Examining the relationship between procedural justice and compliance in the night-time economy

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Assessing compliance

- **When?** Short-term, mid-term and long-term compliance
- **Why?**
  - Five motivational postures (Braithwaite (2003))

<table>
<thead>
<tr>
<th>Motivational Posture</th>
<th>Enforcement Strategy</th>
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<tr>
<td><strong>Deference</strong></td>
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<tr>
<td><strong>Commitment</strong></td>
<td>- willing acceptance of authority</td>
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<tr>
<td><strong>Capitulation</strong></td>
<td>- unwilling acceptance of authority</td>
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<tr>
<td><strong>Defiance</strong></td>
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<tr>
<td><strong>Resistance</strong></td>
<td>- mistrusts the motives, so challenges authority</td>
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<td><strong>Disengagement</strong></td>
<td>- mistrusts motives, sees no point in challenging authority</td>
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<td><strong>Game-Playing</strong></td>
<td>- disrespects the law, enjoys trying to find loopholes/evade punishment</td>
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Distributive (In)justice, Neutrality and Trustworthiness

- ‘Offenders’: I/They “haven’t done anything!”
  - Notions of proportionality related to the offence and the offender
  - Provocation impacted upon perceptions of police trustworthiness

- ‘Victims’: Why aren’t you taking action?!

- The importance of social distance and social identity

- When do people move between postures of defiance and postures of compliance?
Procedural Justice and the Social Disciplinary Model

- Officers decide whether/when to intervene in offending behaviour and what, if any, formal action to take.
  - People are responding to objectively (and distributively) unfair treatment
  - “this situation…does not produce feelings of unfairness, powerlessness and resentment as unforeseen by-products. These processes are designed to induce such feelings.” (Choongh 1997, p205)

- Procedural justice emerges (or doesn’t) as part of police-citizens interactions and compliance is contingent, people move from willing – unwilling compliance – resistance (and back)
Questions and Tentative Conclusions

• Is there a sixth posture? Compliance in the NTE is often compelled. People accept the general authority of the police, but question their specific motives. They seek recognition.
  • The best enforcement strategy for people with postures of ‘compulsion’ might be a procedurally fair approach of ‘negotiated regulation’.

• Do my findings, about the role of compulsion and its relationship with legitimacy accord with your research/experiences of policing?

• For practice:
  – Increasing citizens’ voice in decision making seems to be a clear route to more committed postures

• For research:
  – Operationalising distributive justice, procedural justice, legitimacy and compliance (both in theory and in practice).
  – What is the relationship between social distance, social identity and social disciplining?
Thank You!

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