonstrating procedural justice in the operational environment. The second objective was to explore why the perceived barriers in operational practice make demonstrations of procedural justice more difficult in the field. The third objective was to examine whether the perceived barriers change with operational experience.

The first objective of Study 3 was to ascertain the factors that officers perceived as procedural justice barriers in operational police work. These barriers were: officers’ understandings of procedural justice principles; officers’ interpersonal skills; non-white cultural and ethnic minority groups; residents of high and low socioeconomic areas; efficiency concerns; procedurally unjust police partners; intoxication; and mental illness. For the purpose of identifying why these factors were perceived to be barriers, the barriers
were grouped into categories: individual level; community level; organisational level; and situational level barriers.

**Individual level** barriers referred to the characteristics of the officer – which included their repository of knowledge, skills and understandings of the world – that influenced their actions towards the public. It was found that officers understood the principle of respect as a reciprocal exchange between the officer and the public, and so the barrier became apparent when respect from a member of the public was not returned and officers felt the need to escalate to more coercive methods. In addition, another barrier was that officers believed the public should have a voice, but not a voice in police decision-making. The final individual level barrier was the predisposition of officers to use interpersonal skills to coerce, rather than to encourage, public compliance.

**Community level** barriers referred to the effect of the geographical location and the particular populations living in these locations on police-public interactions. Encounters with non-white cultural and ethnic minority groups were seen as challenging because these groups were seen as unwilling to trust police, and had different expectations of respectful behaviour than police. This issue of expectations was also present in how officers talked about dealing with people from differing socio-economic areas. For example, officers noted how people from higher socio-economic areas expected to be treated more formally as an expression of respect than those from lower socio-economic areas. These points illustrated a clear difference in how officers understood procedural justice. Some officers saw treating everyone equally and the same as procedurally just; other officers saw procedural justice as adapting their interpersonal style to act in a manner that was culturally appropriate. As such, the barrier was how individual officers interpreted procedural justice principles and applied them when dealing with different groups.

**Organisational level** barriers referred to how the police institution managed and deployed its resources. Two organisational level barriers were identified as preventing procedural justice from being used easily in the field. The first barrier was officer concerns about efficiency, manifesting as officers being required to complete police-public interactions quickly, either because of the need to complete paperwork or because their presence was required elsewhere. The officers anticipated that such abbreviated interactions would be
seen by the public as lacking in respect and a denial of their voice in decision-making. The second organisational barrier was the effect of having a police partner who did not behave in a procedurally just manner. In these cases, the barrier was the likelihood of a coercive response being required as a result of the behaviour of their procedurally unjust partner.

The final category identified was situational level barriers. Situational factors were concerned with the circumstances of the police-public interaction that influenced how the officer acted. Intoxication and mental illness were seen as barriers because those afflicted were unable to understand police actions or were non-compliant. In particular, the focus on safety in these interactions prevented or inhibited officers from demonstrating procedural justice towards individuals under the influence of substances. The second barrier emerged from the contrast in police treatment of the intoxicated and the mentally ill, its root being those who were seen as deserving of procedurally just treatment. Despite both types of situations being challenging because of the inability of the person to understand police actions, it was found that officers had more tolerance for the mentally ill. This may have been related to the finding from Study 2 that found officers received training on dealing with the mentally ill that contained elements of procedural justice. This point indicated that a procedural justice barrier was the degree to which officers saw certain groups as being more or less deserving of procedurally just treatment.

The third objective of Study 3 was to examine whether the perceived procedural justice barriers changed with operational experience. Study 3 found that only a few barriers changed with policing experience but importantly, officers at different stages of their careers had a remarkably consistent understanding of what barriers prevented them from acting in a procedurally just way with the public. Nevertheless, there were three barriers that did change over time: only operational officers identified the influence of a procedurally unjust partner; a minority of established officers did not see public disrespect or non-compliance as requiring a coercive response; and both early career and established officers felt more strongly than recruits that the public’s voice in police decision-making should be restricted. Nevertheless, the opinions of recruits, early career and established officers were quite consistent, indicating that perceived procedural justice barriers did not dramatically change as a result of operational experience. These points also indicated that the effects of training on procedural justice barriers persisted into operational work, and so
understanding the influence of recruit training on officer attitudes and behaviour was vital to understanding procedural justice barriers and police behaviour more generally.

8.3 Themes
The thesis found a number of factors that prevented or inhibited officers from demonstrating procedural justice towards the public. However, there were also a number of broader themes that extended across these barriers. These themes provide an understanding on why these factors were seen as barriers. The three key themes identified were: 1) the role of coercion in police work; 2) the status of officers as decision-makers; and 3) the connection between procedural justice and interpersonal skills.

8.3.1 Theme 1: Coercion
Officers are enforcers of the law, and so they are invested with legal powers to enable them to perform their duties. These powers include the options to use various levels of physical force to obtain compliance from the public. It has been argued that the exceptional nature of these powers in society positions coercion as a core element of police work (Bittner, 1975; Muir, 1977; Reiner, 2000; Skolnick, 1966). This viewpoint was very much evident across the studies in this thesis – coercion featured prominently in the factors that inhibited procedural justice. Study 1 established a link between officers seeing themselves as procedurally just and being less favourable towards using force. In other words, the more an officer identified as procedurally just, the less supportive they were of using force. Study 2 found that recruit training was weighted towards learning methods of using force, rather than on learning how to demonstrate procedural justice. More specifically, training in police-public interactions revolved around preparing recruits to coerce compliance from the public, with a corresponding lack of training in how to encourage compliance, either through procedural justice or other relevant interpersonal skills. Study 3 documented the procedural justice barriers being the perceived need to coerce the intoxicated, but also use these methods in response to public disrespect and non-compliance. A few established officers did discuss how they had learnt to encourage voluntary compliance, but these were skills that had been developed as a result of their operational experience. Certainly, not all operational officers expressed this view. As such, in both recruit training and the operational environment, coercion was the default response to fractious or non-compliant police-public interactions.
The role of coercion in police work is not a major theme in the procedural justice literature; attention is typically given to the positive effects of procedural justice on voluntary compliance with police instructions (Dai et al., 2011; McCluskey, 2003). Procedural justice training experiments have also focused on compliant police-public interactions in the road stop context (MacQueen & Bradford, 2015; Mazerolle et al., 2012; Sahin et al., 2016) and with victims of crime (Wheller et al., 2013b). Though police use of force is an infrequent occurrence (Bayley & Garofalo, 1989; Terrill, 2003), improper or disproportionate police responses to non-compliance have the potential to damage the reputation of police (Lasley, 1994; Weitzer, 2002), which could sabotage future efforts to employ procedural justice. There is also the risk that attempts to use procedural justice after such incidents would be seen as insincere (MacCoun, 2005), thereby undermining the ability of procedural justice to generate positive law enforcement outcomes. Though Paternoster et al. (1997) established that procedural justice was effective in reducing recidivism in domestic violence incidents (Section 2.3.2), the next stage in procedural justice research is to examine specifically whether procedural justice principles are effective in encounters beyond relatively benign police-public interactions. Aside from the anticipated benefits of increased voluntary compliance, it is possible that procedural justice approaches in fractious situations could build a ‘reservoir of trust’ (Meares, 2017) between the police and communities, which could reduce the likelihood of negative public reactions when coercion is used by police improperly. If these issues are not explored, then there is a risk that procedural justice interventions are confined to low risk police-public interactions only, and the positive effects of procedural justice are not fully realised.

8.3.2 Theme 2: Competing priorities of decision-makers

The second major theme identified from this thesis that underpins procedural justice barriers are the competing priorities of decision-makers. Sivasubramaniam and Heuer (2007) (Section 2.5) argued that decision-makers deprioritise procedural justice due to more pressing concerns. In police-public interactions, officers are the decision-makers and the public are the decision-recipients, and so other factors police officers have to consider would take precedence over procedural justice. The findings from Study 2 indicated that the factors that were prioritised in training were officer safety and being able to issue commands to the public. In Study 3, these findings were confirmed with officers reporting
the need to prioritise the safety of themselves and others. Officer concerns about safety were particularly present in their dealings with the intoxicated and, to a lesser extent, the mentally ill.

Nonetheless, as Study 2 found, officers were not trained in using procedural justice and so it is unreasonable to expect officers to prioritise something that is absent in their training. The issue then is whether incorporating procedural justice skills into policing practice would have the desired effect of making procedural justice more of a priority. Study 3 found that efficiency concerns placed officers under pressure to abandon procedural justice approaches. It was understood that the need to attend to other incidents meant officers had to abbreviate their interactions with the public, which was thought to be seen by the public as lacking respect and a denial of their voice in decision-making. This need not be so. The QCET intervention found that procedural justice can be demonstrated to the public in short encounters (Mazerolle et al., 2012). A potential solution is the officer asking the person their expectations and, if the officer has to leave, then explaining why and what the police will do in the future with regards to their case.

Efficiency concerns also suggest a need for considering whether there are gradations of procedural justice that can be used in abbreviated police-public interactions. As yet it is unknown whether, or which, particular principles are more valued by the public. For example, if being treated with respect is of primary importance to the public, then this would suggest that police should prioritise demonstrations of respect in abbreviated police-public interactions. Officers may not be able to run through the full gamut of procedural justice skills in all interactions; in fact, demonstrating the whole collection of procedural justice skills may backfire because the public see such behaviours as unduly pressing on their own time (MacQueen & Bradford, 2015; Mazerolle et al., 2015; Mazerolle et al., 2014). Nevertheless, these findings indicate that procedural justice interventions must account for the differing priorities of police officers when dealing with the public, and also develop methods of demonstrating procedural justice that align with public expectations.

**8.3.3 Theme 3: The link between procedural justice and interpersonal skills**

A key finding of the thesis and the third major theme identified from the data analysis has been the link between procedural justice and interpersonal skills. It may sound obvious, but
procedural justice is concerned with how officers deal with the public, and so the skills officers use and the behaviours they demonstrate will have an effect on the public’s perception of the police as procedurally just. Study 1 established two key points. First, procedural justice self-assessments were conceptually distinct from interpersonal skills self-assessments. In other words, the extent to which an officer sees themselves as procedurally just is not the same as seeing themselves as a good communicator. Second, officers’ positive procedural justice self-assessments were predicted by their positive interpersonal skills self-assessments in Study 1, more so than other attitudinal measures. These points suggest that interpersonal skills training is a necessary, but not sufficient, component of procedural justice training. Such training should include an interpersonal skills component, but also information on the procedural justice principles and their anticipated outcomes.

Study 2 examined in greater detail the structure and content of interpersonal skills training at the recruit level and, contrary to expectations, it was found that such training had only a minor role. This indicated a key issue with interpersonal skills – it is not just important that interpersonal skills are taught, but that such skills are used to encourage voluntary compliance. Recruits were taught a collection of generic communication concepts to be applied across all types of police-public interactions. However, the observations of training found that these concepts were typically employed as a means of coercing compliance. In fact, this was also reflected in how the officers talked about their interpersonal skills in Study 3. An appropriate counter-balance of skills to encourage voluntary compliance from the public – such as verbal de-escalation techniques (Vecchi et al., 2005) – were not included. This would explain why officers’ procedural justice and interpersonal skills self-assessments in Study 1 had become more negative by the end of recruit training. Officers did not receive training that they felt made them better communicators, and so this was reflected in both their procedural justice and interpersonal skills self-assessments.

8.4 Procedural justice barriers and suggested interventions

The purpose of this thesis has been to identify the factors that might inhibit or prevent police officers from demonstrating procedural justice when dealing with the public. However, there is a distinction to be made between the factors that could be changed through police training, and those factors that would require broader organisational interventions. As such, the following section will synthesise the findings of the thesis with
the broader policing literature to identify to what extent the identified barriers could be tackled through police training interventions or through organisational change.

8.4.1 Lack of training in procedural justice (including practice and demonstrations)

Study 1 sought to identify at what stage in an officer’s career there were procedural justice barriers, measured through an officer’s sense of themselves as procedurally just and how it changed over time. It was found that officers’ procedural justice self-assessments had become more negative by the end of recruit training. Study 2 contextualised this finding and found that procedural justice principles played only a minor role in recruit training. Aside from isolated mentions of the principles in recruit training, a particular issue was the lack of demonstrations and practice in using these skills to demonstrate procedural justice. In Study 3, it was found that officers talked about procedural justice in different ways. For example, when dealing with non-white cultural and ethnic minority groups, some officers interpreted procedural justice as adjusting their interpersonal skills so as to convey culturally appropriate demonstrations, while other officers saw procedural justice as behaving the same way towards all members of the public. These differences in opinion suggest that there are differing officer perspectives on what constitutes procedurally just treatment. These differences of opinion further demonstrate that a procedural justice barrier was the lack of training in using procedural justice when dealing with the public.

This conclusion suggests that training officers in procedural justice would remove this barrier. However, the success of any form of training would also need to account for the competing priorities officers’ weigh when dealing with the public. Sivasubramaniam and Heuer (2007) argued that the importance of procedural justice varied by a person’s social role; decision-makers placed less of a priority on demonstrating procedural justice than decision-recipients placed on receiving procedural justice. Applied to policing, this argument would indicate that police officers (i.e., the decision-makers) would not see procedural justice as important as the public (i.e., the decision-recipients). The consequences of this would be officers could be trained to demonstrate procedural justice, but it is likely procedural justice would not always be the top priority in all police-public interactions. For example, Study 2 found that officer safety was a primary concern for officers. As such, any such training should impart that procedural justice is to be standard operating practice, and that procedural justice should be considered even in exceptional circumstances.
A key finding in Study 1 was the lack of demonstrations and opportunities to practice demonstrating procedural justice in roleplays. Such methods are indicative of experiential learning techniques that have been found to have a significantly positive effect on learning (Burch et al., 2014). Experiential learning is also suited to training officers for police-public interactions because they need to learn how to apply their skills in a wide variety of situations. Adapting procedural justice into a set of skills and practicing these skills in roleplays would help embed procedural justice into standard practice. These demonstrations and practice would also help allay a procedural justice barrier identified in the literature. MacCoun (2005) argued that an officer’s competence in demonstrating procedural justice is fundamental to the success of the model. MacCoun noted that if officers were seen as insincere in their demonstrations, then this undermined the sense that the officer genuinely wanted to help. Training officers in procedural justice – using demonstrations of procedural justice and practicing these demonstrations in roleplays – before they enter the field would help ensure officers are competent enough to demonstrate the principles in police-public interactions.

8.4.2 Balance between coercive and non-coercive methods of obtaining public compliance

A broader issue identified in Study 2 concerned how officers were taught to deal with public non-compliance. There are two methods police use to deal with public non-compliance – either by coercing compliance, or by encouraging voluntary compliance (McCluskey, 2003; Muir, 1977). Encouraging voluntary compliance is one demonstrable effect of procedural justice policing (Murphy, 2009; Tyler, 1990; Tyler & Huo, 2002). It was found, however, that training in the Queensland Police Academy was weighted towards teaching officers how to coerce compliance. Fifty hours were spent on training officers to use force, in contrast to the small degree of instruction in the suspect and witness interviewing training modules on how to encourage voluntary compliance. Furthermore, a potential avenue for officers to practice their voluntary compliance skills was the Scenario Based Assessments (SBAs). However, it was found that the focus of the SBAs was on coercing compliance, for example by giving commands, rather than demonstrating procedural justice as a means of encouraging voluntary compliance. In addition to the majority of officers in Study 3 seeing coercion as the appropriate response to public non-compliance, these findings suggest that
this barrier could be minimised by training officers in procedural justice skills that encourage voluntary compliance from the public.

It has been argued that coercion is fundamental to police work (Bittner, 1975; Muir, 1977), so it is no surprise that time and resources are spent to ensure recruits are prepared. There are real costs to the organisation if new officers are not adequately prepared to use force; for example, less experienced officers are at more risk of physical injury (Kaminski & Sorensen, 1995). Nevertheless, police use force in only a small proportion of police-public interactions (Bayley & Garofalo, 1989; Terrill, 2003), so there may be an issue in terms of training and priming officers to use coercion in situations where it is not warranted. In addition, if officers are conditioned to respond to public non-compliance coercively, then conflict between the police and certain community groups will continue, thereby justifying the need for more police coercion in response to this non-compliance. Aside from research that has found procedural justice increases compliance with police instructions (Dai et al., 2011; McCluskey, 2003), there are other methods used in policing that encourage voluntary compliance, such as de-escalation techniques (Vecchi et al., 2005). The consequences of not training officers to encourage voluntary compliance is that coercive responses go unchallenged, and procedural justice is side-lined as unsuitable to operational work or seen as appropriate to low-risk encounters only. As such, the balance between coercive and non-coercive methods of obtaining compliance is a procedural justice barrier, and can be rectified by training officers in a range of methods to encourage voluntary compliance from the public.

8.4.3 Mental health / intoxication

The intoxicated and the mentally ill were seen as particularly challenging populations to demonstrate procedural justice towards. In Study 3, the effects of intoxication and mental illness were seen as a barrier because those afflicted were unable to understand police actions or were unwilling to be compliant. It was found in Study 2 that recruits received training in dealing with the mentally ill that included procedural justice, but it cannot be said that this training comprehensively embodied procedural justice. However, research indicates that procedural justice matters to the mentally ill. Just as for the general population, those that have suffered from mental illness rate police fairness through procedural justice (Livingston et al., 2014), though their experiences with police do lead to
less favourable ratings of police fairness than the general population (Desmarais et al., 2014). These studies suggest that procedural justice is valued by the mentally ill, though based on their experiences they may not be receiving such treatment. It is unknown to what degree police responses to the mentally ill are due to officers seeing procedural justice as ineffective, or that the safety issues in the encounter necessitate a coercive police response. There is evidence from the psychiatric care field that the use of procedural justice on the mentally ill can lessen the perception of being coerced, though its effect on the behaviour of the mentally ill is mixed (Galon & Wineman, 2010). A tentative recommendation is that training officers to demonstrate procedural justice when dealing with the mentally ill could be beneficial, but further research is required to account for the effectiveness of such methods in minimising the risk to all parties.

Despite both mental illness and intoxication being seen as challenging because of the inability of the person to understand police actions, officers talked about having more tolerance for the mentally ill than for intoxicated individuals. This tolerance took the form of giving the mentally ill more leeway before escalating to coercive methods. The mental health module in Study 2 did convey the importance of treating the mentally ill as a human being (Section 6.4.1.6), and so this may have contributed to this tolerance towards those suffering from mental health episodes. Nonetheless, officers did talk about how mentally ill individuals were seen to be more deserving of fair treatment than those under the influence of substances because the latter had freely chosen to impair themselves. This point suggested a procedural justice barrier could be those groups that are seen as ‘undeserving’ of procedurally just treatment by the police.

The notion of particular groups being seen as ‘undeserving’ of procedural justice treatment has been found in the wider policing literature. It has been documented that police make distinctions between members of the public that are reflected in derogatory terms (Herbert, 1998; Loftus, 2009; Reiner, 2000), but also as disrespectful behaviour toward those members (Bittner, 1967; Mastrofski et al., 2002). Though the underlying reasoning for why the mentally ill and the intoxicated were perceived to be procedural justice barriers was the same, it seemed that the intoxicated were additionally seen as less deserving of procedurally just treatment because their impairment was freely chosen. Though there was little evidence for this notion of ‘deservingness’ in the other topics discussed, it does suggest
that officers could be trained to use procedural justice, with a particular emphasis given to the principle of neutrality. In some respects, the preference for coercive treatment of these groups appeared to be the result of their perceptions that all encounters with these groups would be unpleasant. Studies elsewhere have begun to design procedural justice interventions around tackling the effects of unconscious bias (Shaefer & Hughes, 2016; Skogan et al., 2015), and so intoxication as a barrier could be rectified through training.

8.4.4 Groups with different understandings of procedural justice

A fundamental issue that arose from examining community barriers in Study 3 was the police perception that different groups may have differing interpretations of police actions as procedurally just. These groups included non-white cultural and ethnic minority groups, and residents of high and low socio-economic areas. For example, some officers noted how people from higher socio-economic areas expected to be treated more formally as an expression of respect than those from lower socio-economic areas. The effect of this distinction was that officers would adjust their interpersonal style to those they were dealing with. However, this adjustment was less evident in how officers would deal with non-white cultural and ethnic minority groups. In these cases, some officers saw procedural justice as adapting their interpersonal style to act in a manner that was culturally appropriate; other officers’ saw treating everyone equally as procedurally just, thereby demonstrating respect to that individual or group. As such, this suggests that if officers act towards all groups in the same manner, this may inadvertently offend such groups by acting in a manner that is interpreted as procedurally unjust. Officers did acknowledge that they changed their interpersonal style with residents from high and low socio-economic areas, so it cannot be said that such adaptations to non-white cultural and ethnic minority groups would be contrary to typical police practice. As such, dealing with non-white cultural and ethnic minority groups represents a perceived barrier because it stems from a lack of culturally specific knowledge that is applied in other types of police-public interactions.

Of note was how officers discussed non-white cultural and ethnic minority groups as a barrier. Such groups were perceived as being mistrustful and non-compliant with police and, as has been discussed earlier, coercion was the typical response to non-compliance. However, it should not be discounted that procedural justice policing does matter to ethnic minority groups (Madon, Murphy, & Sargeant, 2017; Murphy & Mazerolle, 2016). This
provides further support for the view that these groups were seen as a barrier because officers had not been trained to demonstrate procedural justice in a culturally appropriate way. As such, training in cultural awareness would help minimise this barrier.

8.4.5 Efficiency concerns

Research suggests that efficiency pressures take the form of the need to obtain quantifiable outcomes like attending calls for services and arrests (Willis et al., 2007). However, there was little evidence in the interviews that such pressures were an urgent concern for officers; instead the efficiency concerns took the form of managing the demand for their services and the need to complete paperwork.

The officers identified efficiency concerns as a procedural justice barrier because shortening police-public interactions to engage in paperwork or other calls would be seen by the public as procedurally unjust. More specifically, the police officers interviewed believed that abbreviating the interactions would be seen as lacking in respect and a denial of the public’s voice in decision-making. However, it should be noted that what the police think the public want, and what the public actually want, can be two different things. Bates et al. (2015) (see Section 2.4) found that the public tend to place more importance on procedural justice than the police. Nix (2015) (Section 3.2.2.1) illustrated that the police think the public value police effectiveness, an opinion that stands in contrast to studies that show the public place more importance on procedural justice than police effectiveness (Elliott et al., 2011; Murphy et al., 2008). The Study 3 findings suggest that officers do understand that procedural justice is important to the public, but that does not necessarily mean that they know how the public interpret their behaviour. For example, it is possible that the public would accept that a police-public interaction needs to be cut short if an explanation was offered alongside agreement between the police and the person on what would happen next. While procedural justice training could help officers deliver this information in an appropriate way, it is also likely that broader organisational changes would be required to support this endeavour. Ensuring officers are given enough time to complete interactions, are informed that the public values procedural justice above effectiveness, and that areas are adequately resourced with officers would help minimise efficiency concerns as a barrier.
A note of caution though. If police-public interactions go on too long, there is also the risk that they will be seen as procedurally unjust. In MacQueen et al.’s (2015) study (Section 2.4), one argument that was made for the negative effect of the procedural justice script was officers were artificially inflating the length of the interaction to a point that frustrated the public. Elsewhere, it was noted in the QCET study that officers felt that the procedural justice police stops went on too long as well (Mazerolle et al., 2015; Mazerolle et al., 2014). If officers are to be encouraged to demonstrate procedural justice, it is important that the time spent is proportionate to the task at hand. If it unduly interferes with officers’ other priorities, then procedural justice will be viewed with heightened scepticism by officers.

8.4.6 Procedurally unjust partners
Another identified barrier was the effect of having a police partner who did not behave in a procedurally just manner. Officers discussed how having a partner that inflamed situations required them to also use coercive measures, because the member of the public was unlikely to respond to their attempts to use procedural justice if they were being coerced by the partner officer. Such situations were further complicated if the partner was more senior than the officer, as the junior officer was expected to follow their lead and defer to them. The combination of the likely ineffectiveness of one officer using procedural justice in these situations, as well as the need to back up their partner, suggested that this was not just a perceived barrier, but represented a real barrier to using procedural justice.

These points suggest that more needs to be done on an organisational level to support procedural justice as an organisational value and to rectify instances of procedurally unjust behaviour by police partners. Police work is not amenable to extensive supervision (Bronitt & Stenning, 2011; LaFave, 1962), and so how officers deal with the public is largely down to their discretion and how they choose to conduct the interaction. As a consequence, if an officer chooses to act in a procedurally unjust manner, this may remain invisible to supervisors unless it comes to light in the form of a complaint by a partner, a public complaint, or through social media.

At an organisational level, procedural justice could be instituted not only in police-public interactions, but also in how police officers deal with one another. Such applications are one element of what has been termed organisational justice (Cohen-Charash & Spector, 2001).
The organisational justice literature proposes that fairness at a supervisory and senior management level can have a range of positive benefits; it has been found that fairness perceptions increase officers ‘going the extra mile’ in their jobs, and improves attitudes to colleagues and the public (Quinton et al., 2015). In addition, recent research has found that the use of procedural justice by supervisors can reduce the use of subsequent coercion by frontline officers when dealing with the public (Owens, Weisburd, Amendola, & Alpert, 2016). Adopting procedural justice as standard practice throughout the organisation could reduce instances of procedurally unjust behaviour by frontline officers, and so eliminate the effect of partners as a procedural justice barrier. As such, procedurally unjust behaviours of partners would require organisational change to eliminate this issue as a procedural justice barrier.

8.4.7 Officers’ interpersonal skills

Studies 1 and 2 identified that officers’ interpersonal skills self-assessments became more negative by the end of recruit training and interpersonal skills training was only a minor part of training. Interpersonal skills training consisted of a set of generic communication concepts that were to be applied across all types of police-public interactions. However, these concepts were found to be typically employed as a means of coercing compliance from the public – by giving commands or raising one’s voice – rather than being used to encourage the public to voluntarily comply with a request. Study 3 showed that officers had the same understanding of interpersonal skills as well, though a few experienced officers discussed how to use their skills to encourage voluntary compliance. The lack of training to use their interpersonal skills to encourage voluntary compliance, and instead use them to coerce compliance, indicates that how officers are trained to use their interpersonal skills is a barrier to their use of procedural justice.

It is only recently that research has begun to adapt procedural justice into a set of interpersonal skills. Wheller et al. (2013) trained officers in a range of interpersonal skills to use when interacting with victims, and Mastrofski et al. (2016) have begun the process of creating an inventory linking specific skills to individual procedural justice principles. In addition, I developed my own suite of procedural justice interpersonal skills in collaboration with the Queensland Police Service as part of a procedural justice training package (Fildes & Thompson, 2016). The package has been evaluated as an experiment, which has been
published as a Master’s thesis for the Cambridge Policing Executive Programme (Thompson, 2016). The findings from the evaluation of the training package indicated that trained officers were more likely to demonstrate procedural justice in police-public interactions than untrained officers. These studies indicate that recruits and operational officers can be trained to use procedural justice skills, and that such training can address a lack of interpersonal skills training as a procedural justice barrier.

8.4.8 Officers’ understandings of procedural justice

It was found that a procedural justice barrier was how the officers misunderstood two of the key principles of procedural justice – respect and voice in decision-making. Officers’ understandings of respect were based on the notion that respectful behaviour was a reciprocal exchange between the officer and the public. Officers would show respect, but if this demonstration was not reciprocated, then they would escalate to more coercive methods like giving commands or raising their voice. In this sense, officers could abandon their demonstrations of respect if they perceived it was not reciprocated adequately, escalate to coercive measures, and so make it likely the cycle of disrespect between the police and public would continue (Mastrofski et al., 2002). The effect of this barrier could be mitigated if officers were trained to respond in a manner that encourages voluntary compliance instead, however Study 2 found that this was not the case. As such, the procedural justice barrier was officers’ misunderstanding of respect.

The second procedural justice principle that was found to be problematic was officers’ understandings of the public’s desire for voice in decision-making. The officers agreed that the public should have a voice in police-public interactions, but fell short of acceding to involving the public in officers’ decision-making. The former is what has been called ‘non-instrumental voice’ (Greenberg & Edwards, 2009). This was a view that was more firmly held by operational officers than recruits. In particular, the operational officers tended to see the public’s right to voice as being expressed through democratic institutions and outside of their purview. They saw little role for a person’s voice to influence a police officer’s decision. It is also notable that Study 2 found voice had little to no explanation or demonstration in recruit training. As such, a procedural justice barrier was officers’ rejection of the view that the public should have a voice in police decision-making.
Both these issues are based on officers’ misconceptions of procedural justice. The positive findings from procedural justice training based on changing officers’ perceptions (Skogan et al., 2015) indicates that these views can be changed. Nevertheless, these two misconceptions could be explained by how they may be seen to undermine an officer’s sense of self-legitimacy. Just as police legitimacy has been examined in terms of how the public see the police, research has also examined how officers see themselves and the role of police. Bottoms and Tankebe (2012) have argued that, for an officer to be effective, they must also nurture a sense that they have a moral right to intervene and enforce the law. If officers have doubts as to their legitimacy, then this will result in their authority being questioned by the public, and thereby the officers will be less effective in dealing with the public. It may be that the reason officers reject the public’s voice in decision-making and the need to use procedural justice when respect has not been reciprocated because it undermined their authority, and so hinder their ability to control a police-public interaction.

Recent research has found that there is a link between police self-legitimacy and officer support for coercion. In a survey of US police officers, it was found that officers that doubted their self-legitimacy – in this case in encounters with ethnic minority groups – were more likely to support coercive tactics (Trinkner & Goff, 2017). By extension, it could also be suggested that officers would resist giving the public a voice in decision-making because it detracts from their sense of themselves as a legitimate authority. Likewise, they will use coercion in response to public disrespect because it reinstates to them their sense of being a legitimate authority entitled to be obeyed. It may be that officers would favour coercion in situations where they doubt their self-legitimacy because they have less confidence in their ability to control the situation. This would suggest that procedural justice training could address this issue by bolstering officers’ sense of themselves as a legitimate party.

8.5 Implications for procedural justice scholarship
A number of barriers were identified in the thesis. However, there is a distinction between those barriers that are actual barriers to using procedural justice or its effectiveness, and those barriers that are merely perceptions of the officers. This is a distinction that is difficult to make based on the current procedural justice literature available. Of particular note were the situations that were seen as challenging, such as when dealing with non-white cultural and ethnic minority groups, and the intoxicated or mentally ill. It is currently unknown to
what extent procedural justice would work in all these situations. For example, intoxication was seen as a barrier because those affected were seen as unable to understand police actions. As was discussed earlier, this may reflect an actual barrier, due to their incapacity to understand and interpret the behaviour of officers. However, there is no research to draw upon to know how effective procedural justice actually is in encouraging compliance from the intoxicated. In comparison, research has found that non-white cultural and ethnic minority groups value procedural justice a great deal (Madon et al., 2017; Murphy & Mazerolle, 2016), as do those suffering from mental illness (Livingston et al., 2014). These findings suggest that procedural justice is potentially effective with these groups, but due to the potential safety concerns of actual non-compliance, officers may choose not to use procedural justice in these encounters. Thus, this barrier may be a perception rather than a reality, and could be addressed through training.

However, as noted previously, we do not have a good understanding of the reach of procedural justice across interactions that are complex and challenging. This means that some of the barriers identified by this study could be real limitations of procedural justice. The strength of this thesis is in its exploration of issues for officers who experience these encounters. Having identified that officers conceive of certain populations or situations as problematic for using procedural justice, the next step is to test whether their concerns are founded. It is vital that police leaders and policing scholars acknowledge and give credence to the voices of those frontline officers that deal with these encounters every day, and further examine whether procedural justice can be applied in these situations. As such, further research is required to explore to what degree the barriers identified in the thesis in reality prevent officers from demonstrating procedural justice.

**Recommendation:** investigate to what degree the barriers identified in the thesis actually prevents officers from demonstrating procedural justice.

Studies have found that officers can be trained to demonstrate procedural justice (Mazerolle et al., 2012; Wheller et al., 2013b), but also that officers can act in a procedurally just manner even in the absence of training (Mastrofski et al., 2016; McCluskey, 2003). However, it should not be assumed that recruit training teaches officers to demonstrate procedural justice, or that it should be a consideration when they are dealing with the
public. This is a consequence of the lack of research on recruit training (Skogan & Frydl, 2004). This thesis has found that procedural justice and interpersonal skills have only a minor presence in recruit training (at least for the police organisation studied here), which in turn led recruits to see themselves as less procedurally just and less effective communicators by the end of training. As such, future studies of procedural justice policing should examine in greater detail the effect of recruit training on police officer attitudes and behaviour. Without such research, there is a risk that procedural justice interventions and their like will be hamstrung by the ingrained ways police work is performed, and so the effectiveness of procedural justice in generating a range of positive outcomes is limited.

**Recommendation:** examine in detail how police recruits are trained, and the factors that either help or hinder police use of procedural justice, before conducting procedural justice interventions.

### 8.6 Implications for policing practice

While it has been noted that it is difficult to unpick whether some of the barriers identified by this thesis were actual or perceived, there are still a number of implications for police agencies to consider if they wish to encourage the use of procedural justice across their organisation. Earlier in the thesis, it was noted that barriers could be addressed through training or by an organisational level approach. Barriers that could be tackled through training provision include: lack of procedural justice training; the balance between coercive and non-coercive methods of obtaining public compliance; mental health and intoxication; groups with different understandings of procedural justice; officers' interpersonal skills; and officers' understandings of the procedural justice principles (e.g., respect and voice). Barriers that require organisational change include efficiency concerns and procedurally unjust partners. However, at this point these suggestions require evaluation. As such, further research is required to what degree these barriers are amenable to change through training or wider organisational change initiatives.

**Recommendation:** that research is conducted on the effectiveness of tackling procedural justice barriers through training or organisational change mechanisms.

This thesis found that officers at different career stages held broadly similar understandings of the principles of procedural justice as well as the barriers to their use. The fact that these
conceptions did not broadly change over time meant that recruit training would be the ideal place for police agencies to address these barriers for the greatest impact on an officer’s career. By doing so, this might inhibit the effect of these barriers on later practice. An intervention at the recruit training stage would mean officers could learn the value of procedural justice, and how to demonstrate it, whilst they are learning the other core tenets of police work. Such training would require a knowledge component and a skills component. Procedural justice knowledge would cover the meaning of the principles and their demonstrable effects on a range of positive law enforcement outcomes, as has been covered in the literature review. This component would also include a discussion of identified procedural justice barriers, and a discussion between trainers and officers on how to overcome the perceived barriers discussed earlier (Section 2.5). One method of addressing these barriers would be to use measures of unconscious bias, which have been used to help individuals recognise their own prejudices toward minority groups (Gilovich, 1991; Kahneman, 2015), and has been used in procedural justice training elsewhere (Skogan et al., 2015). Such methods could be used to identify potential issues that may affect recruits’ performance in the field, and develop an action plan to address these issues.

Recommendation: That training is provided to recruits on procedural justice and its benefits, as well as training in procedural justice skills.

As for the factors that require organisational change, more in-depth work would be required to tackle these issues. For example, efficiency concerns and procedurally unjust partners would require police work to be managed in such a way to prioritise procedural justice across all types of police-public interactions. How police deal with the intoxicated and the mentally ill requires further research to investigate to what degree procedural justice is effective in encouraging compliance. A practical step would be to train officers in the means of encouraging voluntary compliance from the public. Methods like the verbal de-escalation techniques taught to police negotiators (Vecchi et al., 2005), are allied to the principles of procedural justice, and have been incorporated into a recent procedural justice training package trialled by the Queensland Police Service (Fildes & Thompson, 2016; Thompson, 2016). This package has been evaluated in a Master’s thesis at the Cambridge Executive Programme, and it was found that trained officers demonstrate procedural justice more
than untrained officers. The evaluation study suggests that officers can be trained to use verbal de-escalation skills that demonstrate procedural justice to the public.

Recommendation: training in procedural justice skills should incorporate methods of encouraging voluntary compliance from the public.

Study 3 found that procedurally unjust partners were seen as a barrier due to their proclivity towards escalating situations, and so minimised the opportunities for the officer to demonstrate procedural justice consistently. However, this same lesson could also be applied to not just police-public interactions, but also how officers interact with one another. As was discussed earlier (Section 8.4.6), procedural justice has begun to be applied in intra-organisational interactions, otherwise called organisational justice. It has been found that perceptions of organisational justice can increase officers ‘going the extra mile’ in their jobs, and improve attitudes to colleagues and the public (Quinton et al., 2015), as well as reduce the use of coercion by frontline officers (Owens et al., 2016). Such principles could be applied in the management of officers by their supervisors. Methods of feedback should be developed for use by supervisors – as in the Owens et al. study (2016) – and their subordinates that allow problems in officers’ conduct towards the public to be recognised and rectified, before such issues are highlighted by public complaints or adverse social media coverage. A further practical suggestion is instituting 360-degree feedback, allowing partners, colleagues and supervisors to anonymously comment on an officer’s conduct towards the public, and use this feedback to identify best practice examples and areas for development. In this manner, not only can the police address problematic attitudes or behaviours, but they can also capture operationally relevant examples that other officers can adapt and demonstrate in their own police-public interactions.

Recommendation: develop methods, like 360 degree feedback, that encourage the use of procedural justice in intra-organisational interactions.
8.7 Limitations

This thesis has identified a number of barriers to police demonstrations of procedural justice in the field. However, despite the value of these findings, each study has a number of limitations that must be mentioned. These limitations must be taken into account when interpreting the findings.

Study 1 used a longitudinal survey of officer attitudinal data, from which scales were built to create measures of officer attitudes and self-assessments. Measuring attitudes is not the same as measuring behaviour; just because recruits self-assessed as procedurally just does not mean they will display procedural justice in the field. As such, the thesis has avoided any statements that self-assessments are a measure of behaviour. Instead, self-assessments are a means by which to measure procedural justice through the eyes of those tasked with delivering it.

It is possible that any differences in self-assessments over time could have been dependent on the officer’s ability to identify their own strengths and weaknesses in demonstrating procedural justice principles in action, and in communicating effectively. For example, a more reflective officer may have been more self-critical and have undergone greater change in their self-assessments than a less reflective officer. Confounding factors, like recruit age or education level, that may have contributed to this variance were controlled for in the regression. It is not possible in this thesis to ascertain whether it was the more self-reflective officers that had more negative change. Nevertheless, having officers that are able to reflect on their behaviour and adjust as necessary (Wheller & Morris, 2010) are preferable qualities in police officers, especially because of the degree of discretion officers have in how they conduct police-public interactions (Bronitt & Stenning, 2011; Reiner, 2000) and lack of direct supervision to observe and correct behaviour. As such, measuring self-assessments adds a measure to the policing literature that could be suited to evaluating future policing interventions.

Study 1 also utilised secondary data. The survey was not designed by the thesis author and it is possible that alternative items could have more accurately measured the concepts of interest to this thesis. To temper this concern, exploratory factor analysis was conducted to ensure the scales were internally consistent as well as empirically distinct from one another.
The factor analysis led to less robust measures – ‘alignment to procedural justice principles’ – being excluded from the analysis; an issue that would not have been identified if the measures had simply been constructed without factor analysis. As such, the thesis used a rigorous form of analysis to confirm that the measures chosen were the best fit for the study.

The analysis conducted in Study 1 was also limited by the attrition rate between Wave 2 and 3. It is possible that the lack of change in attitudes found when comparing Wave 2 and Wave 3 survey data was due to those holding more negative attitudes self-selecting out of the study at Wave 3. However, as was noted in Study 1, tests of non-response bias found that respondents and non-respondents did not differ by their demographic data. Alternatively, the lack of change in attitudes from Wave 2 to Wave 3 could be due to the length of the follow-up period. More waves of data collection beyond one year of service may have revealed greater attitude change. Nevertheless, the value of the thesis is in providing evidence that procedural justice and associated interpersonal skills have only a minor presence in recruit training, and how this absence of training carries on through to the operational environment. As such, the strength of these findings does not rely on the measures of operational officers in Study 1. Further studies could examine the effects of this lack of training and how this correlates with officer behaviour towards the public later in their careers.

The attrition from Wave 2 to 3 is likely explained by the fact that in Wave 3 officers were not allotted time in work to complete the survey. This was not possible because in Wave 3 officers were operational and were less accessible than when they were based in the academy at Wave 2. Thus attrition may be due to work commitments rather than attitudes. Unfortunately, this factor was outside the control of the researcher. However, learning lessons from the methods used with earlier waves, future research should endeavour to provide officers with time to participate during their work hours as this increased participation substantially.

The results of Study 2 should also be interpreted within the limits of the methodological approach. Particularly, a small number of observations were performed for the purpose of understanding to what degree trainers kept to the source material in the training modules.
Following a review of the training documents, it was found that the lesson plans explicitly set out all the messages and tasks to be delivered in the module in five minute increments. This suggested that training was standardised and a small number of observations would be sufficient. By and large the modules were delivered as per the lesson plan, which would suggest training consistency. However, it is possible that this observance of the lesson plan may have been an example of the Hawthorne effect (McCambridge, Witton, & Elbourne, 2014), as the researcher’s presence may have encouraged the trainers to deliver the lesson according to the plan more than they would have otherwise. To combat this, every trainer was approached beforehand and assured of the purpose of the observations and that observations would not be reported back to the management team. In fact, a degree of deviation from the lesson plan was witnessed in the multiple observations of the ‘communication’ module. This would suggest that the effect of the researcher’s presence was not a pressing concern of the trainers and thus did not influence their training style.

However, the variation that was observed did highlight that there is a degree of variance in how the training material is delivered by different trainers, at least within the communication module. Multiple observations of each module would have assisted in exploring in greater depth whether this variance was typical for other modules. Unfortunately, there was not the time available to pursue this in the current thesis, especially when modules had a tendency to be moved to different days based on what rooms and trainers were available. Nevertheless, the trainer interviews and observations at the training academy indicated that this variance was the result of time constraints, and so it was more likely that material would be excised from training, rather than more time spent on instruction or activities than was allotted. As such, it was unlikely that recruits were receiving more instruction in procedural justice principles than was already included in the recruit training materials. Furthermore, the key finding of Study 2 – the minor presence of procedural justice and interpersonal skills in recruit training – is founded more on the document analysis than on the small number of observations.

The purpose of Study 3 was to examine the barriers in the operational environment, but also to explore whether these perceived barriers changed with operational experience. As such, interviews were conducted with recruits at the end of training, but also early career and established operational officers. Differences in perceived barriers between these groups
would then indicate if these barriers changed with operational experience. It was not possible, however, to say whether the recruits interviewed entered training with preconceptions of the barriers identified by this thesis, or whether the perceived barriers to using procedural justice in the field were the product of their experiences in training. As a counterpoint, Study 1 measured recruits’ attitudes at the beginning and at the end of training, and found that their attitudes did change. These findings suggested that the procedural justice barriers were the product of their experience in recruit training, though the conclusion from Study 3 does not contain the same level of rigour. What is clear from the findings of Study 3, however, is that there is a common understanding of the challenges in demonstrating procedural justice among recruits and operational officers. This bodes well for police agencies wishing to address and overcome the identified barriers to police use of procedural justice in the field.

A related limitation is the nature of the sample used in Study 3. Whilst early career officers were recruited from a mandatory programme for First Year Constables, established officers were recruited from a voluntary scheme for promotion to Senior Constable. Though neither sample can be said to be representative of the full population of the Queensland Police Service, the established officers in the sample may have aligned their answers to what they deemed preferable to achieving promotion, no matter the protestations of confidentiality and anonymity. As such, all efforts were made to assure the participants that the researcher was independent to Queensland Police Service. In fact, the participants had to volunteer their time for the interview in the midst of an intensive one week development programme, and so it would have likely been more useful for them to use that interview time to study. If they were anticipating that participation in the interview would assist their chances of promotion, their time would have been more effectively spent in preparing for their examination.

The final limitation is that the data for the thesis was gathered from a single jurisdiction. As such, it may be that the findings are not generalisable to other policing organisations, in particular in countries where the relationship between the police and the public is not so good. As was discussed earlier (Section 4.3), the same types of issues regarding police-public interactions exist across national boundaries (Chan, 2003; Loftus, 2009; Reiner, 2000; Skogan & Frydl, 2004), and so it is likely that the barriers to police using procedural justice
would be similar. As such, it is expected that the findings will be generalisable to other Australian policing organisations.

8.8 Conclusion
For police to be perceived as procedurally just by the public, they must fulfil four criteria: to act in a neutral manner; treat people with respect and dignity; give the public a voice in decision-making; and demonstrate trustworthy motives (Lind & Tyler, 1988; Mazerolle, Antrobus, et al., 2013). Previous studies have established that police use of procedural justice principles can encourage a range of positive law enforcement outcomes (McCluskey, 2003; Sunshine & Tyler, 2003; Tyler, 1990). With such promising findings, policing scholars have now begun to examine how these principles can be better adapted into policing practice. It has been found that police officers can be trained to demonstrate procedural justice, and that this training can have a moderate effect on improving public perceptions of the police (Mazerolle, Antrobus, et al., 2013; Wheller et al., 2013b). However, it was noted at the outset of this thesis that it was unknown if such effects are sustainable long-term. Research from the wider policing literature suggests not (Quinton & Morris, 2008; Skogan & Frydl, 2004). In addition, there is scarce research on the factors that affect police use of procedural justice during police-public interactions (MacCoun, 2005; Mastrofski et al., 2016; Mazerolle et al., 2014; Sivasubramaniam & Heuer, 2007) – otherwise known as procedural justice barriers. It is the second gap in the field that was of interest to the current thesis. The purpose of the current thesis was to systematically identify and examine the barriers that might prevent or inhibit officers from using procedural justice when dealing with the public.

This thesis found there to be numerous procedural justice barriers that can be clustered around three key themes. This thesis identified that a significant barrier to police using procedural justice is that police are trained above all else to focus on coercive techniques to gain compliance. It was noted that this is incompatible with the principles of procedural justice policing. The second hurdle is the status of officers as decision-makers, which leads them to prioritise other factors, like safety and giving commands, over procedural justice. These priorities became even starker when officers dealt with the intoxicated and the mentally ill. The third theme was the linkages between procedural justice and interpersonal skills, and how such skills were central to officers demonstrating procedural justice to the public, but not sufficient alone.
The thesis contributes to the procedural justice policing literature an understanding of the factors that are procedural justice barriers to police practice, but also to what degree these barriers can be changed. In addition, the thesis adds to the broader policing literature an in-depth examination of the structure and content of recruit training and how it prepares officers to use procedural justice in their dealings with the public. The thesis firstly recommends that officers are trained to use procedural justice at the recruit level, and that such training include procedurally just skills training to encourage voluntary compliance from the public. Secondly, the thesis recommends that policing organisations incorporate procedural justice into intra-organisational interactions. By adopting these recommendations, it is anticipated that procedural justice would not only equip officers with the knowledge and skills to improve relations between the police and the public in the short-term, but such methods would also help encourage a range of positive law enforcement outcomes over the longer-term.
References


Paper presented at the The role of research in making government more effective, Washington D.C.


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Identifying the barriers to police use of procedural justice

INTERVIEW INFORMATION SHEET

Who is conducting the research?

Investigators: Dr. Louise Porter & Alistair Fildes
Organisation: School of Criminology and Criminal Justice, Griffith University
Contact telephone: 0481 525 043
Contact email: alistair.fildes@griffithuni.edu.au

Why is the research being conducted?

Procedural justice is the use of fair treatment and fair decision-making by the police when dealing with the public. Research suggests that procedural justice is an effective tool for improving public cooperation and compliance with the police. However, what has not been explored is what police officers think about using procedural justice. A team of researchers at Griffith University (GU) are working with Queensland Police Service (QPS) to understand in more depth police officers’ views on procedural justice, with the aim of identifying barriers that prevent police officers from using procedural justice when dealing with the public.

What you will be asked to do

You will be asked to participate in a one hour face-to-face interview with a Griffith University researcher. The interview will be held either at Griffith University (Mount Gravatt) or at a QPS station-house. You will be asked for your opinions on the value and practicality of using procedural justice when dealing with the public, and to discuss what factors influence your decisions in different police-public contexts. The latter part of the study will use example scenarios from typical police-public interactions as a discussion point to identify the factors that influence officer decisions.

Your confidentiality

For all participants only two pieces of identifiable information will be collected – your gender and your age. Operational police officers will be asked for their previous and current organisational role. This information will be used in two forms – to provide general trends of the gender, age, and organisational role of the officers interviewed, and accompany quotations illustrating key themes found in the research. Any information used in quotations that may contain identifiable information – such as the location or persons involved in a past incident – will be changed. QPS will be aware you have participated in the research, though your individual responses will not be made available to any member of QPS.

As required by Griffith University, all audio recordings will be erased after transcription. However, other research data (interview transcripts and analysis) will be retained in a locked cabinet and/or a password protected electronic file at Griffith University for a period of five years before being destroyed.
Risks to you
We do not foresee any direct risks as a consequence of participation. You will not be personally identified as a participant. However, there is a risk that a quotation referring to a past incident could make you identifiable to co-workers, supervisors, or members of the public. When examples are quoted in the research, identifiable information will be changed to protect your identity, such as the location of the incident, persons involved, or the details of the incident that are sufficiently distinct to make you identifiable.

Your participation is voluntary
You can decline to answer questions and to withdraw from the research at any time. Your involvement will have no impact upon your relationship with QPS or GU.

The expected benefits of the research
The research suggests that procedural justice can increase public cooperation and compliance with the police. By identifying the barriers that prevent police use of procedural justice, the recommendations for the PhD could provide practical methods of improving the relationship between the police and the public. Such recommendations may also inform the training recruits and early-career officers receive in how to deal with the public, thereby reducing the need to use force to obtain public compliance.

Questions / further information
If you have any further questions please contact either Alistair Fildes (tel: 0481 525 043 / alistair.fildes@griffithuni.edu.au) or Dr. Louise Porter (0755 527 041 / l.porter@griffith.edu.au)

The ethical conduct of this research
This research is conducted in accordance with the National Statement on Ethical Conduct in Human Research. If potential participants have any concerns or complaints about the ethical conduct of the research project they should contact the Manager, Research Ethics on 3735 4375 or research-ethics@griffith.edu.au.

Feedback to you
The results from this research will be published as a PhD thesis, an academic journal article, and a summary paper specifically for QPS. If you wish to receive a copy, there is the opportunity to provide a contact email address on the consent sheet.

Privacy Statement
The conduct of this research involves the collection, access and/or use of your identified personal information. The information collected is confidential and will not be disclosed to third parties without your consent, except to meet government, legal or other regulatory authority requirements. A de-identified copy of this data may be used for other research purposes. However, your anonymity will at all times be safeguarded. For further information consult the University’s Privacy Plan at http://www.griffith.edu.au/about-griffith/plans-publications/griffith-university-privacy-plan or telephone (07) 3735 4375. This research has been approved by Griffith University (CCJ/08/15/HREC) and QPS (15798168).
Identifying the barriers to police use of procedural justice

INTERVIEW CONSENT FORM

Who is conducting the research?

Investigators: Dr. Louise Porter & Alistair Fildes
Organisation: School of Criminology and Criminal Justice, Griffith University
Contact telephone: 0481 525 043
Contact email: alistair.fildes@griffithuni.edu.au

By signing below, I confirm that I have read and understood the information package and in particular have noted that:

- I understand that my involvement in this research will be an interview about police use of procedural justice;
- I have had any questions answered to my satisfaction;
- I understand the risks involved;
- I understand that I am free to withdraw at any time, without explanation or penalty;
- I understand that there will be no direct benefit to me from my participation in this research;
- I understand that my participation in this research is voluntary;
- I understand that the interview transcripts and analysis will be retained by Griffith University for a period of five years before being destroyed;
- I understand that if I have any additional questions I can contact the research team;
- I understand that I can contact the Manager, Research Ethics, at Griffith University Human Research Ethics Committee on 3735 4375 (or research-ethics@griffith.edu.au) if I have any concerns about the ethical conduct of the project; and

Please tick the box below.

☐ I agree to the inclusion of my personal information – age, gender, and past / current organisational role – in publications or reporting of the results from this research.

By signing below, I confirm that I have read and understood the information sheet and agree to take part in the study.

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If you wish to receive a results summary (expected 2017), please write your email below.

Email:
Appendix B: Trainer interview schedule

I work for Griffith University, and we are working with QPS to understand the issues police face in dealing with the public. In particular, I am looking at the challenges the police face in getting the public to obey instructions, and the different approaches that can be used to get the public to comply. As part of this project I am interviewing a number of early-career operational police officers, recruits, and police trainers about these topics. I specifically want to speak to trainers as I want to understand what you see as the challenges recruits will face.

I am a researcher independent of QPS – you are not being evaluated here today, and nothing we talk about will be reported back to trainers or supervisors. Do you object to being voice recorded? The voice-recording is transcribed, de-identified, and after the research is complete the recording is destroyed.

Do you have any questions?

The meaning of compliance in police-public interactions

A large part of the job for recruits will be dealing with the public, and central to this task is getting the public to do what they want them to do; whether by asking, telling, or making people obey your instructions.

1. Have you been a police officer before becoming a police trainer
2. Why do you think the public obeys the police? And why do sometimes people not obey
3. What will be the challenges recruits face in getting the public to obey

There are two distinct types of incidents recruits are required to deal with: law enforcement situations (DV, serious offences); and community assistance (neighbourhood disputes, general enquiries).

4. In law enforcement situations, what methods do you think will be effective in getting people to obey / what methods will be ineffective
5. In community assistance situations, what methods do you think will be effective in getting people to obey / what methods will be ineffective
6. What are the differences between the methods you will use in law enforcement and community assistance situations

The four principles

My next questions are about a particular approach to dealing with the public – using four principles. The four principles are: demonstrating respect, giving people a voice, making neutral decisions, and acting in a way that encourages the public to place their trust in you. I want to explore what these words mean to you as a trainer.

7. What does it mean to / How could the police demonstrate respect towards the public
8. What does it mean to / How could the police give citizens a voice in decision-making
9. What does it mean to / How could the police demonstrate neutrality towards the public
10. What does it mean to / How could the police demonstrate trustworthy motives towards the public

17 ‘Why does that word come to mind’, ‘What makes you say that’
11. Should treating the public with these four principles be a priority for police. Why / why not

12. Will treating the public with these four principles be a priority for recruits. Why / why not

There are a variety of pressures on you as a police officer – to enforce the law, but also make the correct decisions quickly, and sometimes putting themselves at risk of harm.

13. Are there particular types of situations or groups of people where it would be more difficult for recruits to demonstrate these principles

14. Are there particular places or times of the day where it would be more difficult to demonstrate these principles

15. Are there any other factors that may affect their ability to demonstrate these principles

16. A potential pressure is the need to be efficient – to make good use of your time. Do you think officer concerns about being efficient could affect the use of the principles

Conclusion

What I’d like to do is finish with some final questions.

17. Is treating the public with these principles an achievable goal for the police? Why / why not

18. If you were in charge, what would you change to get officers to use these principles when dealing with the public

\[18\] Why do you think this
Appendix C: Recruits and operational officers interview schedule

I work for Griffith University, and we are working with QPS to understand the issues police face in dealing with the public. In particular, I am looking at the challenges in getting the public to obey your instructions, and the different approaches that can be used to get the public to comply. As part of this project I am interviewing a number of early-career operational police officers, recruits, and police trainers about these topics.

I am a researcher independent of QPS – you are not being evaluated here today, and nothing we talk about will be reported back to trainers or supervisors. Do you object to being voice recorded? The voice-recording is transcribed, de-identified, and after the research is complete the recording is destroyed.

Do you have any questions?

The meaning of compliance in police-public interactions

A large part of the job is dealing with the public, and central to this task is getting them to do what you want them to do; whether by asking, telling, or making people obey your instructions.

1. Why do you think the public obeys the police? And why do sometimes people not obey

2. What are the challenges in getting the public to obey

There are two distinct types of incidents you are required to deal with: law enforcement situations (DV, serious offences); and community assistance (neighbourhood disputes, general enquiries).

3. In law enforcement situations, what methods are effective in getting people to obey / what methods are ineffective

4. In community assistance situations, what methods are effective in getting people to obey / what methods are ineffective

5. What are the differences between the methods you use in law enforcement and community assistance situations

The four principles

My next questions are about a particular approach to dealing with the public – using four principles. The four principles are: demonstrating respect, giving people a voice, making neutral decisions, and acting in a way that encourages the public to place their trust in you. I want to explore what these words mean to you as a police officer.

6. What does it mean to / How could you demonstrate respect towards the public as a police officer\(^\text{19}\)

7. What does it mean to / How could you give citizens a voice in decision-making as a police officer\(^1\)

8. What does it mean to / How could you demonstrate neutrality towards the public as a police officer\(^1\)

9. What does it mean to / How could you demonstrate trustworthy motives towards the public as a police officer\(^1\)

10. Should treating the public with these four principles be a priority for police. Why / why not

\(^{19}\) ‘Why does that word come to mind’, ‘What makes you say that’
11. Is treating the public with these four principles be a priority for you as a police officer. Why / why not

Examples of using the four principles

12. Can you give me a recent example of dealing with the public where you may have demonstrated the principles

13. Can you give me a recent example where your use of the principles had the opposite effect

There are a variety of pressures on you as a police officer – to enforce the law, but also make the correct decisions quickly, and sometimes putting yourself at risk of harm.

14. Are there particular types of situations or groups of people where it is more difficult to demonstrate these principles

15. Are there particular places or times of the day where it is more difficult to demonstrate these principles

16. Are there any other factors that may affect your ability to demonstrate these principles

17. A potential pressure is the need to be efficient – to make good use of your time. Do you think officer concerns about being efficient could affect the use of the principles

Conclusion

What I’d like to do is finish with some final questions.

18. Is treating the public with these principles an achievable goal for the police? Why / why not

19. If you were in charge, what would you change to get fellow officers to use these principles when dealing with the public

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20 ‘Did the person become more or less compliant’, ‘How did the citizen behave that suggested there were more / less compliant’, ‘What was the outcome’, ‘Why do you think in this case PJ worked / did not work’

21 Why do you think this