



## Public Confidence in the Justice System





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*The views expressed in this paper are those of the authors and do not necessarily reflect those of the Department of Justice Canada or the Government of Canada*



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## Acknowledgements

**T**he authors would like to express their thanks to the Federal Provincial Territorial (FPT) Working Group on Public Confidence, to the FPT Coordinating Committee of Senior Officials - Family Justice Research Sub-committee, to Professors Julian Roberts and Ron Melchers for all their work on the “question bank”, to Ab Currie, Norm Desjardins and Valerie Howe, and to the many colleagues who reviewed the report and provided invaluable feedback.



## Executive Summary

**F**or many years now, there has been significant interest and steps taken to measure public confidence in the criminal justice system in many Western countries, including the United States, Britain, Australia and Belgium. These governments have recognized the importance of high levels of public confidence in the criminal justice system, so much so, that measures of public confidence have been incorporated into accountability frameworks.

This report presents the first findings from the Public Confidence in the Justice System Survey that was conducted in Canada in March 2007. In undertaking the survey, the principal goal was to determine the predictors of public confidence in the justice system.

## Methodology

The survey consisted of telephone interviews with a random sample of 4,503 Canadian residents aged 18 years and over in the ten provinces. Telephone interviews were conducted by EKOS Research Associates from March 4<sup>th</sup> to 30<sup>th</sup>, 2007. The interviews averaged 21 minutes in length.

Response rate in public opinion research remains a methodological concern. The central issue is whether or not the sample is actually random and therefore likely representative of the broader population. The response rate for this survey was 14.7 per cent, consistent with industry norms for a random digit dialling survey. The method used to calculate response rates for public opinion research telephone studies by all research suppliers who are members of MRIA (Marketing Research & Intelligence Association) is:

Responding Units / (Unresolved Units + In-scope Non-responding Units + Responding Units)

Responding Units are all in-scope units / respondents who provided usable information (this includes disqualified or ineligible respondents - that is, those screened out at the beginning of the interview).

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In-scope Non-responding Units are people who refuse to participate, who are not available to talk or who face a language barrier in responding.

Based on this formula, the response rate for the survey of Public Confidence in the Justice System 2007 is  $4,831 / (9,949 + 18,018 + 4,831) = 14.7\%$

The results from this survey may be considered statistically accurate to within +/-1.5 percentage points, 19 times out of 20. Error margins for sub-groups are higher; the table below summarizes provincial sample sizes and associated error margins:

**Table 1: Sample size and Margin of Error by Province**

Province	Sample Size	Margin of Error (19 times out of 20)
Newfoundland	200	± 6.9%
New Brunswick	205	± 6.9%
Nova Scotia	205	± 6.9%
Prince Edward Island	198	± 6.9%
Quebec	990	± 3.1%
Ontario	1,312	± 2.7%
Manitoba	209	± 6.9%
Saskatchewan	217	± 6.9%
Alberta	420	± 4.9%
British Columbia	547	± 4.0%
Total	4,503	± 1.5%

The survey questionnaire was developed using public confidence questions that have been repeatedly used on surveys in other countries and in Canada. The questionnaire and a full set of tabulated data are appended to this report. Of note, for the first time in Canada, the survey included questions on public confidence in the family justice system. There are no comparable data in other countries on the family justice system.

Of the total respondents, 3% indicated they were Aboriginal and 8% self-identified as a visible minority. According to the 2006 Census, 3.8% of the population identified themselves as Aboriginal; 16.2% of the population identified themselves as belonging to a visible minority group (Statistics Canada 2008). A total of 84% of respondents said that they were born in Canada. For 73% of respondents, English was the language most often spoken at home and for 23%, it was French. It should be noted that only those who could speak English or French well enough to complete the survey were included.

## Findings

The findings for the criminal justice system were similar to findings from public confidence surveys in other Western countries and also findings from Canadian surveys, such as the 2004 General Social Survey on Criminal Victimization.

Throughout the survey, respondents were asked to rate their levels of confidence using a 4-point scale, where 1 represented “not at all confident” and four represented “very confident”. At the beginning of the survey, respondents were asked to rate their confidence in four public systems/institutions. The largest percentage of respondents expressed high confidence (3 or 4 on the scale) in the primary and secondary education system (62%), followed by the health care

system (52%), the family justice system (42%) and the criminal justice system (37%). The findings clearly showed that the public expressed lower levels of confidence in the criminal and family justice systems than in other public systems, such as health care or education. However, the comparison between justice system with health care and education system is not a fair one. Roberts (2004, 20) comments that:

The mission of the criminal justice system is not primarily to help victims, but rather to promote public safety and impose appropriate punishment. It is therefore probably inappropriate to make comparison between confidence in the justice system and confidence in the health system, where the well being of the member of the public entering the system is the primary goal.

Another important consideration about public confidence that distinguishes the criminal and family justice system from the health and education systems is that it is an advocacy system - there will always be “winners” and “losers” in terms of case outcome. This is not the same with either the health or the education system.

It is important to remember that while confidence levels in the criminal and family justice system were not high, these findings are similar in other countries, at least for the criminal justice system. As well, respondents generally rated the two systems similarly.

### **Public Confidence in the Criminal Justice System**

Respondents were asked a number of questions about their perceptions of crime in their own neighbourhood and in other neighbourhoods to assess whether perceived levels of crime are associated with confidence in the criminal justice system. The results showed there is variation across the provinces on several issues. For example, when asked whether crime in their neighbourhood would increase, decrease, or remain the same over the next five years, overall nationally, 36% of respondents believe it will increase. In Quebec, 29% believe crime will increase, whereas in Alberta, 47% believe it will increase.

Public confidence in the criminal justice system is a complex construct so questions also focused on the different branches, different players, and different functions that are all part of the system. Overall, confidence levels for judges and police were relatively high. While confidence levels for corrections were low, some functions, such as preventing prisoners from escaping, received high ratings. More Canadians expressed higher levels of confidence in the criminal court's ability to respect the rights of an accused than for helping victims of crime.

Analysis focused on determining the predictors of confidence in the criminal justice system. A public confidence scale was created using the 30 questions that focused on public confidence. The predictor variables included demographics, victimization experience and contact with the

criminal justice system, and sources of information. The analysis found that the following factors were statistically significant, but weak, predictors of higher levels of confidence in the criminal justice system:

1. Being younger;
2. Having a religious affiliation;
3. Living in a helpful neighbourhood; and,
4. Living in a neighbourhood with perceived low crime levels.

And the following were predictors, albeit weak, of lower levels of confidence in the criminal justice system:

1. Living in the prairie provinces and Quebec;
2. Being older;
3. Living in a neighbourhood with perceived higher crime levels; and,
4. Having been a victim – whether or not the respondent had any contact with the criminal justice system.

Overall, however, the predictive effect of these variables was not very strong. This means that these predictors, while important to note, cannot explain the complex story behind public confidence in the justice system. There are other factors that are associated with the public's confidence and research will continue to isolate those other factors to better understand this dynamic.

### **Public Confidence in the Family Justice System**

Similar to the criminal justice section, the family justice questions aimed to measure the level of confidence of the public and to test the association of the resulting levels to peoples' experience, their socio-demographic characteristics and their sources of information on family justice issues.

Results from statistical analysis showed that respondents with direct or indirect<sup>1</sup> experience with a family law dispute had less confidence in the family justice system than people without experience with the system. The results also demonstrated that respondents without experience with the family justice system were 1.5 times more likely than respondents with experience to have higher confidence in family justice system. While experience did appear to influence confidence levels, it was not clear what part(s) of that experience was salient to their confidence levels (e.g. was it the outcome of their case or how they were treated?).

Similar to the criminal justice system component of the survey, respondents were asked: "How confident are you..." that various professionals in the family justice system "...are helping people with their family justice issues?" The results showed little variation in the ratings of the

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<sup>1</sup> All respondents were asked if they had a family member or close friend/acquaintance who had used the family justice system recently. The results showed that a considerable number, 1,576 or 35% of the total sample, answered "yes", they had a close friend or family member who had used the family justice system in the last ten years. This question is important. With the prevalence in recent years of Canadians who have experienced a divorce or separation or who have lived through the breakdown of their parents' relationship, it was thought that people's confidence in the system may be influenced by hearing about the experience of those close to them.

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various professionals.<sup>2</sup> What was interesting was that confidence was greater in each of the five professional groups than in the overall system at 42%. This suggests that there may be aspects of the system itself that influence their confidence, such as the organization or structure, rules, policies, and complexity rather than the professionals who work in the system.

The degree of association between public confidence in the family justice system and various demographic variables was also analysed. While there were some statistically significant results, there was not a strong degree of influence on confidence levels. The analysis showed that respondents who spoke English at home had lower confidence in the family justice system while those respondents who lived in helpful neighbourhoods, were younger, and had more education had higher confidence in the family justice system.

### **Information Sources**

One of the factors that has been cited frequently in the literature as an important influence on people's attitudes towards the justice system is the mass media (e.g. radio, TV and newspapers), especially with regard to the criminal justice system. This impression stems primarily from the fact that almost everyday, regardless of the medium of the mass media, crime and justice stories are in the news. For the family justice system, however, the level of coverage in the mass media is much lower compared to the criminal justice system, with stories usually only appearing when a high profile case has been decided, either in terms of the parties involved or the issue being tried, or an important decision on the law is being handed down by the Supreme Court of Canada.

To see if this difference in coverage would emerge from the survey, the same question on top sources of information was asked for both the criminal justice and family justice questions. For both systems, respondents named various forms of mass media as top sources of information. For the criminal justice system, TV and radio news were cited by 68% of respondents and newspapers and magazines were cited by 62%. For the family justice system, TV and radio news were cited by 54% of respondents and newspapers and magazines were cited by 53%.

One key difference between the two systems is that for one third (34%) of respondents, family or friends were the source of information about the family justice system, whereas this was the source for only 12% of respondents regarding the criminal justice system.

Government was listed as a source for information about the criminal and family justice systems by only 1% and 2% of respondents respectively. It is possible that some government or community websites were captured by the "Internet" response or indeed within the TV news or newspaper response if the news item was reporting Statistics Canada crime rates for example. It is noteworthy, however, that respondents did not themselves identify the government as an important source of information.

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<sup>2</sup> Family lawyers (private and public), family court judges, family court staff, enforcement staff, and child protection staff.

## **Discussion**

The findings from this survey were similar to findings from other surveys in Canada and in other Western countries, many of which have been asking confidence questions for years (see Roberts 2004; Roberts and Hough 2005).

Experience with the justice system was a common predictor of lower levels of confidence in both the criminal and in the family justice systems. Demographics, however, that were thought to be important, were not, in the end, overly significant. Being younger and identifying a religious affiliation were predictors of higher levels of confidence for the criminal justice system. Being young, educated and living in helpful neighbourhood were predictors of higher confidence for the family justice system. All of these are, however, relatively weak predictors of the public's levels of confidence in either system.

It was thought that information sources would be related to levels of confidence, particularly for criminal justice, but that did not bear out. It may be that the survey questions did not adequately capture the information issues. Government is a source of information for only 1% of Canadians in the case of the criminal justice system, and for only 2% of Canadians in the case of the family justice system.

Given that other research indicates that victims want information about the criminal justice system and that the quality and timeliness of that information can affect their expectations, this is one area that clearly merits further exploration. As well, on the family justice side, the role of family and friends as sources of information should be further examined, given the possibilities of legal information that is less than complete.

One might argue that simply more and better information and communication is one part of the answer, but the issues are more complex, as we know from the public confidence puzzle. There is a need to be more innovative and perhaps directly involve the public more. Those who are directly impacted by crime and the criminal justice system, particularly victims, have called for more information and different ways of accessing it, depending upon their own situations (see Meredith and Paquette 2001; McDonald 2000; Prairie Research Associates 2005; Sims 1999).

This survey provides a baseline of information for Canada on public confidence in the criminal and family justice systems. While the effect magnitudes of the identified predictors are small, the data present great opportunities for additional analysis. As well, there will be efforts to explore further public confidence and specific issues such as, the linkages between information about and experiences with the justice system.

*... the justice system stands in need as never before of its public's confidence. Without public confidence, the task of lawyers and courts becomes more difficult.*

- Chief Justice Beverly McLachlin (2003, 278)

## 1. Introduction

**T**his report presents the findings from the *Public Confidence in the Justice System Survey*, a public opinion survey that was undertaken in Canada in March 2007. In undertaking the survey, the principal goal was to determine levels of and the predictors of public confidence in the justice system.

This report is structured as follows: the first section provides an introduction that explores why public confidence itself is important, the predictors of higher levels of confidence identified by previous research, and some thoughts on measuring public confidence. The second section includes a description of the methodology. Section three includes a description of the results and analysis for the criminal justice system and the family justice system. Section four provides a discussion of the results and a summary. The survey instrument and additional technical reports are appended to the report.

### 1.1 The Importance of Public Confidence in the Justice System

For a number of years now, there has been significant interest and steps taken to measure public confidence in the criminal justice system in many Western countries, including the United States, Britain, Australia and Belgium (see Hough and Roberts 2004; Roberts 2004; Sherman 2002). These governments have all recognized the importance of strong confidence in the criminal justice system and are actively measuring levels and developing interventions where warranted. As well, measures of confidence are being incorporated into government accountability frameworks. Governments have focused on the criminal justice system<sup>3</sup>, with less attention being paid to the civil justice system or any of its particular branches.

Two arguments have been put forward as to why public confidence in the justice system is important, and important to measure. Queen's University Sociology Professor Vince Sacco (2005, 5) notes that first, in an instrumental sense, confidence, or the lack thereof, has implications for the operation of the system. The second argument relies on a more expressive approach which is less concerned with operational matters and more focused on the expressive character of confidence. Fundamentally, confidence is important because it is an indicator of how well the system is judged to be operating. These arguments are outlined in the following paragraphs.

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<sup>3</sup> For most people, "justice system" means the criminal justice system. In Canada, the justice system is comprised of both the criminal and civil systems. The latter includes cases where two parties may undertake a court or "civil" action against one another for a number of reasons (personal injury, to sue someone, etc.) and the family justice system, where a special type of action is being undertaken between two people, usually a divorce or separation.

In an instrumental sense, confidence is important to understand and measure because it is related, perhaps causally, to other perceptions and activities that are of some operational importance. Basically, if it is possible to manipulate levels of confidence, there could then be meaningful change in these related perceptions and activities. Sacco (2005) does note that there has been a tendency to over-estimate the significance of factors like confidence, in this respect.

Sacco provides the example of confidence and how it relates to people's willingness to report crimes to the police. If crimes are not reported, the viability of the justice system is hence jeopardized by confidence levels.

The 2004 General Social Survey on Criminal Victimization showed that approximately one third (34%) of people reported their crimes to the police (Gannon and Mihorean 2005). An interesting question is whether the lack of reporting signals a lack of confidence. Or in other words, do the statistics clearly demonstrate a lack of public confidence?

Sacco and Kennedy (2002) suggest they do not and provide the following explanation. There are principally two ways to try to understand why people report crimes to the police. The first is to ask victims why they do or do not report the crime. When this is done in surveys, we find that one common reason is a perception that the police would not be able to do anything about the incident. A second way is to try to identify the kinds of factors that seem to be related to the willingness of victims to report. Three kinds of variables are usually identified in this regard: i) the characteristics of the events themselves, ii) demographic and social characteristics of victims, and iii) their perceptions of the justice system. The most important variable includes the characteristics of the events or crimes.

People are more likely to report crimes when they are legally serious, involve substantial loss or physical injury or when insurance payments require them to do so. How people feel about the justice system does not really matter all that much once all of the other relevant influences on the decision have been taken into account. Also of relatively minor importance are the social characteristics of victims, once the characteristics of the events are considered.<sup>4</sup>

It is more likely that victims report crimes to the police when the benefits of doing so outweigh the costs. This rational cost-benefit analysis is more accurate than the "lack of confidence" model. Many victims state that they did not report a crime because the police would be unable to do anything and they are often surprisingly accurate (Sacco and Kennedy 2002). Victims act as the first filter in the system and screen out events that are often unlikely to produce results for either the criminal justice agencies or the victims themselves.

The second argument suggests that public confidence in the justice system is important because it is an expression of how well the system is doing. Public confidence is important as an indicator

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<sup>4</sup> Sexual assault may be an exception to this generalization. Repeated cycles of the GSS have revealed that the reporting rate for this offence is much lower than for other violent victimizations. Attitudes towards, or confidence in, the anticipated police response may be in part responsible for this relatively low reporting rate (see Hattem 2000). More research is certainly warranted in this area.



of how people feel about the system. What is at issue here is what some have called “subjective legitimacy” or “perceptual legitimacy” (Ho and McKean 2004). This does not mean that public confidence is less important, only that its meaning is less practical. Instead it is understood as foundational. As Sacco notes (2005, 6), “A system which is not understood as legitimate cannot by definition rely on partnerships with the public.”

## **1.2 Predictors of Public Confidence**

The principal goal of this survey was to determine levels and the predictors of public confidence in the justice system. Research in Canada and in other countries has pointed to a number of key variables that play a role in levels of public confidence in the criminal justice system (see Roberts 2004 for a summary). In contrast, there is little research in this area for the family justice system (Glossop 2006).

First, sources of information can play an important role in developing public expectations about any public system. It is widely acknowledged that the media plays a powerful role in reporting on crime and criminal justice. Images and narratives that are available 24 hours a day, 7 days a week shape the public’s feelings of confidence and expectations about the criminal justice system (Sacco 2005; Roberts 2005). Experts agree that crime rates are determined more by social and economic trends than by short-term shifts in criminal justice policies, but public expectations remain unchanged (Roberts 2005).

As well, experience has consistently been identified as a predictor of confidence in the criminal justice system (see Melchers and Roberts 2007). It is known that when individuals have direct experience with the justice system, their confidence is more influenced by their treatment (respect, being heard, etc.) (Sacco 2005).

Demographics, such as age, education levels, or religious affinity, can also be predictors of public confidence in the criminal justice system. For example, surveys conducted in the US and Britain have shown that visible minorities express less confidence in the criminal justice system (see Roberts and Hough 2005).

## **1.3 Measuring Public Confidence in the Justice System**

It has been argued that in order to maintain/promote confidence, current research (public opinion studies for the most part) is inadequate, and better and more specific research is required to understand the inherent complexities (see Melchers and Roberts 2007). The challenges for researchers include the complex nature of public confidence, as well as the lack of data on whether confidence levels are falling or rising, and why levels fluctuate. Despite some conceptual ambiguity, there are those who believe that measures of public confidence are measures of subjective legitimacy and that these measures may be related to various forms of public behaviour regarding the justice system (Roberts 2005).

In Canada, the sources of information about public confidence in criminal justice include: (i) the General Social Survey (GSS—periodic surveys conducted by Statistics Canada)<sup>5</sup>; (ii) “one-off” surveys commissioned by the federal government; (iii) specific questions placed on omnibus surveys by individual clients. Other countries have a much better research record on which to base remedial efforts to improve public confidence in the justice system.

Repeated opinion surveys provide important information about trends in population attitudes. Without these trends, it is impossible to gauge levels of public confidence in the criminal and family justice systems. At present Canada lags behind other jurisdictions such as the United States and Britain, both of which have invested heavily in measuring public confidence levels. The accurate measurement of levels of public confidence and its predictors is the first step towards addressing the underlying problems of low or declining public confidence in the justice system.

The sources of information on public confidence in the justice system focus exclusively on the criminal justice system. Although criminal justice issues are more likely to dominate the news media, family justice statistics show that divorce or separation affects many Canadians directly or indirectly. Over the past five years, from 2001 to 2006, two million persons went through a separation or divorce (Beaupré 2007). This does not count those people who may be indirectly affected by a divorce such as relatives (e.g. grandparents, etc.) or close friends, nor does it count the children of these parents who are directly involved.

The family justice system was chosen to be a component of the *Public Confidence in the Justice System Survey* because, as an important part of the civil justice system, it directly (parents and children) and/or indirectly (grandparents, relatives, close friends, etc.) affects the lives of many Canadians and has never been examined through the public confidence lens. This survey provides, for the first time, some basic data about Canadians’ levels of confidence in the family justice system.

Whether one adopts an instrumental or an expressive argument to support the importance of public confidence in the justice system, this survey represents a first step and was undertaken to:

- Provide a comprehensive account of the levels public confidence in the criminal and family justice systems and to measure some potential predictors of public confidence;
- Provide a baseline against which to measure efforts to promote public confidence;
- Provide a basis for comparison with confidence levels in other countries;
- Provide some insight into the groups in the population who have least confidence in the criminal justice system;
- Provide, for the first time, an exploration of public confidence in the family justice system.

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<sup>5</sup> The most recent of the General Social Surveys to look at confidence in criminal justice were Cycle 17 (2003) Social Engagement and Cycle 18 (2004) Criminal Victimization.

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## 2. Methodology

The *Public Confidence in the Justice System Survey* consisted of telephone interviews with a random sample of 4,503 Canadian residents in the ten provinces, aged 18 years and over. Interviews were conducted March 4<sup>th</sup> to 30<sup>th</sup>, 2007. The interviews averaged 21 minutes in length.

### 2.1 Survey Development

The survey instrument was designed by Department of Justice (DOJ) researchers in two phases. In the first phase, the Department of Justice contracted with Professors Ron Melchers (University of Ottawa) and Julian Roberts (Oxford University) to develop a “question bank”. Professors Roberts and Melchers researched and compiled a comprehensive, annotated list of questions from national and international surveys on public confidence in the justice system. The contractors recommended questions for a thirty minute survey. In the second phase, DOJ researchers worked with provincial colleagues to produce the final, twenty-one minute survey.

There were fewer questions on the family justice system because there was no prior experience that could be used upon which to base the questions. In contrast to the criminal justice system, searches and requests to other countries turned up no questions that had been tested over time and validated as reliable measurements of confidence and the underlying predictors of the level of confidence. To fill this void, questions were designed similar in nature to the criminal justice system, asking about people’s experience, their sources of information about the system, and the various components and professionals who work in the family justice system.

The Department of Justice contracted EKOS Research Associates to undertake the data collection. In order to gauge the flow and clarity of the of the survey instrument, the questionnaire was pre-tested in English on March 4<sup>th</sup> and in French on March 5<sup>th</sup>. The objective of the pre-test was to ascertain the clarity of the questions, the flow of the sequencing, the overall length of the interviews and any factors that may affect the response rate. No changes were required.

### 2.2 Sampling Strategy

The study involved a random sample of Canadian residents aged 18 and over in the provinces only. Quotas were established in order to ensure a sufficient sample size in each jurisdiction.

### 2.3 Weighting

Once the data collection was complete, the results were statistically weighted by age and gender to ensure that the findings were representative of the Canadian population.

## 2.4 Statistical Margins of Error

With a sample size of 4,503, the results from this survey may be considered statistically accurate to within +/-1.5 percentage points, 19 times out of 20. Error margins for sub-groups are higher; the following table summarizes provincial sample sizes and associated error margins:

**Table 1: Sample size and Margin of Error by Province**

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British Columbia	547	± 4.0%
Total	4,503	± 1.5%

## 2.5 Response Rate

The response rate for this survey was 14.7%. Response rate in public opinion research remains a methodological concern. The central issue is whether or not the sample is actually random and therefore likely representative of the broader population. The method used to calculate response rates for public opinion research telephone studies by all research suppliers who are members of MRIA (Marketing Research & Intelligence Association) is:

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## 2.6 Sample Demographics

Of the total respondents, 3% indicated they were Aboriginal and 8% self-identified as a visible minority. According to the 2006 Census, 3.8% of the population identified themselves as Aboriginal; 16.2% of the population identified themselves as belonging to a visible minority group (Statistics Canada 2008). A total of 84% of respondents for the Public Confidence in the Justice System Survey said that they were born in Canada. For 73% of respondents, English was the language most often spoken at home and for 23%, it was French. It should be noted that only those who could speak English or French well enough to complete the survey were included.

A third of the sample (34%) had an annual household income \$60,000 or more. Under half the sample (44%) had an annual household income of less than \$60,000. As always with questions on income, a proportion (22%) of the sample did not answer the question on household income.

Table 2 provides more details on the demographics of the sample. The sample was well educated with almost half (46%) having completed a community college, undergraduate or graduate university program. Of all respondents, more than one third (35%) identified themselves as Catholic, and almost one fifth (18%) identified themselves as Protestant. Almost a quarter (23%) of respondents did not identify a religious affiliation.

**Table 2: Demographics**

Variable	%
<b>Age (N=4,503)</b>	
18-25	15%
25-34	18%
35-44	21%
45-54	18%
55-64	12%
65+	16%
DK/NR	1%
<b>Highest Level of Education (N=4,503)</b>	
Some/less than high school	11%
High school	23%
Some college	6%
Community/technical college	18%
Private college	3%
Some university	8%
Undergraduate	18%
Graduate	10%
<b>Religious Affiliation (N=4,503)</b>	
Catholic	35%
No religious affiliation	23%
Protestant	18%
Christian (other)	15%
Christian Orthodox	2%

*Public Confidence in the Justice System*

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Jewish	1%
Muslim	1%
Buddhist	1%
Hindu	1%

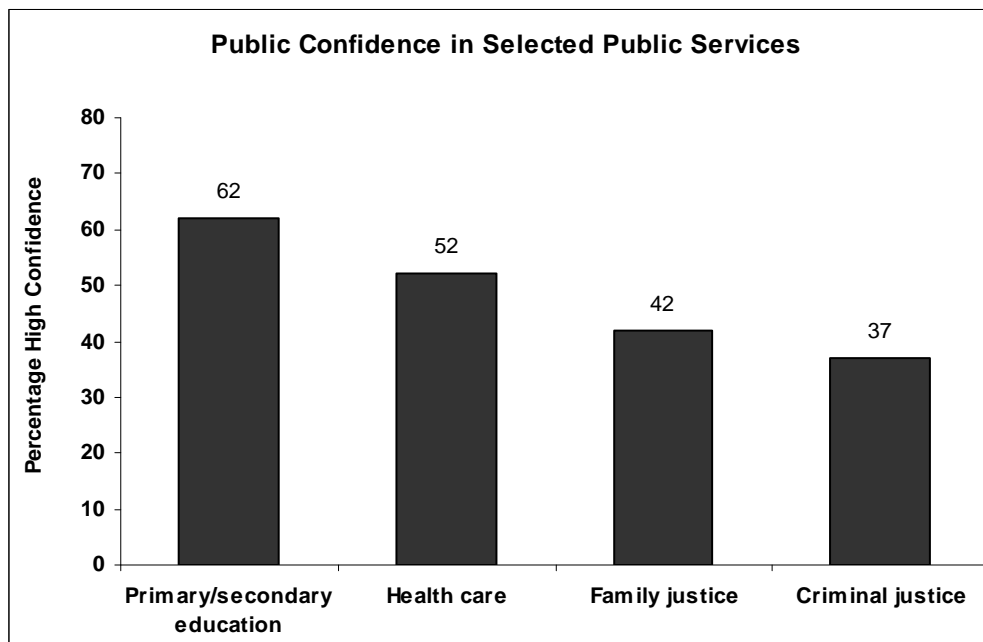
### 3. Results

The results are presented in the following pages, for the most part, in order of the questions in the survey. These results are followed by analysis that determined, based on this data, the predictors of high and low levels of confidence in the criminal and family justice systems.

#### 3.1 Public Confidence in Selected Public Services

At the beginning of the survey, respondents were asked how much confidence they have in each of the following public services in Canada – public education, health, criminal justice system and family justice system. The public services were asked in rotating fashion. Chart 1 below shows the results for higher levels of confidence (respondents who answered 3 or 4 on a scale of 1 to 4, where 4 was high confidence and 1 was very little or no confidence). Canadian residents have the highest levels of confidence in the primary and secondary education system (62%). Just more than half of respondents (52%) expressed high confidence in the health care system and 42% expressed high confidence in the family justice system. Over a third of respondents (37%) expressed high confidence in the criminal justice system.

**Chart 1: Higher Levels of Public Confidence in Selected Public Services (n=4,503)**



No definitions of the different public systems were provided. Interestingly, the percentage of volunteered Don't Know/No Responses was different for each system: Health Care – 0%,

Criminal Justice – 1%, Education – 2%, and Family Justice – 8%. This would seem to indicate less familiarity with the family justice system.

The results of this question are important to measure the public's confidence in public systems in general. One can surmise that where public confidence is equally high or low in all public systems, it is not the individual system *per se*, but rather the public's underlying feelings of confidence in public systems overall. Examination of responses for the family and criminal justice systems found there was a positive correlation in people's confidence with the criminal and the family system, which means people who had higher confidence in one system likely also reported higher confidence in the other.<sup>6</sup> In the case of these results, however, one can see clear differences between the primary and secondary education system and the criminal justice system. The health system, which is the subject of significant media and political attention, particularly when something goes awry, retains high levels of confidence by more than half of Canadians (52%).

It can also be argued that the comparison between justice systems and health care and education is not a completely fair one. Roberts (2004, 20) notes that:

The mission of the criminal justice system is not primarily to help victims, but rather to promote public safety and impose appropriate punishment. It is therefore probably inappropriate to make comparison between confidence in the justice system and confidence in the health system, where the well being of the member of the public entering the system is the primary goal.

Another important factor about public confidence that distinguishes the criminal and family justice system from the health and education systems is that it is an advocacy system - there will always be "winners" and "losers" in terms of case outcome. This is not the same with either the health or the education system.

It is important to remember that while confidence levels in the criminal and family justice system were not high, this has also been found in other countries, at least for the criminal justice system. As well, respondents generally rated the two systems similarly.

To merely ask this confidence question simplifies the complexities inherent within our justice system, which has many different components, different functions and different players. In order to truly understand public confidence, the survey focused on all these areas, the results of which follow.

## **3.2 Public Confidence in the Criminal Justice System**

### **3.2.1 Public Understanding of Crime**

The national crime rate reached its lowest point in over 25 years in 2006, dropping by 3% (Silver 2007). While the 2006 crime statistics were front-page news across the country when they were

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<sup>6</sup> Correlation was 0.5 between criminal and family and statistically significant at  $p < 0.0001$ .

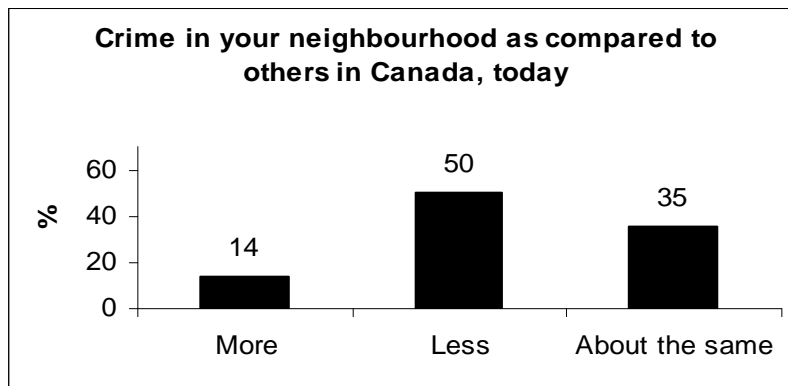


released on July 18, 2007, people's individual perceptions about their local neighbourhood may differ. Because public confidence is subjective, it is important to understand these individual perceptions, as much as it is important to know what the official statistics report; these perceptions may be related to levels of confidence. Findings from the 2004 General Social Survey on Criminal Victimization show that people feel less safe when their neighbourhood is home to graffiti, vandalism, and petty crime (Gannon 2005, 10).

In order to determine whether Canadians' perceptions of local crime are related to their level of confidence in the criminal justice system, respondents were asked a series of questions to gauge their understanding of crime levels, in the present, past and future. It is important to have an idea of the magnitude of crime from the respondent's perspective, as well as an idea of the accuracy of the respondent's perception of crime trends.

Respondents were asked whether they thought their neighbourhood has more crime, less crime or about the same amount of crime as other neighbourhoods in Canada. Chart 2 below shows that half of all respondents (50%) believe that there is less crime in their neighbourhood today, while slightly more than one third (35%) believe crime is about the same and 14% believe that there is more crime in their neighbourhood.

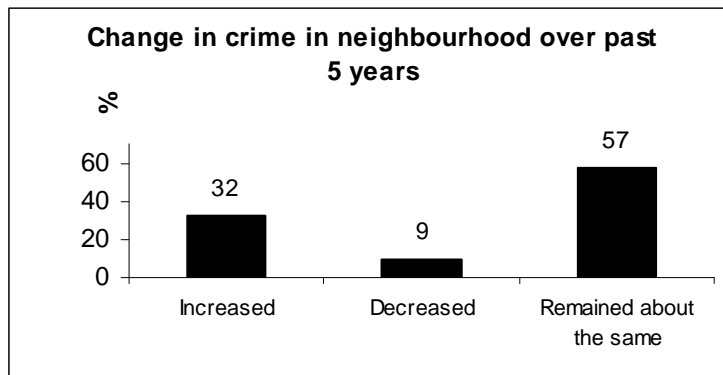
**Chart 2: Crime in your neighbourhood today (n=4,503)**



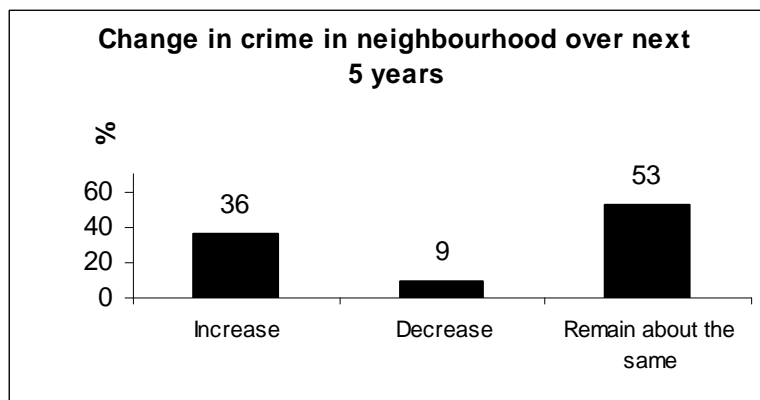
Respondents were then asked whether crime has increased, decreased, or stayed the same in their neighbourhood over the past five years and then what will happen in the next five years. Chart 3 below shows that over the past five years, more than half (57%) of all respondents believe crime has remained about the same, just under one third (32%) believe it has increased and less than one tenth (9%) believe it has decreased

Compared to the previous question, Chart 4 shows that slightly more respondents believe that crime will increase in the next five years (36%) and slightly less, (53% of respondents), believe it will remain about the same. As with the previous scenario, almost one tenth (9%) believe that crime will decrease.

**Chart 3: Perceived change in crime in neighbourhood over the past 5 years (n=4,503)**

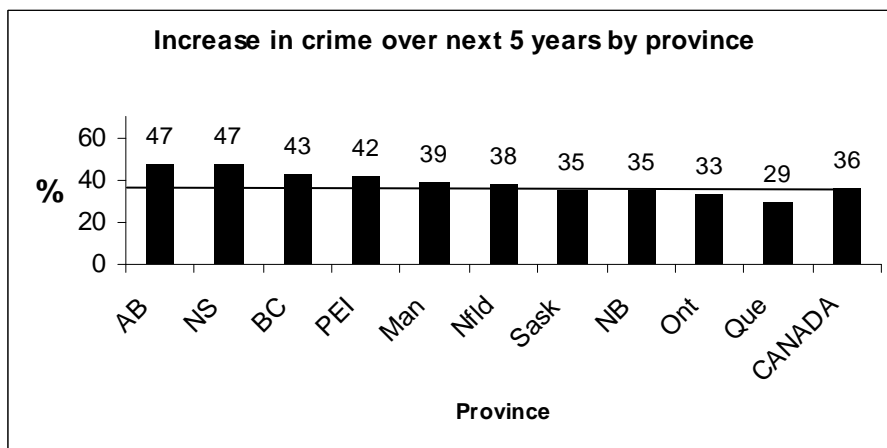


**Chart 4: Perceived change in crime in neighbourhood over next 5 years (n=4,503)**



Responses to these questions showed some differences amongst the jurisdictions. Referring to Chart 5 below, in Quebec, only 29% of respondents believe crime will increase, whereas in Alberta, 47% believe it will.

**Chart 5: Perception that crime will increase over next 5 years, by province (n=4,503)**



### 3.2.2 Public Confidence in the Functions of the Criminal Justice System

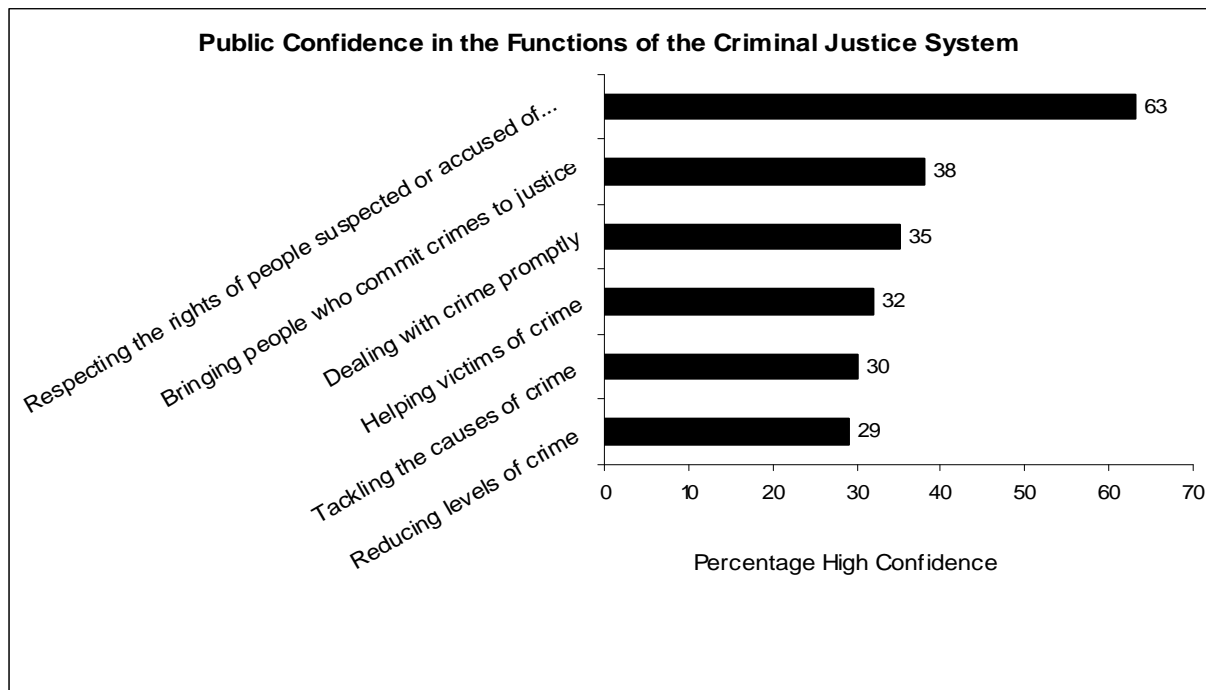
In order to begin to understand public confidence, the survey asked respondents,

“How confident are you that the criminal justice system is:

- i) dealing with crime promptly?
- ii) bringing people who commit crimes to justice?
- iii) respecting the rights of people suspected or accused of crime?
- iv) tackling the causes of crime?
- v) helping victims of crime? and
- vi) reducing levels of crime?”

Respondents answered using a four point scale where 1 represented not at all confident and 4 represented very confident. Chart 6 below presents the results for those who indicated a 3 or 4 for the six different functions. Almost two thirds (63%) of respondents indicated high levels of confidence that the justice system respects the rights of people suspected or accused. After this the percentage of respondents who expressed high levels of confidence decreases to less than two fifths: 38% express high levels of confidence in the justice system’s ability to bring people to justice; 35% express high levels for dealing with crime promptly; 32% for helping victims of crime; 30% for reducing levels of crime, and 29% express high levels of confidence in the justice system for tackling the causes of crime.

**Chart 6: Higher Levels of Public Confidence in the Functions of the Criminal Justice System (n=4,503)**



Two functions, responding to crime and helping victims, have been identified as the primary functions that the public attribute to the criminal justice system. Responding to crime is further broken down into the various functions that enable the system to respond. The suggestion has been made in the U.S. and the U.K. that people see the criminal justice system as being tilted towards the offender at the expense of the victim (Melchers and Roberts 2007). Clearly, the findings show that almost twice as many Canadians express high confidence in the system's ability to respect the rights of accused as compared to helping victims of crime. If people do see the justice system as being out of balance, this may lower levels of respect or confidence.

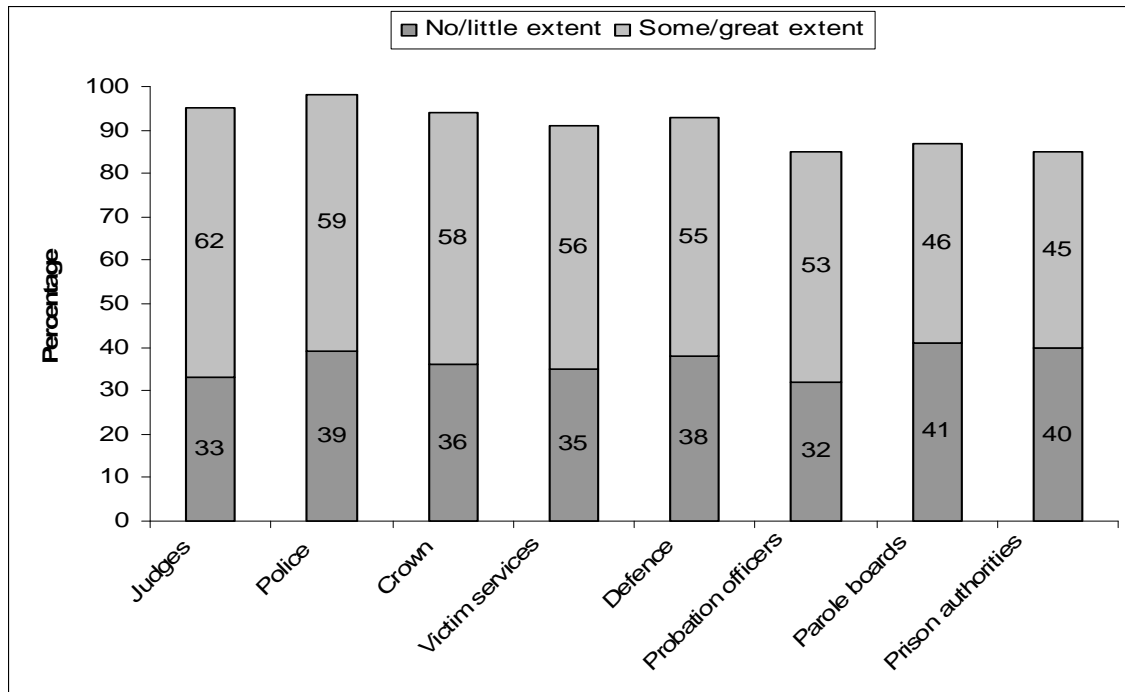
### **3.2.3 Players in the Criminal Justice System**

The functions of the justice system are carried out by the various players in the justice system. A system is only as strong as the people who make it up. To determine whether identifying specific functions affects self-reported confidence levels respondents were asked to what extent do the following people treat all people fairly:

- i) Police
- ii) Crown Attorneys/Prosecutors/Counsel
- iii) Defence lawyers
- iv) Judges
- v) Probation officers
- vi) Parole boards
- vii) Prison authorities
- viii) Victim services

Respondents answered using a four point scale where 1 represented "no extent" and 4 represented "a great extent". Chart 7 below shows the results. Consistent with levels of confidence, police and judges benefit from the top ratings and those in the corrections system fair less well. The percentage of respondents who volunteered a "Don't know" response increases as one moves through the system. This makes sense as the general public has little contact with prison authorities or probation officers, whereas police officers are part of our daily landscape.

Combining respondents who answered a 3 or 4 on the scale, judges rank very well with 62% of respondents believing they treat all people fairly to some or a great extent. Police and Crown also do well with 59% and 58% of respondents believing the same. Criminal justice professionals are the face of the system; it is through interactions with these people that the public, particularly those who are involved with the system, develop their impressions and assessments of the system as a whole. There is a body of research on fairness and the justice system (see Currie 2007) and the importance of people's perception of fairness. The connections between these perceptions, how these perceptions are formed, and overall confidence in the criminal justice system are certainly worth exploring in further research.

**Chart 7: Extent to which criminal justice professionals treat all people fairly (n=4,503)**

### 3.2.4 Police

Respondents were asked whether they, or someone close to them, had had contact with a police officer while the officer was carrying out his or her duties in the past 5 years. More than half (53%) said yes. The percentage was slightly higher for men with 56% saying yes, while 51% of women said yes. As well, the percentage of those who had had contact with police decreased as age increased and contact with the police also increased with increased income.

Almost a third (30%) said they had contact with police because they were a victim of a crime, a little over a quarter (26%) were stopped while driving, and almost a quarter (23%) were a witness to an accident or crime. Another 16% asked a police officer for information and 10% were stopped by an officer on the street.

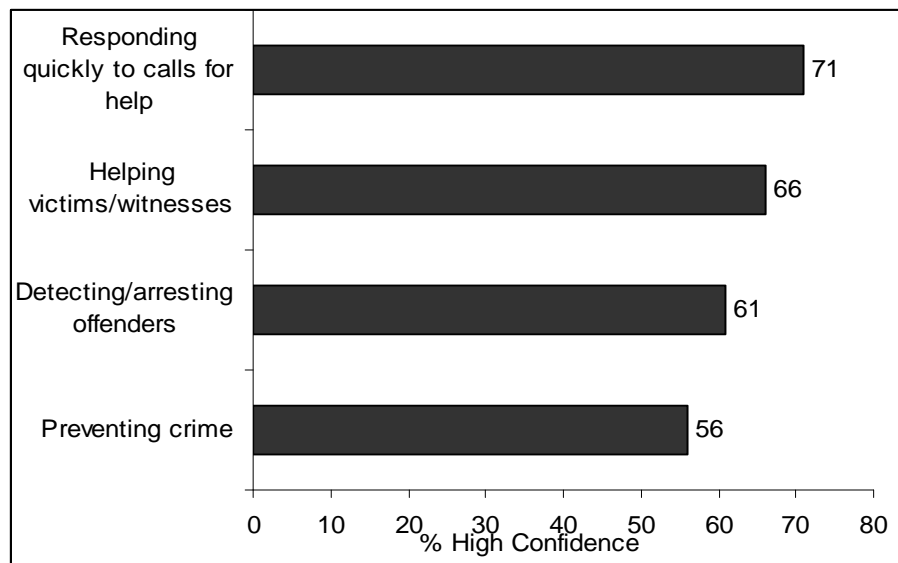
The next question was whether their most recent experience with a police officer was positive or negative, on a scale of 1 to 4, where 1 meant “very negative” and 4 meant “very positive”. Slightly more than three quarters (76%) rated their experience positive or very positive and of that, more than half (51%) rated their experience as very positive.

Respondents were also asked how confident they were that police were:

- i) preventing crime;
- ii) detecting and arresting offenders;
- iii) responding quickly to calls for help; and,
- iv) helping victims and witnesses.

Chart 8 shows the high confidence results. Close to three quarters of all respondents (71%) have high levels of confidence in the police responding to calls for help and two thirds (66%) express similar high levels of confidence in the police helping victims and witnesses. Three fifths (61%) of respondents expressed high confidence in police detecting and arresting offenders and over half (56%) did so regarding preventing crime. These relatively high levels of confidence in the police functions are consistent with results in other countries and from the GSS in Canada (see Hough and Roberts 2004; Gannon and Mihorean 2005).

**Chart 8: High Confidence in Police Functions (n=4,503)**



### 3.2.5 Criminal Courts

Almost one in three respondents (28%) indicated they had had contact with the criminal courts. A quarter of these was a witness (24%) and another quarter, a defendant (23%). Almost two fifths (19%) had contact as a member of the public, attending to watch, while 16% was a crime victim. Just over one in ten (11%) was a juror and another 8% had contact through their work.

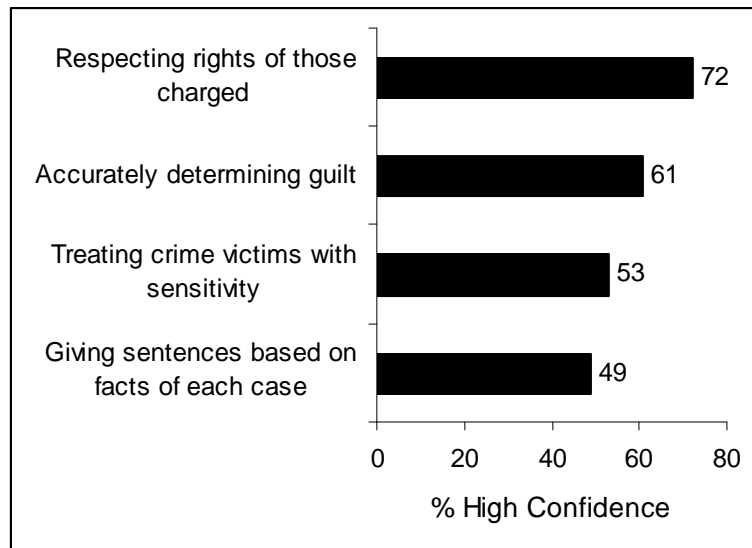
As with the criminal justice system overall, and with police, respondents were also asked about their confidence in the various functions of the court. They were asked, on a scale of 1 to 4, how confident they were that the courts are:

- i) Accurately determining who is guilty and who is not guilty;
- ii) Giving sentences based on the factors of each case;
- iii) Respecting the rights of people charged with a crime; and,
- iv) Treating crime victims with sensitivity.

Chart 9 below shows the results for higher levels of confidence in these court functions. Almost three quarters (72%) of respondents were confident or very confident that the court respects the rights of those charged with a criminal offence. Three fifths (61%) expressed confidence in the

court's ability to accurately determine guilt. With respect to treating crime victims with sensitivity, just over half (53%) were confident or very confident about the courts. Slightly under half (49%) expressed those high levels of confidence in the court giving sentences based on the factors of each case.

**Chart 9: High Confidence in Court Functions (n=4,503)**



The next question was, “How confident are you that all those who need a lawyer in the criminal courts (whether accused, victims, witnesses) will get one?” The same 4-point scale was used as in previous questions. Almost two thirds (65%) were confident or very confident (a 3 or 4 on the scale) that all those who need a lawyer would get one.

Additional analysis was undertaken regarding the sample of those who had self-identified as a visible minority, person with a disability or Aboriginal person. None of these sub-groups expressed statistically different opinions than the larger sample with respect to whether someone involved in the criminal courts would get a lawyer if needed.

### **3.2.6 Prisons**

Respondents were also asked how confident they were that prisons are undertaking their main functions, using the same 4-point scale. In the case of preventing prisoners from escaping, four fifths (80%) of respondents were confident and very confident in the prisons. Less than a third (29%), however, were confident and very confident in the prisons helping to prepare prisoners to lead law abiding lives while on release.

### **3.2.7 Parole boards**

As well, respondents were asked how confident they were that parole boards are undertaking their main functions, again using the same 4-point scale. Almost two fifths (38%) of respondents were confident or very confident in parole boards deciding which prisoners should be released on parole; more than half (55%), however, were not or not at all confident in parole boards on this

function. For deciding what rules prisoners should follow after being released on parole, respondents were evenly split: 46% were confident or very confident and 46% were not or not at all confident in parole boards fulfilling this function. When it comes to protecting the public from prisoners who might re-offend, 69% of respondents were not or not at all confident in the parole boards, while 27% were confident or very confident.

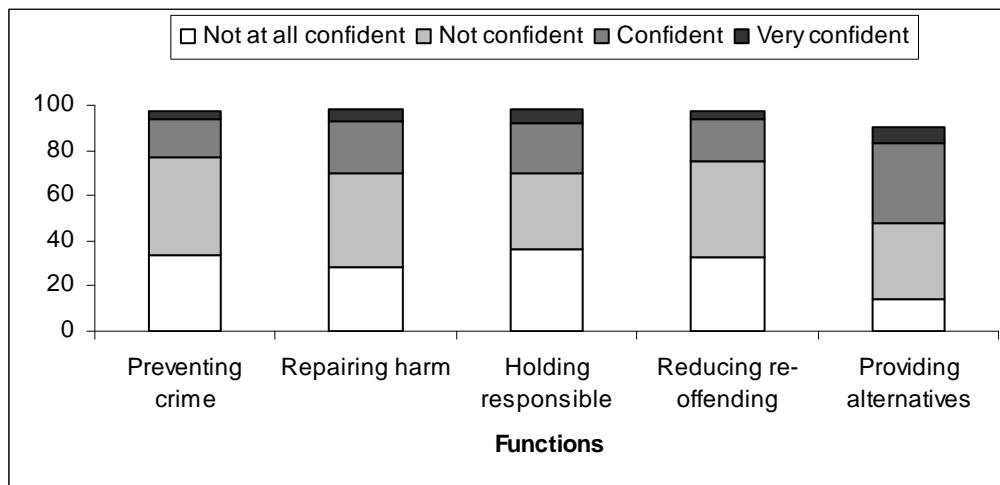
### 3.2.8 Youth Justice

Respondents were asked, “Thinking about how the justice system treats young people, aged 12 to 17, please tell me how confident you are that it is doing each of the following:”

- i) Preventing crime by young people;
- ii) Repairing harm done to victims and communities;
- iii) Holding young people responsible and accountable for their actions;
- iv) Reducing re-offending by young people; and,
- v) Providing alternatives to formal court proceedings.

Respondents used the same 4-point scale as in other questions and Chart 10 provides the results for this question.

**Chart 10: Levels of Confidence in Youth Justice Functions (n=4,503)**



The responses for the youth justice system are low and yet within this question, there are variations. While only 20% of all respondents express higher levels of confidence that the youth justice system can prevent crime by young people, more than twice that number of respondents (42%) express high confidence that the system can provide alternatives to formal court proceedings.

## 3.3 Victimization

Respondents were asked whether they had been a victim of crime in the past five years. Just over a third (36%) indicated yes. The 2004 General Social Survey on Criminal Victimization, which asks about victimization in the past 12 months, found that 28% reported victimization (Gannon and Mihorean 2005). Vandalism (23%) and theft or attempted theft of personal property (22%)

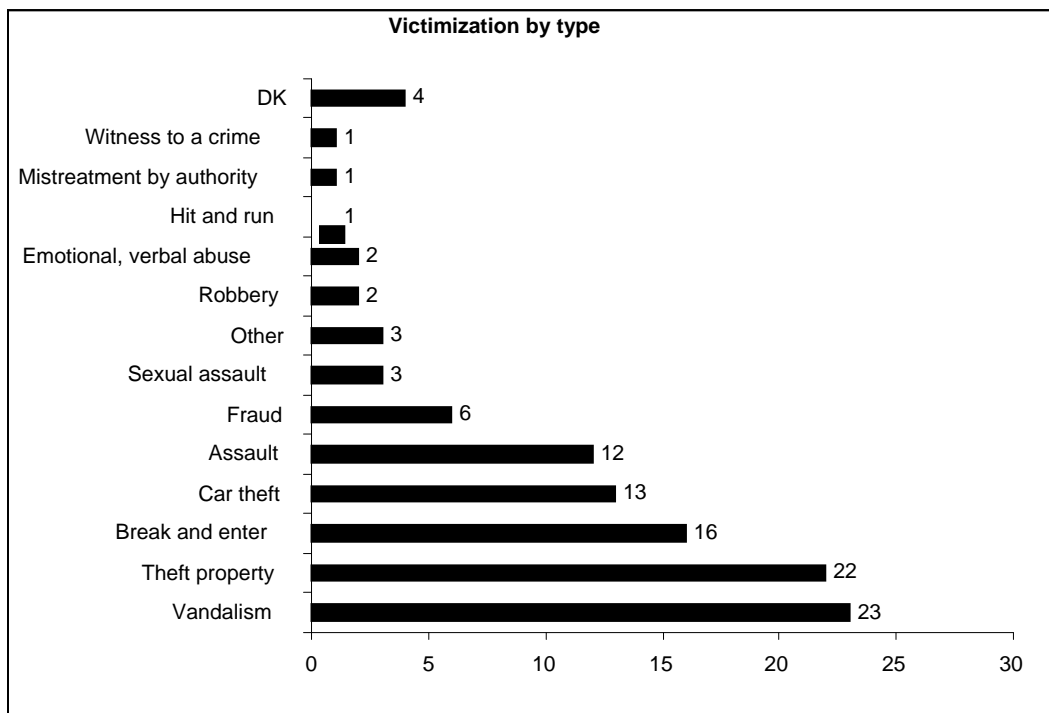


were the most frequently noted crimes. Chart 11 below shows the breakdown for types of victimization.

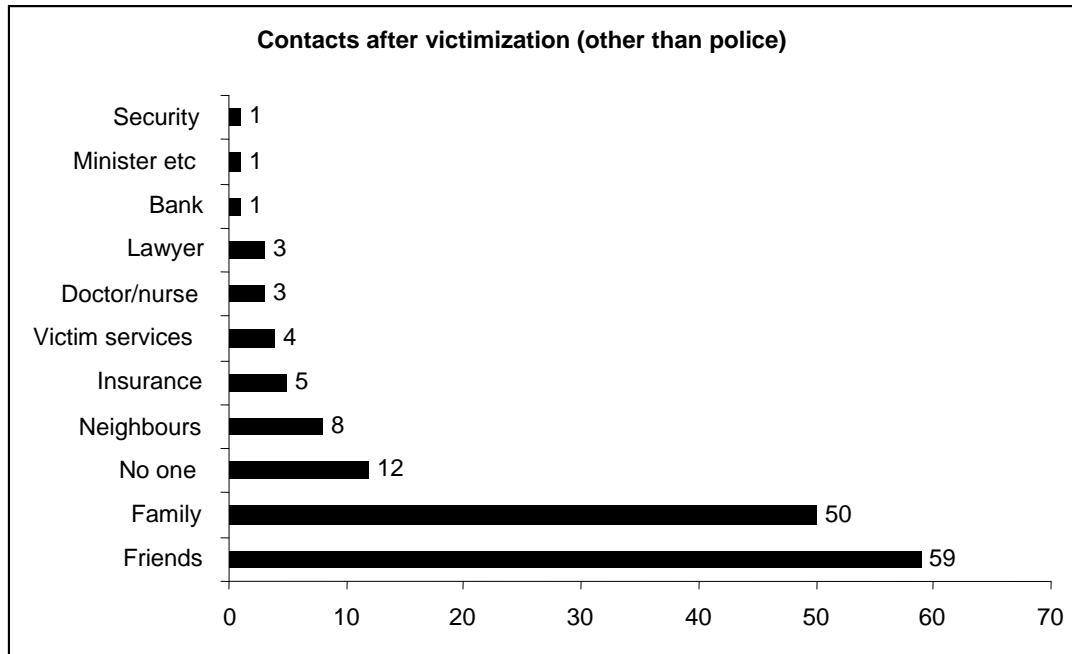
Almost three quarters (73%) of those who said they had been a victim of a crime reported the incident to the police, or said the police found out about it in some way. Just over a quarter (26%) replied in the negative.

These results of this question are not to be compared with those from the 2004 GSS where in response to the question, “Did the police find out about this incident in any way?” approximately a third (34%) said yes and 60% said no. It is to be noted that the question posed on this survey included both reporting to the police and the police finding out about the incident.

**Chart 11: Victimization by type (n= 1,636)**



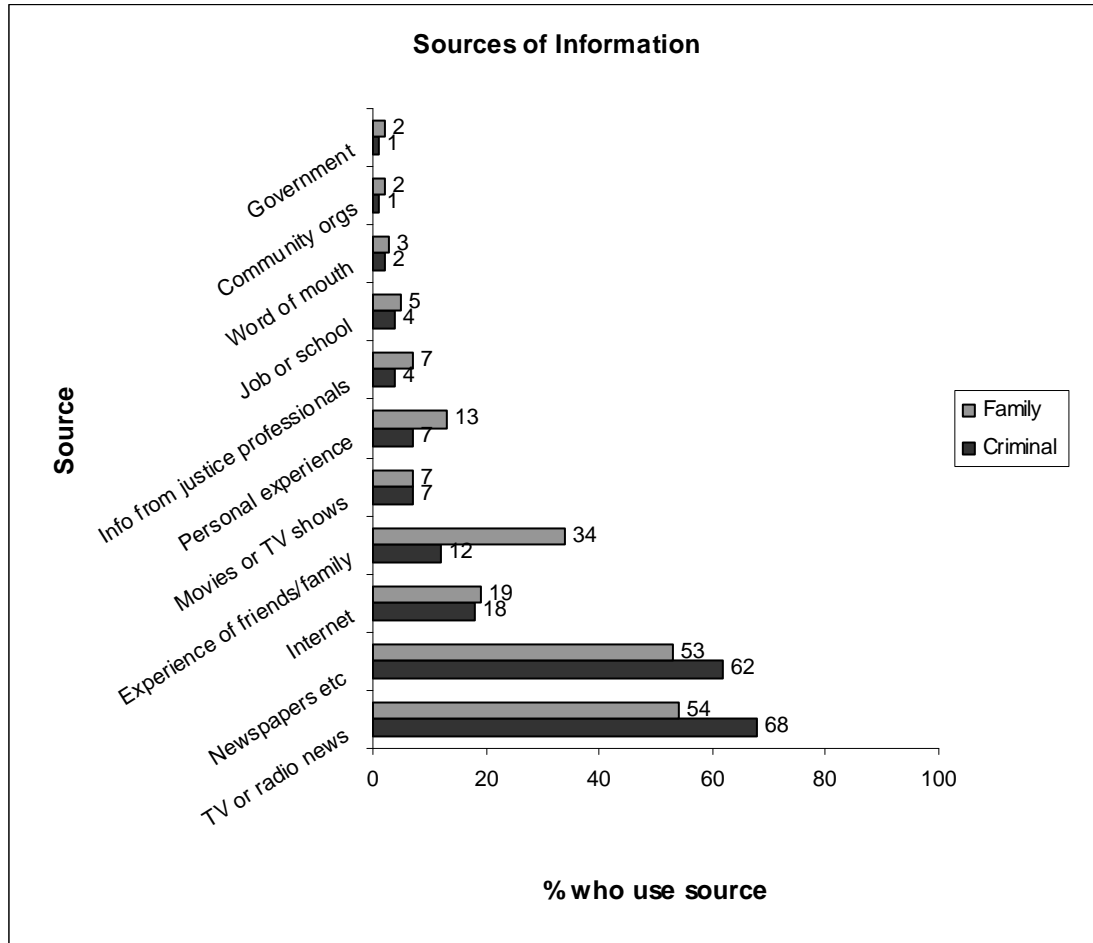
Respondents were also asked whether they talked to anyone else, other than police, about what happened. Almost 6 in 10 (59%) spoke with friends or co-workers and half (50%) spoke with family. These findings are consistent with the 2004 GSS results which found that victims are more likely to turn to a friend or neighbour following a violent incident (Gannon and Mihorean 2005, 14). Psychological research shows that natural supports are preferred and very important for positive coping for victims of crime (see Hill 2003 for a summary). Other results are in Chart 12 below.

**Chart 12: Contacts after victimization (other than police) (n=1,637)**

### 3.4 Sources of Information

One of the oft-mentioned factors that is said to influence people's attitudes towards the justice system is the media – radio, TV and newspapers, especially with regard to the criminal justice system. This impression stems primarily from the fact that almost everyday, regardless of the medium of the media, crime and justice stories are in the news. For the family justice system however, the level of coverage in the media is much less than the criminal justice, with stories usually only appearing when a high profile case has been decided, either in terms of the parties involved or the issue being tried, or an important decision on the law is being handed down by the Supreme Court.

To see if this difference in coverage would emerge from the survey, a similar question about top sources of information was asked within both the criminal justice and family justice questions. The results, as shown below in Chart 13, bear this difference out. While media (i.e. TV and radio news and newspapers and magazines) was the top source of information for a majority, respondents were less reliant on the media for their “source of information” about the family system than the criminal system. On the other hand, they were much more likely to say that the “experience of others” was one of their top three sources of information for family justice (34%) than they were to say the same about the criminal justice system (12%).

**Chart 13: Sources of Information about the Criminal and Family Justice Systems (n=4,503)**

This is quite an interesting difference. Does it mean that people know more close friends and/or family members that have had to experience with some part of the family justice system as opposed to having experience with criminal justice system? Or is it because of the prevalence of criminal justice stories in the media over the relative lack of family justice stories in the media? Whichever way, it certainly points to potentially different approaches towards increasing knowledge and providing education about our justice system for these two important components.

Government was listed as a source for information about the criminal and family justice systems by only 1% and 2% of respondents respectively. It is possible that some government or community websites were captured by the “Internet” response or indeed within the TV news or newspaper response if the news item was reporting Statistics Canada crime rates for example. It is noteworthy, however, that respondents did not themselves identify the government as an important source of information.

### **3.5 Predictors of Public Confidence in the Criminal Justice System Analysis**

The principal goal of the *Public Confidence in the Justice System Survey* was to determine, if possible, the predictors of public confidence in the justice system.

In order to do this, analysis was undertaken to examine the association between respondents' (a) demographic factors, (b) sources of information on the justice system, and (c) contact with the justice system, as predictor variables, and two measures of public confidence in the justice system as response variables.

The demographic predictor, or independent, variables included:

- Gender;
- Age;
- Household income;
- Education;
- Marital status;
- Religious affiliation;
- Visible minority status;
- Aboriginal status;
- Disability status;
- Whether or not born in Canada;
- Years living in Canada;
- Language spoken at home; and
- Living in a helpful neighbourhood.

The sources of information predictor, or independent, variables included:

- TV or radio news;
- Newspapers, magazines and/or books;
- The Internet; and,
- Experiences of friends and family.

The contact with the criminal justice system predictor, or independent, variables included:

- Victim of crime with no criminal justice system contact;
- Victim of crime with criminal justice system contact;
- Witness to a crime;
- Accused; and,
- Public observer in court or jury member.

The public confidence measures were (a) a single item that asked respondents to indicate how much confidence they have in the criminal justice system from 1 to 4 (see Chart 1), and (b) a scale composed of 30 items that asked respondents to rate their confidence with respect to various aspects of the justice system. These 30 items are all the criminal justice system confidence questions and are listed in the full technical report that can be found in Appendix B.

From the original sample of 4,503, a number of cases were removed because they had too many missing values or had outlying scores ( $n = 380$ ). The final sample for this analysis consisted of 4,123 respondents.

### 3.5.1 Prediction of Public Confidence

#### *Bivariate Correlations*

Table 3 reports the bivariate correlations between the predictor variables and the public confidence response variables – both the single item and the scale. All correlations reported are significant at the .05 level or greater. A negative number indicates that the predictor variable is associated with lower levels of confidence, while a positive number indicates that the predictor variable is associated with higher levels of confidence. The greater the number, the greater the effect is. Although several correlations were statistically significant, the effect sizes were small.

With respect to the single item response variable, being younger and having more education were most strongly associated with reporting more confidence in the criminal justice system. With respect to the total scale, being younger, living in a neighbourhood where people help each another, and living in a low crime neighbourhood were most strongly associated with reporting higher confidence in the criminal justice system.

**Table 3: Correlations between Predictors and Response Variables**

	Single Item	Scale Total
<b><i>Demographic Factors</i></b>		
Age	-.11	-.13
Male	-.01	.02
Atlantic	.07	.06
Quebec	.01	-.05
Ontario	.05	.07
Prairie	-.07	-.05
BC	-.08	-.04
Born in Canada	-.04	-.03
Visible Minority	.01	.04
Aboriginal	-.04	.00
Disabled	-.04	-.01
Religious Affiliation	-.02	.04
Education	.13	.05
Income	.05	-.01
Spousal Partner	-.02	-.02
Home Owner	-.02	-.01
Helpful Neighbourhood	.07	.11
High Crime Neighbourhood	-.08	-.14
<b><i>Information Sources</i></b>		
TV or radio news	-.03	.00
Newspapers and magazines / books	-.03	-.02
The Internet	.05	.01
Experience of friends	-.02	-.02

**Table 3: Correlations between Predictors and Response Variables**

	Single Item	Scale Total
<b>Contact with CJS</b>		
Victim No CJS Contact	-.04	-.04
Victim with CJS Contact	-.06	-.08
Witness of crime	.00	-.02
Accused of crime	-.04	-.04
Public observer or jury	-.03	-.02

Note. All correlations greater or equal to  $|\text{.05}|$  are significant after correcting for multiple comparisons  $p < .05$ .

### **Public Confidence Item**

A multinomial logistic regression was performed with the single public confidence item as the response variable and demographic, information source, and contact factors as predictor variables. The estimated  $R^2$  (.05), which reflects how good the model is at predicting the response variable, was small. This suggests that the factors that were examined did not provide a fulsome understanding of the correlates of public confidence in the justice system.

Table 4 presents the regression coefficients, chi-square values, and blended odds ratios for the variables that made an independent contribution to the prediction of public confidence.

**Table 4: Predictors of the Stand Alone Public Confidence Item – Multinomial Logistic Regression**

	B	$\chi^2$	Odds Ratio
BC (vs. ON, QB, ATL)	-1.03	49.28	.63
Prairie (vs. ON, QB, ATL)	.70	22.92	.70
Helpful Neighbourhood	-.46	25.74	1.52
Age	-.36	22.08	.88
Education	.42	23.86	1.32
Victim with CJS Contact	-.12	41.78	.71

Note. All chi-square values are significant at  $p < .001$ .

Respondents from BC and Prairie regions expressed less confidence in the criminal justice system compared to the rest of Canada. Respondents who had more education and lived in a neighbourhood where people help one another expressed more confidence in the justice system. Respondents who were older and who had been the victim of crime which was processed by the criminal justice system, expressed less confidence in the system.

**Public Confidence Scale****Table 5: Predictors of the Confidence in the Justice System Scale Score – Backwards Multiple Regression**

	<i>B</i>	<i>t</i>	Squared semi-partial
PR	-1.98	-3.55	.00
QB	-2.81	-5.27	.01
Religious Identification	2.12	3.97	.00
Helpful Neighbourhood	3.67	5.88	.01
High Crime Neighbourhood	-1.97	-6.60	.01
Age	-1.47	-10.54	.03
Victim No CJS Contact	-2.42	-4.52	.00
Victim with CJS Contact	-3.54	-5.59	.01

Note. All *t* values are significant at  $p < .001$

A backward multiple regression was performed with the public confidence scale as the response variable and demographic factors, information sources, and prior contact with the justice system as predictor variables. Table 5 presents the standardized regression coefficients, *t* values, and semi-partial correlations for the variables that made an independent contribution to the prediction of public confidence.

Relative to respondents in the Ontario, Atlantic, and BC regions, respondents in the Prairie and Quebec regions expressed lower levels of confidence in the criminal justice system. In addition, respondents who were older, lived in a high crime neighbourhood or had been a victim of a crime all reported lower levels of confidence. In contrast, respondents who identified with a religion and who lived in a helpful neighbourhood reported higher levels of confidence in the justice system.

### 3.6 Public Confidence in the Family Justice System

Similar to the criminal justice section, the family justice questions aimed to measure the level of confidence of the public and relate the resulting levels to questions on peoples' experience, their sources of information on family justice issues and their confidence in various sub-components and professionals who work within the system. These results, along with the standard demographic (e.g. age, sex, income level, etc.) information were tested against the levels of confidence to see whether they were significantly associated or could predict levels of confidence and if so, how well do these factors predict confidence.

### 3.6.1 Experience with the Family Justice System

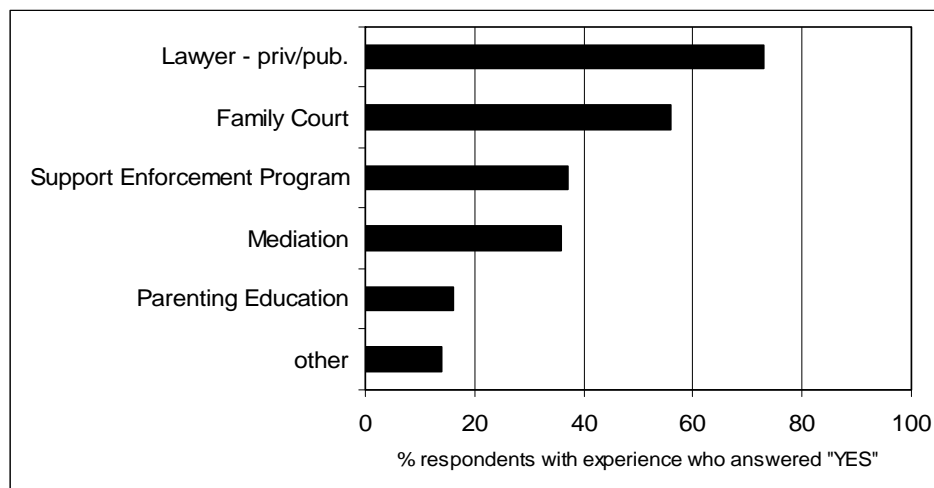
The questions that were asked regarding their experience with the family justice system included: whether a respondent had had direct<sup>7</sup> experience with the family justice system in the last five years, or six to ten years, or not at all. Many people may derive their confidence in the system through the experience of other family members and/or close friends or acquaintances. As such, all respondents were asked if they knew of someone close who had direct experience with the family justice.

For those with direct experience, they were asked to identify their issue (e.g. a divorce, a child support order, etc.) and which parts of the system they accessed (e.g. lawyer, courts, family justice services, etc.). They were also asked if their experience was positive or negative.

The total sample of 4,503 respondents found 497 (11%) who had used the family justice system in the last ten years. A majority used the system to obtain a divorce or separation (52%), while 18% used it to obtain an original order to establish arrangements for the children and another 11% were to enforce a child or spousal support order. The remainder were: 9% - to file a separation or other domestic contract for enforcement of support obligations or other parenting arrangements and another 7% were to change a court order involving arrangements for children.

Those with direct experience were also asked which components of the family justice system they used (Chart 14). Almost three-quarters (73%) stated they saw a family lawyer (private or public) and over half (56%) said they used a family court<sup>8</sup>. Other components asked about were: provincial/territorial support enforcement program (37%), mediation services (36%) and parenting education services (16%).

**Chart 14: Proportion of Respondents with Direct Experience with Family Justice System by Family Justice Component Used**



<sup>7</sup> "Direct experience" was defined as having a family justice issues (e.g. divorce, separation, obtaining a court order for custody or child support, etc.) that required using the system.

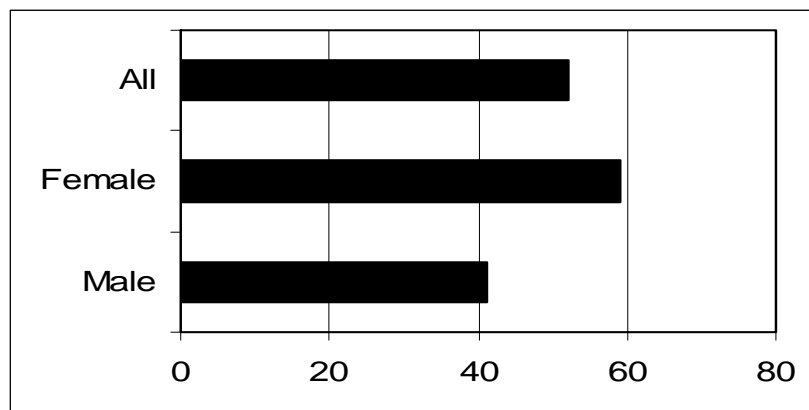
<sup>8</sup> Using a "family court" was not defined and could mean being part of a hearing or only registering a separation agreement.



As mentioned above, all respondents were asked if they had a family member or close friend/acquaintance who had used the family justice system recently. The results showed that a considerable number, 1,576 or 35% of the total sample, answered “yes”, they had a close friend or family member who had used the family justice system in the last ten years. This question is important. With the prevalence in recent years of Canadians who have experienced a divorce or separation or who have lived through the breakdown of their parents’ relationship, it was thought that people’s confidence in the system may be influenced by hearing about the experience of those close to them.

The results show that experience does influence confidence, though it is not clear how or why it does as respondents were not asked the reasons behind their rating of confidence. For those with direct experience, they were asked if the experience was “overall” positive or negative, to which 53% reported “positive” (32%) or “very positive” (21%). The results in Chart 15 show that women reported the experience with the family justice system was more positive than what was reported by men. The results are not unexpected given the different outcomes<sup>9</sup> for men and women following a divorce or separation.

**Chart 15: Proportion of Respondents with Direct Experience with Family Justice System who Responded the Experience was Positive by Gender**



### 3.6.2 Components of the System

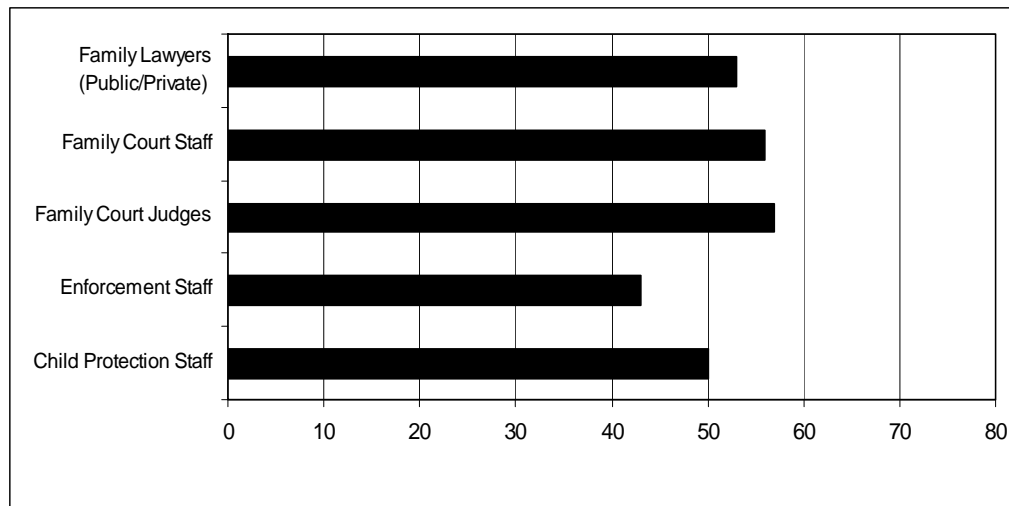
Similar to the criminal justice system questions respondents were asked “How confident are you...” that various professionals in the family justice system “...are helping people with their family justice issues?” Chart 16 below shows the results for higher levels of confidence (respondents who answered 3 or 4 on a scale of 1 to 4, where 4 was high confidence and 1 was very little or no confidence)

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<sup>9</sup> In cases of divorce where there are dependent children involved, women are more likely to have “sole” (49.5%) or “joint” custody (41.8%) of the children (Statistics Canada 2004), whereas men make up the great majority of payors of support, over 90% (Statistics Canada 2007)

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**Chart 16: Proportion of All Respondents Expressing Confidence in Family Justice Professionals Helping Families**



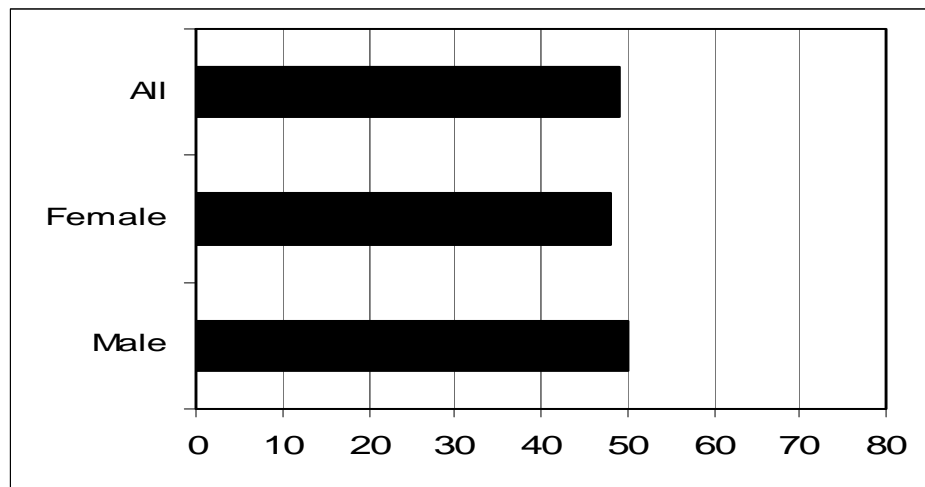
The results did not show a great deal of variation amongst the various professionals, possibly with exception of “enforcement staff”. However, for this particular group of family justice professionals, most respondents may not have a clear idea of their actual duties, certainly not as clearly as they may have of family judges or lawyers.

What is interesting is that for all five professionals, confidence in their helping families was greater than respondents overall confidence in the system at 42%. This result seems contradictory in some way, or perhaps not. The public will express confidence in the people working within the system, but not in the system itself, suggesting that there is some other aspect of the system that influences their confidence, such as the organization or structure, rules, policies, complexity, etc.

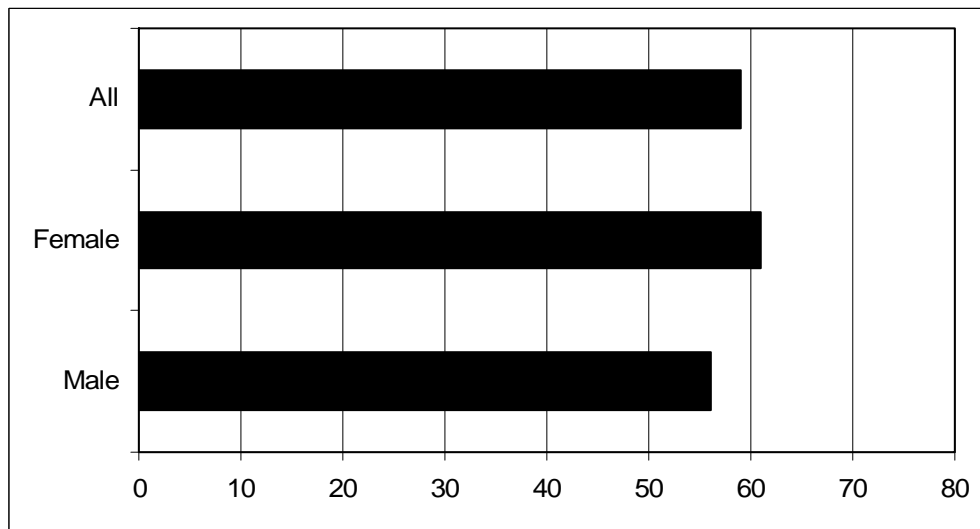
### **3.6.3 Other Measures of Confidence in the Family Justice System**

All respondents were asked two additional questions to gauge their confidence in the family justice system. The first is related to a goal of the system: “Overall, how confident are you that the Canadian family justice system is meeting the needs of families?” The second question is more personal, in the sense that the respondent is asked: “How likely is it that you would recommend that a friend or family member go to the family justice system for assistance?” The results from these two questions are presented below in Charts 17 and 18.

**Chart 17: Proportion of Respondents who were Confident the FJS was meeting the needs of Families by Gender**



**Chart 18: Proportion of Respondents who were Likely to Recommend the Family Justice System to Others by Gender**



For these questions, almost half (49%) the respondents answered they were “very confident” or “confident” that the family justice system was meeting the needs of families, and over half (59%) would recommend the family justice system to a friend or family member. There were no significant differences in the responses by gender. For both these questions, a larger number of respondents answered favourably compared to the first question on the survey that asked if respondents were confident in the family justice system. Just over two fifths of respondents (42%) indicated higher levels of confidence in the family justice system.

This result raises two issues about measuring confidence. The first is common sense; if you provide respondents with a very specific question, like asking about meeting the needs or

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families or recommending it to others, the result may be “clearer”. Many would agree that the term “public confidence” is ambiguous (Roberts 2005; Sacco 2005).

The second issue is related to the construction of the survey. At the beginning of the survey, the respondents were asked four questions (in rotating fashion) about their confidence in four public services: public primary and secondary education, health care and the criminal and family justice systems. They were asked to express their level of confidence in these four systems with no fixed point of reference for any of them. What this may tell us is how they see the four systems in relation to each other but, it may not be a “true” measure of their level of confidence in a system.

### **3.6.4 Demographics and Confidence in the Family Justice System**

One of the purposes of this public confidence survey was to determine the predictors of public confidence in the family justice system. In order to accomplish this goal, the association between respondents’ confidence in family justice system with a number of demographic variables and with reported sources of information.

The demographic variable included:

- Gender
- Age
- Visible minority status
- Aboriginal status
- Disability status
- Whether or not born in Canada
- Language spoken at home
- Religious affiliation
- Place to live (rent or own)
- Marital status
- Previous marital status
- Income
- Education
- Living in a helpful neighbourhood, where neighbours help each other
- Region

The reported sources of information included:

- Respondent’s own personal experience in resolving a family justice matter
- The experience of friends and family
- News papers and magazines
- TV or radio news

A stepwise logistic regression was used to predict public confidence in family justice system using the demographic variables and variables for sources of information. The following table

shows the result from the final model, which includes regression coefficients, standard error, odds ratio, fraction of missing information and relative efficiency.

The R-Square ranges from 0.052 to 0.056, which means the model, did not fully explain the association between public confidence in family justice system and independent variables - the demographic variables and variables for sources of information. See Appendix B for more details.

The results show that people who speak English at home and those with lower levels of education had lower levels of confidence in the family justice system. Conversely, people who lived in helpful neighbourhood and younger people under 25 had higher levels of confidence in the family justice system. To a lesser extent those between the ages of 25 and 44 also had higher levels of confidence.

There are similarities between these results for the family justice system and those for the criminal justice system. In section 3.5, “helpful neighbourhood”, younger people and higher levels of education were found to be predictors of higher levels of confidence in the criminal justice system, though again these effects are quite “weak” in their predictive power.

The results for that those who speak English at home have lower confidence levels maybe a result of Quebec respondents reporting higher levels of confidence in the family justice system than the other provinces. In fact, there appeared to a east to west trend, with eastern provinces showing higher levels of confidence and western provinces showing lower levels. While not statistically significant, it is nonetheless interesting to see such a pattern across the country that may have more to do with external factors than the actual measurement of people’s confidence in a public system.

Section 3 has presented the findings of the *Public Confidence in the Justice System Survey*, as well as the results of analysis that sought to determine predictors of public confidence. The following section will discuss these findings and results in more detail.

## 4. Discussion and Next Steps

As is often the case with research, while the findings and analysis provide some answers, they also raise a number of new questions. The survey results show that overall, less than half of those surveyed expressed high levels of public confidence in both the criminal and family justice system. Yet according to the *European Social Values Survey*, the percentage of respondents expressing a great deal of confidence in the criminal justice system is higher in Canada than in many other western jurisdictions (see Roberts 2004, Table 5). Looking at other public systems, respondents expressed high levels of confidence in the health care and the primary and secondary education systems.

With respect to the criminal justice system, the survey was designed to assess respondents' perceptions of crime levels at a local level and then move through the system from police, to courts, to corrections. Confidence levels decrease as one moves through the system. As well, the small percentage of "Don't Know" responses increases, particularly on some corrections questions which would seem to indicate less familiarity with these branches of the system.

Respondents have confidence that the criminal justice system respects the rights of people suspected or accused of crime, but less confidence that the system is helping victims of crime or tackling the causes of crime. Police and judges fare very well throughout the survey. For example, slightly more than three quarters (76%) of respondents rated their most recent experience with police as positive or very positive and of that, more than half (51%) rated their experience as very positive.

From an access to legal services perspective, almost two thirds (65%) of respondents were confident or very confident that all those who need a lawyer in the criminal courts would get one.

This discussion begins with a look at the predictors of public confidence. It then examines in greater depth the implications of experience with the justice system, public legal education and information, public engagement and confidence.

### 4.1 Predictors of Public Confidence in the Justice System

When speaking of public confidence in the justice system, the term "driver" is often heard. This report did not use that term as it connotes causality and this survey did not test causation. In examining the predictor variables, we sought to understand whether there was a positive or negative relationship with public confidence.

It was anticipated that visible minority status or immigrant status might be predictors, but analysis did not support this. Canada has a significant immigrant and visible minority population, which is growing. Indeed, Statistics Canada forecasts that by 2017, one in five Canadians could be a visible minority. This contrasts with 13% in 2001 and less than 5% in 1981 (Bélanger and Malenfant 2005, 19) With this growing population, there is a need to know whether new

Canadians and visible minority Canadians perceive and experience the justice system in the same way as other Canadians. Some limited information is available from surveys conducted over the past few years, but these have generally focused on specific issues, or branches of the criminal and civil justice systems. Additional research will need to explore possible connections in more depth.

When comparing the single item and the scale, there were some differences between the predictors. For example, a higher level of education was identified as a positive predictor for the single item, whereas it was not for the scale. The scale also included one or two additional positive and negative predictors.

All the predictors are consistent with common sense ideas of what might impact the public's confidence in the justice system. The single item identified higher levels of education as a positive predictor and this is consistent with findings in other countries (Roberts 2005). Increasing education associated with greater confidence in the justice system is consistent with the expectation that individuals with a higher socioeconomic status will tend to have positive orientations toward the legal system (Cochrane, Nevitte and White 2007).

Higher education does not appear to lead to unrealistic expectations and therefore to unrealistically low assessments of a countries' legal and rights performance. In reality, the opposite appears to be occurring. Countries with higher overall levels of education have more firmly established rights, higher public support for rights and a better appreciation of their countries' police, legal norms and rights (Roberts 2005).

There is some discussion as to why there would be variation between the predictors of the single confidence question and the public confidence scale. There is an argument that the scale, comprised of 30 questions, provides greater reliability given the inherent complexities in the criminal justice system and the different attitudes expressed for the different components, functions and players. On the other hand, there is an argument if you want an answer, ask a clear, straightforward question once. And as described in the previous section, while these predictors are all statistically significant, the effect sizes were small. In the end, it is noted that they provide limited insight to a very complex issue.

The predictors of higher confidence in the criminal justice system for the public confidence scale include:

- 1) Being younger;
- 2) Having a religious affiliation;
- 3) Living in a helpful neighbourhood; and,
- 4) Living in a neighbourhood with perceived low crime levels.

Being younger is a predictor of higher levels of confidence and as noted in the following section, being older is a predictor of lower levels of confidence. It may be that older citizens' expectations about what the justice system should accomplish are more critical than those of younger citizens. People's confidence in state institutions depends on their evaluation of the

performance of those institutions (Putnam, Pharr, and Dalton 2000), and evaluations in turn depend upon beliefs about tasks those institutions should carry out.

Having a religious affiliation was also a predictor of higher levels of confidence. Strong adherence to religion may help to foster and sustain law-abidingness (Baier 2001) because the values learned in religious reference groups deter criminality (Evans et al. 1995).

Living in a helpful neighbourhood is one of the predictors of higher levels of confidence in the criminal justice system. Cochrane, Nevin and White's (2007) analysis of the *2006 World Values Survey* suggests that active membership in various social networks may also help to foster positive attitudes toward the legal system. The evidence is that the connections among individuals – social networks and the trustworthiness that arises from them – encourage social cohesion and the corollary law-abiding orientations (Putnam 2000, chs. 18, 21). It is possible that such connections between neighbours, even if informal, also foster a positive sense of trust in community and in society overall. Similarly, if one lives in a neighbourhood where the crime levels are perceived to be low, this experience will have an impact on one's broader perceptions.

The predictors of lower confidence in the criminal justice system for the public confidence scale include:

- 1) Living in the prairie provinces and Quebec;
- 2) Being older;
- 3) Living in a neighbourhood with perceived higher crime levels; and,
- 4) Being a victim – with or without contact with the criminal justice system.

That confidence levels are lower in the prairie or western provinces and in Quebec is not surprising. Canada is a federal state, made up of 13 different provinces and territories. The *Criminal Code* is federal responsibility, unlike in the United States or Australia where each state has its own criminal statute. Since joining Confederation, Western Canadians have had interests and aspirations that are different from those in the East. It is well known that the Western provinces have different economic concerns and different industries, notably oil at this time. There is also a perception that the federal government has largely ignored these differences. The Canada West Foundation is one organization that focuses on understanding opinions of Western Canadians and more concretely, public policy priorities, political identity, and democratic participation and attitudes. The same is true for Quebec which indeed prides itself on its unique identity, for which it has long sought recognition.

Living in a neighbourhood with perceived higher levels of crime is a predictor of lower levels of confidence, while the converse, living in a neighbourhood with perceived low levels of crime is a positive predictor. This is also not surprising. As Roberts (2005, 8) notes, "Controlling crime represents perhaps the most important function of the justice system in the eyes of the public." If crime is not being controlled in one's community (whether this is true or not), there will be an undermining of one's confidence in the system overall.



Finally, being a victim of a crime – with or without contact with the justice system – was a predictor of lower levels of confidence. The following section will discuss victimization in more depth.

## **4.2 Victimization**

Respondents did not express high levels of confidence in the system's treatment of victims overall. This is consistent with findings in other jurisdictions (for example, see Nicholas et al. 2005). In this study, 36% of all respondents indicated that they had been a victim of a crime in the last five years. The 2004 General Social Survey on Criminal Victimization, with approximately 24,000 respondents, found that 28% of the population had been a victim of crime in the last year (Gannon and Mihorean 2005). While victimization can range significantly from CDs stolen from a car to a sexual assault or serious personal injury, we can say that roughly one third of the population has experienced a compromise, a loss to their sense of personal safety and trust in people, in their community.

Victims, however, are key elements in the system – most often as those who report crimes and as witnesses to them – and their confidence, as well as the public's confidence in the system's treatment of them, are important to maintain.

Research on the needs of victims of crime shows clearly that victims want information (see for example, Prairie Research Associates 2005). Research also shows that the quality, quantity and timeliness of information can play a direct role in addressing victims' expectations about the criminal justice process, and their satisfaction with that process (Wemmers and Canuto 2001).

We know that only a small percentage of victims of crime receive assistance. In this survey, only 4% of the sample (n=1637) indicated that they had spoken with victim services. In the 2004 GSS, the number of victims who received assistance was 9% (Gannon and Mihorean 2005). Victims of course receive information from any number of sources whether it is the police, the Crown, other professionals, or family and friends and they can receive information without ever reporting it to the police. It is known that public legal education and information (PLEI) can play a significant role in providing assistance and addressing victims' expectations and concerns with the criminal justice system.

## **4.3 Discussion of Public Confidence in the Family Justice System Results**

As mentioned at the outset, no prior research on public confidence in the family justice system could be found prior to undertaking the survey. The number of questions on the family justice system was purposely limited, given there is no previous research or statistics to measure the results against nationally or internationally, nor was it clear that what we were measuring was going to produce reliable and valid results. A tentative step forward has been taken to gauge the public's confidence in this important public system.

One result that is clear is that these two justice systems are quite different in many ways. One could argue that the family justice system should be more accountable and responsive to the needs of the people who use it. Those who “use” the family justice system are more likely to “fully engage” with the all parts of the system. That is, they will likely see a lawyer at some point, use one or many family justice services, possibly appear before a judge in family court, and have an order registered with a provincial or territorial support enforcement program. Conversely, one could argue that the criminal justice system fosters less engagement by those that are involved – victims, witnesses, accused, or even the jury. This is partly due to the complexities inherent within criminal procedure, and the many different stages (bail, preliminary inquiries, motions, trial, sentencing) or that the system is largely made up of professionals (the Crown, the defence, the judge). The survey tried to break down the criminal justice system into its many parts; it is unlikely that many Canadians have experienced all parts of it.

With further investigation into these results on public confidence for the two justice systems, it becomes evident that there are likely different approaches to dealing with public confidence in the respective systems. Almost a third of the sample have had an indirect (or direct) experience in seeing a close friend or acquaintance or family member involved with the family justice system; these people become an important source of information about the family justice system.

There were different results for the three “confidence questions” on family justice, with the lowest result coming when we compared it to other public systems (health, education and criminal justice), which are quite different in nature and objective. Confidence appears to rise when we focus on the family justice system and ask specifically about an important goal of the system (“meeting the needs of families”), or when we ask about recommending the system to others.

As there is so little research on confidence in the family justice system, more in-depth research will be needed to fully understand the results from this study.

#### **4.4 Public Legal Education and Information**

Information sources were not identified as a predictor of higher or lower levels of confidence. Other research cited above, often more qualitative in nature, has highlighted a link. The government, however, was identified as a source of information for the criminal and family justice systems by only 1% and 2% of respondents respectively.

Clearly, the Canadian public do not view the government as a source for their legal information and education. Interestingly, they do not view community organizations as a source either (1% and 2% respectively as well). While the different forms of media all play a significant role as sources of information, the experiences of family and friends do as well, especially for the family justice system where 34% identify them as sources. This finding is echoed by studies that found that immigrant women who had experienced domestic abuse learned about the justice system from their informal peer networks (McDonald 2000; 2002). What they learned though was often “incomplete, inaccurate and out-of-date.”

Results from a 2002 survey of Canadians on public legal education and information revealed that (COMPAS 2002):

- 90% of Canadians think it is important that governments provide information to help people understand how laws affect them and enable them to participate effectively in the justice system (77% think it is very important);
- 79% of Canadians agree that providing legal information/education can improve access to justice for those who traditionally have been at a disadvantage when dealing with the justice system; and
- 76% agree that informing Canadians about the laws that affect them strengthens public confidence and trust in the system.

The National Justice Survey (2007) found that when respondents were asked to rate the importance of a number of different information sources in shaping their views on the criminal justice system, respondents valued the information they received from television news, friends and family members, and newspapers and magazines more than from the government.

Public confidence in the justice system cannot reasonably be said to be high. As was noted in the discussion on the family justice system (section 4.3 above), the criminal justice is, for the most part, a system delivered by professionals – lawyers, judges, police. With a few exceptions (conditional sentences that involve community, victim impact statements), the system remains removed from the public which it undoubtedly impacts. Public services exist to serve the public. The criminal justice system requires the participation of the public – to report crimes, to provide assistance with investigation, to be witnesses, to be jurors, to support the rehabilitation of offenders. As one author has noted (Edwards 2002),

The public are demanding more responsive and accountable services. Public involvement offers the opportunity not just to provide information. It encourages constructive dialogue and in turn develops more trusting relationships between the public and service providers.

One might argue that simply more and better information and communication is the answer, but the issues are more complex, as we know from the public confidence puzzle. There is a need to be more innovative. Those who are directly impacted by crime and the criminal justice system certainly need more information and different ways of accessing it, depending upon their own situations. Better, more creative and appropriate use of technology is one avenue. Beyond those directly impacted are the many people who are indirectly impacted: the friends who hear about the divorce experience second or third hand; or the readers of the sensational newspaper article. One has only to consider examples of specific crimes to realize the importance of public legal information at different, critical moments – immediately after the crime, and at each point where the criminal justice system is engaged.

The media exert powerful influences on people's attitudes toward the justice system. The media shapes the public's views of how the justice system functions and what it can reasonably achieve based on misrepresentations and inaccurate media portrayals of justice. Didactic public affairs information releases are seldom if ever able to counter the immense power of the media in shaping attitudes toward the law and the justice system.

These early research results suggest that accurate and useful public legal information and education combined with a broader understanding of access to justice services may be able to bridge the misperception gap. Public legal education and information (PLEI) organizations, which exist in each jurisdiction, certainly have a role to play but their resources are limited. Government at all levels could play a much more concerted role in working with the existing infrastructure of PLEI organizations.

One might conjecture that the main predictor of low confidence is the criminal justice system itself. To put it more precisely, has the system evolved sufficiently to keep pace with our changing society? Our expectations of the justice systems may be misplaced. Further research would provide a better understanding of these expectations.

In summary, providing access to justice services that assist people when they need assistance to resolve justice-related problems – with a strong information and education element - is one possible alternative to influencing general attitudes.

## **4.5 Other Research**

Other research in Canada has identified other areas that seem to make up the public confidence “puzzle”, such as fairness. For example, results from the 2006 National Survey of Civil Justice Problems (Currie 2007) showed that 26.8% of Canadians feel that the laws and the justice system of Canada are essentially unfair.

- People who experienced any civil justice problem that was serious and difficult to resolve were more likely to feel that the laws and the justice system of Canada are essentially unfair. This was true for all of the fifteen types of civil justice problems included in the survey.
- People who experienced larger numbers of problems were more likely to feel that the laws and the justice system are essentially unfair.
- If the problem had been resolved but the outcome was perceived to be unfavourable people were more likely to feel that the laws and the justice system are essentially unfair.
- If the problem was unresolved and respondents felt that the situation had become worse they were more likely to say that the laws and the justice system are unfair.
- If respondents were dissatisfied with the assistance they received in attempting to deal with the problem they were more likely to perceive that the laws and the justice system are essentially unfair.

- Repeat users of the courts or tribunals were more likely to perceive that the laws and the justice system are unfair, compared with respondents who had used the formal justice system only once.<sup>10</sup>

The 2004 General Social Survey (GSS) on Criminal Victimization asked respondents how satisfied they were with the various functions and players of the criminal justice system. The survey found that neighbourhood problems such as high levels of crime, loitering, garbage, graffiti and vandalism, were predictors of lower levels of confidence (Gannon and Mihorean 2005). Additional analysis of the GSS found that an experience of perceived discrimination on a prohibited ground (e.g. ethnicity, race, religion, sexual orientation, etc.) was a predictor of lower levels of confidence as well (Latimer 2007).

Findings from the 2007 National Justice Survey (Latimer and Desjardins 2007) showed that individuals with traditionally punitive sentencing values (e.g. harsher sentences, specific and general deterrence) were more likely to have lower levels confidence in the criminal justice system. Individuals who favoured treatment for offenders (e.g. rehabilitation, treatment programs for drug offenders, harm reduction) were more likely to have higher levels of confidence.

Both the 2004 GSS and the National Justice Survey also lend further support to the demographic predictors identified by the Public Confidence Survey such as age, religious affiliation and education, as well as regional differences (the Western provinces) and the effect of direct experience with the system. More importantly, however, they add some large and relatively meaningful pieces to the public confidence puzzle, including the relationship between confidence and additional predictors such as neighbourhood conditions and core justice values such as punishment versus rehabilitation.

## **4.6 Responding to Low Levels of Public Confidence**

In a review of international surveys and responses, Hough and Roberts (2004) note that many countries have undertaken some initiative in response to measured low levels of confidence. One popular initiative appears to be a high-profile international or national conference intended to draw public attention to the issues. For example, in 1999, the American Bar Association co-sponsored a national conference on public trust and confidence in the justice system (see American Bar Association 2000 for further information). Conferences exploring the issue have also been held here in Canada in Alberta,<sup>11</sup> Belgium and Australia.

Across the U.S., individual states have created programs to promote public confidence in specific components of the justice system (such as the courts, e.g., Harding, O'Halloran and Waters

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<sup>10</sup> Overall, only about 12% of respondents used some part of the formal justice system in attempting to resolve their problem.

<sup>11</sup> In 1998 the Alberta Attorney General convened a summit to “build consensus on actions for improving public confidence and community participation in the justice system” (Alberta Justice, 1999). The Summit’s final report was released a few months later and contained 25 core recommendations that reflect eight themes advanced at the meetings. The Summit report notes that “A lack of knowledge, education and awareness among Albertans about the justice system was seen as a major barrier to improving the system...delegates felt improving knowledge and understanding of the system would eliminate a lot of frustration, fear and conflict” (Alberta Justice 1999, 5).

2000). These initiatives reflect official acceptance that there is a crisis of public confidence to which a response is necessary. In Britain, the Home Office has also identified improving public confidence in the criminal justice system as one of its key initiatives. This policy reflects the British government's concern about the problem. This concern is also shared by criminal justice professionals and was encapsulated by the former Lord Chief Justice who in a speech asserted that: "for many years now, the public have had little confidence in the ability of our criminal justice system to ensure that justice is done".

As well, "outreach" programs have been undertaken that include judiciary or other members of the legal profession more actively engaged with the community – schools, community meetings and events – to explain the criminal justice system. Most initiatives have not been formally evaluated to determine if there is a positive causal relationship with confidence levels. Demonstrating the effectiveness of any initiative has methodological challenges, but this should not serve to deter the implementation of important initiatives and strong evaluations should be incorporated into all planning.

It should be noted that the majority of these initiatives are rooted in public legal education and information, though the actual format and mode of delivery vary considerably. Many governmental and non-governmental partners can collaborate to actively engage the public.

## **4.7 Next Steps**

Confidence levels in the criminal and family justice system are not high, this is similar in other countries. Further, results from this survey demonstrated that confidence levels for judges and police are relatively high. Confidence levels for corrections are not uniformly low; some functions did receive high ratings.

The Public Confidence in the Justice System Survey identified a number of positive and negative predictors of public confidence, all of which are consistent with findings in other countries and in on-going Canadian research. The effect size of these predictors was small and indicates that the public confidence puzzle is far more complex than experience and demographics. Other research helps to shed additional light on these complexities. Retributive sentencing values and perceived experiences of discrimination, as well as lack of access to resolution of justifiable problems are all predictors of lower levels of confidence in the justice system.

It is evident that further research will be required to better interpret the results on public confidence in the family justice system and to improve our understanding. As mentioned above and as the results bore out, people receive their information about the family justice system from close friends and family members and to a lesser extent from different media than the criminal justice system. Focus groups with participants who have direct and/or indirect inexperience in the systems could help to better understand the reasons behind respondents' levels of confidence.

Additional research will be carried out, in particular to examine the exact role of information and education with respect to confidence levels. In undertaking further work, there will be an emphasis on action-oriented projects that seek to rigorously evaluate causal relationships between information and confidence. It is suggested that providing access to justice services is one possibility for positively influencing attitudes toward the justice system. In doing so, there is the thought that not only are people actually receiving assistance, but there is the possibility of influencing general attitudes about the justice system in a positive direction.

Finally, research that could be beneficial towards understanding “confidence” is to measure the levels of confidence of those who work in various components of the two justice systems. This could provide insight from two perspectives – their level of confidence in the system(s) as a whole and their confidence in the work of professionals within their component and in professionals working in other parts of the system(s).

There are limits on public confidence in the justice system that arise from the very nature of an adversarial model of justice. Our model places important limits on the powers of the state, but these limits are neither fully understood, nor supported by many members of the public.

The *Public Confidence in the Justice System Survey* has provided a solid beginning from which to deepen our understanding of public confidence. Questions that have arisen through the analysis of the data will drive the work in the coming months.

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## Appendix A: The Survey

Hello, my name is \_\_\_\_\_ and I'm calling from EKOS research associates.  
We have been commissioned to conduct a survey on behalf of the Government of Canada on issues relating to the criminal and family justice systems in Canada.  
The survey is an opportunity for you to make your views known to the government.

Your participation in the survey is completely voluntary and all of your answers will remain confidential.

**\*\*IF NO:** Is there someone at home now that I could speak to who is 18 years of age or older?

**\*\* IF YES:** The questionnaire takes about 20 minutes to complete, but it provides you with a unique opportunity to let the Government of Canada know how you feel about things that affect us all.

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<b>23:</b>		<b>SEX</b>
	Record gender by observation	
	Male .....	1
	Female .....	2

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<b>24:</b>		<b>PR1</b>
	Many of the questions I will be asking ask for responses using a four point numerical scale from 1 to 4. One is generally the lowest or weakest score, and four is the highest or strongest score. You can answer any number from 1 to 4 for these questions.	

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<b>25:</b>		<b>PQ1</b>
	How much confidence do you have in each of the following public services in Canada? Use a scale from 1 to 4, where 1 means you have very little or no confidence and 4 means you have a great deal of confidence.	

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<b>26:</b>		<b>Q1A</b>
	<i>How much confidence do you have in...</i>	
	The health care system	
	1.very little or no confidence .....	1
	2 .....	2
	3 .....	3
	4.a great deal of confidence.....	4
	DK/NR .....	9

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<b>27:</b>		<b>Q1B</b>
	<i>How much confidence do you have in...</i>	
	The criminal justice system	
	1.very little or no confidence .....	1
	2 .....	2
	3 .....	3
	4.a great deal of confidence.....	4
	DK/NR .....	9

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<b>28:</b>		<b>Q1C</b>
	<i>How much confidence do you have in...</i>	
	The primary and secondary education system	
	1.very little or no confidence .....	1
	2 .....	2
	3 .....	3
	4.a great deal of confidence.....	4
	DK/NR .....	9

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**29:****Q1D***How much confidence do you have in...*

The family justice system

1.very little or no confidence ..... 1

2 ..... 2

3 ..... 3

4.a great deal of confidence..... 4

DK/NR ..... 9

**30:****PR2**

The next few questions are about crime, both in your neighbourhood and in Canada as a whole.

**31:****Q3**

Today, do you think your neighbourhood has more crime, less crime or about the same amount of crime as other neighbourhoods in Canada?

More ..... 1

Less ..... 2

About the same ..... 3

DK/NR ..... 9

**32:****Q4**

And do you think that crime in your neighbourhood has increased, decreased or remained about the same over the past five years?

Increased ..... 1

Decreased..... 2

Remained about the same ..... 3

DK/NR ..... 9

**33:****Q6**

Over the next five years do you think crime in your neighbourhood will increase, decrease, or remain about the same?

Increase ..... 1

Decrease..... 2

Remain about the same ..... 3

DK/NR ..... 9

**34:****Q8***Record first mention. Allow up to 3 responses.*

Where would you say you get most of your information on the criminal justice system? Any other sources?

Personal experience ..... 01

Experience of friends- relatives..... 02

Movies and TV shows ..... 03

Newspapers and magazines/BOOKS ..... 04

TV or radio news ..... 05

Information from government (e.g. crime statistics)..... 06

Information from community organizations ..... 07

Information from criminal justice professionals such as police officers, probation officers, Crown attorneys-prosecutors-counsel ..... 08

The Internet..... 09

Other (please specify) ..... 77 O

DK/NR ..... 99 X

JOB OR SCHOOL SOMEHOW RELATES TO JUSTICE SYSTEM..... 10 N

WORD OF MOUTH, AWARE WHAT IS GOING ON..... 11 N

**35:****Q10**

Thinking about your own experiences, has anything happened to you in the past 5 years that may have been a crime? Please remember that crime includes vandalism, theft, fraud, break and enter, assault and sexual assault as well as other crimes. Please include acts committed by both family and non-family members.

Yes ..... 1

No ..... 2      => PR3

DK/NR ..... 9      => PR3

36:

Q10A

*Do Not Read List-Multiple Responses Accepted*

What happened?

Vandalism (something was damaged) ..... 01  
 Theft of household property-Attempt ..... 02  
 Theft of personal property-Attempt (money or other personal property was taken or an attempt was made to take it) ..... 03  
 Break and enter-Attempt (illegal entry or attempted illegal entry into your residence or any other building on your property) ..... 04  
 Motor vehicle theft-Attempt (theft or attempted theft of motor vehicle or parts) ..... 05  
 Fraud ..... 06  
 Assault (face-to-face threat or assault with or without a weapon but neither theft nor attempted theft of property) ..... 07  
 Stalking (Being the subject of persistent-unwanted attention that caused you to fear for your safety or the safety of someone known to you) ..... 08  
 Robbery-Attempted robbery (theft with a face-to-face threat, an assault or a weapon. If no threat, assault or weapon, classify elsewhere) ..... 09  
 Sexual assault (unwanted sexual touching, fondling, rape, and attempted rape) ..... 10  
 Other (Specify) ..... 77 O  
 DK/NR ..... 99 X  
 EMOTIONAL, VERBAL ABUSE, NO MENTION OF ASSAULT ..... 11 N  
 HIT AND RUN, WITH DAMAGE DONE TO VEHICLE, PROPERTY OR PERSON ..... 12 N  
 INJUSTICE, MISTREATMENT BY AUTHORITY, EX. WRONGFULLY ACCUSED, DETAINED, DISMISSED, DEFAMATION ..... 13 N

37:

Q10B

Did you report this incident to the police or did the police find out about this incident?

Yes ..... 1      => ROT1  
 No ..... 2  
 DK/NR ..... 9

38:

Q10C

*Do Not Read List-Multiple Responses Accepted*

People have different reasons for choosing not to contact the police. Why did you choose not to report it to the police?

It was not serious enough ..... 01  
 The matter was too personal ..... 02  
 I decided to solve it myself ..... 03  
 I did not think the police could do anything about it ..... 04  
 I did not think the police would do anything about it ..... 05  
 I was afraid of the offender doing something to me ..... 06  
 Did not want insurance premiums to go up ..... 07  
 Other (specify) ..... 77 O  
 DK/NR ..... 99 X  
 NOT MY RESPONSABILITY, SOMEONE ELSE ASSUMED RESPONSABILITY, EX. NEIGHBOR FILED A REPORT ..... 08 N  
 WENT TO MORE APPROPRIATE AGENCY/INDIVIDUAL INSTEAD, EX. BANK, CREDIT COMPANY, EMPLOYER ..... 09 N

39:

ROT1

=&gt; \* if IF((Q10B=#1),1,2)

for Q10D

Other than the police, ..... 1  
 ..... 2

40:

Q10D

*Prompt from list if necessary*

&lt;ROT1 &gt; did you ever talk to anyone else about what happened?

Family .....	01	
Friends or co-workers .....	02	
Doctor or nurse .....	03	
Minister, priest, or other spiritual advisor .....	04	
Victim services (women's shelter, crisis line, sexual assault centre) .....	05	
(DO NOT READ) Other (specify) .....	77	O
(DO NOT READ) Did not contact anyone else .....	98	X
(DO NOT READ) DK/NR .....	99	X
NEIGHBOURS/NEIGHBOURHOOD WATCH .....	06	N
INSURANCE COMPANIES .....	07	N
LAWYER .....	08	N
PRIVATE COMPANY/INTEREST INVOLVED, EX. BANK, CREDIT COMPANY .....	09	N
PRIVATE SECURITY COMPANIES, SECURITY ONHAND AT LOCATION OF INCIDENT ...	10	N
OFFENDER THEMSELVES, OFFENDER'S PARENTS .....	11	N
GOVERNMENT AGENCIES, EITHER FEDERAL, PROVINCIAL OR MUNICIPAL .....	12	N

41:

PR3

These next few questions deal with different parts of the criminal justice system.

42:

PQ13

Using a scale from 1 to 4, where 1 means not at all confident, and 4 means very confident, how confident are you that the criminal justice system is ...?

43:

Q13A

*How confident are you that the criminal justice system is...*

Dealing with crime promptly

1. not at all confident .....	1
2 .....	2
3 .....	3
4. very confident .....	4
DK/NR .....	9

44:

Q13B

*How confident are you that the criminal justice system is...*

Bringing people who commit crimes to justice

1. not at all confident .....	1
2 .....	2
3 .....	3
4. very confident .....	4
DK/NR .....	9

45:

Q13C

*How confident are you that the criminal justice system is...*

Respecting the rights of people suspected or accused of crime

1. not at all confident .....	1
2 .....	2
3 .....	3
4. very confident .....	4
DK/NR .....	9

46:

Q13D

*How confident are you that the criminal justice system is...*

Tackling the causes of crime

1. not at all confident .....	1
2 .....	2
3 .....	3
4. very confident .....	4
DK/NR .....	9

47: Q13E

How confident are you that the criminal justice system is...

Helping victims of crime

- 1.not at all confident..... 1  
2.....2  
3.....3  
4.very confident.....4  
DK/NR.....9

48: Q13F

How confident are you that the criminal justice system is...

Reducing levels of crime

- 1.not at all confident..... 1  
2.....2  
3.....3  
4.very confident.....4  
DK/NR.....9

49: PQ15

According to the Canadian Charter of Rights and Freedoms, all people are equal before and under the law. To what extent do you think the following treat all people fairly. Please respond using a 4 point scale where 1 means to little or no extent and 4 means to a great extent?

50: Q15A

To what extent do you think ... treat all people fairly

The police

- 1.little or no extent..... 1  
2.....2  
3.....3  
4.great extent.....4  
DK/NR.....9

51: Q15B

To what extent do you think ... treat all people fairly

Crown Attorneys/Prosecutors/Counsel

- 1.little or no extent..... 1  
2.....2  
3.....3  
4.great extent.....4  
DK/NR.....9

52: Q15C

To what extent do you think ... treat all people fairly

Defence lawyers

- 1.little or no extent..... 1  
2.....2  
3.....3  
4.great extent.....4  
DK/NR.....9

53: Q15D

To what extent do you think ... treat all people fairly

Judges

- 1.little or no extent..... 1  
2.....2  
3.....3  
4.great extent.....4  
DK/NR.....9

54:

Q15E

*To what extent do you think ... treat all people fairly*

Probation officers

1.little or no extent..... 1  
 2..... 2  
 3..... 3  
 4.great extent ..... 4  
 DK/NR ..... 9

55:

Q15F

*To what extent do you think ... treat all people fairly*

Parole boards

1.little or no extent..... 1  
 2..... 2  
 3..... 3  
 4.great extent ..... 4  
 DK/NR ..... 9

56:

Q15G

*To what extent do you think ... treat all people fairly*

Prison authorities

1.little or no extent..... 1  
 2..... 2  
 3..... 3  
 4.great extent ..... 4  
 DK/NR ..... 9

57:

Q15H

*To what extent do you think ... treat all people fairly*

Victim services

1.little or no extent..... 1  
 2..... 2  
 3..... 3  
 4.great extent ..... 4  
 DK/NR ..... 9

58:

Q16

Have you, or has someone close to you, had contact with a police officer while that officer was carrying out their duties, within the past five years?

Yes ..... 1  
 No ..... 2      => PQ17  
 DK/NR ..... 9      => PQ17

59:

Q16A

What was the reason for the contact? Was it because you or someone close to you:

Asked the officer for information ..... 01  
 Were stopped by the officer on the street ..... 02  
 Were stopped by the officer while driving ..... 03  
 Were a victim of a crime ..... 04  
 Were a witness to an accident or crime ..... 05  
 (DO NOT READ) Other-Specify ..... 77 O  
 (DO NOT READ) DK/NR ..... 99 X  
 SOCIAL CONTACT, OFFICER A FRIEND, FAMILY MEMBER ..... 06 N  
 FRIEND, FAMILY MEMBER INVOLVED IN A CRIME, EITHER AS A VICTIM OR THE ACCUSED 07 N  
 PROFESSIONAL CONTACT, EX. WORK IN EMERGENCY SERVICES, JUSTICE SYSTEM, THE HOSPITAL 08 N  
 ACCUSED OF/PERPETRATED A CRIME ..... 09 N  
 INVOLVED IN/VICTIM OF AN ACCIDENT ..... 10 N  
 ASSISTING IN INVESTIGATION, NO PERSONAL/FAMILY INVOLVEMENT, EX. REPORT ON NEIGHBORHOOD CRIME 11 N  
 OFFICER RESPONDING TO FALSE ALARM, EX. HOUSE ALARM, MISTAKENLY DIALLED 911 12 N  
 FRIEND/FAMILY MEMBER INVOLVED IN AN ACCIDENT ..... 13 N



**60:** **Q16B**

Thinking about your most recent contact with a police officer, would you say your experience was positive or negative? Please respond using a 4 point scale where 1 means very negative and 4 means very positive.

- 1.very negative ..... 1  
 2 ..... 2  
 3 ..... 3  
 4.very positive ..... 4  
 DK/NR ..... 9

**61:** **PQ17**

How confident are you that the police in your area are doing the following? Please respond using a scale of 1 to 4 where 1 means not at all confident and 4 means very confident.

**62:** **Q17A**

*How confident are you that police in your area are...*

Preventing crime

- 1.not at all confident ..... 1  
 2 ..... 2  
 3 ..... 3  
 4.very confident ..... 4  
 DK/NR ..... 9

**63:** **Q17B**

*How confident are you that police in your area are...*

Detecting and arresting offenders

- 1.not at all confident ..... 1  
 2 ..... 2  
 3 ..... 3  
 4.very confident ..... 4  
 DK/NR ..... 9

**64:** **Q17C**

*How confident are you that police in your area are...*

Responding quickly to calls for help

- 1.not at all confident ..... 1  
 2 ..... 2  
 3 ..... 3  
 4.very confident ..... 4  
 DK/NR ..... 9

**65:** **Q17D**

*How confident are you that police in your area are...*

Helping victims and witnesses

- 1.not at all confident ..... 1  
 2 ..... 2  
 3 ..... 3  
 4.very confident ..... 4  
 DK/NR ..... 9

**66:** **PR4**

These next few questions deal with the criminal courts in Canada.

**67:** **Q18**

Have you ever had any contact with the criminal courts?

- Yes ..... 1  
 No ..... 2      => PQ19  
 DK/NR ..... 9      => PQ19

<b>68:</b>	<b>Q18B</b>
What was the reason for the contact? Were you . . .	
A defendant in a criminal case.....	01
A crime victim.....	02
A member of the public, attending to watch.....	03
A juror .....	04
A witness.....	05
Other (Specify).....	77 O
DK/NR.....	99 X
PROFESSIONALLY INVOLVED,EX.WORK AS A LAWYER,POLICE OFFICER.....	06 N

<b>69:</b>	<b>PQ19</b>
How confident are you are that the courts are doing the following? Please respond using a 4 point scale where 1 means not at all confident and 4 means very confident.	

<b>70:</b>	<b>Q19A</b>
<i>How confident are you that the courts are ...</i>	
Accurately determining who is guilty and who is not guilty	
1.not at all confident.....	1
2.....	2
3.....	3
4.very confident.....	4
DK/NR.....	9

<b>71:</b>	<b>Q19B</b>
<i>How confident are you that the courts are ...</i>	
Giving sentences based on the facts of each case	
1.not at all confident.....	1
2.....	2
3.....	3
4.very confident.....	4
DK/NR.....	9

<b>72:</b>	<b>Q19C</b>
<i>How confident are you that the courts are ...</i>	
Respecting the rights of people charged with a crime	
1.not at all confident.....	1
2.....	2
3.....	3
4.very confident.....	4
DK/NR.....	9

<b>73:</b>	<b>Q19D</b>
<i>How confident are you that the courts are ...</i>	
Treating crime victims with sensitivity	
1.not at all confident.....	1
2.....	2
3.....	3
4.very confident.....	4
DK/NR.....	9

<b>74:</b>	<b>Q20</b>
Using a scale of 1 to 4, where 1 means not at all confident and 4 means very confident, how confident are you that all those who need a lawyer in the criminal courts (whether accused, victims, witnesses) will get one?	
1.not at all confident.....	1
2.....	2
3.....	3
4.very confident.....	4
DK/NR.....	9

**75:** **PR5**  
These next two questions deal with prisons in Canada.

**76:** **PQ22**  
Using a scale from 1 to 4 where 1 means not at all confident and 4 means very confident, please tell me how confident you are that the prisons are doing the following:

**77:** **Q22A**  
*How confident are you that prisons are ...*  
Preventing prisoners from escaping  
1. not at all confident ..... 1  
2 ..... 2  
3 ..... 3  
4. very confident ..... 4  
DK/NR ..... 9

**79:** **Q22B**  
*How confident are you that prisons are ...*  
Helping to prepare prisoners to lead law abiding lives while on release  
1. not at all confident ..... 1  
2 ..... 2  
3 ..... 3  
4. very confident ..... 4  
DK/NR ..... 9

**80:** **PR6**  
These next few questions deal with Parole Boards.

**81:** **PQ23**  
Using a scale of 1 to 4 where 1 means not at all confident and 4 means very confident , please tell me how confident you are that Parole Boards are doing the following:

**82:** **Q23A**  
*How confident are you that parole boards are ...*  
Deciding which prisoners should be released on parole  
1. not at all confident ..... 1  
2 ..... 2  
3 ..... 3  
4. very confident ..... 4  
DK/NR ..... 9

**83:** **Q23B**  
*How confident are you that parole boards are ...*  
Deciding what rules prisoners should follow after being released on parole  
1. not at all confident ..... 1  
2 ..... 2  
3 ..... 3  
4. very confident ..... 4  
DK/NR ..... 9

**84:** **Q23C**  
*How confident are you that parole boards are ...*  
Protecting the public from prisoners who might re-offend  
1. not at all confident ..... 1  
2 ..... 2  
3 ..... 3  
4. very confident ..... 4  
DK/NR ..... 9

**85:****PR7**

These next questions deal with how young people are treated by the justice system.

**86:****PQ25**

Thinking about how the justice system treats young people, aged 12 to 17, please tell me how confident you are that it is doing each of the following. Please respond using a 4 point scale where 1 means not at all confident and 4 means very confident.

**87:****Q25A**

*Concerning the treatment of young people, confident in j-system for...*

Preventing crime by young people

1.not at all confident.....1  
 2.....2  
 3.....3  
 4.very confident.....4  
 DK/NR.....9

**88:****Q25B**

*Concerning the treatment of young people, confident in j-system for...*

Repairing harm done to victims and communities

1.not at all confident.....1  
 2.....2  
 3.....3  
 4.very confident.....4  
 DK/NR.....9

**89:****Q25C**

*Concerning the treatment of young people, confident in j-system for...*

Holding young people responsible and accountable for their actions

1.not at all confident.....1  
 2.....2  
 3.....3  
 4.very confident.....4  
 DK/NR.....9

**90:****Q25D**

*Concerning the treatment of young people, confident in j-system for...*

Reducing re-offending by young people

1.not at all confident.....1  
 2.....2  
 3.....3  
 4.very confident.....4  
 DK/NR.....9

**91:****Q25E**

*Concerning the treatment of young people, confident in j-system for...*

Providing alternatives to formal court proceedings

1.not at all confident.....1  
 2.....2  
 3.....3  
 4.very confident.....4  
 DK/NR.....9

**92:****PR8**

The family justice system is distinct from the criminal justice system. The family justice system is part of the civil justice system and deals with matters such as separation or divorce. The family justice system also provides alternatives to court in order to settle matters, such as family mediation.

**93:** **Q26**

Have you yourself had reason to use the family justice system in the last . . .

Five years .....	1	
Six to ten years .....	2	
Not at all .....	3	=> Q27
DK/NR .....	9	=> Q27

**94:** **Q26A**

*prompt from list if necessary*

What was-were your most recent reason(s) for using the family justice system?

To obtain a divorce or separation .....	01	
To file separation or other domestic contract for enforcement of support obligations or other parenting arrangements .....	02	
To enforce child or spousal support order .....	03	
Obtain an original court order to establish parenting or custody or access or visitation or child support arrangements for children .....	04	
Change a court order or agreement involving parenting or custody or access or visitation or child support arrangements for children .....	05	
Settle a dispute over property settlement arising from separation or divorce .....	06	
Change or dispute spousal support amounts .....	07	
Settle a child protection issue .....	08	
Other (Specify) .....	77	O
DK/NR .....	99	X
ASSISTING FRIEND/FAMILY MEMBER THROUGH FAMILY ISSUE, EX. CUSTODY ISSUE .....	09	N

**95:** **PQ26B**

Did you use, or have you used, any of the following family justice services?

**96:** **Q26B1**

*Did you use (have you) used the following family justice services*

A family court

Yes .....	1
No .....	2
Not sure .....	8
DK/NR .....	9

**97:** **Q26B2**

*Did you use (have you) used the following family justice services*

A parenting education session

Yes .....	1
No .....	2
Not sure .....	8
DK/NR .....	9

**98:** **Q26B3**

*Did you use (have you) used the following family justice services*

A mediation session(s)

Yes .....	1
No .....	2
Not sure .....	8
DK/NR .....	9

**99:** **Q26B4**

*Did you use (have you) used the following family justice services*

A support or maintenance enforcement program

Yes .....	1
No .....	2
Not sure .....	8
DK/NR .....	9

**100:****Q26B5***Did you use (have you) used the following family justice services*

A family lawyer, private or public

Yes ..... 1  
 No ..... 2  
 Not sure ..... 8  
 DK/NR ..... 9

**101:****Q26B6***Did you use (have you) used the following family justice services*

Any other services

Yes ..... 1  
 No ..... 2  
 Not sure ..... 8  
 DK/NR ..... 9

**102:****QB62**

=&gt; +1 if NOT (Q26B6=#1)

What other services?

Response ..... 77 O

DK/NR ..... 99 X

LEGAL SERVICES,INCLUDES LEGAL AID/ADVICE,COURT SERVICES ..... 01 N

COUNSELLING SERVICES,INCLUDES SOCIAL WORKERS,COUNSELLORS,PSYCHOLOGISTS ..... 02 N

COMMUNITY SUPPORT SYSTEM,GENERAL,EX.SUPPORT PROGRAMS ..... 03 N

**103:****Q26C**

When it comes to your overall experience using the family justice system, would you rate the experience as positive or negative? Please respond using a 4 point scale where 1 means very negative and 4 means very positive .

1.very negative ..... 1  
 2 ..... 2  
 3 ..... 3  
 4.very positive ..... 4  
 DK/NR ..... 9

**104:****Q27**

Do you have a close friend or family member who has used the family justice system in the last ten years?

Yes ..... 1  
 No ..... 2  
 DK/NR ..... 9

**105:****Q28***Prompt from list if necessary*

Please tell me your top three sources of information about the family justice system.

Your own personal experience addressing a family justice matter .....	01			
The experiences of friends-family .....	02			
Movies and television programs .....	03			
Newspapers and magazines.....	04			
TV or radio news .....	05			
The Internet.....	06			
Government publications .....	07			
Community organizations .....	08			
Your place of worship .....	09			
Family justice professionals such as lawyers .....	10			
Other (specify) .....	77	O		
DK/NR .....	99	X		
PROFESSIONAL EXPERIENCE,WORKING WITHIN FAMILY JUSTICE SYSTEM,SOURCES THROUGH WORK,EX.WORK AS A POLICE OFFICER,LAWYER .....	11	N		
WORD OF MOUTH,PEOPLE WITHIN COMMUNITY .....	12	N		
RELATED LITERATURE,DOCUMENTATION,GENERAL,EX.PAMPHLETS,COURT DOCUMENTS .....	13		N	
THROUGH SCHOOL,LAW-RELATED CLASS CONTENT .....	14	N		
COMMUNITY PROFESSIONALS OUTSIDE THE FAMILY JUSTICE SYSTEM,EX.POLICE OFFICERS,PSYCHOLOGIST .....	15			N

**106:****Q29**

Overall, how confident are you that the Canadian family justice system is meeting the needs of families?

Please respond using a 4 point scale where 1 means not at all confident and 4 means very confident .

1.not at all confident.....	1
2 .....	2
3 .....	3
4.very confident.....	4
DK/NR .....	9

**107:****PQ30**

How confident are you that these different professionals are helping people with their family justice issues? Please respond using a 4 point scale where 1 means not at all confident and 4 means very confident .

**108:****Q30A***Confidence you have that...are helping people w/ family justice issues*

Private and legal aid family lawyers

1.not at all confident.....	1
2 .....	2
3 .....	3
4.very confident.....	4
DK/NR .....	9

**109:****Q30B***Confidence you have that...are helping people w/ family justice issues*

Family court judges

1.not at all confident.....	1
2 .....	2
3 .....	3
4.very confident.....	4
DK/NR .....	9

**110:****Q30C***Confidence you have that...are helping people w/ family justice issues*

Family court staff

1.not at all confident.....	1
2 .....	2
3 .....	3
4.very confident.....	4
DK/NR .....	9

111: Q30D

**Confidence you have that...are helping people w/ family justice issues**

Child-spousal support enforcement staff

1.not at all confident.....	1
2.....	2
3.....	3
4.very confident.....	4
DK/NR.....	9

112: Q30E

**Confidence you have that...are helping people w/ family justice issues**

Child protection staff

1.not at all confident.....	1
2.....	2
3.....	3
4.very confident.....	4
DK/NR.....	9

113: Q31

How likely is it that you would recommend that a friend or family member go to the family justice system for assistance? Please respond using a 4 point scale where 1 means not at all likely and 4 means very likely

1.Not at all likely.....	1
2.....	2
3.....	3
4. Very likely.....	4
DK/NR.....	9

114: DEMIN

Now, I would like to get some information to help us group your answers with others that we will receive in this survey.

115: MINOR

**READ LIST, CHOOSE ALL THAT APPLY**

Do you consider yourself to belong to any of the following groups? PROMPT IF NECESSARY: A member of a visible minority by virtue of your race or colour

A member of a visible minority.....	1
An Aboriginal person.....	2
A disabled person.....	3
(DO NOT READ) None.....	4 X
(DO NOT READ) DK/NR.....	9 X

116: BORN

In what country were you born?

Canada.....	01
U.K.(England, Ireland, Scotland, Wales).....	02
Western Europe (Italy, France, Spain, etc.).....	03
Northern Europe (Scandinavia, Sweden, Denmark, etc.).....	04
Eastern Europe (Poland, Russia,Yugoslavia, etc.).....	05
Middle East (Lebanon, Turkey, Iraq, etc.).....	06
South Asia (Pakistan, India, Sri Lanka, etc.).....	07
Southeast Asia (China, Vietnam, Korea, etc.).....	08
Oceania (Australia, New Zealand, Fiji, etc.).....	09
Latin America (Mexico, Brazil, Chile, etc.).....	10
Caribbean (Jamaica, Trinidad, Haiti, etc.).....	11
United States.....	12
Africa (South Africa, Nigeria, Somalia, etc.).....	13
Other (please specify).....	77 O
DK/NR.....	99 X



117:

YEARS

=&gt; +1 if BORN=#1

How many years have you lived in Canada?

Less than one year .....00  
 DK/NR .....99

118:

CITZN

=&gt; +1 if BORN=#1

Are you a Canadian Citizen

Yes .....1  
 No .....2  
 DK/NR .....9

119:

Q37

What language do you speak most often at home?

English .....01  
 French .....02  
 Other (specify) .....77 O  
 DK/NR .....99 X

120:

Q38

*Read list*

What type of place do you live in?

House .....01  
 Low-rise apartment/condo (less than 5 stories) .....02  
 High-rise apartment/condo (5 or more stories) .....03  
 Mobile home or trailer .....04  
 other (please specify) .....77 O  
 DK/NR .....99

121:

Q39

Do you, or do family members, own or rent this place?

Own .....1  
 Rent .....2  
 DK/NR .....9

122:

Q40

How many times have you moved in the past 5 years?

None .....000  
 DK/NR .....999

123:

Q41

Would you say your current neighbourhood is a place where neighbours help each other?

Yes .....1  
 No .....2  
 DK/NR .....9

124:

Q45

**READ LIST**

What, if any, is your religion?	
Catholic .....	01
Protestant.....	02
Christian Orthodox .....	03
Christian (other) .....	04
Muslim.....	05
Jewish .....	06
Buddhist .....	07
Hindu.....	08
Sikh .....	09
Eastern religions .....	10
(DO NOT READ) Other religions (specify).....	77 O
(DO NOT READ) No religious affiliation .....	98
(DO NOT READ) DK/NR .....	99

125:

Q47

What is your current marital status?	
Single - not legally married and not in a common-law relationship.....	1
In a common-law relationship .....	2
Separated from a common-law relationship .....	3
Legally married (and not separated) .....	4
Separated, but still legally married .....	5
Divorced .....	6
Widowed .....	7
DK/NR .....	9

126:

Q48

**READ LIST**

In the past, have you ever been . . . ? (NOTE: This question is aimed at capturing previous relationships, if any)	
Separated .....	1
Divorced.....	2
Widowed .....	3
(DO NOT READ) None of the above .....	8
(DO NOT READ) DK/NR .....	9

127:

AGE2X

**IF HESITANT MOVE ONTO NEXT QUESTION**

In what year were you born? NOTE: ANSWER THE FULL YEAR, I.E. 1977 as "1977"	
HESITANT .....	9999

128:

AGE2Y

=&gt; +1 if NOT (AGE2X=#1)

May I place your age into one of the following general age categories?	
Under 25 .....	01
25-34 years .....	02
35-44 years .....	03
45-54 years .....	04
55-64 years .....	05
65-74 years .....	06
75 years or older .....	07
(DO NOT READ) DK/NR .....	99

**129:**

**INC20**

What is your annual HOUSEHOLD income from all sources before taxes?

<\$10,000 .....	01
\$10,000-\$19,999 .....	02
\$20,000-\$29,999 .....	03
\$30,000-\$39,999 .....	04
\$40,000-\$49,999 .....	05
\$50,000-\$59,999 .....	06
\$60,000-\$79,999 .....	07
\$80,000-\$99,999 .....	08
\$100,000-\$119,999 .....	09
\$120,000 or more .....	10
DK/NR .....	99

**130:**

**EDUC**

What is the highest level of schooling that you have completed?

Some high school or less .....	01
High school graduate .....	02
Some college .....	03
Community/Technical college or CEGEP graduate .....	04
Private college graduate .....	05
Some university .....	06
Bachelor's degree .....	07
Graduate degree .....	08
DK/NR .....	99

**131:**

**THNK**

**END OF INTERVIEW**

Thank you very much for your cooperation.

Complete..... 1 D

## Appendix B: Methodological Reports

### (I) Criminal Justice System

#### Introduction

This technical report represents a preliminary analysis of the Public Confidence in the Justice System Survey. The report examines the association between respondents' (a) demographic factors, (b) sources of information on the justice system, and (c) contact with the justice system, as predictor variables, and two measures of public confidence in the justice system as response variables. The public confidence measures were (a) a single item that asked respondents to indicate how much confidence they have in the criminal justice system from 1 to 4, and (b) a scale composed of 30 items that asked respondents to rate their confidence with respect to various aspects of the justice system. Descriptive statistics are provided first, followed by bivariate and multivariate analyses.

#### Method

##### *Sample Size*

There were 4503 respondents in the original sample. A number of cases were removed because they had too many missing values or had outlying scores,  $n = 380$ . The final sample consisted of 4123 respondents.

##### *Missing Values*

A case was excluded if it was missing values for 6 or more items in the 30 item confidence in the justice system scale, ( $n = 322$ ). Missing values in the scale items were filled with the mean value and rounded to the nearest whole number.

If more than four predictor variables were missing in a case, the case was excluded ( $n = 41$ ). With the exception of income level, less than 3% of values for the each predictor variables were missing. Missing values were filled with the mean value of the variable rounded to the nearest whole number. Income level was missing in approximately 20% of cases. Missing values of income level were imputed using a backwards multiple regression based on the other predictor variables.

##### *Outliers*

The cases were screened for univariate outliers. If a public confidence score was greater than, or less than three standard deviations from the mean on the public confidence scale, the case was excluded ( $n = 17$ ).

##### *Victim Contact Variables*

Two variables were created to record whether the respondent had been a victim of a crime (question 10) and whether the respondent had contact with either the police or courts in relation to being a victim (questions 16A, 18B). In the regression analyses, effects associated with each victim contact variables should be interpreted as being in contrast to not being a victim of a crime.

## Results

### A. Descriptive Statistics

Table 1 describes the frequency distributions for the dichotomous demographic predictor variables.

**Table 1**  
***Frequency Distributions of Dichotomous Variables***

	No		Yes	
	<i>f</i>	%	<i>f</i>	%
Male	2263	55%	1860	45%
Atlantic	3390	82%	733	18%
Quebec	3197	78%	926	22%
Ontario	2918	71%	1205	29%
Prairie	3368	82%	755	18%
British Columbia	3619	88%	504	12%
Born in Canada	3607	87%	556	13%
Visible minority	3876	93%	287	7%
Aboriginal	4058	97%	105	3%
Disabled	3943	95%	220	5%
Religious affiliation	803	19%	3360	81%
Spousal partner	1515	36%	2648	64%
Home owner	875	21%	3288	79%
Helpful neighbourhood	549	13%	3614	87%

Table 2 describes the frequency distributions for the ordinal demographic predictor variables that had more than two levels.

**Table 2**  
***Frequency Distributions of Ordinal Variables***

	<i>f</i>	%
<i>Age</i>		
Under 25	217	5%
25-34	593	14%
35-44	789	19%
45-54	1021	25%
55-64	856	21%
65-74	466	11%
75 years or older	221	5%
<i>Income</i>		
< 20,000	442	11%
20,000 < 50,000	1398	34%
50,000 < 100,000	1687	41%
> 100,000	636	15%
<i>Education</i>		
Less than high-school	476	11%
High-school	1540	37%
College / university degree	1707	41%
Post-graduate degree	440	11%
<i>Crime in neighbourhood compared to other neighbourhoods in Canada</i>		
Less crime	2103	51%
The same amount of crime	1506	36%
More crime	554	13%

## B. Sources of Information

Table 3 describes the frequency distributions for the most common sources of information on the criminal justice system.

**Table 3.**  
***Sources of Information on the Criminal Justice System***

	No		Yes	
	<i>f</i>	%	<i>f</i>	%
TV or radio news	1179	28%	2984	72%
Newspapers and magazines / books	1420	34%	2743	66%
The Internet	3501	84%	662	16%
Experience of friends	3685	89%	478	11%

## C. Contact with the Criminal Justice System

Table 4 describes the frequencies and percentages of respondents who had had various types of contact with the criminal justice system in the past five years.

**Table 4.**  
***Contact with Criminal Justice System***

	No		Yes	
	<i>f</i>	%	<i>f</i>	%
Victim no CJS contact	3287	79%	876	21%
Victim with CJS contact	3608	87%	555	13%
Witness of crime	3433	82%	730	18%
Accused of crime	3877	93%	286	7%
Public observer or jury	3807	91%	356	9%

#### **D. Measures of Public Confidence**

##### *Confidence in the Justice System versus other Public Institutions*

A repeated measures ANOVA was performed to test whether there were differences in public confidence between the single item ratings for various public institutions. As shown in Table 5, confidence ratings did differ between the public institutions.

**Table 5.**  
***Repeated Measures ANOVA on Confidence between Public Institutions - Summary Table***

Source	<i>df</i>	<i>SS</i>	<i>MS</i>	<i>F</i>
Between subjects	4162	5336.37	1.28	
Public institution	3	619.01	206.34	430.05***
Error	12486	5990.74	.48	
Total	16651	11946.12		

Table 6 describes the mean and standard deviation of the rating for each public institution. Post-hoc analyses showed that each mean was significantly different than the others. Respondents expressed the most confidence in the primary and secondary school system; respondents expressed the least confidence in the criminal justice system.

**Table 6.**  
***Mean and Standard Deviations on Ratings of Confidence in Public Institutions***

	<i>M</i>	<i>SD</i>
Primary and secondary school system	2.68	.77
Health care system	2.46	.86
Family justice system	2.31	.80
Criminal justice system	2.16	.87

*Note.* All means are significantly different, Tukey's HSD,  $p < .05$ .



*Public Confidence Scale*

Table 7 describes the internal consistency score, the mean, and the standard deviation for each subscale.

**Table 7.**  
***Internal Consistency Scores, Means and Standard Deviations for the Confidence in the Criminal Justice System Subscales***

	# Items	Alpha	<i>M</i>	<i>SD</i>
Goals	5	.79	10.53	3.09
Fairness	8	.82	20.89	4.44
Police	4	.81	11.10	2.65
Courts	4	.72	10.53	2.44
Corrections	4	.68	9.82	2.33
Youth	5	.83	9.91	3.16
Total	30	.92	72.78	13.71

Overall, the subscales and the total scale score showed an acceptable level of internal consistency and had normal distributions. Chronbach's alpha<sup>12</sup> was good for most of the subscale items. Alpha for the Corrections subscale was low, however. This is understandable because it was comprised of only four items, and half the items were related to institutional corrections and half were related to community corrections (parole). Alpha for the total scale score was high. This suggests that the items measured a common construct. It also suggests that a smaller number of items could have reliably captured the public confidence construct.

Table 8 describes the intercorrelation between the public confidence subscales, the single public confidence in the justice system item<sup>13</sup>, and the public confidence scale total score. The correlations between the subscales and the total score are represented by the correlations along the diagonal.

---

<sup>12</sup> Chronbach's alpha is a measure of internal consistency of a measure - how well a set of items holds together. A score in the .80 - .90 range is ideal.

<sup>13</sup> That the single item rating was recoded to improve its distribution. Relatively few respondents gave a rating of four (a great deal of confidence); ratings of four were collapsed into ratings of 3.

---

**Table 8.**  
**Correlations between the Subscales, the Total Scale Score, and the Single Item Confidence in the Justice System Measures**

	Goals	Fair-ness	Police	Courts	Corr- ections	Youth	Single item
Goals	<u>.79</u>	.51	.45	.53	.50	.58	.53
Fairness	.51	<u>.81</u>	.47	.62	.49	.39	.39
Police	.45	.47	<u>.67</u>	.46	.37	.34	.25
Courts	.53	.62	.46	<u>.78</u>	.52	.44	.41
Corrections	.50	.49	.37	.52	<u>.72</u>	.51	.37
Youth	.58	.39	.34	.44	.51	<u>.72</u>	.38
Single Item	.53	.39	.25	.41	.37	.38	<u>.51</u>

The total score was strongly correlated with the single item on public confidence in the justice system. The correlation was slightly lower than would be expected between two reliable measures of the same construct. This is not surprising, however, given the limited range of the single item.

#### *Prediction of Public Confidence*

##### *I. Bivariate Correlations*

Table 9 reports the bivariate correlations between the predictor variables and the public confidence response variables. Although several correlations were statistically significant, the effect sizes were small. With respect to the single item response variable, being younger and having more education were most strongly associated with reporting more confidence in the CJS. With respect to the scale total, being younger, living in a neighbourhood where people help each other, and living in a low crime neighbourhood were most strongly associated with confidence in the CJS.

**Table 9.**  
**Correlations between Predictors and Response Variables**

	Single Item	Scale Total
<i>Demographic Factors</i>		
Age	-.11	-.13
Male	-.01	.02
Atlantic	.07	.06
Quebec	.01	-.05
Ontario	.05	.07
Prairie	-.07	-.05
BC	-.08	-.04
Born in Canada	-.04	-.03
Visible Minority	.01	.04
Aboriginal	-.04	.00
Disabled	-.04	-.01
Religious Identification	-.02	.04
Education	.13	.05
Income	.05	-.01
Spousal Partner	-.02	-.02
Home Owner	-.02	-.01
Helpful Neighbourhood	.07	.11
High Crime Neighbourhood	-.08	-.14
<i>Information Sources</i>		
TV or radio news	-.03	.00
Newspapers and magazines / books	-.03	-.02
The Internet	.05	.01
Experience of friends	-.02	-.02
<i>Contact with CJS</i>		
Victim No CJS Contact	-.04	-.04
Victim with CJS Contact	-.06	-.08
Witness of crime	.00	-.02
Accused of crime	-.04	-.04
Public observer or jury	-.03	-.02

*Note.* All correlations greater or equal to |.05| are significant after correcting for multiple comparisons  $p < .05$ .

## II. Public Confidence Item

A multinomial logistic regression, using a cumulative logit model, was performed with the single public confidence item as the response variable, and demographic, information source, and contact factors as predictor variables.

The initial backwards model failed the score test for the proportional odds assumption, which tests the assumption that the predictors predict change between all levels of the response variable equally (e.g. from 1 to 2, and from 2 to 3). Separate backward logistic regressions were performed on the two possible recodes of the response variable (i.e., 1,2|3; 1|2,3). Predictors that were significant in both models were entered into a final model.

Overall, the final model predicted public confidence better than the null model,  $X^2(6, N = 4123) = 195.36$ ,  $p < .001$ . The estimated  $R^2$ , .05, which reflects how good the model is at predicting the response variable, was small. This suggests that the factors that were examined did not provide a fulsome understanding of the correlates of public confidence in the justice system.

Table 10 presents the regression coefficients, chi-square values, and blended odds ratios for the variables that made an independent contribution to the prediction of public confidence.

**Table 10.**  
***Predictors of the Stand Alone Public Confidence Item – Multinomial Logistic Regression***

	B	$X^2$	Odds Ratio
BC (vs. ON, QB, ATL)	-1.03	49.28	.63
Prairie (vs. ON, QB, ATL)	.70	22.92	.70
Helpful Neighbourhood	-.46	25.74	1.52
Age	-.36	22.08	.88
Education	.42	23.86	1.32
Victim with CJS Contact	-.12	41.78	.71

Note. All chi-square values are significant at  $p < .001$ .

Respondents from BC and Prairie regions expressed less confidence in the criminal justice system compared to the rest of Canada. Respondents who had more education and lived in a neighbourhood where people help one another expressed more confidence in the justice system. Respondents who were older and who had been the victim of crime which was processed by the criminal justice system, expressed less confidence in the system.

## III. Public Confidence Scale

A backward multiple regression was performed with the public confidence scale as the response variable and demographic factors, information sources, and prior contact with the justice system as predictor variables.

The final model predicted public confidence better than the null model,  $F(9,4114) = 35.05$ ,  $p < .001$ . Again, the model accounted for a small amount of the variance in the response variable,  $R^2 = .06$ . Table 11 presents the standardized regression coefficients,  $t$  values, and semi-partial correlations for the variables that made an independent contribution to the prediction of public confidence.

**Table 11.**  
***Predictors of the Confidence in the Justice System Scale Score – Backwards Multiple Regression***

	<i>B</i>	<i>t</i>	Squared semi-partial
PR	-1.98	-3.55	.00
QB	-2.81	-5.27	.01
Religious Identification	2.12	3.97	.00
Helpful Neighbourhood	3.67	5.88	.01
High Crime Neighbourhood	-1.97	-6.60	.01
Age	-1.47	-10.54	.03
Victim No CJS Contact	-2.42	-4.52	.00
Victim with CJS Contact	-3.54	-5.59	.01

Note. All  $t$  values are significant at  $p < .001$

Relative to respondents in the Ontario, Atlantic, and BC regions, respondents in the Prairie and Quebec regions expressed lower levels of confidence in the criminal justice system. In addition, respondents who were older, lived in a high crime neighbourhood or had been a victim of a crime all reported lower levels of confidence. In contrast, respondents who identified with a religion and who lived in a helpful neighbourhood reported higher levels of confidence in the justice system.

*Public Confidence in the Justice System Scale Construction*

*Goals*

- Q13A Dealing with crime promptly
- Q13B Bringing people who commit crimes to justice
- Q13D Tackling the causes of crime
- Q13E Helping victims of crime
- Q13F Reducing levels of crime

*Fairness*

- Q15A The police
- Q15B Crown Attorneys/Prosecutors/Counsel
- Q15C Defence lawyers
- Q15D Judges
- Q15E Probation officers
- Q15F Parole boards
- Q15G Prison authorities
- Q15H Victim services

*Police*

- Q17A Preventing crime
- Q17B Detecting and arresting offenders
- Q17C Responding quickly to calls for help
- Q17D Helping victims and witnesses

*Courts*

- Q19A Accurately determining who is guilty and who is not guilty
- Q19B Giving sentences based on the facts of each case
- Q19C Respecting the rights of people charged with a crime
- Q19D Treating crime victims with sensitivity

*Corrections*

- Q22A Preventing prisoners from escaping
- Q22B Helping to prepare prisoners to lead law abiding lives while on release
- Q23A Deciding which prisoners should be released on parole
- Q23B Deciding what rules prisoners should follow after being released on parole

*Youth*

- Q25A Preventing crime by young people
- Q25B Repairing harm done to victims and communities
- Q25C Holding young people responsible and accountable for their actions
- Q25D Reducing re-offending by young people
- Q25E Providing alternatives to formal court proceedings

## (II) Family Justice System

### Introduction

This technical report describes a preliminary analysis for public confidence in family justice system (FJS); it is part of the report of public confidence survey. The first part of this report answers the following two questions:

1. Is confidence level in the FJS influenced by a person's direct<sup>14</sup> or indirect<sup>15</sup> experience with FJS?
2. Is there a correlation between confidence in family justice system and that in criminal justice system(CJS)?

The second part of this report presents the results from logistic regression, which uses the demographic variables and respected sources of information to predict people's confidence in family justice system.

### Method

#### *Missing Values*

There were 4503 respondents in the selected sample. In the family justice system questions there were some missing values in each of the questions. For the variable such as Q1D (How much confidence do you have in FJS?), there were 340 missing value out of 4503 respondents. Missing data are a part of almost all surveys. There are a number of alternative methods of dealing with missing data, each method has its advantages and shortcomings. First, there is complete case analysis, which restricted analysis to those subjects with no missing data on the variables of interest. The disadvantage of this method is that: it ignores possible systematic difference between completed cases and in-complete cases; the standard errors will generally be larger in reduced sample because less information is utilized; the result will be biased if the reduced sample is not a random sub-sample of the original sample. Second, the single imputation method substitutes a value for each missing value; for example replace missing data with mean of non-missing values. The disadvantage of this method is that it results in the sample size being over-estimated, the variance and standard errors being underestimated.

Third, the "multiple imputation" method imputes a complete data set, and fills in missing values with values drawn from the distribution of the original data. The multiple imputation is under the assumption of that data are missing at random. Multiple imputation is superior to listwise, pairwise, and mean substitution methods of handling missing data in most case. Its disadvantages include: (1) the time intensiveness in imputation five to ten databases; (2) testing models for each database separately; and, (3) recombining the model into one summary. Because there was a high number of missing value in certain variables, the multiple imputation method was chosen to generate the missing values. The following is the flow chart of multiple imputation:

(1) Create  $m^{16}$  hypothetical versions of the dataset (PROC MI in SAS) and adds a variable `_IMPUTATION_` to each set.

=====>(2) Conduct standard analysis,  
repeated  $m$  times  
(Use `BY _IMPUTATION_` statement in SAS)

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<sup>14</sup> Direct experience means that the person used the family justice system in past five, six to ten years.

<sup>15</sup> Indirect experience means that respondents have a close friend or family member who has used the family justice system in last ten years.

<sup>16</sup>  $m=5$  for this report, there are five data sets generated from multiple imputation.

=====> (3) Combine the  $m$  sets of results to quantify the uncertainty due to imputation (PROC MIANALYZE in SAS)

For this study, because the pattern of missing data is arbitrary, the MI procedure uses Markov Chain Monte Carlo Method (MCMC)<sup>17</sup> to generate random variables in multiple chains, producing  $m$  sets of completed data. Parameter estimates are computed  $m$  times by the procedures that used to analyzing the data, and generating valid statistic inferences. The MIANALYZE procedure reads the estimated parameters and associated covariance matrix to produce final results. The results indicated that the relative efficiency of the multiple imputation model was greater than 97%.

## Result and Analysis

All the analyses used data generated from multiple imputation method.

### 1. Relationship between people's experience with FJS and their confidence in FJS, correlation between FJS and CJS (criminal justice system)

The logistic regression and correlation were used to answer the question that mentioned above. The result from logistic regression indicated that people with (direct or indirect) experience had less confidence in family justice system; specifically, people without experience with family justice system were 1.5 times more likely than people with experience to have higher confidence in family justice system. And the R-SQUARE (measuring the association between independent variables and dependent variable) values were small and insignificant (ranging from 0.01 to 0.0078 for the five different imputations/data sets), which means the model does not fully explain the association between people's experience with FJS and their confidence in family justice system.

Moreover, people with indirect experience with FJS were less likely to have higher confidence in FJS than people without experience; and people without experience with FJS were 1.3 times more likely to have higher confidence in FJS than people with indirect experience. The model also demonstrated that the relationship between people with direct experience with FJS and their confidence in family justice system was not significant. The R-Square for the model ranged from 0.0025 to 0.0039 for the five imputation models.

Parameters	estimate	Odds ratio	Fraction of <sup>18</sup> Missing Information $\lambda$	Relative Efficiency $=1/(1+\lambda/m)$
People with experience in FJS	- 0.383228	0.68	0.11	0.98
People with indirect experience with FJS	-0.250872	0.78	0.11	0.98

P<0.0001

There was a positive and significant correlation between people's confidence with the CJS and the FJS, which means people who had higher confidence in CJS also had higher confidence in FJS (correlation of 0.5 between FJS and CJS,  $P < 0.0001$ ).

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<sup>17</sup> A Markov chain is a sequence of random variable in which the distribution of each element depends on the value of the previous one. In MCMC, one constructs a Markov chain long enough for the distribution of the elements to stabilize to a common distribution.

<sup>18</sup> Fraction of missing information quantifies how much more precise the estimate might have been if no data had been missing.

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## 2. Predictors of the Confidence in the Family Justice System –Multiple Logistic Regression

The purpose of this public confidence survey was to determine the predictors of public confidence in the family justice system. In order to accomplish this goal, the association between respondents' confidence in FJS with two groups of independent variables: (1) demographic variables and (2) respected sources of information about family justice system were analyzed.

The demographic variables included:

- Gender
- Age
- Visible minority status
- Aboriginal status
- Disability status
- Whether or not born in Canada
- Language spoken at home
- Religious affiliation
- Place to live (rent or own)
- Marital status
- Previous marital status
- Income
- Education
- Living in a helpful neighbourhood, where neighbours help each other
- Region

The respected sources of information included:

- Respondent's own personal experience in resolving a family justice matter
- The experience of friends and family
- News papers and magazines
- TV or radio news

Stepwise logistic regression was used to predict public confidence based on the independent variables. The following table shows the results from the final model, which includes regression coefficients, standard error, odds ratio, fraction of missing information and relative efficiency. The multiple R-SQUARE range from 0.052 to 0.056 for five imputations (correlation coefficient of about 0.23), which means the model did not fully explain the association between public confidence in FJS and independent variables.

Parameters	Estimate	Std Error	Odds Ratio	Fraction of Missing Information $\lambda$	Relative Efficiency $=1/(1+\lambda/m)$
English Speaking	-0.283314	0.078019	0.75	0.03	0.99
Helpful Neighbourhood	0.565713	0.096452	1.76	0.11	0.98
Age under 25	0.810268	0.108927	2.25	0.18	0.97
Age between 25-44	0.331676	0.075844	1.39	0.02	0.99
Education less than college	-0.334452	0.078906	0.72	0.01	0.99

Significant level  $p < 0.001$

The result indicated that people who spoke other language at home had higher levels of confidence in the FJS than people who spoke English at home. People who lived in helpful neighbourhoods had higher confidence in the FJS, than people who lived in neighbourhoods where people do not help each other out much. People who were younger had higher confidence in the FJS. And people with college or higher education had more confidence in FJS.