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**Public Attitudes to Crime and Punishment: A Review  
of the Research.**

Report Prepared for The Esmee Fairbairn Charitable Trust

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### **Abstract**

Esmee Fairbairn Charitable Trust commissioned the current literature review in order to inform their current programmes on public attitudes to crime and punishment. In this regard, this review focuses on research that has examined the nature and determinants of public attitudes to crime and punishment, with an emphasis on psychological literature. First, the question of whether the public are becoming more punitive towards offenders is explored and based on the available research, it is concluded that the public may not be as punitive as the media and other sources seem to suggest. Second, research examining demographic differences in attitudes to crime and punishment is reviewed. Although, there are some reported demographic differences in attitudes to crime and punishment (e.g. older people are more likely to support severe sentencing practices), these studies do not provide insight into the psychological mechanisms that might influence such differences. Consequently, the third section of this review focuses on studies that have directly examined differences in attitudes to punishment in relation to psychological factors. There is research evidence suggesting that attitudes to punishment may be significantly influenced by ideological beliefs (e.g. conservatism), religiosity and fear of crime. Further to this, the role of the media in attitudes to crime and punishment is also examined. Although, there are no studies directly examining the media's influence on attitudes to crime and punishment, there is some indication that heavy media consumption relates to the development of punitive attitudes towards offenders. Finally, the implications of the reviewed literature in terms of future research and intervention strategies is discussed. It is noted that the studies reviewed in this paper suggest a number of interesting targets for interventions. However, since the majority of the research in this area has been conducted in the USA or Canada, problems with generalisability indicate a need

for UK based studies to be conducted before such intervention strategies can be designed and/or implemented.

## **Background**

The current literature review was commissioned by the Esmee Fairbairn Charitable Trust in order to inform its forthcoming research and intervention programmes on public attitudes to crime and punishment. The proposed programmes will be based on the assumption that imprisonment should only be used as a last resort in cases involving criminal offences. This assumption is consistent with psychosocial and criminological research evidence that has shown how tougher sentencing and imprisonment have negligible effects on reducing re-offending rates. However, there is a strong case to be made for the necessity of public support for alternatives to imprisonment so as to ensure effective implementation. In this regard, this paper will examine psychosocial research that has examined the nature and determinants of public attitudes to crime and punishment.

Six major questions will be addressed in the literature review:

- Is the public as punitive as is often suggested by the politicians and the media?
- Which demographic groups favour punitive sentences for offenders?
- What are some of the psychosocial factors that influence attitudes to punishment?
- How much influence does the media have on public attitudes to crime and justice?
- What are some possible directions for future research on public attitudes to crime and punishment in the UK?
- How can some of the research findings reviewed be utilised, in line with psychological research on attitude change, to design intervention strategies to change attitudes to crime and punishment?

The objective of the review is to provide some useful insights into the psychosocial dynamics of public attitudes to crime and punishment so that potential directions for future research and intervention programmes may be identified.

## **Introduction**

It is generally accepted that the legal system cannot function effectively without a certain amount of public support (Dicey, 1962; Hough & Moxon, 1985; Kaukinen & Colavecchia, 1999; Langworthy & Whitehead, 1986). Public perceptions of the criminal justice system are important because there is a certain amount of interdependency between members of the general public and the criminal justice system (Kaukinen & Colavecchia, 1999). For example, the public relies on law enforcement agencies to arrest and punish guilty offenders so as to prevent further victimisation of other individuals (Kaukinen & Colavecchia, 1999). Similarly, the criminal justice system depends on public participation such as public's willingness to report crimes and their participation in the court process as witnesses or jurors. Kaukinen and Colavecchia (1999) note that when the public is dissatisfied with the performance of the criminal justice system, they may be less willing to comply with the law and may turn to vigilante forms of justice. Indeed, general dissatisfaction with the criminal justice system has been found to be significantly related to gun ownership by members of the public in the United States (Young, 1985). As such, it can be argued that public trust in the criminal justice system is important, especially if the system intends to make its decisions binding without having to resort to political force (Chanley, Rudolph and Rahn, 2000).

Given the importance of public attitudes to crime and punishment, there has been a substantial growth in research examining public perceptions of the various facets of the criminal justice system in the last two decades (Jaccoby & Cullen, 1998). A large majority of this research has been published in criminological journals (e.g. *Journal of Criminal Law and Criminology*), which tend to have a slight sociological

bias. As an example, a recent paper by Melossi (2000) examines the changing representations of the criminal by looking at societal factors. Melossi argues that societal representations of the criminal change in a somewhat cyclical fashion. In times of relative prosperity, good economic conditions and optimism, society tends to be more sympathetic towards to the criminal. However, in situations of socio-economic crises, attitudes towards criminals are less sympathetic. Citing the doctrine of less eligibility<sup>1</sup>, Sparks (2000) also argues that prison regimes tend to be more 'austere' during times of economic recession. Recently, Kury and Ferdinand (1999) observed that members of the public in Eastern European countries have become more punitive due to the social uncertainties brought about by the demise of communism. As such, from a sociological perspective, it can argued that public attitudes to crime and justice are partly influenced by socio-economic dynamics.

The above research is important because it describes and attempts to account for changes in public attitudes at a societal level. However, it is also possible to argue that there are important individual differences in attitudes to criminal justice within any given society. The present paper reviews some of the research that has attempted to account for individual differences in justice attitudes from a social psychological perspective. First, the assumption, by most politicians and the media, that the public is becoming more punitive towards criminals will be examined. On the basis of research evidence, it will be argued that politicians and the media may be over-estimating the levels of punitiveness in public attitudes. Furthermore, a general discussion by policy makers concerning whether the public is punitive, obscures important individual differences in people's attitudes to crime and punishment Accordingly, the second

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<sup>1</sup> The doctrine of less eligibility is essentially the notion that prison conditions must be worse than the living conditions of the working poor in that society (Sparks, 2000).



part of the paper will consider some of the psychosocial factors that have been examined in attempts to account for individual variability in opinion.

The first psychosocial approach to be discussed examines the role of socio-demographic factors such as race (e.g. Hurwitz & Peffley, 1997) and gender (e.g. Gault & Sabini, 2000) in attitudes to crime and punishment. Although, socio-demographic factors are arguably non-psychological, the possible psychological mechanisms that may result in such factors influencing attitudes will be discussed. The second approach to be considered attempts to link punitive attitudes to particular personal values and attitudes (e.g. Baron & Hartnagel, 1996). The issue of concern here is whether people who hold particular attitudes and values (e.g. conservatism or religiosity) are more likely to favour punitive disposal of criminals. Third, the question of whether fear of crime and victimisation (vicarious or personal) influence punitive dispositions will be considered. Fourth, the role of the media in influencing attitudes to crime and punishment will be examined. Finally, the review will briefly discuss the psychological literature on attitude change and attempt to show how the research reviewed here may be utilised in designing intervention strategies to change attitudes to crime and punishment.

### **Attitudes to Crime and Punishment: Are the Public Punitive?**

A cursory glance at media reports and political speeches may lead to the conclusion that the British public increasingly favours punitive disposal of criminals (Hough & Moxon, 1985; Hough & Roberts, 1998). The media and politicians are often heard uttering rhetoric about 'getting tough' on crime (and the causes of crime). Recently, the Conservative Party leadership controversially advocated the rights of

citizens to shoot burglars who break into their homes. In defence of proposing such reactionary policies against criminals, politicians often cite findings from opinion polls (e.g. Gallup, Channel Four or BBC) that suggest the public demands tougher policies on crime (Applegate, Cullen & Fisher, 1997; Cullen, Wright & Chamlin, 1999). Consequently, it would seem that the public are more concerned with punishing convicted criminals through the use of tougher prison sentences than they are with rehabilitating offenders. The question of interest to psychosocial researchers has been whether the public (in both Britain and USA) is really as punitive as the media and politicians suggest.

As early as 1985, Hough and Mayhew reviewed findings from the 1984 British Crime Survey and noted that the criminal justice system needs to take into account the possibility that people may not be as punitive towards criminals as is often suggested. Researchers who have reviewed findings from the 1996 and 1998 British Crime surveys have reached similar conclusions. For example, Hough and Roberts (1998) examined the 1996 British Crime Survey and reported that there was less support for prison-based sentences than expected. Likewise, results from the 1998 British Crime Survey suggest that the British public do not strongly support the building of more prisons, rather they seem to support alternatives to imprisonment, such as community based sentences (Matisson and Mirrless-Black, 2000). Researchers in the United States and Canada also report similar findings (e.g. Applegate, Cullen & Fisher, 1997; Cullen, Skovron, Scott & Burton, 1990; Sprott & Doob, 1997; Sundt, Cullen, Applegate & Turner, 1998). It is important to note that these findings are consistent with the conclusions of a recent analysis of MORI trend data conducted on behalf of Esmee Fairbairn (2001). Thus, it would seem that the

media and politicians over-estimate the punitive nature of public attitudes to crime and punishment, when they appeal for tougher sentencing.

If it is the case that people are not as punitive as is often suggested, then this raises the issue of why politicians and the media should insist on ‘tough on crime’ policies. Kury and Ferdinand (1999) note that politicians tend to rely too heavily on data obtained from poorly conducted public opinion polls. As already noted, opinion polls often produce results that differ sharply from the findings and conclusions of the scientific community. In any case, a broad discussion of whether the members of the general public hold punitive attitudes obscures the likelihood that people’s attitudes to punishment will differ. A more useful approach, especially if that ultimate goal is changing attitudes, would be to explore the possibility of accounting for individual variability in attitudes (c.f. Eagly & Chaiken, 1993). To this effect, the question becomes whether certain types of people hold more punitive attitudes than others and if so, how might these people be differentiated (c.f. Baron & Hartnagel, 1996).

Another major problem that may result in the noted discrepancies in research findings concerns the definition and measurement of punitiveness. Kury and Ferdinand (1999, as well as Thomson & Ragona, 1987) note that a majority of the opinion polls that report the public to be punitive, employ rather broad measures of attitude. An example item is; “In your view are sentences too harsh, about right, (or) not harsh enough?” (Kury & Ferdinand, 1999, p. 375). Indeed, Roberts (1992) remarks that this type of question has never failed to generate the result that the majority of the public desire harsher penalties for criminals. This is because the above type of question does not provide respondents with the opportunity to express

views on alternatives to imprisonment, such as rehabilitation or community service. A number of social scientists (e.g. Roberts, 1992; Thomson & Ragona, 1997; Cullen et al., 1999) agree that a more useful approach would be to ask respondents to evaluate a number of specific aspects of the criminal justice system. Such criminal justice issues would include, among other things, rehabilitation (Cullen et al., 1999), conditional release (Samra-Grewal & Reosch, 2000), the employment of ex-offenders (Albright & Denq, 1996) and even the possible reintroduction of the death penalty (c.f. McGarell & Sandys, 1996). It is possible that different types of people may have different attitudes to each of the above aspects of the criminal justice system.

Also important is the question of how the public might differ in terms of attitudes to different types of criminal offences. There is a possibility that people agree with more punitive sanctions for violent rather than non-violent offences (Cumberland & Zamble, 1992). As a result, surveys that ask broad questions about people's attitudes to criminals and the use of imprisonment may actually produce misleading findings. The present paper provides examples of research that has explored public attitudes to specific aspects of the criminal justice system. What is exciting about some of the studies to be reviewed is that some researchers investigate people's attitudes to specific aspects of the criminal justice system while taking into account the influence of some of the individual difference factors noted above (i.e. gender, conservatism, religiosity). Studies of this kind are examples of, perhaps, the most comprehensive approaches to research in this area.

Before proceeding, it is important to comment that the majority of the research to be reviewed in this paper has been conducted in the United States and Canada.

Apart from the British Crime Surveys, there is an amazing paucity of research examining specific aspects of the public's attitudes to the criminal justice system in Britain. Although there are some similarities between the United States, Canada and Britain, there are also important socio-cultural differences, which may be relevant to public attitudes towards crime and punishment. For example, Tonry (1999) remarks that increases in the use of incarceration in America result from phenomena that are distinctly American, such as moralism and structure of government. Consequently, the majority of studies outlined below can only highlight *potential* areas for intervention strategies. This is because attitude research needs to be highly specific before interventions are implemented and further research is needed before intervention strategies targeting the British population can be designed.

### **Socio-Demographic Factors and Attitudes to Crime and Punishment**

A number of studies have examined whether belonging to a particular socio-demographic category (e.g. social class or gender) influences attitudes towards punishment (e.g. Hough & Roberts, 1998; Langworthy & Whitehead, 1986; Sanders & Hamilton, 1987). For example in Britain, Hough and Moxon (1985) observed that some of the variance in public attitudes to sentencing could be explained by generation and class differences. The authors found that older participants held more punitive attitudes than did younger respondents. These findings were replicated in the USA by Cullen, Clark, Cullen and Mathers (1985) who found that older respondents were more punishment oriented than were younger participants. Hough and Moxon (1985) also reported that manual workers and their families favoured custodial penalties, whereas non-manual workers did not. Similarly, findings from the 1996 British Crime Survey suggest that respondents with low educational attainment and

respondents from manual households were more likely to view sentencing as lenient and to under-estimate the severity of current sentencing practices (Hough & Roberts, 1998). Mattisson and Mirrless-Black (2000) note that low educational attainment seems to be strongly related to having a poor level of knowledge about the criminal justice system<sup>2</sup>. As such, age and socio-economic class seem to relate to attitudes towards crime and punishment, although a causal link cannot be established using relational methodology.

Researchers have also examined differences between males and females in attitudes to crime and punishment. McGarell and Flanagan (1985) found no gender differences for the support of community based interventions, such as increasing employment opportunities. Sanders and Hamilton (1987) also found no significant differences in punishment norms between men and women. Hough and Moxon (1985) reported marginal gender differences except for items concerning rape and soliciting. Surprisingly, men were more likely to favour custodial sentences for rape than were women and women were more likely to favour custodial sentences for soliciting. In contrast, findings from the 1996 British Crime Survey suggest that women are more concerned about the lenient sentences given for rape convictions than are men. In this survey, women were more likely to underestimate the length of sentence handed down for rape (Hough and Roberts, 1998). Mattisson and Mirrless-Black (2000) report some significant gender differences in the 1998 British Crime Survey. Men were more likely to say that magistrates and judges were out of touch and that sentencing was too lenient. Men also showed more support for the use of prison than did women.

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<sup>2</sup> MORI trend data also suggests that people from lower social class are more likely to be punitive. However, in contrast to the above findings, MORI trend data shows younger people to be more punitive than older people (Esmee Fairbairn, 2001).

From these findings, it is difficult to reach comprehensive conclusions about the role of gender in attitudes to punishment. While some studies report gender differences (e.g. Matisson & Mirrlees-Black, 2000), other studies note no such difference (Sanders & Hamilton, 1987).

The small amount of research that focuses on racial differences in attitudes to punishment also fails to show any consistent effects (Langworthy & Whitehead, 1986). In the United States, African-Americans seem to hold negative attitudes towards the criminal justice system (e.g. Decker, 1981; Flanagan & Vaughn, 1996; Weitzer & Tuch, 1999). However, race does not appear to have any influence on basic values towards crime and punishment (Langworthy and Whitehead, 1986). For example, whereas some studies show that blacks are less tolerant to deviance and recommend longer sentences in comparison to whites (e.g. Dunwoody & Frank, 1994), other research fails to produce similar effects (e.g. McGarell & Flanagan, 1985). Race, like gender, does not seem to have replicable effects on attitudes to crime and punishment. However, the majority of the research on this subject has been conducted in the United States. The two most recent articles examining attitudes to crime and punishment from data obtained from the British Crime Surveys (Hough & Roberts, 1998; Mattinson & Mirrlees-Black, 2000) do not report on race differences in punitiveness. Given some of the historical differences in race relations between Britain and the United States, research focusing on ethnic differences in attitudes to crime and punishment within the British context is necessary.

*Demographic differences in attitudes: How useful is this research?*

Although an examination of socio-demographic factors can produce useful information in terms of which population to target with particular intervention strategies, results from these studies often provide no more than descriptive outlines of demographic differences between individuals. These studies do not tell us *why* such demographic differences might exist. For example, research needs to explore why male and female attitudes seem to differ in terms of particular crimes. Research also needs to examine the psychosocial mechanisms that result in certain demographic categories appearing to be more punitive than others? Without this kind of research, appropriate intervention strategies would be difficult to design. It is not really useful to know what demographic category to target with interventions, without knowing what it is about that category of people that should be targeted (e.g. social values, levels of knowledge etc). To this end, some of the available research attempts to explain some of the observed differences between demographic groups.

Gault and Sabini's (2000) research attempts to offer explanations of gender differences in attitudes towards crime and punishment. They note that, due to socialisation processes, men and women may have different emotional orientations. Thus, on encountering the same stimulus (e.g. an offender), men and women may respond differently. Emotions can strongly influence people's responses because they focus attention and motivate actions (Schwarz & Clore, 1983). Accordingly, when an offence occurs, one person might focus on the perpetrator(s), become angry and develop the desire to punish them. Alternatively, another individual might focus on the victim, become sympathetic and develop the desire to comfort them (Gault & Sabini, 2000, p. 497). In a series of four studies, Gault and Sabini found consistent



gender differences in attitudes to punishment, which were mediated by gender differences in empathy. Women held less punitive attitudes than men, because they were more empathic than men. This study provides useful information as to why gender differences in attitudes to punishment may occur and suggests that any intervention strategies designed to reduce punitive attitudes should attempt to develop people's empathy levels. A potential problem with the Gault and Sabini's study is that participants in all four studies were American students. Hence, it is uncertain that a similar pattern of results would emerge from the general population in the U.K. or even in the USA.

Langworthy and Whitehead (1986) examined data obtained from a national poll conducted by ABC News in America. They concluded that it would be misleading to describe demographic differences in attitudes to punishment without reference to differences in levels of fear of crime. For example, the authors argue that older people tend to agree with more punitive sanctions than younger people but this effect is not a direct effect of difference in age. Their findings strongly suggest that elderly individuals are more punitive than young people because older people experience greater fear of criminal victimisation than do younger individuals (see Hale, 1996). Thus, age differences in attitudes to crime may be a function of differences in the experience of fear of crime, rather than age.

The examination of race as an influence on attitudes to crime and punishment seems to make sense when considered in terms of racial prejudices (e.g. Dovidio, Smith, Donnella & Gaertner, 1997). In this regard, it not only the race of the observer but also the race of the offender and victim that are critical. For example, Dovidio et

al. (1997) observed that white participants who scored high on racial prejudice were more likely to recommend the death penalty for black defendants rather than white defendants. Low scoring participants recommended the death penalty for black defendants only when a Black juror advocated it. Hurwitz and Peffley (1997) note that the negative stereotypes associated with racial minorities in America may have some impact on attitudes to crime and punishment. Using Computer Assisted Telephone Interviewing, Hurwitz and Peffley (1997) found that white Americans who agree that most criminals come from ethnic minorities were more likely to support punitive criminal justice policies. Thus, it seems that it is prejudiced beliefs rather than race alone that influences attitudes to crime and punishment.

The foregoing discussion strongly suggests that, although socio-demographic categories *seem* to influence attitudes to crime and punishment, these effects are not direct. Rather, the influence of demographics appears to be mediated by psychosocial factors such as emotional orientation, prejudice and fear of crime. In consideration of this, the current review will now evaluate research that has focused specifically on some of these psychosocial factors as predictors of punitive attitudes.

### **Ideology and Attitudes to Crime and Punishment**

People's ideological beliefs have a pervasive impact on how they respond to a variety of social stimuli (c.f. Finamore & Carlson, 1987). For example, Rubin and Peplau (1975) demonstrated a link between the belief in a just world<sup>3</sup> and support for government institutions. In a similar fashion, a number of researchers have been interested in the link between ideological beliefs and attitudes towards crime and

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<sup>3</sup> This is the belief that good things happen to good people and bad things will happen to bad people.

punishment. These researchers have focused on the effects of conservatism, religiosity, just world beliefs and the philosophical belief in 'free will'.

Finamore and Carlson (1987) conducted a study in which they examined the relationship between beliefs in a just world, religiosity and crime control attitudes. Two samples of 90 American college students completed a questionnaire containing items measuring attitudes to criminal justice, religiosity and just world beliefs. Finamore and Carlson employed inferential statistics to see if either religiosity or just world beliefs influenced attitudes to crime and punishment. Results revealed that both religiosity and just world beliefs predicted punitive attitudes and that neither variable moderated the other's effects. Highly religious participants and people with a strong belief in a just world were found to hold the most punitive attitudes towards offenders. In a similar series of studies, Grasmick and colleagues (e.g. Grasmick, Bursik & Kimpel, 1991; Grasmick & McGill, 1994; Grasmick, Morgan & Kennedy 1992) found that Christian fundamentalism strongly predicted individual support for the use of corporal punishment and punitive criminal justice policies. Grasmick and McGill (1994) conclude that people who are highly religious may consider people accountable for their own actions and thus, deserving of punitive punishments.

Studies have also explored conservatism<sup>4</sup> as a potential variable that could account for punitive attitudes (Cullen, Clark, Cullen & Mathers, 1985; Scheingold, 1984; Stinchcombe et al., 1980; Taylor, Scheppele & Stinchcombe, 1979). In Canada, Baron and Hartnagel (1996) conducted a telephone survey to assess the relationship between conservative attitudes and punitiveness toward juvenile offenders. They

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<sup>4</sup> Conservatism is usually measured by examining people's levels of agreement with statements that endorse traditional social values (e.g. marriage, family etc).

found that respondents holding conservative social values were consistently more punitive in their attitudes towards juvenile offenders than were liberal respondents. A number of independent studies have replicated this effect (Cullen, Clark, Cullen & Mathers, 1985; Scheingold, 1984; Stinchcombe et al., 1980; Taylor, Scheppele & Stinchcombe, 1979<sup>5</sup>). For example, Taylor et al (1979) found that conservative people were more punitive, regardless of their levels of fear of crime. Similarly, Stinchcombe et al. (1980) reported that liberal political views were consistent with more lenient criminal justice attitudes. These findings are consistent with MORI trend data, which shows that individual who vote for the Conservative Party are some of the most punitive members of the British public (Esmee Fairbairn, 2001). Langworthy and Whitehead (1986) argue that highly religious and conservative people are more punitive because they believe that criminals choose to offend, whereas liberals tend to hold more positivistic attitudes about criminal behaviour and consider environmental factors as important determinants of any social behaviour, criminal or otherwise.

There is also research evidence suggesting that individuals who hold people accountable for their behaviour are more likely to endorse punitive criminal justice policies (e.g. Cullen et al., 1985). In addition, some researchers have examined directly the relationship between the philosophical belief in ‘free will’ and punitiveness. As early as 1959, Nettler reported an American study, which showed that individuals who believed people are free to choose how to behave were more likely be punitive. However, Viney, Waldman & Barchilon (1982) failed to replicate this relationship and instead found that determinists<sup>6</sup> were more likely to be punitive towards offenders. Strossner and Green (1990) propose that the relationship between

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<sup>5</sup> Please note that all these studies were conducted in USA or Canada.

belief in free will and attitudes towards punishment may not be quite so simple. They differentiate between psychological and religious-philosophical determinism. Psychological determinists believe that environmental factors determine behaviour; while religious-philosophical determinists believe that God or fate acts to control behaviour (Stroessner & Green, 1990, p. 788). Using American college students, Strossner and Green were able to measure and statistically differentiate these two constructs. However, contrary to their predictions they found that individuals who scored high on psychological determinism were more punitive than religious-philosophical determinists and respondents who endorse free will. Consequently, a clear relationship between a belief in free will and punitive attitudes has yet to be established. Future researchers could attempt to clarify the nature of this relationship within a British context.

### **Knowledge of the Criminal Justice System and Attitudes to Punishment**

As already noted, members of the public tend to under-estimate the severity of sentencing practices within the criminal justice system (e.g. Hough & Roberts, 1998; Mattison & Mirrlees-Black, 2000). It is therefore possible that such ignorance concerning the operations of the criminal justice system may result in more punitive attitudes. In a recent study Samra-Grewal and Roesch (2000) tested the above hypothesis using Canadian undergraduate students. They measured participants' attitudes to parole, using a scale developed by the authors (The Parole Attitudes Scale; PAS). In addition, they also measured participants' level of knowledge about criminal justice issues. Results suggested that respondents who are more familiar with the workings of the criminal justice system tend to be more in favour of parole than

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<sup>6</sup> People who believe that factors outside individual's control (e.g. genetic, social or environmental) are more important in accounting for human behaviour.

participants who have little knowledge about the criminal justice process. Here, there is some indication that increasing the public's knowledge and understanding of the criminal justice process might result in a reduction of punitive attitudes. Given that there is already some British data published concerning which demographic populations have low levels of knowledge about the criminal justice system (see Hough & Roberts, 1998; Mattison & Mirrlees-Black, 2000), targeting these groups with an aim to improve knowledge of the criminal justice system could be useful.

### **Attitudes to Specific Aspects of the Criminal Justice System**

The criminal justice system in the U.K. is composed of several departments that are involved in variety of different ways with offenders (e.g. the courts, prison service, and probation offices). Even the prison service can be viewed as serving more than just one function. Legal theorists have argued that prisons can serve a retributive, deterrent and rehabilitative role (see Duff & Garland, 1994). Given that these are distinct roles, each with different aims and potential outcomes, it can be argued that people's attitudes to each component need to be examined separately. Chung and Bagozzi (1997) investigated whether retribution, deterrence and rehabilitation make up three distinct components of attitudes to punishment. They developed three verbal measures of each component and measured attitudes using a Likert-type scale. Statistical analyses indicated that attitudes did consist of 3 components. These findings indicate that future research should take into consideration each attitudinal component distinctly, instead of only utilising global measures. This might offer a clearer picture of the attitudes people hold in terms of crime and punishment.

In addition, Applegate, Cullen and Fischer (1997) conducted a study in which they specifically focused on people's attitudes to rehabilitation as a prison goal. They criticised previous studies for focusing exclusively on the retributive aspects of the criminal justice system. Respondents were 559 residents of Ohio (USA). Applegate et al. specifically asked participants what they thought the main function of the prison service should be; to punish, to protect society or to rehabilitate offenders. Participants were then asked to rate each goal in terms of importance on a Likert-type scale. Their results showed that, contrary to previous research, there was strong support for rehabilitation policies. Applegate et al. concluded that previous researchers might have over-estimated the punitive attitudes of the American public due to biased global measures of attitudes. Although there is clearly some support for punishment-oriented policies, members of the public may not be exclusively retributive. Similar studies differentiating attitudes to these specific aspects of the prison service need to be conducted in the British context.

A recent study (Kaukinen and Colavecchia, 1997) examined demographic differences in attitudes to specific aspects of the criminal justice process. Kaukinen and Colavecchia (1997) focused on the public's perception of the courts' ability to play two different roles; help victims of crime and protect the rights of the accused. Participants were 10,385 Canadians who responded to a general social survey. Specific items in the survey asked respondents to rate the ability of courts to protect citizens or help victims. Data analysis revealed a rather interesting pattern of results. Respondents from higher socio-economic groups most often expressed dissatisfaction with the ability of the courts to protect victims. In contrast, respondents from lower socio-economic categories were more dissatisfied with the ability of courts to protect

the rights of accused individuals. This pattern of results clearly indicates that generalisations about people's attitudes to the criminal justice system can be highly misleading. There is a need to specify the aspects of the criminal justice system under consideration and the specific social groups whose attitudes are being assessed. Needless to say, this type of research needs to be conducted within a British context.

Tygart (1992) specifically examined the use of insanity or mental illness as a defence in court and the role of traditional or orthodox religious beliefs, political conservatism and the philosophical belief in free-will. Eight hundred Los Angeles residents took part in a telephone survey. Results revealed that respondents who are highly religious, politically conservative or hold philosophical beliefs in "free-will" were less inclined to accept an insanity plea as a defence. Homant et al (1986) also found that ideological beliefs were a significant determinant of individual's attitudes to the insanity defence. Individuals who felt that people should be held accountable for their behaviour were less likely to accept of insanity or mental illness pleas. These findings, although similar to some of the research on ideological beliefs already reported in this paper (e.g. Baron & Hartnagel, 1996; Cullen et al, 1985; Finamore & Carlson, 1987), further indicate that specific aspects of attitudes to crime and punishment need to be examined.

Furthermore, research indicates that public attitudes towards prison and prisoners also significantly influence whether or not employers will be willing to hire ex-offenders after they have completed their sentence. Studies indicate that most ex-offenders often remain unemployed or find work in menial jobs (e.g. Dale, 1976; Taggart, 1972). Unfortunately, unemployment has been linked to high recidivism



rates amongst ex-offenders (e.g. Curtis & Schulman, 1984) and so the importance of improving public attitudes to employing ex-offenders cannot be over-emphasised. In an attempt to examine issues relating to the employment of ex-offenders, Albright and Denq (1996) asked three hundred employers from Dallas and Houston to complete a survey questionnaire in which levels of agreement with statements such as: "I am inclined to hire an ex-offender" were assessed (Albright & Denq, 1996; p. 122). Results indicated that employers were generally unwilling to hire ex-offenders. However, ex-offenders' educational levels did improve employment opportunities. A further influence on employer willingness to hire ex-offenders was the type of offence committed by the ex-offender. Employers seemed less willing to employ individuals with records of violent or sex offences. Whether similar factors influence the willingness of British employers to hire ex-offenders needs to be examined in future research.

### **Type of Offence and Punitiveness**

Type of offence committed does seem to play an important role in the attitudes people hold towards crime and punishment. For example, in a series of studies, Sandys and colleagues (e.g. McGarell & Sandys, 1996; Sandys & McGarell, 1995) observed that the American public did not strongly support the death penalty in cases involving juvenile offenders. Using a similar population, Hamilton and Rytina (1980) found that the severity of punishment chosen by members of the public was determined by the seriousness of the crime committed by the offender (i.e. the extent of harm done). Jaccoby and Cullen (1998) observed that prison was not invariably recommended by members of the public for all types of offences. Instead, the public favoured prison for violent and sex-offences rather than for larceny worth ten dollars.

In support of this an earlier study examining attitudes towards the early release of prisoners found that people were more likely to favour leniency for non-violent offenders (Cumberland & Zamble, 1992). In Britain, Hough and Moxon (1985) report that the public believed sentences to be too lenient, but only for those who committed burglary.

Repeat offenders also elicit little sympathy from members of the public (Roberts, 1996). Finkel, Maloney, Valbuena and Groscup (1996) asked American participants to 'sentence' offenders with different levels of repeat offending. They found that participants 'sentencing' an offender who had six previous convictions were far more punitive than participants who were unaware of the offender's previous criminal record. Similarly, Mattison and Mirrlees-Black (2000) found that British participants were more likely to favour punitive sanctions for repeat offenders. It appears as if the public considers repeated offending as a sign of an individual's unwillingness to conform to standards of acceptable behaviour. As such, it cannot be claimed that the public hold uniformly punitive attitudes towards all offenders. Rather, punitiveness may be influenced (amongst other things) by the type of offence and the offender's previous criminal record.

### **Fear of Crime and Attitudes to Crime and Punishment**

Fear of crime is a critical issue in contemporary criminal justice policy because of its potential to create social misunderstanding concerning the reality and nature of crime (Ito, 1993). Although some awareness and concern about crime could be considered to be healthy or even adaptive, taken to its extremes fear of crime can have adverse effects on the quality of people's lives (Hale, 1996). Fear of crime can

destroy any sense of community by transforming certain parts of the neighbourhood into no-go areas and making people fearful of their neighbours (Hale, 1996; Wilson, 1975). People who are afraid of being victimised may change their behaviour, stay at home more and avoid activities they view as potentially dangerous, such as travelling on public transport (Garafalo, 1981; Hale, 1996; Patterson, 1985). There is evidence to suggest that women avoid going out alone at night or going to certain places in their neighbourhoods due to fears of sexual assault (Gordon & Riger, 1989; Mirrlees-Black & Allen, 1998; Warr, 1985). Elderly people are reported to have become so afraid that they are virtually prisoners in their own homes (Joseph, 1997, Wallace, 1990). Such withdrawal from the community can contribute to the further breakdown of social attachments and result in the atomisation of neighbourhood life (Hale, 1996).

Besides the above noted effects of fear of crime, researchers have also examined the potential for fear of crime to influence attitudes to crime and punishment. It has been argued that fear of crime can lead to an increase in public attitudes consistent with punitive sanctions and also a reduction in the appeal of liberal criminal justice policies (Hale, 1996). However, the results obtained from research in this area have been equivocal. For example, Ouimet and Coyle (1991) examined whether fear of crime was related to sentencing punitiveness. Using data obtained from a survey of the general public in Montreal (Canada), Ouimet and Coyle found no significant relationship between fear of crime and attitudes favouring severe sentencing. Other researchers have also found no significant effects of fear of crime on attitudes to crime and punishment (e.g. Fagan, 1981; Flanagan, McGarell & Brown, 1985, Langworthy and Whitehead, 1986). These findings have led researchers

such as Brillon (1988) to conclude that there is no significant relationship between fear of crime and punitive attitudes.

In contrast, other researchers have reported significant relationships between fear of crime and punitive attitudes. Myers (1996) found that respondents who believed their neighbourhood to be unsafe were more likely to perceive the courts as too lenient. Rossi, Simpson and Miller (1985) presented participants with vignettes describing different types of crime and found that individuals who were more worried about crime were also more likely to recommend harsher sentences. In the UK, Hough and Moxon (1985) found that respondents who were fearful of crime were more likely to advocate heavier sentences. Hough, Lewis and Walker (1988) also reported fear of crime as one of the factors significantly associated with attitudes favouring punitive sentencing in England and Wales.

A recent Canadian study (Sprott and Doob, 1997) attempted to deal with the discrepancies regarding the role of fear of crime in attitudes to crime and punishment. Sprott and Doob (1997) note that most of the discrepancies in research findings may result from differences in the methodologies used by researchers. While some researchers have focused on sentencing severity for specific cases, others have utilised more global measures. Furthermore, asking respondents to 'sentence' offenders is not the only indicator of attitudes to crime and punishment that can be employed. Sprott and Doob (1997) assessed the relationship between fear of crime and attitudes to the courts and the police. They found that the higher an individual's level of fear, the more likely they were to rate the courts and the police negatively. Thus, although there are a few discrepant findings, the majority of recent studies (e.g. Myers, 1996;

Sprott & Doob, 1997) seem to suggest that fear of crime is associated with an increase in public punitiveness.

### **Victimisation and Attitudes to Crime and Punishment**

Although it would seem logical to suggest that personal experience of victimisation should result in more punitive attitudes to crime and punishment, researchers have generally failed to produce such findings. In fact, researchers have even failed to conclusively link experience of victimisation with a subsequent fear of crime (Hale, 1996; Langworthy & Whitehead, 1986; Sheley, 1985). Dull and Wint (1997) conducted a longitudinal study on 271 American college students. They measured how attitudes towards the criminal justice system might change over a four-year period as a result of victimisation. Participants' attitudes were initially measured in the freshman year and then again in the senior year. Dull and Wint (1997) found that individuals who had been victimised during the period of the study were more likely to express negative attitudes towards the police. Victims of crime were less likely to believe that the police were effective in dealing with crime. In their study, Sprott and Doob (1997) also found that victims of crime were more likely to rate the courts and police negatively in terms of their ability to process cases quickly and help victims.

However, such findings are rare in the research literature. The majority of studies show no relationship between victimisation and punitive attitudes. This is especially the case in studies conducted in Britain. Hough and Moxon, (1985) report that in the 1984 British Crime Survey, "...victims of crime were no more punitive than others" (p. 171). Findings from the 1996 British Crime Survey show no indication

that victimisation fuels the desire for harsher penalties (Hough & Roberts, 1998). Mattison and Mirrlees-Black (2000) also report no evidence that being a victim of crime increases the punitiveness of respondents to the 1998 British Crime Survey. Studies conducted in the USA and Canada have also found that vicarious or direct victimisation has no significant effects on attitudes to the criminal justice system (e.g. Garafalo, 1981; Langworthy & Whitehead, 1986). The majority of research seems to suggest that victimisation has no real effect on punitive attitudes. Thus, targeting victims of crime for attitude change may not be a particularly useful exercise.

### **The Media and Attitudes to Crime and Punishment**

With most members of the public now having almost unlimited access to newspapers, radio and television, very few researchers would contest the notion that the mass media has a pervasive influence on modern day societies (Heath & Gilbert, 1996). For example, Gerbner and Gross (1976) argue that television has taken over the role of elders as the primary storyteller. In this regard, television functions to construct reality for its viewers by providing them with an idea of what exists, what is important and what is right (Bryant, Carveth & Brown, 1981, Gerbner & Gross, 1976). The question that has been subject to intensive debate concerns whether the influence of the mass media is positive or negative. The media is often criticised for presenting a misleading portrayal of crime (Wright, Cullen & Blackenship, 1995). Hale (1996) notes that the media focuses mostly on sensational crimes and that “crime waves” are often produced by eager journalists. In a content analysis of the Canadian media, Roberts and Grossman (1990) observed that crime prevention stories were rare in comparison to stories describing individual crimes. Schlesinger, Tumber and Murdock (1991) content analysed British newspapers and found a high percentage of

reports on violence against the person, especially in tabloid papers. Such a misrepresentation of the level of occurrence and nature of criminal acts may lead to an increase in fear of crime and even the development of more punitive attitudes to crime and punishment.

There is a substantial amount of research examining the relationship between media consumption and fear of crime (e.g. Gunter & Wober, 1983; Heath & Gilbert, 1996). In a series of studies, Gerbner and colleagues (e.g. Gerbner & Gross, 1976; Gerbner et al, 1978, 1979) found that people who watched a lot of television were more likely to be fearful for their personal safety. In an experimental study, Bryant et al, (1981) found that people exposed to heavy television viewing were more likely to be anxious about personal safety. However, other researchers have failed to replicate these findings (Doob & McDonald, 1979; Wober & Gunter, 1982). For example, Gunter and Wober (1983) found that the British public do not show more fearfulness as a result of watching substantial amounts of television. Rather, television viewing seemed to result in the British public holding more beliefs in a just world. In a more recent review, Heath and Gilbert (1996) notes that the relationship between media consumption and fear of crime is complex. Studies show that television viewing relates to fear of crime for certain types of people. For example, Potter (1986) found that people who expressed belief in the veracity of television drama were more likely to experience fear of crime. In terms of newspaper readership, studies show that fear of crime is more likely to result from sensational stories in local papers rather than national papers (see Heath and Gilbert, 1996 for a review). In summary, it seems that media consumption does relate to fear of crime, at least for some people. However, it is important to note that the above findings are mostly correlational and therefore, not

conclusive evidence of cause and effect. It can also be argued that people who are afraid for their personal safety might stay in more and watch television.

Although the above studies examine the relationship between the media and fear of crime, the current authors could not locate any research directly examining media influences on attitudes to crime and punishment. However, an experimental study by American researchers Wakschlag, Vial and Tamborini (1983) seems to suggest that television viewing can result in people having more punitive attitudes. Wakschlag et al manipulated participants' initial apprehension by showing them either a crime documentary or a neutral (i.e. a film containing no reference to crime) film. Participants then had the choice of either watching a film in which there is victimisation and then justice is restored, or a similar film where justice is not restored. Analysis showed participants who watched the crime documentary were more apprehensive about crime than participants in the control condition. Furthermore, apprehensive participants were more likely to select a film in which justice was restored. Although, this study does not directly assess attitudes to crime and punishment, results suggest that watching a crime programme on television may increase people's desire to see offenders punished, in order to restore justice. However, studies directly examining this hypothesis directly need to be conducted.

### **Changing People's Attitudes: Some Insights for Psychological Research.**

So far, this paper has discussed a number of factors that may be important in determining attitudes to punishment. The critical question of interest is; how useful can the reviewed literature be in designing attitude change interventions? Changing attitudes has always been considered as essential because there is a considerable body



of evidence that attitudes can influence behaviour (e.g. Ajzen, 1988). So, in the case of Esmee Fairbairn's programmes, it is (implicitly or explicitly) assumed that attitudes towards crime and punishment will influence people's support or rejection of alternatives to imprisonment. Thus, for those who would like to see a reduction in attitudes favouring punitive sanctions, a positive change would result in less support for punitive punishments. However, it is interesting to note that early psychological empirical research revealed only a weak relationship between attitudes and behaviour (see Eagly & Chaiken, 1993 for a review). Indeed, Wicker (1969) published an article in which it was strongly argued that there was no relationship between attitudes and behaviour. Thus, a relationship that seemed intuitively logical did not appear to be supported by empirical data.

Wicker's criticism stimulated a great deal of research on the attitude-behaviour link. Among the many issues investigated, one issue of concern was the definition and measurement of attitudes. Researchers argued that measuring global attitudes often resulted in weak relationships between attitude and behaviour being observed (Eagly & Chaiken, 1993). Thus, it was proposed that specific measures rather than global measures of attitudes should be employed. This is an argument that has been raised in the present paper in an effort to articulate some of the discrepancies between findings from opinion polls and social science research. Measurement of specific attitudes to specific issues is critical to any intervention strategy. Intervention strategists have to be sure of the nature of the specific attitudes to be targeted before designing attitude change messages. As already noted, different types of people may hold different attitudes towards different aspects of the criminal justice system (e.g. Kaukinen & Colavecchia, 1997). As a result, initial research work on specific

attitudes to crime and punishment is critical, especially in Britain, before attempts at attitude change are undertaken. Either way, such research would provide the baseline measurement upon which the evaluation of the success of the implemented intervention strategies could be based.

In designing intervention strategies it is also important to consider, not just the specific nature of attitudes, but their function as well (Levin, Nichols & Johnson, 2000; DeBono, 2000). Two examples of attitude functions provided by Levin et al. (2000) are particularly relevant for this paper. First, attitudes may serve an *instrumental* function. Such attitudes assist people in navigating their social environment by enabling them to maximise rewards and avoid negative consequences. A good example of instrumental attitudes to crime and punishment is people who hold punitive attitudes due to fear of crime. Such people are motivated to avoid negative outcomes (i.e. victimisation) by holding attitudes that strongly support the incarceration of offenders. If imprisonment were more widely used there should be fewer offenders at large to pose some sort of threat to worried individuals. Second, attitudes may serve a *value-expressive* function. In this case attitudes are held because they reflect the person's values and self-concept. Thus, conservative or highly religious people may hold negative punitive attitudes towards offenders and other deviants because such attitudes are consistent with their general world-view (e.g. beliefs in free-will). Thus, in designing attitude change interventions it is important to consider attitude functions. For example, an attitude change message focusing on alleviating fear of crime may not have the desired impact on people who hold attitudes for *value-expressive* reasons. Again, there is little or no research addressing

these issues in Britain. Given the significance of attitude functions to attitude change, the importance of such research cannot be over-emphasised.

## **Conclusion**

The present paper reviewed research examining the nature and determinants of public attitudes to crime and punishment. Concerning the question of whether the public holds attitudes favourable to punitive disposal of offenders, the majority of research reviewed seems to suggest that this is not the case. The research does, however, reveal some interesting and important demographic differences in attitudes to crime and punishment. For example, the elderly seem to be more likely to support punitive criminal justice policies than younger people. Nevertheless, it is important to note that the influence of demographic categories on attitudes may not be direct. Rather, demographic categories seem to influence attitudes to crime and punishment to the extent that certain people in certain demographic categories also appear to possess certain psychological characteristics. For instance, research indicates that people who hold particular ideological beliefs (e.g. conservatism or religious fundamentalism) are more likely to approve of punitive sanctions for offenders. Also, individuals who have a high fear of crime appear to hold punitive attitudes towards offenders. Interestingly, the experience of criminal victimisation does not appear to influence attitudes towards crime and punishment. Although there are no research studies directly examining the role of the media in attitudes to crime and justice, some studies have identified how heavy media consumption relates to people endorsing punitive criminal justice policies.

The research reviewed does suggest some very interesting targets for future intervention strategies. For example, interventions could target individuals who fear victimisation with an aim to reduce this fear and, thus ameliorate punitive attitudes towards offenders. However, there is an important issue, already raised in this paper, which cannot be over-emphasised. This is the need for research examining attitudes to specific aspects of the criminal justice system within a British context. The paucity of such research has important implications for the design and implementation of effective intervention strategies. There are important cultural and historical differences between the USA (where the majority of research has been conducted) and Britain (cf. Tonry, 1999). Accordingly, a thorough understanding of the psychosocial dynamics of public attitudes to crime and punishment is necessary before intervention strategies are designed.

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