

Introduction

Welcome to the sixth edition of the Consultation Board literature review, compiled by Researcher Mica Searles. The themes of this literature review includes the influences of Lammy Review, disproportionality, BAME and public trust in policing.

Black Mixed-Race Men's Perceptions and Experiences of the Police explores how policing in Britain can negatively affect certain ethnic groups such as black mixed-race men. This study reveals their experiences with the police, and how they think the police perceives them as a collective.

The forensic analysis on the weaknesses of the findings and recommendations of BAME disproportionality in the UK can be found in the **Lammy Review: will it change outcomes in the criminal justice system?** Lee Bridges critiques Lammy's lack of understanding of excluding policing from remit, gang offending, crown prosecution, sentencing and the lack of representation in the CJS.

The Ministry of justice provided a **Government Response to the Lammy Review on the treatment of, and outcomes for, Black, Asian and Minority Ethnic individuals in the Criminal Justice System (MoJ, 2017)**. The report discusses how the government will take action against race disparities in crime data and rehabilitation, based on the recommendations from David Lammy.

No respect: Young BAME men, the police and stop and search explores how minority ethnic groups feel targeted by the police in the UK. Evidence from interviews show that there is a racial bias in police stop and searches and it effects the young BAME men specifically on a greater scale.

Pulled over: how police stops define race and citizenship highlights the great power the police have over the civilians in the US, especially African Americans.

Public Perceptions of Policing in England and Wales 2017 provides insight into safety and local police, perceptions of crime and the public's perceptions and interactions with the police. Specifically, the themes of satisfaction, police visibility, perceived changes and images of the local police will be explored.

Justice Matters: Disproportionality reports on the crime disproportionality in London, providing statistics that show how BAME are over-represented in knife crime.

The **Knife Crime in England and Wales** report shows the trends and patterns of knife crime between 2010/11 to 2017/18. Due to the sharp increase in knife crime since early 2018, more young people report carrying a knife for their own protection.

If you find articles to include within the review or for discussion, please email them to Mica (mica.searles@hampshire.pnn.police.uk).

Anja Kimberley,

Consultation Board Chair.

1. Black Mixed-Race Men's Perceptions and Experiences of the Police (Long & Joseph-Salisbury, 2017) (Theme: Perceptions of policing)

Tensions between policing and the black community have been recorded over the years following the migration of the Windrush generation. Due to black/black mixed race men specifically being over-represented in the criminal justice system, the black community have reported lower levels of trust in the police and this may discourage them from reporting crimes (Yarrow, 2005; Long, 2016).

Methods For study A: long conducted semi-structured interviews with twenty black and black mixed-race men and women from all age groups across the UK. The focus of the interviews was on the participants' experience of policing.

For study B: 28 in-depth semi-structured interviews were conducted by Joseph-Salisbury. The sample included 28 black mixed-race men that were all aged between 16 and 21. Fourteen of the men were living in the UK and the rest were from the US. They all came from a range of different social-class backgrounds. However, the results are focused on the results from the fourteen black mixed-race men from the UK.

Results All of the black mixed-race participants believed that they had the same experiences with the police as monoracial black men. When it came to having encounters with the police, there were no 'mixed-raced privileges'.

Conclusions Under the 'white gaze', blackness is undifferentiated in the UK. Black mixed-race men share the same challenges as monoracial black men. The participants acknowledged their double identity of what race they were born into and the race they are categorised in by the police.

Journal

Article: <https://www.tandfonline.com/doi/full/10.1080/01419870.2017.1417618?needAccess>

Accessible: Yes

2. Government Response to the Lammy Review on the treatment of, and outcomes for, Black, Asian and Minority Ethnic individuals in the Criminal Justice System (MoJ, 2017)

Aim To signal a cultural change around race disparity, in which people can confidently engage, building a fairer system in which every group and every individual can have confidence' (MoJ, 2017).

Understanding data and BAME disproportionality

The Lammy review recommended a cross-CJS approach to recording data on ethnicity. The Ministry of Justice responded to this request and quoted that they will achieve this by also integrating religious groups into the data collection.

Ministry of Justice (MoJ) will publish more data sets on ethnicity and crime, especially including small minority groups. For instance, there needs to be more crime data on Gypsy, Roma and Traveller minority offenders and defendants as this ethnic group need specific requirements in the CJS. This action will be taken in 2018/19 statistic bulletins.

The magistrate's office was recommended to address key gaps in the data such as pleas and remand decisions. Magistrate's verdicts will be thoroughly examined, especially of those affecting BAME women.

Rehabilitation The MoJ will work with CRCs to release more publication of data on protected characteristics, contracted agreements and legal requirements. Within those contractual agreements, the CRC and other providers will be required to improve their rehabilitation services to BAME offenders.

The Youth Justice Board (YJB) has been recommended to release a full evaluation of their disproportionality toolkit. The MoJ will include information in the toolkit regarding disproportionality in entry age and seriousness of offending.

Governance A Race and Ethnicity Board will be chaired by a Director General from the MoJ. Membership will include represents for different operational agencies, the Youth Justice Board and the Welsh government. The board will update the Criminal Justice Board on ideas and methods on reducing race disparities in the CJS.

Report: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/669206/Response_to_David_Lammy_Review.pdf

Accessible: Yes

3. Lammy Review: Will It Change Outcomes in the Criminal Justice System? (Lee Bridge, 2017)

Excluding policing from remit Lammy produced figures from 2014 to prove that ethnic disproportionality was evident in the UK policing – BAME young males were 1.35 times more likely to be arrested than young white males and the differential rate between the two ethnic groups was 1 to 1.75. However, Bridges (2017) argues that the Lammy Review failed to compare ethnic disproportionality rates for arrests and the cases referred by the police to the CPS for decisions on possible charges.

Gang Offending The Lammy Review reveals how the stereotyping of BAME individuals has led to the over-representation in arrests. Crime such as robbery and ‘mugging’ has been considered as gang or ‘black crime’ and therefore the amount of stop and searches on BAME males is considerably higher. Yet, Bridges (2017) suggests Lammy’s recommendation on gang databases and joint enterprise of policing on gang crimes fails to consider how disproportionality can be affected by which courts the defendants are tried in and whether they get convicted or dropped from their case.

Role of the crown prosecution The Crown Prosecution Service (CPS) was criticised by Lammy as he proposed that the agency does not have ethnic disproportionality in mind when it comes to decision-making. Bridges (2017) debates that the Lammy review did not consider investigating the qualitative differences across ethnic groups regarding charging decisions.

Sentencing Lammy uses figures from a 2016 research study that examines the ethnic differences in sentencing at the Crown Court. Lammy (2017) summarises that although there was no statistical link between ethnicity and receiving a prison sentence, there was a 240% chance of BAME offenders to be charged with drug offences. Furthermore, the black adult female conviction rate for drug offences was 2.27% greater than white adult females. However, Bridges (2017) sees how Lammy did not make the connection between this pattern of sentencing and the sentencing of drug offences against alleged gang associates he observed earlier in his report.

Lack of representation in the CJS There is a lack of representation of BAME in the criminal justice system (Lammy, 2017). Bridges argues that levelling the amount of BAME in the CJS will not change the fact that an individuals’ social economic status also has a strong influence on arrests and convictions, especially if the offender is from a working-class background. If a minority happens to be from a working-class background then this factor will also work against them in the CJS.

Research Article: <https://journals.sagepub.com/doi/full/10.1177/03063968>

Accessible: Yes



4. No respect: Young BAME men, the police and stop and search (Peter Keeling, 2017)

BAME communities have lost confidence in the police as three-quarters of young BAME people believe that their community are unfairly targeted for stop and searches.

In 2015/16, black people in Hampshire were 8 times more likely to be searched. However, the ethnic group with the highest probability of searches differed depending on geographical location. Yorkshire has a high population of Asian people so it is understandable why the Asian ethnic group had a greater chance of being stopped. In North Yorkshire, Asian people were 3 times more likely to be stopped than any other ethnic group. (Keeling, 2017).

From the interviews that were conducted, many of the young BAME participants felt that searches by police can be demeaning and come across very confrontational. It also made them feel anxious which did not help during the situation as they felt they were in a 'fight or flight' situation.

Stereotyping of clothing is another issue young people in the UK find alarming. Many of the interviewees thought that they were not only targeted by the colour of their skin but also because they were wearing clothing associated with the 'gang appearance' e.g. hoodies or tracksuits.

Kelling (2017) revealed that there are long-term effects from experiencing negative encounters of police stop and searches. Emotions such as anger and anxiety may occur after a police search. Some young BAME people from the study felt uneasy if a police officer was walking in their direction.

The young BAME people in the study suggested that the police should treat them with respect and communicate with them in a manner that will keep the situation calm. They also recommended that police officers should repeatedly explain the reasons for stopping the individual and that using police jargon only causes confusion, making them feel that they have done something far worse.

Report: <http://criminaljusticealliance.org/wp-content/uploads/2017/06/No-Respect-290617-1.pdf>

Accessible: Yes

5. Pulled over: how police stops define race and citizenship (Benjamin Bowling, 2018)

This book review represents the view that the power of stop and search is trained and designed in a way that produces racially disproportionate outcomes. In the US, black drivers are more likely to be stopped by the police than any other ethnic group. A black individual who happens to drive a luxury car will be particularly targeted, as it seems 'out of place' (Bowling, 2018).

Methods Telephone survey data from 2329 drivers. The geographical area was located in the Kansas City metropolitan area.

Bowling argues that investigatory stops against black drivers usually have a reoccurring pattern of pulling over the individual as they look 'suspicious'. Although traffic safety stops are part of enforcing the traffic laws, it is deemed that the police abuse this power with minority drivers due to racial bias. This prevalence of police stops may be high due to Kansas being a Southern state where racial division is still experienced.

Intrusive police caused long-term harm such as the form of racial subordination. None of the white drivers that were interviewed felt fearful against the police or had feared that the police would do a random stop and search.

Bowling briefly mentions the rise of police stop and searches in the UK at the end of the 2000s with around 1.2 million 'on suspicious' stops. The decrease in knife crime was believed to be influenced by police searches as statistics fell between 2011 and 2014. However, knife crime rose again in the summer of 2016 and early 2018.

Book Review:

<https://www.tandfonline.com/doi/full/10.1080/10439463.2018.1473978?need>

Accessible: Yes

6. Public Perceptions of Policing in England and Wales 2017 (Ipsos MORI)

Method Large-scale online survey between July and August 2017. The sample included 12,662 people aged 16 and over across England and Wales.

Satisfaction with local policing Previous years has shown that communities are more satisfied than dissatisfied with the policing in their local area (53% vs. 19%). Those who claimed they were dissatisfied had reasons such as lack of presence of officers in their uniform, not being able to access policing services and not having any contact with the police in the previous year. The demographic groups that showed higher levels of dissatisfaction were those who were retired, living in semi-rural areas and those with a disability.

Police visibility Uniformed police presence in local communities is deemed as a top priority for the participants. Around 83% of the participants think it is important and 39% think it is 'very important'. However, 41% of the responses were dissatisfied with police visibility, compared to 24% that were satisfied. The groups with the highest satisfaction levels with uniformed police presence were:

- People aged 16-34 (34% vs. 24% overall),
- BAME groups (34% vs. 23% white participants)
- Participants that live in urban areas (26% vs. 20% who live in rural areas)

Perceived changes in local policing 25% of the participants believed that local policing has got worse over the year, compared to the 5% who thought it had improved. The option of 'Visibility of an on-foot uniformed police presence' had the highest dissatisfaction results at 41% - this has gone up by 4% from the last 2016 survey results (37%).

Image of local policing Results from the image statements revealed that 64% of the participants would say the local police 'have [their] support' – this is a 3% increase from the 2016 results (61%). Also, the statement of the police 'Have your respect' had high satisfaction results (58% vs 56% from 2016 results).

Report: <https://www.ipsos.com/sites/default/files/ct/publication/documents/2017-12/public-perceptions-of-policing-in-england-and-wales-2017.pdf>

Accessible: Yes

7. Justice Matters: Disproportionality, 2017 (Mayor of London Office for Policing and Crime)

Disproportionality across Knife Crime (London)

All knife crime

- In 2017, around half of all knife crime offenders were BAME. This figure increased between 2008 and 2017 (44% to 50%).
- 90% are male, under 25 and two-thirds were from a minority ethnic group.
- BAME represented half (50%) of the knife crime victims. This has increased from 44% in 2008.

Knife possession

- 2017= 53% of possession of knife suspects were black. 56% of arrests for offensive weapons following stop and search were of the black ethnic group.

Homicide

- 2017: A total of 133 victims of homicide in London. This is an increase of 24 records to 2016 statistics.
- 66% (88 records) were due to a knife or a sharp instrument.
- 8 victims of knife homicides related to domestic abuse, 3 of the victims were BAME.
- Majority of non-domestic knife homicide victims were male (75, 94%) – 64% (48) of these were BAME.

Report:

https://www.london.gov.uk/sites/default/files/mopac_justice_matters_13_march_2018_disproportionality_slides.pdf

Accessible: Yes

8. Knife Crime in England and Wales (House of Commons, 2018)

Trends over time Record of knife crime/ sharp object offences fell between 2010/11 and 2013/14. However, the offence began to rise again – by the end of March 2018, 40,100 accounts of knife crime had occurred. This figure was 16% greater than in 2016/17.

It is suggested that the reason for the recent increase in recorded knife crime is due to ‘improved crime recording practices and processes leading to a greater proportion of reports of crime being recorded.’ (ONS, The Crime in England and Wales: year ending March 2016)

Children and young people The Crime Survey for England and Wales (CSEW) have asked children aged 10-15 years old about their experiences with crime since January 2009. At the end of March 2016, 6.2% of 10-15 year olds and 4.2% of 16-29 year olds **knew someone who carried a knife for protection**. Furthermore, 0.3% of 10-15 year olds and 0.7% of 16-29 year olds reported that they **carry their own knife**

Report:

<https://researchbriefings.parliament.uk/ResearchBriefing/Summary/SN04304#fullreport>

Accessible: Yes