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Why Britons Trust their Police

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Where does the high level of trust and legitimacy the British bobby enjoys come from? In this outstanding synthesis, two sociologists show that the police's capacity to be trusted signals that they are both well accepted and efficient. On the contrary, when the police are feared, they are deprived of citizen's involvement in the production of social order.

Policing, in the sense of a set of social control processes, has existed in some form or other in all human societies. But *the police* – i.e. an organised body of people with a specific set of duties and responsibilities limited primarily to crime and the maintenance of order – is a product primarily of the last two or three centuries. Whether the inception of the police can be located in mid-18th century Paris (where the *lieutenant general de police* commanded a force of around 3,000 men, see Emsley 2007: 65), the establishment of the London Metropolitan police in 1829, or elsewhere, what is certain is that within a relatively short space of time, the police became a pre-eminent state institution in most European countries – as indeed it has in nations across the globe.

Policing in its contemporary forms affects the lives of everyone living in states with functioning police services. While this influence manifests in many different ways – largely negatively in repressive or excessively corrupt environments – social scientists studying mature democracies have made claims, based on empirical data, about the influence of police on citizen's propensities to commit crime, engage in informal social control, and generally cooperate in the co-production of social order (Tyler 1990, 2011). These claims are founded upon specific notions of trust, legitimacy and the nature of the relationship between police and public – in particular, that the police represent and embody a social group most people want to, need to and

indeed do feel part of. Such claims imply a role for policing that extends far beyond simply apprehending individuals who break the law. The police can influence the policed in more consensual and less confrontational ways: by enhancing legitimacy through justified and procedurally fair action, they can engender in citizens the belief that it is morally just to obey the law (Tyler & Huo 2002).

The United Kingdom is an interesting case in point. It is often noted – with some justification – that the British are obsessed with their police. The very notion that the public 'own' the police – the idea is entirely meaningful in the British context – might seem strange to people from countries like France where, for whatever reason, quite different relationships between them pertain. Represented most importantly by the twin symbols of the uniformed 'bobby on the beat' and the international brand of Scotland Yard, the continued prominence of the police in British social and political life appears assured. Yet, this prominence brings with it an extremely high level of debate and contestation around police actions, priorities and even purposes. Does the police exist first and foremost to 'fight crime', as the current Home Secretary insists, or does it have a wider social function that includes dispute resolution, crime prevention (as opposed to detection), social care and above all securing the cooperation of the public in its activities? If cooperation and compliance are based on trust and legitimacy, what do these terms mean in the context of policing? What do the public think about the police? And does it matter?

Such debates ensure that police studies remain an important part of academic criminology in the UK, both from the point of view of policing practice and the wider position of the police in British society and culture. Sociologists, social psychologists, historians, economists and political scientists regularly contribute to these debates, with considerable interchange between academic and policy fields. One consequence of this has been the accumulation of a large amount of theoretical conjecture and empirical evidence concerning many aspects of police and policing. And a significant amount of this material concerns precisely the relationship between police and public.

According to most accounts there has been a long-term decline in public trust in the police in Great Britain, with serious consequences in terms of cooperation, social cohesion and anxiety around crime and disorder. Evidenced by the long-running British Crime Survey and other

sources, this decline may be linked above all to those social processes that have undermined trust in almost all state and political institutions. But specific problems faced – and created – by the police have also played a role. High-profile scandals started to emerge in the 1960s. They continue to the present day (Reiner 2000). And day-to-day policing is held up to an ever-increasing level of scrutiny and debate, facilitated in recent years by an almost universal access to mobile communication technology that has rendered police activity more visible than ever before.

The extent of the decline is hotly debated. It is undoubtedly true that the British police are trusted less now than was the case in the 1960s, when a Royal Commission on policing reported almost overwhelming levels of public support (Loader and Mulcahy 2003). Yet, compared with other public bodies, the police retain a significant level of public trust. Surveys regularly find that over half the population think the police do an 'excellent' or a 'good' job (e.g. Walker *et al.* 2009).

Such nuances notwithstanding, declining public trust has become one the dominant tropes of police policy debate, and to such an extent that the previous government redrew police performance management systems to position public confidence as *the* pre-eminent target. Police managers, at both national and local levels, were tasked in the previous administration with enhancing trust in the police within the communities they serve. Intended not only to make the public feel better about the police but also increase public cooperation in the 'fight against crime', this triggered a number of conceptual and empirical studies of police-public relations that built upon and extended significant bodies of previous UK and particularly US work. And, while the change of government in 2010 heralded a shift away from the previous target regime, individual forces retain public confidence targets and national level policy interest in the topic persists – in part because the current Prime Minister's notion of the 'Big Society' appears to imply exactly the sort of increased cooperation between police and public that the original confidence target was intended to encourage.

In this essay we consider some of the results of recent research and thinking on public trust and police legitimacy. Our main focus is how the British think about their police and the implications arising from the position of the police within important social and ideological structures. We consider the meaning of trust and legitimacy. We consider the relationship

between them in the context of the police-public relations. And we briefly examine the potential links between trust, legitimacy and the engagement of citizens in the co-production of social order. We do not seek to provide an in-depth assessment of these complex and contested issues.

Rather, we outline ways of looking at them that are particularly relevant to the context of British policing. In doing so we consider the behaviour of the police organisation (and most importantly its uniformed officers) as the most proximate influence on public trust and the legitimacy granted to the police. In the short term, we argue, it is the way the police treat people that is the most important influence on their attitudes, orientations and behaviours. Yet such interactions may be embedded within, and partly formative of, much wider and in some sense deeper social settings. Looming large in the discussion is the idea that the police are representative of social groups that individuals want to feel part of, necessitating some consideration of the issues in relation to the policing of minority communities. An issue of special importance in France?

Trust, legitimacy and their consequents

In common English usage 'trust' and 'legitimacy' are often used more or less interchangeably. While connected, however, they are conceptually and empirically quite distinct.

At the most general level, work on trust tends to portray it as pervasive, inherent in and formative of many social situations, whether in face-to-face encounters or in the relationships between individuals and organisations, institutions or the state. Beyond this, definitions vary widely. From some viewpoints, trust assists in reducing the potentially overwhelming complexity of the social world by 'bracketing out' many possible events, acting as if it was certain they were not going to occur (Luhmann 1979). Others have pointed out that at some level, trust – if placed – always assumes that those who are trusted will in certain circumstances place one's interests above their own (Barber 1983). A common element running through many definitions is that trust involves putting oneself or one's interests, for whatever reason and in whatever way, at the mercy of others (Tilly 2005).

Trust is thus deeply embedded in social relationships. It involves tacit (or explicit) expectations that others will behave in predictable ways. A key element of trust is the expectations that actors within relationships have of each other, ranging from the general (that the

behaviour of the other will serve to maintain and replicate the assumed natural and moral social order) to the specific (that the other will be technically competent in the roles assigned to them within the relationship and within the broader system it is part of, and that they will carry out their fiduciary obligations – that is, place the interests of ourselves above their own). We trust (or not) that the police are effective in their properly assigned tasks. But we also trust (or not) that they have the proper intentions toward us. This relational aspect of trust underlines the fundamental social connection between trustor and trustee: the trustor must be able to imagine that the trustee can apprehend what their interests actually *are*, and furthermore that they share an understanding of the general order under which they are operating. Trust may stem less from perceptions of predictability and perceived willingness or ability to keep promises and more from estimates of character and affect (Lind and Tyler 1988; Tyler 1990; Tyler and Huo 2002).

Spurred in part by renewed government interest in public trust in the police, recent conceptual and empirical work in the UK has begun to draw on US literature (Sunshine and Tyler 2003a; Tyler 1990; Tyler and Huo 2002, Reisig *et al.* 2007), as well as earlier studies conducted in the UK (FitzGerald *et al.* 2002), to develop a more nuanced understanding of what it means to trust the police. This work has consistently found that public opinions of the police are multi-faceted. Containing distinct, even potentially contradictory strands of thought, the extent to which people trust the police implicates judgements about effectiveness (technical competence), engagement and alignment with community values (by understanding the needs of the community and being an accessible and visible source of moral authority, police are able to place public interests first), and fairness when dealing with people (demonstrating compliance with basic underlying ideas about the rule of law). These judgements have been found to be empirically separable, albeit that they can in some sense 'sum together' with other ideas to produce an overall attitude or orientation (Bradford, Jackson and Stanko 2009; Jackson and Bradford 2010). Ideas about value alignment and fairness (which, indeed, often seem to constitute one underlying construct) are also consistently privileged by citizens over concerns about effectiveness, although these latter are of course not unimportant (Jackson and Bradford 2009).

That value alignment – the sense that others share a similar moral outlook to ourselves – and shared group membership are central to trust relationships is an idea familiar to social

psychologists. Earle and Cvetkovitch (1995), for example, claim that social trust is based on salient value similarity: people infer the trustworthiness of the actors like the police from 'value-bearing narratives', such as information shortcuts, available images and schema. Because people trust institutions that tell stories expressing values that are similar to their own, trust is conferred not on the basis of a detailed appraisal of the likely competence and fiduciary responsibility of the actor, but on the perception of shared salient values – the evaluation of narratives regarding the roles, intentions, goals and behaviours of the police force. Such salient values consist of 'the individual's sense of the important goals (ends) and/or processes (means) that should be followed in a particular situation' (Siegrist, Cvetkovich, and Roth, 2000: 355). People may trust the police not because of what they do (or fail to do) but rather because of who they are and the social narratives within which they are located.

Police legitimacy

Theories of legitimacy – by contrast to the general application of notions of trust – are often confined to a specific set of social relationships between individuals and institutions. The concept of legitimacy is generally bound up with the right to be recognised, to have remit over a specific area of life (Habermas 1979), to command, to be obeyed (Tyler 1990; Weber 1978). While some have followed a loosely Weberian tradition, which sees legitimacy ultimately as a recognition of or orientation toward power (and thus having no inherent connection to individual's normative or moral beliefs, cf. Johnson *et al.* 2006), others maintain that legitimacy must also and always be about *justification*. The political scientist David Beetham (1991) stresses that legitimacy must contain a normative element. People's judgements about the legitimacy of an institution must be based to some degree on assessments of the congruence between its goals, practises and behaviours and their own.

Beetham adds two further dimensions of legitimacy: rule compliance and expressed consent. And on the face of it, the first of these is a relatively straightforward assertion: individuals hold institutions to be legitimate when they believe those institutions are following the rules that govern their activities. Crucially, however, these rules must be held justified by the governed on normative or moral bases. Indeed, a key aspect of judgements about value congruence between individual and institution will concern not only whether the institution follows the rules, but also whether they are the right rules in the first place.

The notion of expressed consent implies that the legitimacy of an authority resides not only in the beliefs of those it governs but also in their actions. Properly understood, police legitimacy is not simply its right to be recognised as the appropriate institution with authority over a particular aspect of social life or set of problems, nor is it solely a "largely unquestioned" acceptance of its authority (Barker, 1990: 33) – although it certainly is in part both. It is also actualised or instantiated in specific acts of deference, compliance, or cooperation. Calling upon or assisting the police are not simply outcomes arising from its legitimacy: these are acts which constitute that legitimacy, serving to define and delimit the roles of police and public and recognisant of the nature of the relationship between the police and policed (Bradford & Jackson, 2010). Such acts place obligations on both officer and citizen that are expressive of underlying moral values and beliefs.

From the point of view of political philosophy, systems achieve legitimacy when they meet objective criteria defined *a priori*. But of special importance in Tom Tyler's work – and in this essay – is the question of whether the police are seen as legitimate by those they police, and if so, why. This is an empirical notion of legitimacy: it states that legitimacy resides in public perceptions. It is produced as a social fact by public action and justified consent. Legitimacy – of this kind – exists when the policed regard the police as having earned an entitlement to direct specific areas of social life, generating in citizens a sense of obligation to act in ways compatible with this entitlement.

Linking trust to legitimacy: procedural justice theory

Trust and legitimacy are vital for the maintenance of the police function (Tyler, 2011). Trust will influence decisions to summon the police to a specific situation, how the actions of officers are read and understood, and what implications are drawn from them. The perceived legitimacy of the police might also have an impact on public readiness to comply with instructions or, again, whether the police are involved as the proper body to deal with a specific issue. By engaging in such actions, individuals are not only acting on their trust in the police and reproducing its legitimacy. They are also engaged in acts of social control that bridge the gap between formal and informal mechanisms (Carr 2003). Engaging in social control (by calling the

police) is an explicit recognition of its right to be involved in such situations; the legitimacy of the police is deeply bound up in the social production of order.

As already noted, trust and legitimacy are conceptually and empirically related. Trust may provide the bedrock of legitimacy – or mistrust may fatally undermine it – but equally the location of individuals within legitimised power relationships may provide them with exactly the sort of value-bearing narratives that generate trust. A key influence on recent British work in this area has been the theory of procedural justice developed by Tyler and colleagues in the United States. This theory provides an empirically robust and replicable set of hypotheses about the relationship between trust, legitimacy, cooperation and compliance. Concerned ultimately with people's acquiescence to institutional authority, the procedural justice model holds that, in their dealings with the police, people value fair, decent and honourable treatment above instrumental or other concerns, and that positive experience will enhance the legitimacy of the police. But the model goes much further than this apparently simple observation. At its core lies the idea that, through fair and decent treatment authorities such as the police, demonstrate to those subject to them both shared-group membership and value alignment. That is, if police officers treat people in a procedurally just way they not only communicate that both are 'on the same side', they also express through their actions that both parties share the same (or at least similar) value systems and moral outlooks. This alignment between individual and institution generates both motive-based trust and legitimacy, which in turn encourage or activate certain pro-social roles and behaviours: cooperation, deference and compliance.

Using primarily US data, Tyler has demonstrated that perceptions of the *fairness* of the police are more significant in shaping its legitimacy than perceptions of its *effectiveness*. Trust in the police is less instrumental than it is relational (there is also increasing evidence that this pattern also holds in other jurisdictions). Procedural justice – fair and respectful treatment that 'follows the rules' and makes decisions in a transparent and accessible manner – is more important to people than obtaining outcomes that they regard either as fair or favourable to themselves. In encounters with officers it is the quality of personal treatment that is key. Assessments of the nature of the interaction are then empirically bound up with the legitimacy that people invest in the police. Tyler argues that enhancing police legitimacy then encourages normative compliance with the law, and that this is economically more viable and more stable

over time than instrumental compliance, which must be brought with a threat of sanction and ultimately force that carries an increasingly unaffordable social and fiscal cost.

Tyler's main focus has been on the interactions between officials and the public, and the ways that the behaviour of officials builds or erodes institutional legitimacy. But there are other, more complex, dimensions to legitimacy. As Beetham (1991) has argued, people confer legitimacy on institutions not simply because the latter adhere to standards of good behaviour, but because they regard the institutions as representing and acting on particular normative and ethical frameworks. Conferring legitimacy on an institution is also therefore an act based on the expression of shared values, or of 'moral alignment.' Institutional legitimacy flows not simply from factors such as procedural fairness; it is also based in public perceptions that police share broadly similar moral positions. These perceptions can be communicated by many ways other than direct encounters with officers – via the media, for example, or even through fictional accounts that individuals associate with the real police. Of course, media representations may also challenge perceptions of the fairness of the police.

Police legitimacy and the co-production of social order

Tyler's work on procedural justice in the US, and recent studies in the UK (Bradford and Jackson 2010) and Australia (Murphy *et al.,* 2009), have found that individuals who trust in the procedural fairness of the police also tend to grant it high levels of legitimacy, and are also more likely to cooperate with officers. Indeed, cooperating with officers can be seen as part of legitimacy. When individuals trust the motives of an institution and its representatives – when they believe that it has their interests at heart, is on their side, and shares their own values – they are more likely to engage with it and assist it. By doing so, they reaffirm its role and place obligations on it that they expect to be fulfilled. They also assign themselves a role that comes with its own rules and responsibilities. These roles and obligations serve to instantiate and reproduce the legitimised power relationship between police and public.

Conversely, if people do not trust that the police have their interests at heart and believe there is a wide gap between the values of the two parties – very possibly because they themselves or people they know have been treated unfairly by officers in the past – they may withdraw from engagement and fail to offer assistance. Their actions (or lack of action) then generate a quite

different set of role-relationships between police and public and serve to delegitimise the power relationship.

Procedural justice studies also find links between fairness, police legitimacy and compliance with the law (Sunshine & Tyler, 2003; Jackson *et al.,* 2011). At its most basic, the claim is that the legitimacy of the police and the social influence it exerts (Kelman and Harding 1989; Kelman 2006) may affect the way people see potential acts of crime. One way of exploring this assertion is to borrow from the work of Erving Goffman. Institutional contexts comprise an important aspect of the frames through which people see the world, and the nature of the frame will influence what is seen as possible or desirable, and what is not (Kirk and Papachristos in press). To give just one example, if the police, as a key group representative, treat people fairly and justly, then this will not only enhance its own legitimacy. It will also activate their sense of the roles they have within important, self-satisfying (indeed self-defining) relationships – that of citizen, for example, located within a mutually reinforcing relationship with state institutions such as the police. Activation of these roles implies meeting the expectations that accompany them – they change the frames through which people see potential acts of crime – and, on average, we may expect abiding by the law to be one of these expectations. Importantly, the sense of the legitimacy of the law – bound up in this activation of the role of 'law-abiding citizen' – entails the belief that it is morally just to obey the law, that laws are binding irrespective of whether one agrees with their moral content.

Group identity and the position of ethnic minorities

Communication by police officers of information concerning the status of those they are addressing is deeply implicated in the formation and negotiation of the types of social trust and legitimacy that Tyler describes. Shared group membership constitutes the core casual mechanism of the procedural justice model. More broadly value congruence (implying social affiliation) may lie at the heart of both public trust in the police and the legitimacy granted to it. By their actions, police 'talk' to people about their place in society and their relative worth within it. To the extent that such communication fosters the feeling that police and public are 'on the same side,' motive-based trust will develop and police legitimacy will be enhanced. To the extent that a separation of

interests and a lack of shared identity is communicated motive based trust will decline and legitimacy will be damaged.

Although this account mirrors the positioning of the police as symbol of nation and belonging that is common to many sociological accounts of British policing, in any diverse multi-cultural society it is possible that some individuals and social groups will not feel they share group membership with the police. Perhaps they have histories of adversarial relations with the police, or adhere to value-systems they or the dominant culture feels are incompatible with that represented by the police. Will the ideas of procedural justice 'work' among people who may have group affiliations distinct from, perhaps even in opposition to, those of the police? Will the legitimacy granted to police, and cooperation and compliance, still be based in greatest degree on assessments of procedural fairness? And what would be implied if it did not? One alternative might be a greater emphasis on instrumental concerns. Another, however, might be a *greater* emphasis on procedural fairness among marginalised or excluded groups. Accordingly, Murphy et al. (2009) suggest that the importance of procedural justice increases as the social distance between individual and authority increases.

Despite these possibilities US work has suggested that even in highly diverse social environments the central ideas of procedural justice do appear to hold true. Huo and Tyler (2000), for example, found that not only did the primacy of fairness in judgements about legal authorities hold across White, African-American and Hispanic groups, but ideas about what exactly constituted fairness were also similar. Furthermore, the strength of ethnic attachment did not affect the ways in which people formed their opinions, although the strength of attachment to an *American* identity did (see also Tyler and Huo 2002). Similarly, work with excluded minority youths in a number of US cities has found that fair treatment is, perhaps unsurprisingly, of central importance to their opinions of the police (Brunson 2008; Carr et al. 2007). These patterns cannot be assumed elsewhere but, again, emerging work in the UK suggests that people from ethnic minority groups think about the police and policing in very similar ways to their White British counterparts (Bradford and Jackson 2010).

Perhaps we should not be surprised by such findings. Certainly in the UK there is little evidence that people from ethnic minority groups feel any less British than members of the white

British majority. If the police represent and reflect 'Britain' back to them, then they should value fairness on just the same basis as their white counterparts, and the path to legitimacy will be the same. That people from some ethnic minority groups may see the police as less fair than others – often with good reason – does not mean that they value fairness any less (although we should note that opinions of the police are, if anything, now higher among most minority groups than they are in the majority population). Might the same picture hold in France?

The social reproduction of trust and legitimacy

So far the general context of the discussion has been that of direct, or at least mediated, encounters between police and public. The basic issue is that perceptions of procedurally fair treatment enhance both trust and legitimacy, which then encourage cooperation with legal authorities and compliance with the law. However, both are likely to exist prior to any direct personal contact with the police (Smith 2007). Social mechanisms other than personal experience may inculcate a certain level of trust and police legitimacy (which may later be 'tested' through direct experience). The existence and basic legitimacy of the police – the agency empowered to deal with things which ought not to be happening (Bittner 2005) – is prior to the individual and constitutes, as Marx might have stressed, one component of the already existing circumstances into which they are born. The existence of a particular type of police is one element (among a host of others) that structures how individuals see the world and the possibilities of affecting change to it.

That the British police are so closely associated with ideas of nation, state and community only serves to strengthen the link between the police and 'the way things are.' A socially-produced 'naturalness', coupled with a strong association with valorised social structures, might explain why the British police, despite the many difficulties it has faced in over the past 50 years, maintains a level of public trust that, while certainly lower than in the past, is the envy of other professions or organisations. It may be the dominant habitus, as a set of "principles, which generate and organize practices and representations" (Bourdieu 1990: 53), predisposes a majority of the British population to a set of relations with the police that are such that its institutional legitimacy is consistently reproduced. Not having *a* police (although no necessarily *this* police) is almost unthinkable. The production of such 'inevitability' is a key feature of legitimated social structures (Mawby 2002), and other criminal justice institutions have achieved a similar status: it

has become almost impossible to think of 'punishment' without also thinking of 'prison', for example (Garland 1990).

Central to Bourdieu's sociology is the idea that the habitus will recreate itself through the activity of those who carry it. Existing in a dialectic relationship with specific fields of social action, the habitus orders and limits the possibilities of performance and thought, such that the dispositions it engenders are predictive of future contingencies (since it structures understanding not only of events but also the possibilities of events). Consider Black's (1998) concept of social control, according to which the need to define and react to deviant behaviour is both socially innate and fundamentally moral. A variety of structures (or 'styles') exist to formulate and manage responses to deviance – penal, compensatory, therapeutic and conciliatory. The police is implicated in, indeed created for, the exercise of all four, and its very existence means it will be invoked to provide social control, often to the exclusion of other options. Individuals living in contexts where the police has achieved legitimacy – such as Great Britain – will act in ways recognisant of that very legitimacy, in part *because* they have a need to exercise social control. Furthermore, the symbolic power of the police implicates it in the definition of what constitutes the disorder that it is called upon to rectify. The legitimacy of the police is recursively (re)created by the social pre-conditions for its existence and role. Naturally, the concept of habitus can also be used to describe and explain the existence of structurally problematic relationships between police and certain social groups: different groups may have different sets of structuring dispositions (Goldsmith 2005).

But Bourdieu does not rule out individual agency, the intrusion of 'objective reality' into its structuring confines, and the role of differential chance and opportunity. At the level of lived experience legitimacy becomes both more contestable and more mutable precisely because – for example – contact with officers affects people's trust in the police. Police legitimacy is not assured but is open to challenge and debate triggered by poor experiences, prejudice or malpractice. Equally, good experiences may enhance trust and legitimacy. In many cases such effects are likely to be relatively ephemeral, as the propensities engendered by the habitus reassert themselves over time. However, cumulated experiences, at the individual or group level, may add up to or reach a tipping point such that a much more permanent change occurs. In terms

of poor experiences and damaged trust, Luhmann (1979:29) envisages just such a tipping point, suggesting that trust is withdrawn from a trust object once a specific boundary has been crossed.

Our research into this topic is part-funded by the European Commission 7th Framework Programme, on a project entitled 'EURO-JUSTIS: Scientific Indicators of Confidence in Justice Tools for Policy Assessment'.

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Published in booksandideas.net 2 March 2011.