

Will brightly coloured uniforms raise public confidence in criminal justice?

Summary of journal article: Shadd Maruna and Anna King, 'Selling the Public on Probation: Beyond the Bib,' The Journal of Community and Criminal Justice, 2008 NAPO Vol 55(4): 337–351.

The Casey Report Approach

South of the border, the UK has adopted a proposal in the Casey Report (*Engaging Communities in Fighting Crime*, 2008) requiring offenders serving community punishments to wear **brightly coloured bibs** that will identify them to local residents. The aim of such an approach is to raise the visibility of community 'payback' and thereby improve the public's confidence in criminal justice.

Public Attitudes to Community Penalties

Public opinion research in the UK (England and Wales) shows a relatively low percentage of people believe **probation** is doing a good or excellent job (20%). While this is similar to the approval ratings for **prison**, it is much lower than ratings of the **police** (50%). In another survey, very few people spontaneously mentioned 'probation' (2%), when asked what would help reduce crime (compared to 'police' (77%) or 'schools' (17%)).

The most consistent finding in research on public attitudes of community punishment, however, is that the **public are unfamiliar with what non-custodial penalties are.**

This is a stable finding of research in the UK, USA and internationally. People do not know what probation does or what community penalties are. This suggests the failure of probation to communicate how what they do contributes to less crime or more safety. Additionally, there is good research to show that, despite the orientation of the tabloid press to the contrary, that the public is not consistently or deeply punitive in its outlook.¹

Improving Confidence in Community Penalties

Strategies can be divided into two categories: cognitive (information-based) and emotive (or affective) approaches. **Cognitive strategies** work well when deployed in small or targeted settings, such as 'You be the judge' experiments where participants who are provided information about an offender and penalty options are more likely to favour alternatives to prison than those who are provided no or little information.

¹ See also, M. Brown and K. Bolling (2007), 'Scottish Crime and Victimisation Survey 2006 – Main Findings,' report prepared for the Scottish Government Social Research Unit, which reported that people in Scotland consider drug and alcohol abuse to be a bigger problem than crime.

The effect of cognitive approaches deployed more generally, however, is limited at best. **Public education campaigns** and the like tend to have no or at best a negligible impact on changing attitudes about crime or correcting misperceptions (e.g. that the crime rate is falling or stable rather than rising). Positive impacts – improving the accuracy of public knowledge or improving opinions of alternatives – may have only a temporary effect. The public also tend to view **statistical arguments** as manipulative and deployed selectively for political ends.

Emotive strategies have largely been neglected in policy and academic considerations of confidence in criminal justice, until recently. Yet ‘gut reactions’ are an important reflection and determinant of one’s underlying values and beliefs. Research by the authors showed widespread belief in ‘**redeemability**’ and there may be potential in strategies that appeal to emotions of compassion.

Will the Casey Approach Work?

The Casey Report takes account both of cognitive and emotive strategies, showing a wider perspective than many similar efforts. The Casey Report connects with the strong evidence we have about the limitations of cognitive strategies and the potential of emotive strategies.

The Report departs from this evidence when it translates emotive strategies into specifically and exclusively **negative approaches**, which seek to respond to the public’s sense of outrage, fear, and vindictive desire to shame or stigmatize offenders. The concept of ‘**payback**’, a central theme

of the Casey Report, can be effective when it connects to public attitudes about **paying back to communities**: restoring, repairing and repaying. However, Casey’s use of ‘payback’ refers to society **paying back harm to offenders**, and sharply defining us (‘decent, law abiding members of the public’, p. 6) from them.

This shows poor awareness of **victimisation patterns** (most offenders are also victims of crime) and **victim views** (victims tend to desire more that there are no more victims of the crime they suffered than want to get their offenders back for what happened)².

There is a real danger the use of stigmatizing strategies like bright uniforms will backfire. Such strategies can stir up public passions of anger, and raise questions about the appropriateness of community penalties (e.g., ‘If this offender requires to be identified by brightly coloured clothing, shouldn’t he be in prison?’).

In sum, the Casey Report is right to acknowledge and appeal to emotions, but risks punitivizing public attitudes and backfiring by appealing to negative emotions. The opportunity of appealing to cherished values such as redemption and compassion is not explored in the Casey Report.

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² See H. Strang (2002), *Repair or Revenge: Victims and Restorative Justice*, Oxford: OUP.

