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# Confidence in the Justice System in British Columbia:

The Problem, Consequences and Potential Remedies

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On behalf of the British Columbia Branch of the Canadian Bar Association, I wish to thank Professor Neil Boyd of Simon Fraser University for his hard work in producing this report, *Confidence in the Justice System in British Columbia: The Problem, Consequences and Potential Remedies*. I am certain that this report will become an important benchmark for future initiatives seeking to address the level of confidence which the public has in British Columbia's justice system.

I would also like to thank the Law Foundation of British Columbia, and in particular Executive Director Wayne Robertson, QC and Chair Mary Mouat, QC for providing the funds to produce this report. The British Columbia Branch could not have undertaken such a project without the support of the Law Foundation of British Columbia.

James M. Bond  
President

## **Confidence in the Justice System in British Columbia:**

### **The Problem, Consequences and Potential Remedies**

During the past decade a significant body of literature has emerged within Western cultures, focused on the problem of confidence in public institutions. Governments, politicians, academics, policy makers, and citizens have all expressed concerns about the importance of confidence for continuing good government, respect for the democratic process and belief in the rule of law.

The best method for assessing confidence in the justice system has, historically, been surveying representative populations of the public, to determine their opinions. Because of this approach, we now have reliable data from Canada, the United States, the United Kingdom, and at least a dozen European countries, on a variety of relevant subjects.<sup>1</sup>

A first and critical step towards understanding these data is that of differentiating and comparing the findings: to consider confidence in public institutions and, quite separately, confidence in private institutions.

When Canadians were asked in 2003, “Do you have a great deal of confidence or quite a lot of confidence in the justice system”, 57 per cent responded positively, in contrast to 34 per cent who have “not very much confidence, or no confidence at all” in the justice system (9 per cent

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<sup>1</sup> For a good summary of these various polls, see Julian Roberts, “Public Confidence in Criminal Justice: A Review of Recent Trends”, Report for Public Safety and Emergency Preparedness Canada, November 2004.

respond “don’t know). In contrast, 67 per cent responded positively to an identical question about the health care system, and 28 per cent responded negatively. Asked about confidence in the education system, 65 per cent responded positively, and 24 per cent responded negatively. When asked about confidence in the federal Parliament, only 43 per cent responded positively, and 45 per cent responded negatively. Confidence in the welfare system fared even more poorly, with only 41 per cent expressing confidence.

When the terrain shifts to private institutions, the results are similarly divergent. Canada’s banks enjoy the confidence of 68 per cent of the public, but confidence in Canada’s corporations is limited to 46 per cent of Canadians, with 43 per cent expressing “not very much confidence or no confidence at all”.<sup>2</sup>

What significance should we attach to these findings? First, we might suggest that the relatively low levels of confidence in our federal Parliament reflect a lack of confidence in our political process. On the other hand, these figures may merely reflect the divisiveness that is an inherent part of any democratic political process. When only 43 per cent of Canadians indicate confidence in the federal Parliament, those “in opposition” may be relaying their feelings about the government of the day and not about the parliamentary system more generally. Put differently, the results may not suggest that Canadians reject our system of government as much as they suggest a more specific dissatisfaction with those who have been elected. Similarly, a greater confidence in banks than in other corporations reflects the relatively benign face of the highly

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<sup>2</sup> See Statistics Canada, General Social Survey Tables, Ottawa, Statistics Canada, 2003.

regulated banking sector (a mechanism for the creation of financial stability), in contrast to the arguably more mercenary and self-interested private companies.

The contrasts within the public realm -- among the justice, health and education sectors -- are more telling. When one goes to a public school, university, or to a physician, one is seeking certain kinds of assistance, in a non-adversarial context: improvements to understanding, training that will enable meaningful employment, or a diagnosis that will promote healing and/or better health. In contrast, contact with the justice system implies conflict, regardless of whether one is involved as a litigant or an observer. There is a winner and a loser in adversarial transactions of justice; a conviction or an acquittal, a finding of liability or accident, a sentence of probation or imprisonment. Given this backdrop, it would be very surprising if there was as much confidence in the justice system as there is in systems of public health or public education. Additionally, those who actually experience negative outcomes (potentially half or more of all litigants) are not likely to feel positively about the justice system, or to express confidence in it.

#### International and Provincial Comparisons of Confidence in Justice: How Do We Fare?

The finding noted above is also played out in other jurisdictions. In the United States, the United Kingdom and European jurisdictions, citizens express more confidence in the medical system and public educational institutions than they do in the criminal justice system or the justice system more generally.<sup>3</sup> Canada fares very well when compared to the United States and finishes 6<sup>th</sup> in a list of 15 European countries, with respect to confidence in the justice system; that list is

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<sup>3</sup> Gallup Organization, Reported confidence in the criminal justice system, [www.albany.edu/sourcebook](http://www.albany.edu/sourcebook), 2003.

topped by Denmark, where 79 per cent of citizens express a “great deal or quite a lot of confidence” in the justice system, and trailed by Spain and Italy, where only 32 per cent of citizens express similar levels of confidence; our mark of 57 per cent falls slightly above the norm. In the United States, however, the results are more dismal; confidence in the justice system is expressed by only 29 per cent of respondents. It is worth adding that confidence in most public and private institutions in the United States is considerably lower than in other western nation-states; only 50 per cent express confidence in the banking sector, 44 per cent in the medical system, and 40 per cent in public schooling.

There are also some marked differences across provinces, within Canada. The following chart is adapted from Roberts, 2004, cited above.

**Regional variation in confidence: Percentage of Canadians with "a great deal" or "quite a lot" of confidence in selected public institutions**

	<b>Justice system</b>	<b>Health care system</b>	<b>Education system</b>
Newfoundland	62%	63%	72%
P.E.I.	63%	68%	76%
Nova Scotia	59%	63%	62%
New Brunswick	66%	71%	67%
Quebec	65%	74%	78%
Ontario	57%	69%	58%
Manitoba	46%	62%	66%
Saskatchewan	51%	65%	75%
Alberta	51%	64%	62%
British Columbia	50%	56%	59%
<i>Range</i>	<i>16%</i>	<i>18%</i>	<i>20%</i>

It is clear that British Columbians have less confidence in public institutions than most other Canadians, with only 50 per cent expressing confidence in the justice system, in contrast to a national average of 57 per cent. The degree of confidence in both the healthcare and education systems is also somewhat lower in British Columbia. What is most critical, however, is to understand more clearly what it is about the justice system that produced a lack of confidence – and why. The answer to the first question is a little easier to answer than the second. There have

been many surveys, in both national and international contexts, designed to determine what elements of the justice system are associated with higher or lower levels of public confidence.

Polls undertaken in Canada by Angus Reid in the late 1990s and Ipsos-Reid in 2002 indicate that more than 80 per cent of those surveyed are “very or somewhat confident” of both local police and the RCMP, while only 60 per cent express similar views of the courts, 50 per cent of the prison system, and 25 to 35 per cent of both the parole and the youth justice systems. There is considerably more confidence expressed in the actions of the Supreme Court of Canada: almost 70 per cent say they have “a lot of confidence or some confidence” in the Supreme Court, in contrast to the 60 per cent expressing confidence in the provincial courts. These findings are mirrored in surveys undertaken within other jurisdictions (the United Kingdom, the United States, and New Zealand). Police tend to enjoy more public confidence than courts, the prison system and the parole system.

### The Past Two Decades: Canadians’ Perceptions of Confidence in the Justice System

The most detailed and recent assessment of Canadians’ confidence in the justice system can be found in the General Social Survey (2004), documenting perceptions of confidence from 1988 to 2003.<sup>4</sup>

The charts that follow from this document display Canadians’ perceptions of confidence in various elements of the criminal justice system – policing, the courts, the prison system, and

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<sup>4</sup> General Social Survey on Victimization, Cycle 18: An Overview of Findings, Catalogue no. 85-565-XIE, Statistics Canada, 2004.

parole. The General Social Survey of Canadians has been undertaken at five year intervals, from 1988 onwards, and our most recent data from 2003 demonstrate that there have not been statistically significant changes in the past 15 years, in relation to the percentages of Canadians who believe that police, the courts, the prison system, and the parole system are “doing a good job”. In the most recent survey, released in 2004, there is some evidence that there are marginally more positive views of both the courts and the prison system, with all categories moving towards the positive. For courts, as can be seen below, there are more positive perceptions of their abilities “to provide justice quickly”, “to help the victim”, “to determine whether or not the accused is guilty” and to “ensure a fair trial for the accused”.

**Table 6a. Local police are doing a good job...**

	<b>Public perceptions</b>			
	<b>2004</b>	<b>1999</b>	<b>1993</b>	<b>1988</b>
	<b>percentage of population 15 years and older</b>			
Enforcing the laws	59	60	58	60
Responding promptly to calls	52	49	47	50
Being approachable	65	66	64	66
Supplying information on reducing crime	50	54	52	56
Ensuring the safety of citizens	61	62	58	..
Treating people fairly	59	..	..	..
Only the percentage who perceive justice agencies as doing a good job is shown.				
<b>Data source:</b> Statistics Canada, General Social Survey, 2004.				
<b>Table source:</b> Statistics Canada, 2005, General Social Survey on Victimization, Cycle 18: An Overview of Findings, catalogue number 85-565-XWE2005001.				

**Table 6b. Criminal courts are doing a good job...**

	<b>Public perceptions</b>			
	<b>2004</b>	<b>1999</b>	<b>1993</b>	<b>1988</b>
	<b>percentage of population 15 years and older</b>			
Providing justice quickly	15	13	10	14
Helping the victim	20	15	12	16
Determining whether or not the accused is guilty	27	21	20	25
Ensuring a fair trial for the accused	44	41	46	44
Only the percentage who perceive justice agencies as doing a good job is shown.				
<b>Data source:</b> Statistics Canada, General Social Survey, 2004.				
<b>Table source:</b> Statistics Canada, 2005, General Social Survey on Victimization, Cycle 18: An Overview of Findings, catalogue number 85-565-XWE2005001.				

**Table 6c. The prison system is doing a good job...**

	Public perceptions			
	2004	1999	1993	1988
	percentage of population 15 years and older			
Supervising or controlling prisoners	31	26	..	..
Helping prisoners become law abiding	18	14	..	..
Only the percentage who perceive justice agencies as doing a good job is shown.				
<b>Data source:</b> Statistics Canada, General Social Survey, 2004.				
<b>Table source:</b> Statistics Canada, 2005, General Social Survey on Victimization, Cycle 18: An Overview of Findings, catalogue number 85-565-XWE2005001.				

**Table 6d. The parole system is doing a good job...**

	Public perceptions			
	2004	1999	1993	1988
	percentage of population 15 years and older			
Releasing offenders who are not likely to re-offend	17	15	..	..
Supervising offenders on parole	15	13	..	..
Only the percentage who perceive justice agencies as doing a good job is shown.				
<b>Data source:</b> Statistics Canada, General Social Survey, 2004.				
<b>Table source:</b> Statistics Canada, 2005, General Social Survey on Victimization, Cycle 18: An Overview of Findings, catalogue number 85-565-XWE2005001.				

A somewhat more comprehensive view of confidence in the criminal justice system can be seen in the most recent “snapshot” of perceptions from 2004. The two charts demonstrate that while more than 70 per cent of Canadians perceive that police are doing a “good” or “average” job with most police functions, the court system is perceived to be doing similarly well with ensuring a fair trial for the accused and in determining the guilt or innocence of the accused. Canadians are somewhat less confident of the courts’ ability to provide justice quickly and to help the victim, with a slim majority indicating that they are doing a good or average job, and about one-third of the public indicating that they are doing a “poor” job.

**Table 7a. What kind of job are your local police doing at...**

	<b>Public perceptions</b>			
	<b>Good job</b>	<b>Average job</b>	<b>Poor job</b>	<b>Don't know or not stated</b>
	<b>percentage of population 15 years and older</b>			
Enforcing the laws	59	31	6	4
Responding promptly to calls	52	23	8	18
Being approachable	65	19	5	11
Supplying information on reducing crime	50	28	11	11
Ensuring the safety of citizens	61	28	5	6
Treating people fairly	59	25	7	10
Figures may not add to total due to rounding.				
<b>Data source:</b> Statistics Canada, General Social Survey, 2004.				
<b>Table source:</b> Statistics Canada, 2005, General Social Survey on Victimization, Cycle 18: An Overview of Findings, catalogue number 85-565-XWE2005001.				

**Table 7b. What kind of job are criminal courts doing at...**

	<b>Public perceptions</b>			
	<b>Good job</b>	<b>Average job</b>	<b>Poor job</b>	<b>Don't know or not stated</b>
	<b>percentage of population 15 years and older</b>			
Providing justice quickly	15	37	36	11
Helping the victim	20	37	28	15
Determining whether or not the accused is guilty	27	43	15	16
Ensuring a fair trial for the accused	44	35	8	13
Figures may not add to total due to rounding.				
<b>Data source:</b> Statistics Canada, General Social Survey, 2004.				
<b>Table source:</b> Statistics Canada, 2005, General Social Survey on Victimization, Cycle 18: An Overview of Findings, catalogue number 85-565-XWE2005001.				

What Predicts Confidence in the Justice System? The Variables of Relevance

The National Justice Survey of 2007 was an attempt to understand more fully the issue of public confidence in the criminal justice system.<sup>5</sup> This telephone survey of 4,500 Canadians took place in February and March of 2007 and obtained results regarding the extent of confidence that are not dramatically different, nationally or provincially, from the findings of the General Social Survey. The novel contribution of this research, however, was to point to the variables that

<sup>5</sup> Jeff Latimer and Norm Desjardins, The 2007 National Justice Survey: Tackling Crime and Public Confidence, Ottawa, Department of Justice Canada, June 2007.

predict which Canadians are more likely to have confidence in the justice system, and which Canadians are least likely. The researchers, Latimer and Desjardins, learned that the following characteristics are associated with perceptions of greater confidence in the criminal justice system: those who believe in the accuracy of official parole statistics, those who view government as an important source of information about crime, those who believe in investing in crime prevention, those who believe that judges should give some credit at sentencing for pre-trial custody, those who are under the age of 65, those who believe rehabilitation should be an important goal of sentencing, those who believe tougher penalties will improve confidence in the justice system, those with a university degree, those who believe that harm reduction is an appropriate approach for responding to illegal drugs, and those who perceive conditional sentences to be an appropriate response to crime.

Conversely, those with much less confidence in the justice system were more likely to believe that crime has risen in the past five years, to live in Western Canada, to be older than 65, to have been a witness in the criminal justice system, to believe that tougher penalties are an appropriate approach to illegal drugs, and/or to have been a victim of a crime.

These findings point to education as an important means for improving confidence in the justice system. The best available data regarding crime rates suggests that rates of both property crime and violent crime fell during the period in question, and that the best source of information regarding crime is not that of television news, or the opinions of friends and family (those with less confidence in the criminal justice system were most likely to cite “TV news” and “friends and family” as their most important sources of information). It follows that if Canadians seek out

and rely on more accurate sources of information regarding crime, they are more likely to understand its workings more clearly, and, in turn, to have more confidence; more will be said later about this approach to building public confidence. Other research has served to buttress this conclusion. Doob and Roberts found that the public typically underestimates the severity of sentences imposed for criminal offences and this mistaken perception leads them to have less confidence in the judiciary, and the justice system more generally. Similar results regarding mistaken perceptions of leniency and public confidence have been obtained somewhat more recently in research within the United Kingdom.<sup>6</sup>

In the United States confidence in specific justice institutions -- police, the courts, and the prison system -- appears to be racially based. While more than 50 per cent of white Americans express confidence in the police, less than 35 per cent of blacks express a similar view; there are also significant racial differences in perceptions of confidence in the court and prison systems. But when the source of confidence in justice is looked at more critically, it appears that neighbourhood and life experiences are affecting these perceptions of confidence, not race. The demographic reality of the United States is that a higher proportion of blacks live in high crime areas, linked to urban poverty; whites who live in these kinds of conditions have levels of confidence that are no different from those of blacks in such circumstances. Put differently, one's

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<sup>6</sup> Doob, A.N. and Roberts, J.V. "Public Punitiveness and Public Knowledge of the Facts: Some Canadian Surveys", in N. Walker and M. Hough (eds.), Public Attitudes to Sentencing (pp.111-133) Cambridge Studies in Criminology, Aldershot:Gower, 1988.  
Hough, M. and Roberts, J.V. Attitudes to punishment: findings from the British Crime Survey, Home Office Research Study #179, London, Research and Statistics Directorate, 1998.

life experiences do impact one's perceptions of confidence in the justice system, but race itself does not appear to be a critical variable.<sup>7</sup>

### British Columbia: Setting an Agenda for Improving Public Confidence in the Justice System

In 2007 the B.C. government developed an ambitious justice system agenda, setting out performance targets for public confidence in the justice system, a more effective criminal justice system, and more effective civil and family justice systems within the province. More specifically, they asked a representative sample of British Columbians 15 years and older the following three sets of questions:<sup>89</sup>

1. Do you have a great deal or quite a lot of confidence in the justice system?
2. Do you perceive that the criminal courts do a good job of
  - (a) providing justice quickly
  - (b) helping the victim
  - (c) determining whether or not the accused is guilty
  - (d) ensuring a fair trial

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<sup>7</sup> For a good discussion of this and related issues see Lawrence Sherman, "Trust and Confidence in Criminal Justice", National Institute of Justice Journal, 248, pp.22-31, 2002.

<sup>8</sup> The first of these questions was asked as part of the national General Social Survey, beginning in 1988 (and continuing on at five year intervals). The latter two questions were asked by B.C. Statistics, as part of their Omnibus Survey; question #2 was first asked in 2006, and question #3 in 2007.

<sup>9</sup> For the full range of responses to these questions, see Appendix A, 2008/09 Omnibus Survey Results, B.C. Thanks to Darrion Campbell, Manager of Planning, Strategic Planning and Legislation, Ministry of Attorney General, for provision of these charts.

3. Do you perceive that the civil and family justice system does a good job of
  - (a) providing justice quickly
  - (b) helping parties solve their problems
  - (c) determining the appropriate outcomes of disputes
  - (d) ensuring a fair process for all parties
  - (e) ensuring access to justice for all parties

The following chart sets out the performance standard and government targets for the general issue of confidence in the justice system. Since 2006, evaluations have been undertaken in 2007/08 and 2008/09; confidence declined from 46.5 per cent in 2006 to 41.8 per cent in 2007 and rebounded to 44 per cent in 2008 (not particularly significant changes, but also falling short of the existing target of 49 per cent for 2009).

**Performance Measure 1: Public confidence in the justice system**

Performance Measure	2006/07	2007/08	2008/09	2009/10	2010/11
	Baseline	Forecast	Target	Target	Target
Percentage of British Columbians who have a great deal or quite a lot of confidence in the justice system.	46.5%	47%	49%	51%	53%

The next chart sets out British Columbians’ perceptions of the criminal courts, in relation to four different elements or attributes. It is important to note that only the category of “good” performance is displayed. If the category of “average” performance is added, we find a total of 54 per cent of respondents indicating that the criminal courts are doing a good or average job of providing justice quickly, and helping the victim; (not the disappointing figure of 13 per cent).

80 per cent express similar views of the courts’ ability to determine guilt or innocence and 92 per cent of the courts’ ability to ensure a fair trial for the accused. This is an important addition, as it points to a more nuanced view of perceptions of criminal court performance.<sup>10</sup>

### **Performance Measure 2: Public perceptions of the criminal justice system**

<b>Performance Measures</b>	<b>2006/07 Baseline</b>	<b>2007/08 Forecast</b>	<b>2008/09 Target</b>	<b>2009/10 Target</b>	<b>2010/11 Target</b>
Percentage of British Columbians 15 years and older who perceive that the criminal courts do a good job of:					
Providing justice quickly	13%	15%	17%	19%	21%
Helping the victim	13%	15%	17%	19%	21%
Determining whether or not the accused is guilty	28%	30%	32%	34%	36%
Ensuring a fair trial for the accused	52%	54%	56%	58%	60%

<sup>10</sup> In a September 8, 2009 column in the Vancouver Sun, columnist Ian Mulgrew suggested of confidence in the B.C. legal system, “...the trend lines across the board are headed in the same direction: South”. He added that “only one in four people across the province think the courts are capable of determining guilt or innocence”. In fact, 80 per cent had said that the courts are doing a good or average job of determining guilt or innocence. If an established journalist can so fundamentally misunderstand both the specific and general trends in relation to confidence, this would seem to point to a need for the Ministry of the Attorney General to provide more context, or background information, with respect to the findings to date. Alternatively, the journalist may simply have ignored data that did not fit the argument that he was trying to make.

At the same time, however, public perceptions of “good” performance have not improved to meet the targets for 2009 that were set in 2006. The percentage of British Columbians who perceive that the courts are good at providing justice quickly has fallen to 11 per cent, and the figure for those who perceive the courts are doing a good job of helping the victim remains stagnant at 13 per cent; the corresponding benchmark for determination of guilt now sits at 26 per cent -- and at 49 per cent for ensuring a fair trial -- short of the targets of 34 and 58 per cent respectively.

The last of these three charts focuses on perceptions of the civil and family justice systems. The same caveat applies to these data, as to data regarding perceptions of the criminal courts. If we are to combine perceptions of “good” and “average” performance, approximately two-thirds of British Columbians respond positively to each of these elements or attributes: the ability of the civil courts to provide justice quickly, to help parties solve their problems, to determine the appropriate outcomes of disputes, to ensure a fair process for all parties, and to ensure access to justice for all parties.

### Performance Measure 3: Perceptions of the civil and family justice systems

Performance Measures	2007/08	2008/09	2009/10	2010/11
	Baseline	Target	Target	Target
Percentage of British Columbians 15 years and older who perceive that the civil and family justice system does a good job of:				
Providing justice quickly	10%	12%	14%	16%
Helping parties solve their problems	16%	18%	20%	22%
Determining the appropriate outcomes of disputes	16%	18%	20%	22%
Ensuring a fair process for all parties	23%	25%	27%	29%
Ensuring access to justice for all parties	24%	26%	28%	30%

Again, the targets set for 2009 have not been met, but perceptions of good performance in 2008 have not revealed systematic increases or decreases from 2007, with confidence varying no more than a percentage point or two in both directions (increases and decreases).

### The Courts, Police, Prison and Parole: Is there an Empirical Foundation for Confidence in the Justice System?

It would seem, at least intuitively, that nation-states with low rates of crime, low rates of imprisonment, and an independent judiciary would promote confidence in justice. Recent work by Lappi-Seppala has built upon a literature that has sought to understand why countries differ so

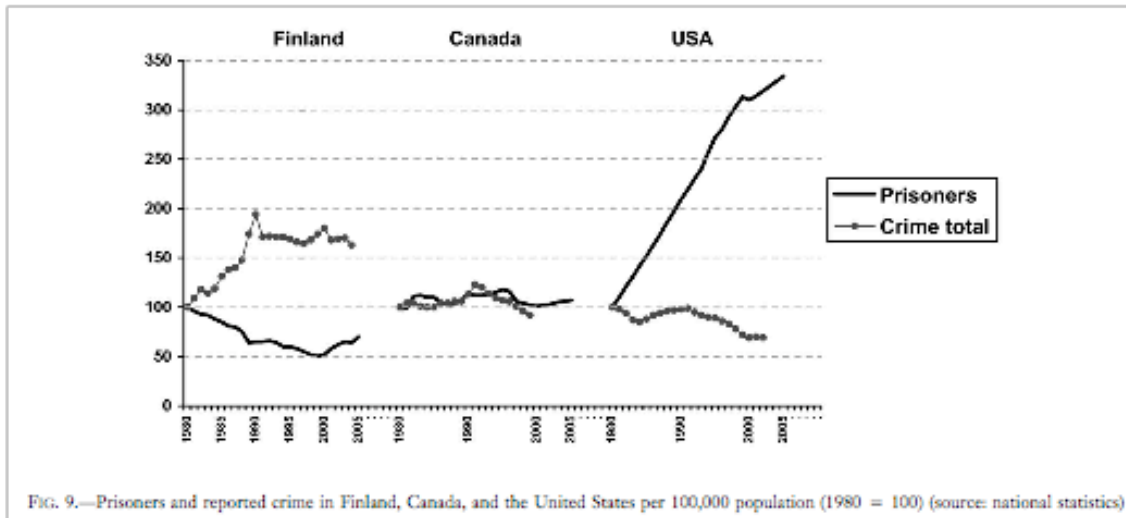
markedly in their approaches to punishment and in the practices that they endorse. It would seem logical to conclude that nation-states in which there is a greater use of imprisonment, and in which crime control initiatives have been pre-eminent are also nation states that have had to struggle with either rising crime rates, or rates of crime that have, historically, been consistently high (relative to other nation states).

Lappi-Seppala's work suggests that rates of crime and rates of imprisonment are largely unrelated. The graph below demonstrates, for example, that while rates of crime have been falling in the United States since 1980, rates of imprisonment have accelerated dramatically. In dramatic contrast, during the same period of time, rates of crime have increased in Finland but rates of imprisonment have declined. In Canada rates of crime and rates of imprisonment have not diverged significantly, though rates of crime have fallen somewhat since the mid 1990s. As more and more nation-states are added to the mix, the picture becomes quite clear: the crime rate, whether assessed through reported rates of crime or the more reliable survey of individual victimization by crime, is not related in any systematic way to the use of imprisonment by the given nation state.<sup>11</sup>

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<sup>11</sup> Tapio Lappi-Seppala, "Trust, Welfare and Political Culture: Explaining Differences in National Penal Policies", in Michael Tonry (ed.) Crime and Justice, Volume 37, 2008.

Rates of Imprisonment and Corresponding Rates of Crime, Finland, Canada and the United States, 1980 –2005 (from Lappi-Seppala, 2008).



If we look at the same data through a different lens, we can see that confidence in the justice system of a nation state is not related to the extent of crime within that nation state, whether measured by crimes reported to the police, or by survey responses to questions concerning individual victimization. Additionally, Lappi-Seppala found that when he correlated trust in the legal system and trust in people in general, those countries in which citizens expressed the greatest degree of trust in others and in their legal systems also had the lowest rates of imprisonment – not the lowest rates of crime necessarily, but the lowest rates of imprisonment. Those surveyed were asked, “Please tell me on a score of 0-10 how much you trust each of these institutions: country’s parliament, the legal system, the police, politicians?” (0: no trust at all; 10

complete trust). Similarly, those surveyed were asked, “Would you say that most people can be trusted, or that you can’t be too careful in dealing with people?” (0: you can’t be too careful; 10: most people can be trusted).

The following figure demonstrates that the Scandinavian countries (Finland, Norway, Sweden and Denmark) have the highest levels of trust in people and public institutions, and the lowest rates of imprisonment (followed closely by Switzerland). Western European nation states occupy a middle range, and the worst performance (high rates of imprisonment and little trust in people or the legal system) is to be found in the U.K. and the states of Eastern Europe. Canada would also appear to fall in this range as well, given results of other similar surveys (and the chart cannot even begin to accommodate the high extent of imprisonment in the United States – and the correspondingly low levels of trust in people and public institutions).

The Relationship Between Rates of Imprisonment and Trust in the Legal System -- and Trust in People: Selected Nation-States, 2001-2003 (from Lappi-Seppala, 2008).

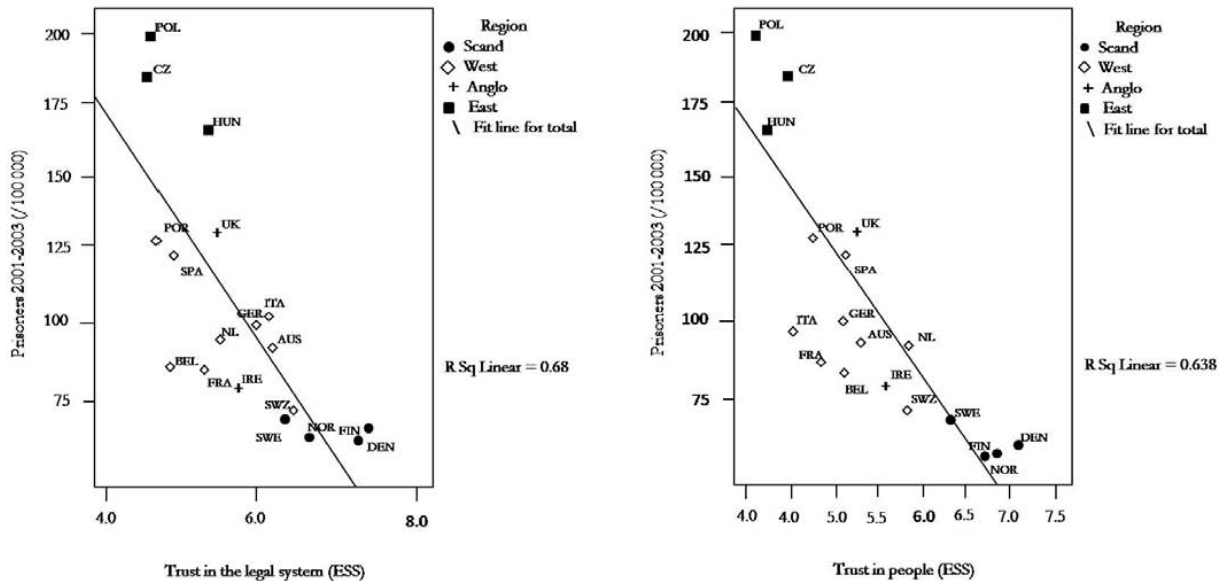


FIG. 16 – Trust in the legal system and in people (sources: Sourcebook 2006 complemented and ESS)

Lappi-Seppala also noted that the political systems of democratic nation states have tended to be characterized as either “consensus” or “majoritarian”.<sup>12</sup> In a consensus democracy one is likely to find a larger number of political parties, proportional electoral systems, and a leaning towards broad-based coalition or minority governments. Political decisions are undertaken in a spirit of consensus and co-operation, with interest groups of various kinds actively engaged. In contrast, majoritarian democracies are typically based on two powerful parties vying for power in a winner take all contest. The power of government and political decision-making is concentrated in the hands of the majority.

<sup>12</sup> See Arend Lijphart, Patterns of Democracy: Government Forms and Performance in Thirty-Six Countries, New Haven, Connecticut, Yale University Press, 1999.

Lappi-Seppala describes Austria, Belgium, Denmark, Finland, France, Germany, Italy, Netherlands, Norway, Sweden, and Switzerland as consensus democracies. Australia, Canada, Ireland, New Zealand, and the United Kingdom are described as majoritarian democracies, nation-states in which two parties have traditionally dominated electoral politics, within the framework of winner take all elections. The United States falls into a rather extreme categorization of a majoritarian democracy, as the following table from Lappi-Seppala, 2008, makes clear.

TABLE 15  
Imprisonment Rates per 100,000 Population in Consensus and Majoritarian Democracies, 1980-2004

	1980	1990	2000	2004	Increase 1980-2004
Consensus 11	66	67	76	88	32%
Majoritarian 5	68	92	114	129	89%
United States	221	461	684	724	228%

SOURCE—Sourcebook 2006 complemented.  
NOTE —Consensus II includes Austria, Belgium, Denmark, Finland, France, Germany, Italy, Netherlands, Norway, Sweden, and Switzerland. Majoritarian 5 includes Australia, Canada, Ireland, New Zealand, and the United Kingdom.

There are some potential weaknesses in this analysis. We are, necessarily, provided only with correlational data, and it may be that the observed differences in rates of imprisonment might be due to some other factor than the consensus/majoritarian character of the given nation state. Similarly, the relationship between trust and rates of imprisonment may not indicate that high rates of imprisonment are a consequence of low levels of trust in human beings and public institutions – there may be other characteristics of these nation states which explain the inverse

relationships between democratic character and rates of imprisonment, and trust and rates of imprisonment.

Media portrayals of crime and public discussions of crime vary widely across various nation-states. Extensive reporting on crime, particularly in the contexts of television news and dramatization, can impact fears of crime and alter perceptions of the reality of crime, over-emphasizing the most horrific and violent of criminal acts. These varying depictions can have significant impacts on political decision-makers, creating a cycle of fear, political over-reaction, and continuing sensationalist coverage.<sup>13</sup>

Lappi-Seppala uses the extremes of Finland and the United Kingdom to illustrate this point, “The United Kingdom has high levels of fear and large numbers of prisoners; in Finland, the situation is reversed. Comparing British and Finnish newspapers is like comparing two different worlds....Differences may be associated with national variations in public financing and in the regulation of the media. Strong public networks assure more substantive content, more educational-cultural content, higher quality, and less low-level populism.”

#### The Road Ahead: Some Thoughts on the Drivers of Public Confidence in the Justice System

When one surveys Canadians, or British Columbians, about why there is little confidence in the justice system, many (particularly those who have little confidence) typically point the finger of blame at the various actors: judges who are too lenient, a parole system that places the rights of

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<sup>13</sup> See Julian V. Roberts et al., Penal Populism and Public Opinion: Lessons from Five Countries, Oxford, Oxford University Press, 2003.

the convicted criminal above the mandate of public safety, and prisons that fail to deliver on the promise of delivering any meaningful rehabilitation.

The answer, for those who have little confidence, is to increase the range of available punishments – tie the hands of the lenient judges with mandatory minimum terms of imprisonment, tighten up parole decision-making, and hold prison wardens and their staff more accountable for the consequences of their care. The difficulty with this solution is that the best available evidence suggests that it simply won't work. The United States has very low rates of public confidence in its justice system, co-existing with globally staggering rates of imprisonment, and longer sentences. The best available data, albeit correlational, suggests the need for changes in our legal and political systems: not more imprisonment, but less; a legislative system characterized by proportional representation and consensus-driven negotiations; changes in media portrayals of law, justice and crime, moving away from sensationalist content and towards accurate factual discussions of the reality of crime. These are obviously changes that require major shifts in cultural beliefs, attitudes and practices, but they are also changes that hold significant promise.

Understandably, an agenda for improving public confidence in the justice system has to be more focused, more inclined towards smaller steps than the possibility of a revolution in public opinion and approach. To date a number of different possibilities for improvements in public confidence have been put forward, and in some cases, the efficacy of these approaches has been systematically evaluated.

## Improving Public Confidence in the Justice System: Agendas for Change

Many governments have embraced improvements to confidence in the justice system as critical public service objectives. Chapman et al. note in a 2002 Home Office report in the United Kingdom, “Confidence in the criminal justice system is important for maintaining public support for the rule of law. It is key to ensuring the public play their role in the process as witnesses or jurors. Levels of public confidence also provide a measure of the quality of the services provided by the criminal justice agencies, and is a test of whether the improvements made to the criminal justice system are being recognized.”<sup>14</sup>

Similarly, in British Columbia, the most recent service plan update of the Ministry of Attorney General cites public confidence in the justice system as “Performance Measure 1”, “Public confidence in the justice system is a key indicator of an effective justice system, this performance measure gauges long-term trends in societal perceptions of the justice system”.<sup>15</sup>

## Education and Training: Improvement to the Public’s Base of Knowledge

In 1999 the American Bar Association and other sponsors convened the “National Conference on Public Trust and Confidence in the Justice System” in Washington, D.C. The purpose of the conference was to develop a national action plan for improvements to public confidence. At the top of the list of “most effective strategies” were improvements to education and training. The

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<sup>14</sup> Becca Chapman et al., Improving Public Attitudes to the Criminal Justice System: The impact of information, Home Office Research, Development and Statistics Directorate, July 2002.

<sup>15</sup> Ministry of Attorney General, British Columbia, “Goals, Objectives, Strategies and Performance Measures”, 2009/10 –2011/12 Service Plan Update, September, 2009, at p.12.

specific recommended educational strategies that emerged from this conference were quite wide reaching, and generally speaking, fell into three categories: the development and distribution of educational materials, the creation of networks of dialogue, and judicial outreach, both within the community and on radio and television networks. The summary of proposed educational interventions follows:

### 1. General

Issue an annual state of the state courts report for national dissemination

Do publicized summit on pro se litigants in court

Form national speakers bureau

Form quick response teams of lawyers and judges who can make media appearances to comment on sensationalist or distorted coverage

### 2. Development and dissemination of educational materials for distribution to media and educational institutions.

Develop videos on judicial system in a democracy

Disseminate ABA's "The American Judicial System"

Develop "best practices" descriptions for distribution to public about what courts are doing

Develop "key issues and themes" material for local use

Develop a model school curriculum (K-12) at national level (stressed that school curricula are often driven by standardized tests, so these tests have to be considered)

Develop adult education programs that are directed at impact of the justice system on parties, that emphasize that litigation is a last resort and that cite other methods

Develop media packets on courts for use by court PIOs and bar association PIOs or for direct distribution

Develop documentaries for media presentation, PBS, even commercial media

Develop brochures and templates for local conferences on public trust and confidence (suggested ABA, NBA, and state bar involvement)

### 3. Develop educational networks

Involve educators, PTAs and school administrators at all levels in public education on courts – obtain commitments and form committees

Coordinate various state efforts in public education to facilitate exchanges and short cuts

Conduct dialogues with entertainment industry with respect to portrayal of judges and legal system; provide pro bono technical advisers to directors of films on courts and judges

Create a center that brings together national justice organizations and public radio/TV on a regular basis; make better use of PBS

### 4. Make imaginative use of radio/TV

Show judges listening, more interactive formats

Use lawyers and judges to counter sensationalism

Use round tables and get national TV to popularize and package some of the discussions on

courts and the justice system

Develop short 30-second spots to counter popular misconceptions about courts; develop marketing and ad campaigns

Strive for continuous media programming on public expectations of courts-- have a long-term view.<sup>16</sup>

This is an ambitious agenda, providing a comprehensive range of educational approaches, but it provokes a more significant question. What impact might a strategy of increased use of education have on levels of confidence in the justice system? Fortunately, a number of studies have been conducted in the United Kingdom, designed to test the efficacy of educational strategies.

In 2002 Chapman, Mirillees-Black and Brawn surveyed a national sample of more than 1,000 adults to determine their knowledge of crime, sentencing and the operation of the criminal justice system; they also asked about their attitudes to current sentencing practices and about their confidence in the criminal justice system.<sup>17</sup> A total of 220 of those surveyed then participated in an experiment to test the impact of providing information about the criminal justice system. Three different formats were used for delivering the educational materials: 1) a 24 page booklet, “designed to be visually attractive and easy to understand”, 2) seminars featuring presentations by experts and question and answer sessions, and 3) a video presentation of one of these

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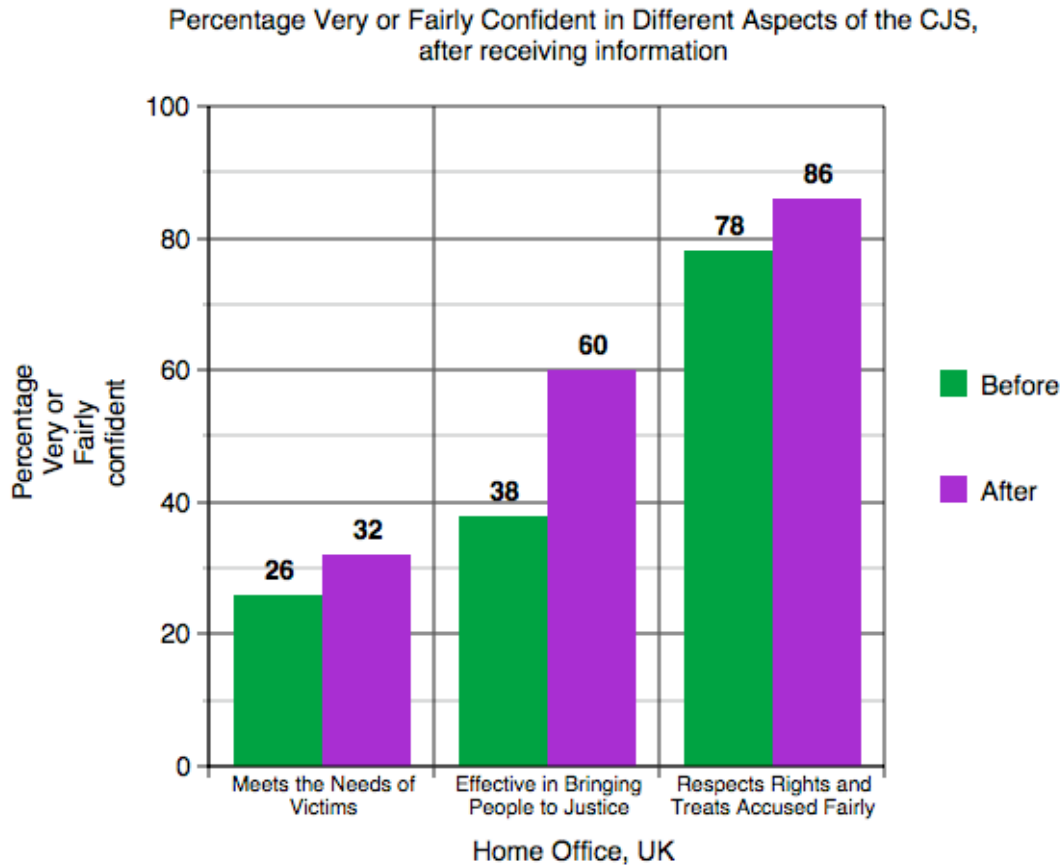
<sup>16</sup> National Conference on Public Trust and Confidence in the Justice System, National Action Plan: A Guide for State and National Organizations, Washington, D.C., at pp. 27-28, retrieved from

<http://contentdm.ncsconline.org/cgi-bin/showfile.exe?CISOROOT=/ctcomm&CISOPTR=20>.

<sup>17</sup> See footnote 13, above.

seminars, combined with other visual material. The 220 subjects were then surveyed again to determine whether the presentations had changed their levels of knowledge and their attitudes towards the criminal justice system.

This second round of surveys indicated that respondents now had a greater knowledge of crime; they were, for example, less inclined to believe that rates of crime were increasing; they also expressed somewhat less fear of crime, they were less likely to view the courts as overly lenient, and more likely to express confidence in the justice system – to believe that the criminal justice system has the capacity to bring offenders to justice. At the same time, however, those with particularly entrenched views – those who expressed a strong adherence to a “law and order” perspective – were less likely to change their viewpoints. Additionally, taken collectively, all formats produced what might be termed positive changes: greater knowledge of crime, less fear of crime, and more confidence in the criminal justice system. The following chart, reconstituted from Chapman et al., demonstrates the extent of the differences in opinion. It should be noted, however, that the seminars did not produce as significant changes in public confidence; exposure to the booklets and the video were more strongly correlated with a greater confidence in the justice system.



More recently, again in the United Kingdom, Lawrence Singer and Suzanne Cooper have built on the earlier research of Chapman et al. by creating a randomly controlled trial of information regarding crime and criminal justice, and its impact on public confidence.<sup>18</sup> Singer and Cooper emphasized the importance of not only informing, but also persuading and reminding recipients about the operation of the criminal justice system. As with the Chapman et al. work, it was important for the authors to design a booklet that was attractive, compelling and easy to understand. They surveyed approximately 3,000 adults in Northamptonshire (an area of the United Kingdom with low levels of confidence in justice), and then randomly assigned about

<sup>18</sup> Lawrence Singer and Suzanne Cooper, Inform, Persuade and Remind: An evaluation of a project to improve public confidence in the criminal justice system, Ministry of Justice Research Series, Office for Criminal Justice Reform, United Kingdom, September, 2008.

1,600 to one of four categories: control group (did not receive the booklet), received the booklet in the mail, handed the booklet in person, and handed the booklet in person, with an explanation.

The study indicated that provision of a booklet increased the accuracy of knowledge about the criminal justice system, particularly when the booklet was handed to the recipient, with or without an explanation. More specifically, when the control group was compared with all three experimental groups, the researchers found about 10 per cent increase in confidence that the criminal justice system can “bring people who commit crime to justice”. Without the booklet only about 34 per cent of those in the area expressed confidence, but after being “informed, persuaded and reminded”, almost 45 per cent of those in the experimental groups expressed confidence. The research replicates and extends the earlier work of Chapman et al., pointing to the carefully constructed provision of information as a useful mechanism for boosting confidence in the criminal justice system.

One specific form of education that has been promoted in many jurisdictions, perhaps most notably in the United States, is judicial outreach, a series of programs that bring judges into contact with the community, in a variety of different contexts. These programs may involve student visits to courtrooms, summer internships, judges in the school classroom, moot court proceedings in the community, and speakers’ bureaus (for radio, television and public gatherings). There has, however, been no systematic evaluation of these efforts, particularly in relation to public confidence.<sup>19</sup>

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<sup>19</sup> See Richard Fruin, Judicial Outreach on a Shoestring: A Working Manual, American Bar Association, 1999.

Nonetheless, there is evidence that educational initiatives can improve confidence in the justice system through better knowledge of the workings of the courts and the sentencing process, the systematic studies undertaken in the U.K. point to at least 10 per cent improvements in existing benchmarks. While it's not clear that such improvements can be sustained over time, it is clear that "informing, persuading and reminding" can produce measureable benefits. What remains to be considered is the scale of the information campaign required, its costs and its corresponding benefits; this is a theme that I will return to briefly in my concluding comments.

### Justis: The Search for Indicators of Public Confidence in the Justice System

Justis, or Justice Indicators is a project begun in 2007 in the United Kingdom and the European Union more broadly, with the goal of providing member states of the EU with a better understanding of the key drivers of public confidence.<sup>20</sup> The survey of confidence indicators is to be pilot-tested in 2010, with data collected and analyzed by September 2011. It will be a part of the fifth round of the European Social Survey, an initiative begun in 2001, designed to follow the changing attitudes, beliefs, and behaviours of people living in a diverse number of nation states in the EU (Appendix B sets out a list of those countries participating in the fourth round of the ESS, and expected to participate in the fifth round).<sup>21</sup>

The essential purpose of the JUSTIS indicators is set out in a recent JUSTIS document, "The project is based on the assumption that an effective justice system must assess itself not only against the narrow criteria of crime control, but against broader criteria relating to people's trust

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<sup>20</sup> For a full explanation of the work of Justis, see [www.eurojustis.eu](http://www.eurojustis.eu).

<sup>21</sup> For a full description of the European Social Survey, see [www.europeansocialsurvey.org](http://www.europeansocialsurvey.org).

in justice, their commitment to the rule of law, and their sense of security. In the long term, public compliance with the law depends on the legitimacy of institutions of justice. Institutions command legitimacy if people recognize they are fair, just and provide public security”.<sup>22</sup>

This statement of purpose is consistent with the research to date regarding public confidence, and summarized in earlier parts of this report. International comparisons of confidence in the justice system have revealed that while crime rates are not dramatically different across most nation states (whether measured by crimes reported to police or surveys of victimization), rates of imprisonment and rates of confidence vary quite widely, and in a manner that is not tied, in any meaningful way, to ongoing changes in rates of crime. Nation states with the highest levels of public confidence in the justice system appear to be those with relatively low rates of imprisonment, a consensus-driven system of political decision-making (often incorporating proportional representation), and media that do not generally focus on sensational individual crime events, adopting, rather, an educative role.

The JUSTIS survey will be both a test of this proposition, and more significantly, an opportunity to understand more fully what actions and activities are most critical to fostering public confidence in the justice system. It would be possible to survey a representative sample of British Columbians, using the indicators developed by the JUSTIS project.<sup>23</sup> The results could be

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<sup>22</sup> Justis, Work Package, WP2, “Review of Need: State of the Art Indicators of Public Confidence in Justice for Policy Assessment”, March 27, 2009, [www.eurojustis.eu](http://www.eurojustis.eu), at p.2.

<sup>23</sup> Personal communication, Professor Mike Hough, Kings College, London, and Co-ordinator of the Justis Project. I met individually with Professor Hough and Professor Julian Roberts of Oxford University regarding this possibility (and the more general issue of confidence in the justice system) while in London in May, 2009.

particularly useful, particularly given the context of comparison with 30 other nation states; the only cost would be that of administering the survey and analyzing the data.

Next Steps: Meetings with Stakeholders, Educational Initiatives, and Improving Understanding of the Problem of Confidence in Justice

This report has indicated that a key element of improvements to confidence in the justice system is that of educating the public. There are key stakeholders in this realm: police, prosecutors, defense counsel, the judiciary, the parole board, and provincial politicians with a mandate that touches upon crime, public safety, and the criminal justice system. More specifically, in the province of British Columbia, we have municipal police forces (most notably Vancouver), the Royal Canadian Mounted Police, Crown prosecutors, defense counsel, provincial court judges, justices of the Supreme Court and Court of Appeal, the provincial parole board, the Ministry of the Attorney General, and the Ministry of Public Safety and the Solicitor-General.

The Ministry of the Attorney General has identified improving confidence in the justice system as a critical performance measure, and while there is no evidence of any significant slide in public confidence since the program was initiated in 2006, there is also not any significant indication of improvement in key measures.

Fortunately, the experiences of the United Kingdom provide us with both a resource and a template for future work. The production of an accessible, attractive and compelling document,

capable of distribution to all British Columbians holds much promise.<sup>24</sup> Meetings of the stakeholders noted above could be used to guide the creation of this document and simultaneously permit a productive discussion of the problem of confidence in the justice system. – and what other kinds of initiatives might prove to be useful.

Additionally, it would be possible for British Columbia to be a participating jurisdiction in the fifth round of the European Social Survey, at least with respect to the 50 items that are being designed to improved understanding of the key drivers of confidence in the justice system. The questions will be available in the fall of 2010 and the survey could take place in early 2011.

#### RECOMMENDATIONS:

1. Convene a series of meetings of key stakeholders, those with expressed commitments to improving confidence in the justice system in British Columbia, representatives from the following groups: police (municipal and RCMP), crown prosecutors, defense counsel, the judiciary, the Parole Board, the Ministry of the Attorney General, the Ministry of Public Safety and the Solicitor-General. The purpose of the meetings would be to discuss the problem of confidence, but, more significantly, to create a document that would improve public understanding of crime, changing crime rates, sentencing, parole, and the roles of each of the various participants in the criminal justice system. The initial step of creating the document might be an initiative of the Bar Association and/or the Law Foundation. The next step – that of providing British Columbians with

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<sup>24</sup> To see a colour copy of the booklet prepared in the United Kingdom by Chapman et al, cited above, go to <http://rds.homeoffice.gov.uk/rds/pdfs2/hors245appb.pdf>

the document – is one that would need the cooperation and support of the Ministry of Attorney General and Ministry of Public Safety and Solicitor General, and would necessarily involve those with considerable expertise in marketing and communication. Many different delivery options exist, with widely varying cost options, from placement on a web site to distribution to all British Columbians (in the manner of the BC Health Guide, 2000 and 2005). Evaluation of the impact of this document would be critical.

2. Consider participation in the JUSTIS project of 2010, allowing for a survey of a representative sample of approximately 1,000 British Columbians, permitting a better understanding of the key drivers of public confidence in the justice system, and allowing comparison with 30 other nation states of the European Union.

## Appendix A: Confidence in the Justice System, British Columbia, 2008/09 Omnibus Survey Results

**AG1. How much confidence do you have in the justice system & courts? \***

		08/09
AG1. How much confidence do you have in the justice system & courts?	A GREAT DEAL OF CONFIDENCE	8.3%
	QUITE A LOT OF CONFIDENCE	35.6%
	NOT VERY MUCH CONFIDENCE	44.3%
	NO CONFIDENCE AT ALL	11.8%
Total		100.0%

**AG2. Are they doing a good job, an average job or a poor job of providing justice quickly? \***

		08/09
AG2. Are they doing a good job, an average job or a poor job of providing justice quickly?	GOOD JOB	11.1%
	AVERAGE JOB	46.2%
	POOR JOB	42.7%
Total		100.0%

**AG3. Are they doing a good job, an average job or a poor job of helping the victim? \***

		08/09
AG3. Are they doing a good job, an average job or a poor job of helping the victim?	GOOD JOB	12.9%
	AVERAGE JOB	44.2%
	POOR JOB	42.9%
Total		100.0%

**AG4. Are they doing a good job, an average job or a poor job of determining whether the accused or person charged is guilty or not? \***

		08/09
AG4. Are they doing a good job, an average job or a poor job of determining whether the accused or person charged is guilty or not?	GOOD JOB	26.2%
	AVERAGE JOB	50.3%
	POOR JOB	23.6%
Total		100.0%

**AG5. Are they doing a good job, an average job or a poor job of ensuring a fair trial for the accused? \***

		08/09
AG5. Are they doing a good job, an average job or a poor job of ensuring a fair trial for the accused?	GOOD JOB	49.4%
	AVERAGE JOB	41.2%
	POOR JOB	9.5%
Total		100.0%

**AG8. Is the civil & family justice system in BC doing a good job, an average job or a poor job of providing justice quickly? \***

		08/09
AG8. Is the civil & family justice system in BC doing a good job, an average job or a poor job of providing justice quickly?	GOOD JOB	12.1%
	AVERAGE JOB	49.2%
	POOR JOB	38.7%
Total		100.0%

**AG9. Is the civil & family justice system in BC doing a good job, an average job or a poor job of helping parties to solve their problems? \***

		08/09
AG9. Is the civil & family justice system in BC doing a good job, an average job or a poor job of helping parties to solve their problems?	GOOD JOB	14.0%
	AVERAGE JOB	58.4%
	POOR JOB	27.6%
Total		100.0%

**AG10. Is the civil & family justice system in BC doing a good job, an average job or a poor job of determining appropriate outcome of disputes? \***

		08/09
AG10. Is the civil & family justice system in BC doing a good job, an average job or a poor job of determining appropriate outcome of disputes?	GOOD JOB	14.9%
	AVERAGE JOB	57.0%
	POOR JOB	28.1%
Total		100.0%

**AG11. Is the civil & family justice system in BC doing a good job, an average job or a poor job of ensuring a fair process for all parties? \***

		08/09
AG11. Is the civil & family justice system in BC doing a good job, an average job or a poor job of ensuring a fair process for all parties?	GOOD JOB	21.8%
	AVERAGE JOB	46.9%
	POOR JOB	31.3%
Total		100.0%

**AG12. Is the civil & family justice system in BC doing a good job, an average job or a poor job of ensuring access to justice for all parties? \***

		08/09
AG12. Is the civil & family justice system in BC doing a good job, an average job or a poor job of ensuring access to justice for all parties?	GOOD JOB	22.5%
	AVERAGE JOB	44.1%
	POOR JOB	33.4%
Total		100.0%

		Don't Know	Valid Responses	Total
	Confidence do you have in the justice system & courts	5%	95%	100%

		Don't Know	Valid Responses	Total
Criminal Justice	Providing Justice Quickly	7%	93%	100%
	Helping the Victim	16%	84%	100%
	Determine whether or not the accused person charged is guilty	15%	85%	100%
	Ensuring a fair trial for the accused	13%	87%	100%

		Don't Know	Valid Responses	Total
Civil and Family	Providing justice quickly	28%	72%	100%
	Helping parties to solve their problems	33%	67%	100%
	Determining appropriate outcomes of disputes	34%	66%	100%
	Ensuring a fair process for all parties	30%	70%	100%
	Ensuring access to justice for all parties	29%	71%	100%

## Appendix B: List of Countries Participating in the European Social Survey and Expected to Participate in Round 5, with JUSTIS Indicators

Country	R1 Participant	R2 participant	R3 participant	R4 participation confirmed
Austria	✓	✓	✓	✓
Belgium	✓	✓	✓	✓
Bulgaria	✗	✗	✓	✓*
Croatia	✗	✗	✗	✓
Cyprus	✗	✗	✓	✓
Czech Republic	✓	✓	✗	✗
Denmark	✓	✓	✓	✓
Estonia	✗	✓	✓	✓
Finland	✓	✓	✓	✓
France	✓	✓	✓	✓
Germany	✓	✓	✓	✓
Greece	✓	✓	✗	✓
Hungary	✓	✓	✓	✓*
Iceland	✗	✓	✗	✗
Ireland	✓	✓	✓	✓
Israel	✓	✗	✗	✓
Italy	✓	✓	✗	✗
Latvia	✗	✗	✓	✓*
Lithuania	✗	✗	✗	✓
Luxembourg	✓	✓	✗	✗
Netherlands	✓	✓	✓	✓
Norway	✓	✓	✓	✓
Poland	✓	✓	✓	✓
Portugal	✓	✓	✓	✓
Romania	✗	✗	✓	✓
Russia	✗	✗	✓	✓
Slovakia	✗	✓	✓	✓*
Slovenia	✓	✓	✓	✓
Spain	✓	✓	✓	✓
Sweden	✓	✓	✓	✓
Switzerland	✓	✓	✓	✓
Turkey	✗	✓	✗	✓*
UK	✓	✓	✓	✓
Ukraine	✗	✓	✓	✓
<b>Total</b>	<b>22</b>	<b>26</b>	<b>25</b>	<b>30 (to date)</b>

To see the full Annotated Bibliography please visit:

[http://www.cba.org/BC/Initiatives/pdf/boyd\\_report\\_biblio.pdf](http://www.cba.org/BC/Initiatives/pdf/boyd_report_biblio.pdf)