Giving people a fair go is a fundamental tenet of Australian culture. Police-citizen encounters not surprisingly are a site where issues of legitimacy in policing are negotiated. This research by the UQ node of CEPS can be considered a world first experimental test of the Procedural Justice thesis pioneered by Tom Tyler and colleagues. This research provides a complementary case study to the Briefing Paper published by Tom Tyler and Tina Murphy.

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Key Findings of the Queensland Community Engagement Trial

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Overview

The international research community has spent the last twenty years developing a comprehensive understanding of public perceptions of police legitimacy and how the dynamics of police-citizen encounters explain variations in public perceptions of satisfaction, cooperation, compliance, trust in police and the capacity of police to maintain order, regulate and solve community problems.

The Queensland Community Engagement Trial (QCET) is a world-first randomized field trial, conducted to investigate the effects of legitimacy policing through procedural justice and community engagement. The idea that legitimate policing can have positive impacts on police-citizen relations, community engagement and crime is not disputed and is clearly not new. However, never before have researchers used randomised field trial methods to directly test whether or not police can effectively and efficiently promote police legitimacy (and perceptions of police legitimacy) through procedural approaches, particularly in ethnically diverse communities where perceptions of legitimacy may be especially low. Accordingly, in December 2009, researchers from the Australian Research Council Centre of Excellence in Policing and Security (CEPS) – in collaboration with the Queensland Police Service (QPS) – launched the Queensland Community Engagement Trial (QCET) in the Metropolitan South Region of Brisbane, Australia.

This paper describes the QCET project and the key findings in terms of procedural justice and legitimacy.

Legitimacy Policing

The legitimacy of social institutions, such as the police, is paramount for maintaining social order in communities. To be effective, policing requires the ongoing support and voluntary cooperation of the public. Evidence demonstrates that it is a person's

belief in the legitimacy of the authority or institution issuing a command that "leads people to feel that the authority or institution is entitled to be deferred to and obeyed" (Sunshine & Tyler, 2003, p. 514).

In addition to general law-abiding behaviour, research also suggests that police legitimacy influences cooperation with the police. People are more likely to assist the police by reporting crime and/or in crime prevention activities such as neighbourhood watch, if they perceive the police as legitimate (Murphy, Hinds & Fleming, 2008; Sunshine & Tyler, 2003, p.541; Tyler, 2004). A perception of police legitimacy has a major impact, therefore, on people's willingness to obey the law, as well as increasing compliance and cooperation with the police. Evidence shows that when people perceive the police as legitimate, they are more likely to report higher levels of confidence and satisfaction with the police, are more willing to assist the police in crime prevention and crime control efforts and are more willing to accept outcomes from their encounter with police (e.g. traffic fine) (Tyler, 2004).

Although traditionally the focus in policing has been on instrumental models – for example, that the public's motivations for compliance and cooperation with the law are through the risk of punishment and evidence of police effectively controlling crime (Tyler, 2004) – evidence suggests that these instrumental perspectives may be inadequate, with small effects on compliance and only loose associations between police effectiveness and the public's reactions to police (Tyler 2004).

Assessments of the procedural fairness of police officers' behaviours are consistently found to be more strongly linked to legitimacy judgements than instrumental assessments of deterrence. Tyler (2004) suggests that there are three essential ingredients that make up 'procedural justice' in interactions involving police and citizens: citizen participation during the encounter and prior to police reaching a decision; perceived neutrality in police decision making; and whether the police demonstrated dignity and respect during the encounter. When these three elements/ingredients are clearly incorporated, citizens view the police and their authority as legitimate and worthy of being obeyed.

Research also finds that police-citizens encounters that involve the use of procedural justice have a direct effect on enhancing the quality of police-citizen interactions, leading citizens to be more satisfied with the interaction and outcome (Mastrofski, Snipes & Supina, 1996; McCluskey, 2003; Reiss, 1971; Tyler & Fagan, 2008; Wells, 2007). People who feel they have been dealt with in a procedurally fair way are less likely to believe that they have been personally singled out (e.g. racially profiled) and are more likely to accept the decisions (e.g. a fine or sentence) made by authorities (Tyler & Wakslak, 2004).

In summary, there is consistent evidence that police legitimacy encourages cooperation and compliance, leads to citizen satisfaction with police individually and collectively and ultimately facilitates the capacity of the police to maintain order and control crime (Mazerolle et al., 2009). Research literature also shows that police approaches using procedural justice elements (citizen participation, neutrality in decision making, and demonstrating dignity and respect) are important in fostering perceptions of police legitimacy. If police are striving to improve perceptions of legitimacy, it makes sense that using procedural justice elements in their encounters with citizens can go a long way to achieving this goal.

The research examining this issue to date has largely utilised survey data. The QCET project was designed to investigate through a randomised controlled trial whether this relationship between procedurally just policing could increase perceptions of police legitimacy, both in terms of the specific encounter with police, and then whether this would follow on to more general perceptions of police legitimacy.

Random Breath Testing (RBT) in Queensland

CEPS tested the theoretical link between procedural justice and police legitimacy in a high-volume routine police-citizen encounter – Random Breath Testing (RBT). The goal was to enhance the existing RBT procedure by introducing procedural justice components to promote legitimacy as drivers participated in the testing.

During RBT in Queensland, police officers motion for drivers to pull over to the side of the road and direct drivers to blow into a calibrated breath testing device. The results of the breath test are indicative and provided in 20 seconds. If the results are negative

(less than .05 blood alcohol concentration in grams of alcohol per 100 millilitres of blood for Open Licence holders and .00 for Learners and Provisional drivers) drivers are free to proceed. However, if the results are positive drivers are escorted under police supervision to a Breath Analysis Station (usually set up at the RBT site) where they are required to undergo further evidential analysis using a more sophisticated Breathalyser device and may be charged (if positive) with the offence of drink-driving. Refusal to comply, without a reasonable excuse, is an offence (s 80 (5A), Transport Operations (Road Use Management) Act, 1995).

RBT has two principal goals: (1) to catch offending drink drivers; and (2) to present a general deterrent to drink driving as motorists either observe or experience RBT (Watson & Freeman, 2007). In order to achieve these goals, the QPS has been conducting the equivalent of one (preliminary) breath test for every licensed driver per year (Travelsafe, 1997). As a result, in the financial years 2001–2002 and 2002–2003, the QPS conducted over 2.6 million breath tests (Watson & Freeman, 2007). With the population of Queensland rapidly rising, the QPS has re-established the benchmark at a sustainable 85% of licensed drivers (QPS, 2008).

Whilst community engagement and police legitimacy are existing components of the QPS training curriculum, the targets associated with RBT (e.g., to administer a breath test for the majority of licensed drivers per year) has meant that this police-citizen encounter is necessarily very systematic and often devoid of anything but compulsory communication (i.e., the legislatively mandated message that officers are required to give to drivers for the purpose of obtaining a specimen of breath for the breath test).

Research and operational partners involved in QCET focused on developing an intervention aimed at increasing police legitimacy in a police-citizen encounter that could be conducted consistently (integrity), reliably without intensive staff supervision (cost), and without the need for extensive training (time). Of particular interest to the QPS was to combine the large number of police-citizen encounters obtained via RBT operations with the concurrent urgency to improve citizen awareness of matters relating to alcohol consumption and safe driving behaviour, as part of a general overarching goal to significantly reduce the road toll by year 2011 (Queensland Road Safety Action Plan, 2009). Furthermore, the high-volume nature of RBT presented an opportunity for police to convey, on a large scale, specific crime prevention messages (e.g., 'lock it or lose it') as well as community information (e.g., the numbers for local police stations and local activities) in an effort to make motorists more aware of local community resources.

Methods

The trial was conducted between December 9th 2009 and June 27th 2010 in the Metropolitan (Metro) South Region. Metro South is a highly populated and ethnically diverse region of Queensland, Australia, with a population over 700,000 and approximately 1,141 sworn police officers. The region consists of three policing districts: Oxley, South Brisbane and Wynnum. The diverse cultural make up of Metro South made the region ideal for conducting a trial of legitimacy in policing, particularly so when one considers international and Australian research which suggests police find it difficult to gain cooperation from ethnic groups who display low levels of confidence and trust in the police (Murphy & Cherney, 2009).

Mid-sized district level RBT operations were chosen to test the theoretical link between procedural justice and legitimacy as they were supervised by a senior officer on site, had a minimum number of five officers undertaking the RBT, and drivers were more likely to live in the Metro South region as opposed to the large scale operations aimed at drivers commuting through the region. In addition, the mid-sized RBT district operations had the following research advantages: an easily accessible sample (e.g. plenty of motorists), randomly assigned operations were able to be distinct (e.g. the entire RBT operation can be randomly assigned to either the control or experimental condition), and CEPS staff could easily observe operations and work to ensure police are delivering the condition as assigned (treatment integrity). Nine mid-sized RBT operations were scheduled on average per district per month, mostly targeting weekends during evening and afternoon periods when traffic was heaviest and was most likely to sample local traffic.

Using a randomised experimental trial design, the goal was to examine whether the existing RBT procedure in Queensland could be enhanced by introducing procedural justice components to promote legitimacy and community engagement as drivers participated in routine RBT. Hence, a script was developed which was delivered by the officers during the RBT assigned to the experimental condition. In order to measure potential differences in citizens' ratings of police legitimacy, community engagement, and procedural

justice between experimental and routine (i.e., control) RBT operations, a comprehensive survey was developed which targeted these constructs and was distributed to drivers after each RBT was administered.

Power analysis conducted by CEPS researchers concluded that a total of 60 RBT operations delivering a minimum of 300 surveys to drivers at each operation were required to observe meaningful differences between experimental and control conditions. QCET RBT operations were numbered from 1 to 60 and randomly assigned to either the control (N = 30) or experimental condition (N = 30).

Control Condition

The 'normal' RBT procedure requires that the officer deliver a mandated message prior to conducting the breath test. The following provides an example of this routine police-citizen encounter:

My name is Constable Smith from Oxley Traffic Branch. You have been stopped for a random breath test. I now require you to provide a specimen of breath for a breath test. This is a breath testing device. To comply with my requirement, I direct you to place your mouth over the mouthpiece of the device and blow directly and continuously through that mouthpiece until told to stop by me.

For the purposes of the control condition, the only variation to routine RBT procedure was the provision of a sealed envelope to the driver after the breath test was completed. Police handed out 400 surveys to drivers at each control RBT operation. The research team hoped to obtain a minimum of 30 surveys per operation and as it was anticipated that fewer drivers would respond without the longer encounter with police (e.g. experimental condition), more surveys were distributed in the control operations.

Experimental Condition

In the experimental condition, the police were asked to deliver an extended script and provided drivers with a police community information bulletin (developed by QPS personnel). The script that police in the experimental condition delivered included the 4 elements of procedural justice, in addition to the existing RBT requirements. The card given to guide the police included the following instructions:

- Neutrality – "We are pulling cares over today at random. That means you were not singled out for this test. We are **randomly** testing drivers for alcohol use so that we can reduce the number of alcohol related traffic crashed on out Queensland roads."

- Trustworthy motives – "In Queensland alone there were **354 deaths** in 2009. One of the hardest parts of our job is to tell a person that their loved one has died or has been seriously injured in a traffic crash. Can you please help us to reduce these accidents by continually driving carefully and responsibly?"

- Citizen Participation – "Here is a police bulletin that has additional crime prevention tips. It also **tells you about what's going on in this community** and gives you some important numbers if you want to get in contact with us for any event that is not life threatening. Please be aware that thieves are targeting money, satellite navigation systems, and mobile phones that are left in people's cars. Please make sure you remove all valuables when you leave your car. **Do you have any questions about this**?"

- "Researchers at the University of Queensland are running an important survey about this RBT for you to fill in at home. I have attached their survey to the bulletin. We would really appreciate your feedback. Do you have any other questions for me about this RBT or anything else?

- I now require you to provide a specimen of breath for a breath test...and **mandated message** to the driver.

- Dignity and Respect – "I just want to finish off by thanking you for ... [something positive to the driver... e.g. child being buckled up in car seat/seatbelt use etc...]. Thank you for taking part in this random breath test. **I appreciate your time and attention.**" If over the limit, process as usual.

Whilst officers were provided with the 'script' and dot points, they were also encouraged to adapt their own personal style to the delivery, allowing for a more fluid and mutually engaging police-citizen encounter. Clearly if the driver exceeded the legal limit for blood alcohol content (or committed any other infringement) then normal enforcement actions were taken; however, in such cases, the survey with the attached bulletin was still provided. For each RBT operation, police handed 300 surveys to drivers.

Driver Survey

A comprehensive survey incorporating procedural justice and legitimacy constructs was developed drawing on seminal work by Murphy and Mearns (2008) and Tom Tyler (1997, 2003, 2004, 2008) and colleagues (Tyler & Fagan, 2008; Tyler & Huo, 2002; Tyler & Wakslak, 2004). Drivers were asked about the purpose of RBT and the quality of their interaction with the police during their encounter, their general perceptions of police in Queensland (e.g. 'the police treat people with dignity and respect'), neighbours' perception of the police (e.g. 'people in my neighbourhood think that police are fair'), levels of community engagement (e.g. 'I feel strong ties to others living in my local neighbourhood') and demographic questions. No directly identifiable information was requested and completion of the survey was voluntary.

A total of 20,985 surveys were distributed to drivers, with an overall response rate of 13.09% (N = 2747). In the experimental condition, there were 1645 returned surveys and 1102 in the control condition, indicating a slightly higher response rate in the control condition (13.73% control vs. 12.30% experimental). Overall, 50.42% of respondent were female, with there being equivalent numbers of males and females in the control and experimental groups, ($\chi 2$ = 1.55, p = .213). The ages of participants ranged from 17 to 90 years (mean age = 47.25 years, standard deviation = 14.71 years), and an independent samples t-test revealed no significant difference in mean age between experimental and control groups, t (2668) = .100, p = .920.

Australian ancestry (including Aboriginal and Torres Strait Islander ancestry) was the most common ancestral group (49.17% of respondents), followed by European (39.50%), Asian (5.00%), and countries geographically close to Australia (i.e., New Zealand, Melanesia, Micronesia, and Polynesia; 3.74% of respondents). The remaining respondents identifying as African, Middle Eastern, or from the Americas comprised 2.60% of respondents. Variation in ancestries between control and experimental not significantly different from what we would expect to obtain by chance ($\chi 2$ = 2.93, p = .569).

Key Findings

Research Question 1 - Changed views

Did the experimental condition change drivers' views on drink-driving and the way drivers' view the police?

- Drivers who received the experimental RBT encounter were 1.25 times more likely to report that their views on drinking and driving had changed following their RBT experience than those in the control group who received the standard RBT encounter.

- Drivers who received the experimental RBT encounter almost 1.5 times more likely to report that the way they think about police had changed following their RBT experience than those in the control group who received the standard RBT encounter.
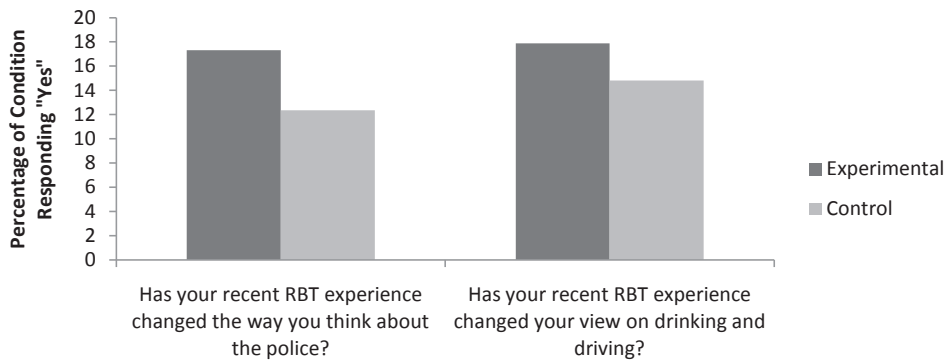

Figure 1. Percentage of experimental and control respondents indicating their views on the police and on drinking and driving has changed following thier RBT encounter

Research Question 2 - Fairness, Respect, Compliance, Satisfaction, Trust and Confidence - Specific to RBT encounter

Did the experimental intervention have an impact on how drivers felt they were treated by police during the RBT encounter?

- As can be seen in Table 1, drivers who received the experimental RBT encounter reported significantly stronger perceptions of police fairness, police respect, compliance with police, satisfaction with police, trust in police, and confidence in police (specifically in relation to the RBT) than drivers who received the standard RBT encounter.

Table 1. Citizen perceptions of police legitimacy for the specific RBT encounter

	Experimental	Control	
	M (*SD*)	M (*SD*)	*p*
Satisfaction (*n* = 2675)	4.43 (.675)	4.28 (.736)	< .0001
Fairness (*n* = 2569)	4.05 (.814)	3.72 (.807)	< .0001
Respect (*n* = 2631)	4.44 (.694)	4.25 (.740)	< .0001
Trust (*n* = 2675)	4.21 (.804)	4.04 (.811)	< .0001
Confidence (*n* = 2634)	4.38 (.707)	4.30 (.667)	< .005
Compliance (*n* = 2634)	4.57 (.554)	4.52 (.525)	< .005

Note: Scores on measures range from 1 to 5, whereby higher scores indicate stronger and/higher levels of the relevant construct.

Research Question 3 - Fairness, Respect, Compliance, Satisfaction, Trust and Confidence - General

Did the experimental intervention have an impact on how drivers felt they have been treated generally by police?

- As can be seen in Table 2, drivers who received the experimental RBT encounter reported significantly stronger generalised perceptions of police fairness, police respect, higher satisfaction with police how 'do their job' in a general sense than drivers who received the standard RBT encounter.

- Drivers who received the experimental RBT encounter did not appear to have stronger motivation to comply with police in general, confidence in police, or report significantly higher general trust in police than drivers than drivers who received the standard RBT encounter.

Table 2. Citizen perception of police legitimacy in general

	Experimental M (*SD*)	Control M (*SD*)	*p*
Satisfaction (*n* = 2667)	3.85 (.913)	3.78 (.920)	≤ .05
Fairness (*n* = 2614)	3.59 (.825)	3.49 (.807)	< .005
Respect (*n* = 2585)	3.55 (.866)	3.46 (.835)	< .05
Trust (*n* = 2671)	3.92 (.909)	3.88 (.900)	*ns*
Confidence (*n* = 2649)	3.92 (.879)	3.87 (.897)	*ns*
Compliance (*n* = 2651)	4.39 (.647)	4.38 (.632)	*ns*

Note: Scores on measures range from 1 to 5, whereby higher scores indicate stronger and/higher levels of the relevant construct.

Encounter Length

Given the extra procedures that police officers were introducing in the experimental condition, the experimental encounter was significantly longer than the control condition (average 1 min 37.22 secs in the experimental condition, compared to 25.34 secs in the control condition). Therefore, encounter length was also considered an important variable. However, encounter length was not available for all police-citizen interactions, as only average encounter length was taken for each RBT operation based on a sample of encounters. Results revealed that encounter length had an effect on general compliance and confidence in police, but not general trust in police.

Research Question 4 - Perceptions on Police Performance

Did the experimental condition have an impact on drivers' perception of how good a job police are doing in their neighbourhood (e.g., solving crime etc)?

- Drivers who received the experimental RBT encounter did not report significantly more positive perceptions of police performance than drivers who received the standard RBT encounter.

QCET Directions

Despite over 20 years of prolific writing, QCET represents the first experimental field trial testing legitimacy policing. Our hypotheses suggested that the citizens receiving the experimental treatment would perceive greater levels of procedural justice and thus have higher levels of perceived police legitimacy. Results indicated that legitimacy policing improved (specifically and generally) levels of satisfaction with police, perceptions of police fairness and perceptions of police respect. Legitimacy policing involving elements of procedural justice and community engagement also improved trust in police, confidence in police and compliance

with police directives, specifically in relation to the RBT encounter. Our results also found that legitimacy policing did not improve *general* perceptions of confidence in police, compliance and trust but encounter length may be an influencing factor in relation to confidence and compliance, but not trust.

The results of the QCET project have obvious policy implications, particularly in relation to police RBT procedure, as well as providing important insight into the impact of procedurally fair policing on perceptions of police legitimacy. Yet there are still questions this research has yet to answer. In particular, how could legitimacy policing be generalised beyond RBT encounters? How might we work with police to translate principles of procedural justice into routine police-citizen interactions? In addition, we need to conduct more analysis to understand what is it about "trust" that is most likely the most difficult perception to change in relation to policing and understand how our results vary across ethnicity, age, gender, police districts and the community at large.

The collateral benefits of QCET run deeper than examining the outcomes of a procedurally just approach to police encounters during RBT operations. The partnership between police and academics, within the context of running randomised controlled trials, sets the foundation for building the clinical capacity of police practitioners to design, implement and assess police practice and thus build the type of evidence base over time to enhance operational practice.

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