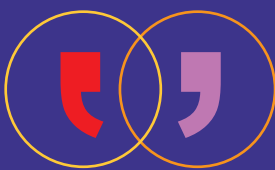


**The  
Workshop**

# Talking About **Justice in the Context of a Pandemic** *A Memo*

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# How has COVID-19 changed how we best communicate about justice?

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This memo is written to accompany the ‘How to Talk About Crime and Justice’ message guide. Since we carried out the research for this guide a global pandemic has changed many things, including how people view justice reform.

The purpose of this memo is to consider how the context of the COVID-19 pandemic might change how to most effectively communicate about justice. Specifically, how might it influence the ways you use the narrative strategies recommended in the guide. So how has the pandemic changed how we can best communicate justice reform?

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## Learning from what worked (and what didn’t)

The COVID-19 pandemic required large scale rapid change including policy and individual behaviour change. Some people have asked how it was possible to get so many organisations and people to change so quickly in response to COVID-19 when it has been so difficult to get similar kinds of change in response to equally important challenges like climate change, health inequalities or justice reform.

There are many reasons for this, including the different ways people respond to different kinds of challenges, whether threats are perceived as internal or external, whether they are seen to be urgent or not, and whether they demand simple or complex responses.

All of these differences have implications for how the public understands and thinks about the challenge, which in turn has implications for effective narrative and communication strategies to build support for evidence-led action. What this means is that what works when you are talking about a pandemic will not necessarily work when you are talking about something like justice reform. However, some of the lessons learned in responding to the COVID-19 pandemic are relevant to talking about justice reform.

So this is an opportunity to reflect on the communication strategies used as part of the COVID-19 response, and to identify what worked and didn’t work, especially in relation to narratives for change. What were the narrative strategies that helped to build public support for what were significant changes to how we thought about each other and our actions? How could similar strategies be employed to build support for justice reform? What did we learn about what not to do?

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## Leading with shared collective values



Responding to COVID-19 needed people to think and act for the good of wider community goals. In order to support these changes, justice sector agencies, organisations, spokespeople and advocates had to adapt rapidly. Communication strategies were an essential part of that response.

As an example, during the Level 4 lockdown, official communications from the New Zealand Police used many of the strategies recommended in the crime and justice message guide. In particular, messages were often framed with collective values like caring for each other, and social proof of the compliance of others was emphasised, as this quote from a press release issued by the Police Media Centre on the first day of the Level 4 lockdown illustrates:

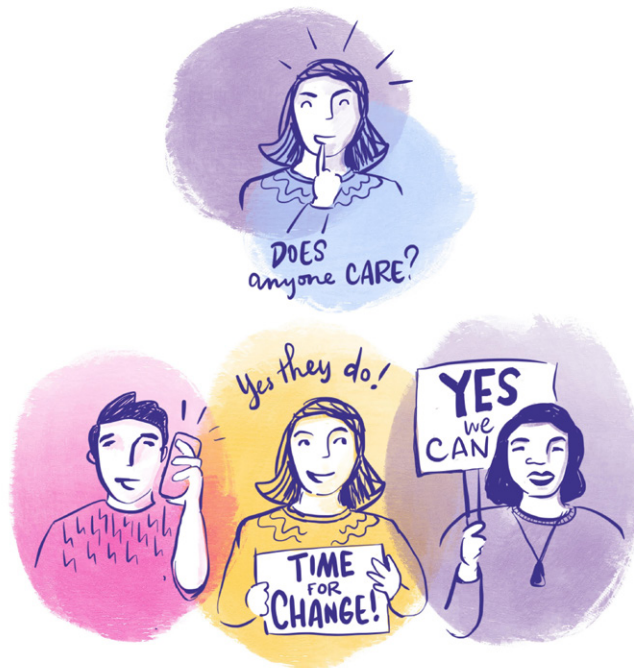
*I am confident that the vast majority of New Zealanders will continue to comply with the level 4 lockdown measures because we all want to keep ourselves and our loved ones safe.* (Police Media Centre, 26 March 2020)

In this example, where the police needed to comment on iwi checkpoints, the message led with a statement about the helpful values that motivated the people who had established the checkpoints:

*We recognise that community efforts to stop the spread of COVID-19 are motivated in the interests of the wider community.* (Police Media Centre, 23 April 2020)

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## The importance of social proof



One of the reasons it is generally hard to motivate large scale change are the many cognitive biases which prevent people from acting to support change. Examples include:

- Normalcy bias: People tend to think change is not possible, or even needed, and that the way our society is constructed now is how it will always be.
- Fatalism frame: People tend to think that people in government or in wider society will not act or are incapable if they do.
- Perception gap: People believe that others don't care about the things they care most about, even when most people share their aspirations.

All of these biases are reduced to some extent in a crisis, like a pandemic. Generally, however, overcoming them requires careful narrative strategies. One effective strategy is providing people with proof that others are prepared to act, and are already acting. This is called providing social proof.

### **You can provide social proof by:**

- Showing all the people who support change, including unexpected people.
- Ask people to tell others that they support the change.
- Talk about how people from across backgrounds and cultures came together in the past to support change to achieve something New Zealanders value.
- Be sure to name the values that people came together to support.

A good example of this during the COVID-19 lockdown was that while media stories often focused on the few New Zealanders who were breaking the rules of the lockdown, official police communications lead with messages

about the majority of people who were collaborating, offering social proof for collective action.

*Over the 33 days that New Zealand was under Alert Level 4 restrictions the overwhelming majority of the public followed the rules, they stayed home and saved lives.*

*(Police Media Centre, 28 April 2020)*

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## Us and them vs in this together

One of the key metaphors used in the official communications about the first lockdown was the ‘Team of five million’. Our research confirms that this sort of sports-based metaphor is likely to be effective in motivating short-term and simple action. However, it also shows that this kind of metaphor and the values it engages – like competition and an ‘us and them’ sense of belonging and exclusion – are likely to be unhelpful in building support for the more complex policies and actions that will be needed as part of New Zealand’s COVID-19 response in the months and years to come.

Our recommendation is to use messages that emphasise the interconnectedness of all parts of New Zealand society, and our connections to the rest of the world. In relation to justice reform, this means continuing to talk about people in prison being part of society, part of the rebuild effort and part of families who have experienced the negative impacts of COVID-19. For example, women with partners in the criminal justice system, who have lost jobs during the pandemic may need strong community support to ensure better outcomes for themselves and their families.

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## Changes in the context in which we are communicating

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### Increased fear and uncertainty

Unsurprisingly, being in the midst of a global pandemic has increased people’s levels of fear and insecurity. [One survey in April 2020, during the Level 4 lockdown](#), found that 100% of the survey participants were afraid of getting sick from the COVID-19 virus at that time.

This is relevant to talking about crime and justice because research shows that when people feel more frightened or insecure they are more supportive of simplistic,



militaristic and punitive policies. This may partly explain why [in the same survey](#) 72% of participants were supportive of an imposed public curfew, and 85% thought the police should be tougher at enforcing the lockdown rules.

It's also harder for people to see complexity when they are scared. So this creates a more challenging context in which to communicate about the complex systems that play a role in the causes of crime, or to build support for less punitive responses.

Rather than making it impossible to build public understanding, this context makes it even more important to use evidence-informed narrative strategies.

**In particular, it's important that our own messages don't also activate fear, making the situation even worse. It's more important than ever that we engage helpful values, and use the strategies in the guide which have been shown to help build people's awareness of the social construction of crime, and the effectiveness of prevention.**

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## Recession, hardship and the social causes of crime

An economic recession is expected in response to the impact of both domestic lockdowns and a global pandemic. This is expected to cause considerable stress and despair to a large number of New Zealanders.

[An internal police report released under the OIA](#) described these people as “a new vulnerable group”. People who have been “relatively financially secure” and who are “unaccustomed to serious financial difficulty”, are also unlikely to have been in much contact with the police.

Some of the ways this report was presented in the media reinforced unhelpful public beliefs about crime and the causes of crime (e.g. talking about ‘breeds of criminals’ which activates the unhelpful belief that some people are ‘born bad’). However, the report itself helpfully highlights the role of upstream factors like economic hardship and mental health on downstream factors like family harm, gang involvement and cyber crime.

Some of the risk factors identified in the police report include a negative impact on mental health, an increase in family harm, a growth in the power and influence of gangs and organised crime, as gangs may integrate themselves into or outright purchase failing businesses, and new opportunities for digital predators as “cyber criminals adapt quickly to exploit an increased pool of victims, capitalising on people's COVID-19 related anxieties and taking advantage of the vulnerabilities brought about by teleworking”.

The opportunity here is to build better public understanding about the social construction of crime by creating new causal chains and explanations (for more on these, see the ‘How to talk about Crime and Justice’ guide) that show how a change in resources and opportunities creates the conditions for crime.

## Recovery. Jobs. Jobs. Jobs.



The government's major focus is on responding to the pandemic and recovery from the effects of the pandemic including domestic lockdown and ongoing border restrictions. This focus dominates policy making and budget allocation across government and may pose new challenges for any area of policy focus which is not seen as being essential to the pandemic response or recovery.

While this is a challenge for justice reform if it is not seen as being essential to the COVID-19 recovery, it also presents several great opportunities. The opportunities are:

- ➔ To build support for policies that deal with the upstream causes of crime and other social problems; and
- ➔ To communicate the ways in which improving our justice system is an essential part of restoring the wellbeing of our communities post-COVID-19.

For example, more than 11,000 people in New Zealand have been put out of work and are experiencing what is, for many of them, unprecedented hardship. Unsurprisingly, therefore, there is a very strong focus on jobs in the current political discourse.

One opportunity here is to present the creation of jobs and training opportunities in under-resourced communities as part of an effective COVID-19 recovery plan, and a way to reduce crime and improve community wellbeing. It's also an opportunity to build support for bigger systemic changes. For example, working with communities to develop whānau-centred education solutions and pathways aligned with future opportunities for young Māori.



**Here is a ‘job focused’ adaptation of the ‘human potential’ message we tested:**

Creating jobs for young people and training opportunities that are accessible to everyone is one way to keep people out of prison, and make sure all people can reach their potential and be active members of our communities.

Children and young people from communities with high unemployment, low school achievement and a lack of other resources are more likely to be swept into our justice system and end up in prison.

Some people in politics want to keep that outdated system in place even though the illogical focus on prisons sweeps people into a powerful stream of crime from which it is difficult to escape.

We need to keep people out of this current in the first place and guide them to safer, more stable shores. This means the government should adequately resource and support communities to create the jobs and training opportunities that suit their young people, so they are not pulled into the justice system. While supporting those who have been swept in to make their way out again and live normal lives.

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**Disinformation and conspiracies**



Recently, concern has grown about the amount of misinformation about the pandemic circulating in New Zealand. This is not surprising. In the first two weeks of Level 4, in March 2020, more than 1000 New Zealanders were surveyed as part of the New Zealand Values and Attitudes Survey, which explores three broad themes including trust in science, police, health officials and politicians.

This survey found a higher level of patriotism and higher levels of institutional trust in science, government, police and health authorities among the post-lockdown group, compared to a pre-lockdown control group who had answered the same questions late last year. ([University of Auckland](#), 21 April 2020)

As the University of Auckland's Professor Chris Sibley explained at the time, "when facing an external threat, humans tend to tighten bonds generally and group bonds in particular, including bonding on a national level to repel the threat the virus poses".

However, he also pointed out that "conspiracies and the search for a scapegoat are also natural responses we humans have when faced with potential disaster". In April, that response was not yet strongly evident, but he and others predicted that it might emerge as the pandemic continued.

### **Disinformation raises several challenges for the justice sector and justice reform:**

- ➔ Firstly, without a proactive, evidence-informed strategy to address disinformation, there is a risk that trust in government, expertise and good evidence generally is likely to be undermined;
- ➔ Secondly, if bad faith actors see that disinformation works as a strategy to undermine trust in public health responses, this tactic is more likely to be employed to disrupt evidence-informed policy and practice in other areas, like justice;
- ➔ Thirdly, some people who have been influenced by disinformation will not comply with public health directives. Criminalising these people is likely to deepen their and their communities' distrust and also reinforces the unhelpful public belief that punishment is an effective way to prevent harmful actions.

The Workshop has published [a briefing for the media on misinformation and COVID-19](#), which sets out proven strategies for responding to misinformation. These principles also apply to dealing with misinformation in relation to the justice sector, whether dealing with well-intended misinformation about the powers of the police to enforce public health regulations or malicious conspiracy theories about police cover-ups.

### **Some of the key findings of our research in this area include:**

- ➔ Debunking or myth-busting is an ineffective strategy for correcting false information once widely spread. Instead try to get ahead of misinformation that people are likely to, but have not yet encountered.
- ➔ It is tempting to meet false information with counter facts. This is an ineffective strategy. Instead focus on an alternative, accurate narrative then follow through with the factual information.
- ➔ Trust in people or institutions is a key mental shortcut people use to assess the truth of information. Communities need information from messengers who they trust – their knowledge holders, kaumātua, elders, community leaders, church leaders.

We recommend the full briefing for anyone who wants to understand how your communication strategies can either amplify or counteract harmful misinformation.

# What hasn't changed?

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Having outlined the ways in which the COVID-19 pandemic has changed the context in which we are communicating about justice reform, it's important to note that much has not changed. The research we drew on to inform our message testing was conducted over multiple years in a range of countries. This research reflects some consistent patterns in the ways that people – across a range of environmental and cultural contexts – process and make sense of information.

It continues to be true, for example, that people take cognitive shortcuts that make it difficult for them to believe change is possible. Starting with a concrete, positive vision about preventing crime and restoring community wellbeing is, therefore, still an effective strategy to help people believe in change. It is also still true that research shows we need to engage people with shared, helpful values like pragmatic problem solving and benevolence.

In other words, we remain confident in the findings of our research and the narrative strategies that we recommend based on them, despite the significant changes that the COVID-19 pandemic has brought. This memo is designed to provide some ideas about how to apply those recommendations in the context of a world changed by COVID-19, rather than to replace those recommendations.

# Summary: Talking about justice in the context of COVID-19



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In summary, here are some principles for talking about justice in the context of the COVID-19 pandemic.

- Use shared collective values – the things that matter most to most New Zealanders like helpfulness, collective care and responsibility – to frame your communications.
- Use these same values to decide how to direct your activities during COVID-19. For example, use an equity lens to decide which policies and practices to implement.
- Lead your communications with these values, and with positive visions of how New Zealand will look when we all act in accordance with these values. Develop these visions in partnership with those people already experiencing the worst impacts of inequitable justice, health, social and economic systems.
- Show what caring for each other looks at an institutional, not just an individual, level. Set out how people in the police, in courts, in prisons and in the justice sector more broadly, will be acting to build better, more connected systems through your responses to this pandemic, and in the process of ‘building back better’.
- When choosing messengers, recognise that trust in governments, institutions or expertise has been eroded for some communities through previous action and inaction, and through the rise of disinformation and conspiracies.
- Trust can be rebuilt during pandemics by working in partnership with influential/trusted people from within the most affected communities, using care and empathy, and making decisions that increase equity.
- In times of stress, anxiety and rapid response, listening to others can be a challenge. But if justice sector institutions listen deeply to the communities most affected at this time, the plans they develop will help us emerge from this pandemic more connected and more resilient.

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