



Ministry  
of Justice

# **Lammy review of Black, Asian and Minority Ethnic representation in the Criminal Justice System: Call for Evidence Analysis**

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## **Introduction**

In January 2016, the former Prime Minister David Cameron invited David Lammy MP to find out why black, Asian and minority ethnic (BAME) groups appear to be over-represented at most stages of the criminal justice system (CJS), and what can be done about it.

This paper gives an analysis of responses to the Call for Evidence, which provided a way for organisations and individuals to share views, evidence and insights with the Review. The Call for Evidence was opened on 21 March and closed on 30<sup>th</sup> June 2016; there were 275 responses, including members of the public, academics, individuals working in the Voluntary and Community Sector, businesses and Judicial and Legal Professionals.

### **1. Methodology**

The consultation consisted of 39 questions; a small number of these were multiple-choice, whilst the majority were open-text. MoJ analysts produced a coding framework for each of the formal consultation questions, with input from policy officials. The framework was used to apply agreed codes to each response indicating the main themes covered, which then allowed for identification of the most common feedback themes across respondents.

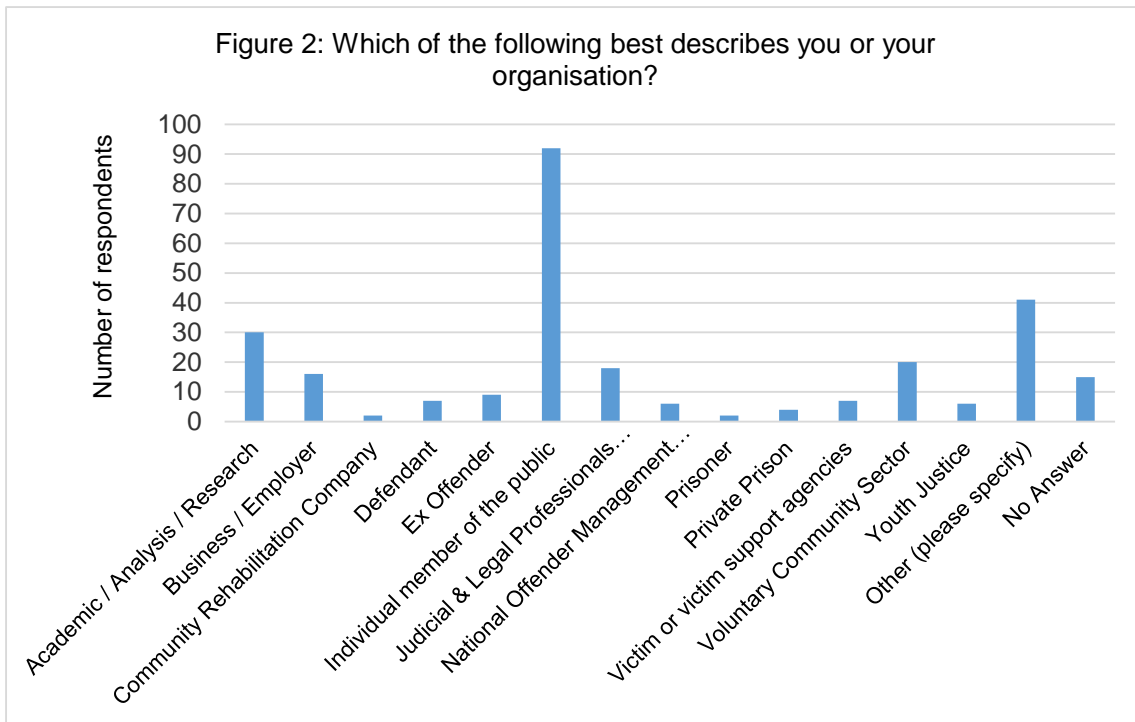
#### **Respondents**

There were 275 responses to the Call for Evidence via the Lammy Review website.

92% answered the questions with regard to England, 2% with regard to Wales and 3% for both England and Wales.

Respondents were also asked to identify their role or organisation; this question was answered by 260 people (95%):

- the largest group (35%) identified themselves as members of the public,
- 12% identified themselves as academics or researchers,
- 8% were from the Voluntary and Community Sector,
- 7% were judicial or legal professionals,
- 6% were from a business,
- The rest were from a mixture of Community Rehabilitation Companies, Prison staff, Victims or victim support organisations, the Youth Justice sector and Defendants and Prisoners, NGOs, the Private Sector and students.



## Understanding response rate analysis

MoJ officials have conducted analysis of responses and a summary is below. There are a number of important caveats:

- Not all of the respondents gave responses to all of the questions. Where percentages are given, these are percentages of **the number of respondents who answered that specific question**.
- As responses, could cover a number of themes, multiple codes could be assigned to a response; this means that the theme percentages often add up to more than 100 per cent.
- 10 coders assigned codes for open text questions. While there was general agreement there is likely to be some variation in the way different people coded responses. Checks were used to mitigate user error as much as possible.
- While percentages are provided for the open text question to give some idea of the level of agreement on issues, these numbers may be subject to coder error.
- The level of information and detail provided for each question is driven by the level of information that respondents provided.

Unless otherwise stated, questions were open text and asked of all respondents regardless of their response to multiple choice questions. See Annex for the full text of the questions.

## 2. Thematic analysis

### Early stages of the CJS process

Covering the early stages of the CJS process, respondents were asked why BAME individuals are more likely to draw on legal help<sup>[ii]</sup> **Error! Bookmark not defined.** and why they are more likely to plead 'not guilty' than white individuals.<sup>[iii]</sup> They were also asked why black defendants are more likely to be remanded<sup>[iv]</sup> and why BAME defendants once remanded are more likely to be acquitted or not tried.<sup>[v]</sup> Answers highlighted the role of

disproportionality at the police stage, and institutional racism leading to BAME defendants pleading 'not guilty' and high rates of acquittal after remand.

- A substantial proportion of respondents (38%) argued that BAME defendants are more likely to plead 'not guilty' because they are likely to be innocent of the charge. When asked why BAME defendants are then more likely to be acquitted or not tried after remand, 30% of respondents argued that this may be due to a lack of evidence to charge, and 14% emphasised that it may be linked to the defendant's innocence.
- The role of police targeting, victimisation and poor detection or investigation of BAME cases was highlighted along with poor legal advice. It was also suggested that BAME defendants are more likely to be acquitted after remand.
- Institutional racism was suggested by 44% of respondents as a reason for black defendants<sup>1</sup> being more likely than White defendants to be remanded to custody in the Crown Court and 21% in relation to BAME defendants being more likely to be acquitted or not tried after remand. Respondents suggested that high rates of remand may be due to fear by the police and judiciary that black defendants may abscond or reoffend (24%), and negative stereotyping of black people (13%).

### **Prosecution, cautioning and pre-sentence reports**

Respondents were asked about disproportionality in terms of prosecution rates<sup>[vi]</sup> and cautions<sup>[vii]</sup> as a proportion of arrest for black adults, along with differences in recommendations in pre-sentence reports for BAME defendants.<sup>[ix][x]</sup> The issue of institutional racism, a lack of fairness and stereotypical views of BAME individuals were key themes in the responses.

- For each of these issues, the most common theme in responses was the issue of racism and prejudice in the system; 25-50% of respondents emphasised that institutional racism was a driver in terms of the differences in prosecution rates, cautions and pre-sentence report recommendations.
- Specifically in regard to the high prosecution rates for black defendants,<sup>1</sup> 11% of responses emphasised the issue of stereotyping and lack of understanding of BAME cultures. Others suggested more subtle discrimination may be occurring.
- Respondents highlighted unfair targeting and arrests by police as a key driver behind low caution rates for black defendants (11%).<sup>1</sup> Black defendants being charged more quickly and therefore cautions not being considered was also suggested.
- Respondents were asked why BAME defendants are both less likely to be recommended for community service, and more likely to receive a recommendation for a suspended sentence than a white defendant. Responses highlighted that BAME individuals face tougher sentences and stereotyping.

### **Prison sentences, and experiences whilst in prison**

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<sup>1</sup> Where a question asked specifically about one ethnic group this has been noted. In some cases respondents answered generally with regard to BAME individuals rather than the specific ethnic group noted in the questions. Where this is the case, the summary reflects the language used by respondents.

Respondents were asked why BAME offenders are more likely to receive prison sentences,<sup>[xi]</sup> and why their experiences seem to be worse whilst in prison.<sup>[xii], [xiii], [xiv]</sup> Institutional racism was emphasised as a key theme again, along with specific racist behaviours and attitudes of prison staff.

- Racism and prejudice within the CJS was emphasised by 70% of respondents in relation to the high likelihood of BAME defendants receiving a prison sentence. It was emphasised by 28% of respondents in relation to BAME individuals reporting worse prison experiences, and by 31% of respondents in relation to high rates of adjudication in prison for mixed and black offenders.
- Stereotypical views of BAME individuals as being a higher risk was emphasised by respondents in relation to all of these issues. In relation to adjudication rates, however, some respondents argued that different cultural norms may lead to BAME prisoners not knowing how best to approach a situation.
- Racist behaviour of prison staff was emphasised by respondents in relation to BAME prisoners reporting worse prison experiences and high adjudication rates. Respondents argued that BAME prisoners are treated unfairly by prison staff and are less likely to be helped by the system.

### **Reoffending**

Respondents were asked why black offenders are more likely to have a proven re-offence<sup>[xv]</sup> and why white offenders have the highest number of re-offences in comparison to other ethnic groups.<sup>[xvi]</sup> Responses focused on the double disadvantage experience by BAME ex-offenders, along with targeting by the police.

- The double disadvantage of having a conviction added to the disadvantage BAME individuals already face was highlighted by 15% of respondents in relation to reoffending rates of black offenders. Low expectations and low self-esteem of black ex-offenders (13%) and environmental peer pressure to reoffend once people are back in the same community (15%) were also commonly suggested.
- Racial discrimination, where black people are more likely to be stopped and searched, arrested and prosecuted was highlighted by 12% of respondents as a driver behind high rates of reoffending for black offenders. In a similar vein, white offenders having a higher number of re-offences was suggested to be due to white offenders being given more lenient sentences and therefore not being deterred (15%). There were also suggestions that white offenders are more embedded in a criminal lifestyle when they are brought to justice.
- A lack of support for offenders in the community was highlighted in relation to both of these issues.

### **Young people in the CJS**

Respondents were asked why young people from BAME backgrounds are more likely than average to be prosecuted,<sup>[xvii]</sup> why young BAME and Muslim males report worse relationships with prison staff and higher levels of restraint and victimisation,<sup>[xviii]</sup> and why young black offenders are more likely to reoffend than young white offenders.<sup>[xix]</sup>

- Institutional racism and discrimination within the system was highlighted in response to each of these questions, 37% suggested this in relation to prison experiences of young BAME and Muslim males. Police targeting, victimisation and harassment were

specifically suggested as a driver for both high prosecution rates and high reoffending rates of young people from BAME backgrounds.

- Unconscious bias by prison officers, racist behaviour of prison officers and a lack of diversity amongst prison officers were all commonly highlighted as drivers of negative relationships between young BAME and Muslim males and prison staff as well as higher levels of restraint and victimisation for these groups in prisons.
- Respondents suggested that high reoffending rates of black young offenders may be due to the disadvantage faced by black young people with a conviction (15%). Lack of support on release from prison was mentioned by 15% of respondents.

### **The importance of ethnic diversity in the CJS**

Respondents were asked to what extent they believed that the ethnic diversity of staff in the CJS has a bearing on outcomes for BAME defendants/ offenders.

- For 36% of respondents, ethnic diversity of staff in the CJS was believed to have a significant positive impact on outcomes and 15% of respondents felt that more BAME staff should be employed in the CJS.
- Other responses were more equivocal- 19% of respondents argued that institutional racism is a factor in police and court culture, and therefore the positive impact of BAME staff is limited, as there is a pressure to conform to the majority.

### **Actions in relation to the whole CJS:**

- **Equality and diversity training for CJS staff:** this was suggested for police, CPS, judges and juries to address all aspects of disproportionality for adults and young people.
- **Scrutiny and monitoring of CJS decisions:** mechanisms such as an independent review team were suggested to address disproportionality in cautioning and pre-sentence report recommendations for adults, and for prosecution rates for adults and young people. The need for more scrutiny of the decision making process around cautioning for adults was suggested by 21% of respondents.
- **Holding to account those individuals found to be making biased decisions:** This was commonly mentioned as a way to deal with high prosecution rates for black defendants and to address disproportionality in pre-sentence report recommendations.
- **Equal and unbiased treatment and evidence based decision making:** This was emphasised particularly in relation to address high rates of remand, 'Not guilty' pleas, and reoffending rates, prosecution and cautioning. Respondents also suggested that BAME defendants should receive better legal advice at the early stages of the criminal justice process (19%),
- **Enhanced rehabilitation and employment support in prison and the community:** respondents argued that more funding and support for BAME adults and young offenders in the community may be beneficial, along with prisons focusing on employment training, and employers being encouraged to recruit ex-offenders. Nearly a fifth of respondents argued that working with families, schools and communities was the best way to address high prosecution rates for BAME young people.

- **Increasing diversity in the CJS:** the need for increased diversity was highlighted in relation to high rates of remand and prosecution for Black adults. It was also emphasised by 10% of respondents as a way to stimulate innovation and high performance in the CJS. When asked directly about actions to increase diversity in the CJS, positive action on recruitment through measures such as specific programmes for BAME recruitment were suggested by 13% of respondents. Others argued for fair recruitment practices, advertising and better careers advice.
- **More research:** this was suggested throughout, but particularly in relation to high rates of BAME defendants pleading 'not guilty'.

**Actions relating to prison staff working with adults and young people:**

- **Equality and diversity training for prison staff:** this was specifically mentioned in relation to prison experiences for adults and young people. In relation to young people, this was suggested as an action by 28% of respondents.
- **Monitoring prison staff and holding them to account for inappropriate behaviour:** this was highlighted particularly in relation to prison experiences for BAME young people where 24% of respondents suggested it as an action, but also in relation to experiences and adjudication rates for adults.
- **Increasing the diversity of prison staff:** this was highlighted as an action to address worse prison experiences as well as high adjudication rates of BAME adults and young people.



## **Annex A**

### **Call for Evidence Questions**

1. What is your name?
2. What is your email address?
3. Are you answering this survey regarding England or Wales?
  - England
  - Wales
  - Other (please specify)
4. Please choose one option from the list below which best describes you or your organisation:
  - Academic / Analysis / Research
  - Business / Employer
  - Community Rehabilitation Company
  - Defendant
  - Ex Offender
  - Individual member of the public
  - Judicial & Legal Professionals (such as judges, magistrates, barristers etc..)
  - National Offender Management Service
  - Prisoner
  - Private Prison
  - Victim or victim support agencies
  - Voluntary Community Sector
  - Youth Justice
  - Other (please specify)

### **Legal advice and pleas**

5. Individuals from BAME backgrounds are more likely than average to draw on legal help<sup>[i]</sup>. In your view, what bearing does this have on outcomes for BAME groups in the CJS?<sup>[ii]</sup> (Whenever possible please provide the evidence that informs your opinion, including links to publicly available content).
6. Overall, BAME defendants are more likely than White defendants to plead 'not guilty' to criminal charges.<sup>[iii]</sup> In your view, why is this? (Whenever possible please provide any evidence that informs your opinion, including links to publicly available content).
7. What action, if any, do you believe should be taken in response to the higher rates of BAME defendants pleading 'not guilty'?

### **Remand**

8. Black defendants are more likely than White defendants to be remanded into custody at Crown Court.<sup>[iv]</sup> In your view, why is this? (Whenever possible please provide any evidence that informs your opinion, including links to publicly available content).
9. What action, if any, do you believe should be taken in response to the greater likelihood of Black defendants remanded into custody at Crown Court?
10. Having been remanded into custody, BAME defendants are more likely to then be acquitted or not tried later.<sup>[v]</sup> In your view, why is this? (Whenever possible please provide any evidence that informs your opinion, including links to publicly available content).

## **Prosecution**

11. Prosecution rates per head of the population are higher for Black adults than for White and Asian adults.<sup>[vi]</sup> In your view, why is this? (Whenever possible please provide any evidence that informs your opinion, including links to publicly available content).

12. What action, if any, do you believe should be taken in response to these higher prosecution rates?

13. Compared with other ethnic groups, Black people have the lowest rate of cautions as a percentage of arrests.<sup>[vii]</sup> In your view, why is this? (Whenever possible please provide any evidence that informs your opinions, including links to publicly available content).

14. What action, if any, do you believe should be taken in response to these lower caution rates?

## **Sentencing**

17. When a pre-sentencing report is commissioned, BAME defendants are less likely to have community service recommended than White defendants.<sup>[ix]</sup> In your opinion, why is this? (Whenever possible please provide the evidence that informs your opinion, including links to publicly available content).

18. What action, if any, do you believe should be taken in response to this difference in recommendations for community service?

19. When a pre-sentencing report is commissioned, BAME defendants are more likely to receive a recommendation for a suspended sentence than White defendants.<sup>[x]</sup> In your opinion, why is this? (Whenever possible please provide the evidence that informs your opinion, including links to publicly available content).

20. What action, if any, do you believe should be taken in response to this difference in recommendations for suspended sentences?

21. BAME offenders are more likely to face prison sentences than White offenders.<sup>[xi]</sup> In your view, why is this? (Whenever possible please provide any evidence that informs your opinions, including links to publicly available content).

## **Prison**

22. BAME prisoners report a worse experience of prison than White prisoners. For example, BAME prisoners are less likely to report feeling safe in prison and more likely to report victimisation by staff.<sup>[xii]</sup> In your view, why is this? (Whenever possible please provide any evidence that informs your opinion, including links to publicly available content).

23. What action, if any, do you believe should be taken in response to these differences in experience of prison across ethnic groups?

24. Adjudication<sup>[xiii]</sup> for breaches of prison discipline is higher for Mixed and Black offenders than White and Asian offenders.<sup>[xiv]</sup> In your view, why is this? (Whenever possible please provide any evidence that informs your opinion, including links to publicly available content).

25. What action do you believe should be taken in response to these differences in adjudication rates across ethnic groups?

## **Rehabilitation**

26. On average, Black offenders are more likely to reoffend than other ethnic groups.<sup>[xv]</sup> White offenders are the group second-most likely to reoffend. In your view, what explains

this? (Whenever possible please provide any evidence informing your opinion, including links to publically available content).

27. White offenders have the highest number of re-offences per re-offender, followed by Black offenders. In your view, what explains this?<sup>[xvi]</sup> (Whenever possible please provide any evidence informing your opinion, including links to publicly available content).

28. What action do you believe should be taken in response to these different reoffending rates?

### **Youth Justice**

29. According to official figures, young people from BAME backgrounds are more likely than average to be prosecuted.<sup>[xvii]</sup> In your view, why is this? (Whenever possible please provide the evidence that informs your opinion, including links to publicly available content).

30. What action, if any, do you believe should be taken in response to these higher prosecution rates?

31. BAME and Muslim male young offenders report more negative perceptions of their relationships with prison staff than White male young offenders. This includes a higher proportion reporting having been victimised by staff or restrained.<sup>[xviii]</sup> In your view, what explains this? (Whenever possible please provide the evidence that informs your opinion, including links to publicly available content).

32. What action, if any, do you believe should be taken in response to these reports from BAME and Muslim young offenders?

33. Figures show that Black young offenders are more likely to reoffend than White young offenders.<sup>[xix]</sup> In your view, why is this case? (Whenever possible please provide the evidence that informs your opinion, including links to publicly available content).

### **Staff Diversity**

34. To what extent do you believe the ethnic diversity of staff working in the CJS, including lawyers, judges, and professionals working in prisons and offender management services, has a bearing on outcomes for BAME defendants/offenders? (Whenever possible please provide any evidence that informs your opinion, including links to publicly available content).

35. If you regard the ethnic diversity of staff working in the CJS as important to outcomes for BAME defendants/offenders, what more could be done on this issue?

### **Data**

36. In your view, is the collection of data on BAME outcomes in the CJS sufficient and consistent? If not, what are the principle gaps? What might be done differently?

### **General**

37. What examples are there of good practice – in the UK or abroad – that different parts of the CJS could learn from, to address the over-representation of BAME individuals? (Whenever possible please provide any evidence that informs your opinion, including links to publicly available content).

38. What more can be done to stimulate innovation and high performance from within the CJS where the treatment of BAME individuals is concerned?

39. Is there anything else that you regard as important to the over-representation of BAME groups in the CJS that has not been covered in your answers so far? (Whenever possible please provide evidence, including links to publicly available content).

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[i] Legal help is a form of legal aid.

[ii] 'The proportion of legal help clients who are from a BAME background is larger than in the general population.'

– *Legal Aid Statistics in England and Wales, January to March 2015, Ministry of Justice Statistics bulletin*, available at

[www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/438013/legal-aid-statistics-bulletin-jan-to-mar-2015.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/438013/legal-aid-statistics-bulletin-jan-to-mar-2015.pdf)

[Note: this figure includes immigration controlled legal representation work].

[iii] 'BME defendants are consistently more likely than White defendants to plead not guilty to charges' - 'Are Juries Fair?', Ministry of Justice (2010), available at

<https://www.justice.gov.uk/downloads/publications/research-and-analysis/moj-research/are-juries-fair-research.pdf>

[Note: this figure controls for offence types].

[iv] 'Defendants from BAME groups were more frequently remanded in custody compared with White defendants relative to their distribution in the population, and for the Black and Mixed groups to a greater extent than they were proportionally more likely to be prosecuted. For example, Black individuals accounted for 3% of the total population of England and Wales, 10% of defendants tried at the Crown Court and 13% of defendants remanded in custody at the Crown Court.'

– *Statistics on Race and the Criminal Justice System 2014*, Ministry of Justice, (2015), available at

[www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/480250/bulletin.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/480250/bulletin.pdf)

[Note: this figure does not control for differences between ethnic groups in the type or seriousness of the offences committed, or previous criminal history].

[v] 'Among those remanded in custody, all ethnic groups were most likely to have later received a custodial sentence. However, White and C&O defendants remanded in custody at the Crown Court were more likely (72%-75%) to have later received a custodial sentence than Black, Asian and Mixed defendants (66%-69%). Defendants from BAME groups remanded in custody were more likely to be acquitted or not tried later (14%-17%) than White defendants (11%).'

– *Statistics on Race and the Criminal Justice System 2014*, Ministry of Justice, (2015), available at

[www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/480250/bulletin.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/480250/bulletin.pdf)

[Note: this figure does not control for differences between ethnic groups in the type or seriousness of the offences committed, or previous criminal history].

[vi] Relative to the population, the Black adults have the highest rate of prosecutions. The rate of prosecutions for Black adults is 3 times higher than for the White and Asian adults.

– *Statistics on Race and the Criminal Justice System 2014*, Ministry of Justice, (2015), available at

[www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/480250/bulletin.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/480250/bulletin.pdf)

[Note: this figure does not control for differences between ethnic groups in the type or seriousness of the offences committed, or previous criminal history].

[vii] 'Black people have the lowest rate of cautions as a percentage of arrests at 16%. This compares to White people at 24%, Asian people at 20% and people categorized as 'Other' at 26%.'

– [www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/217353/out-of-court-disposals-june2011.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/217353/out-of-court-disposals-june2011.pdf)

[Note: This figure does not control for the type and seriousness of the offence, the preparedness of the individual to admit guilt or whether the police regard the offender as showing remorse].

[ix] 'In 2014 offenders from the White ethnic group had ... a higher proportion of PSRs recommending community sentences (73%) compared with offenders from BAME groups (67%-69%).'

– *Statistics on Race and the Criminal Justice System 2014*, Ministry of Justice, (2015), available at

[www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/480250/bulletin.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/480250/bulletin.pdf)

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[Note: this figure does not control for differences between ethnic groups in the type or seriousness of the offences committed, or previous criminal history].

[xi] 'In 2014 offenders from the White ethnic group had a lower proportion of PSRs recommending a suspended sentence (18%) compared with offenders from BAME groups (21%-22%)'.

– Statistics on Race and the Criminal Justice System 2014, Ministry of Justice, (2015), available at [www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/480250/bulletin.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/480250/bulletin.pdf)

[Note: this figure does not control for differences between ethnic groups in the type or seriousness of the offences committed, or previous criminal history].

[xii] 'Being recorded by a police officer as coming from a Black, Asian, or Minority Ethnic (BAME) background was independently associated with approximately 39% higher odds of being sentenced to prison, than offenders who were recorded by police officers as coming from a White ethnic background'

- *Associations between police-recorded ethnic background and being sentenced to prison in England and Wales*, Ministry of Justice (2015)

[Note: this study controlled for factors such as the offence committed and the existence of previous cautions or convictions, but not for other factors such as whether a guilty plea was entered or the existence of aggravating or mitigating factors].

[xiii] 'Over a quarter (27%) of adult male prisoners in our survey were black or minority ethnic and they were more negative than white prisoners about many areas of prison life. Fewer said they felt safe on their first night at the prison or at the time they completed the survey, or had a member of staff they could turn to for help, and more said they had been victimized by staff.'

– HM Chief Inspector of Prisons for England and Wales Annual Report 2014-15, available at [www.justiceinspectorates.gov.uk/hmiprison/wp-content/uploads/sites/4/2015/07/HMIP-AR\\_2014-15\\_TSO\\_Final1.pdf](http://www.justiceinspectorates.gov.uk/hmiprison/wp-content/uploads/sites/4/2015/07/HMIP-AR_2014-15_TSO_Final1.pdf)

[Note: this figure does not control for differences between ethnic groups in the type or seriousness of the offences committed].

[xiiii] When prisoners are charged with an offence against prison discipline a hearing then takes place, known as 'adjudication'.

[xv] Mixed ethnicity offenders have consistently had the highest rates of adjudication (169 per hundred prisoners in 2014), followed by Black (126 per hundred prisoners), White (105 per hundred prisoners) and Asian offenders (70 per hundred prisoners).

– *Statistics on Race and the Criminal Justice System 2014*, Ministry of Justice, (2015), available at [www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/480250/bulletin.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/480250/bulletin.pdf)

[xvi] 'Black offenders have the highest re-offending rates at 29.8%, followed by White, Asian and Other offenders.'

– *Statistics on Race and the Criminal Justice System 2014*, Ministry of Justice, (2015), available at [www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/480250/bulletin.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/480250/bulletin.pdf)

[Note: this figure does not control for differences between ethnic groups in the type or seriousness of the offences committed, or previous criminal history].

[xvii] 'White offenders have the highest number of re-offences per re-offender (3.16) but have the second highest re-offending rates. Black offenders have the second highest number of re-offences per re-offender (2.84) but have the highest re-offending rates.'

– *Statistics on Race and the Criminal Justice System 2014*, Ministry of Justice, (2015), available at [www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/480250/bulletin.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/480250/bulletin.pdf)

[Note: this figure does not control for differences between ethnic groups in the type or seriousness of the offences committed, or previous criminal history].

[xviii] 'Relative to the population, the rates of prosecution and sentencing for Black, Asian and minority ethnic (BAME) youths are higher than for the population as a whole'

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– *Statistics on Race and the Criminal Justice System 2014*, Ministry of Justice, (2015), available at [www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/480250/bulletin.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/480250/bulletin.pdf)

[Note: this figure does not control for differences between ethnic groups in the type or seriousness of the offences committed, or previous criminal history].

<sup>[xviii]</sup> ‘Across all the inspected establishments, black and minority ethnic boys were far more negative than white boys about relationships with staff, and more said they had been victimised by staff or restrained.’

– HM Chief Inspector of Prisons for England and Wales Annual Report 2014-15, available at [http://www.justiceinspectorates.gov.uk/hmiprison/wp-content/uploads/sites/4/2015/07/HMIP-AR\\_2014-15\\_TSO\\_Final1.pdf](http://www.justiceinspectorates.gov.uk/hmiprison/wp-content/uploads/sites/4/2015/07/HMIP-AR_2014-15_TSO_Final1.pdf)

[Note: this figure does not control for differences between ethnic groups in the type or seriousness of the offences committed].

<sup>[xix]</sup> ‘The percentage of offenders who went on to reoffend between January and December 2011 was 42.6% for black young people compared to 35.9% for white young people.’

- A Sarkis, *Reducing the numbers of BAME young people in the youth justice system* (2014) available at [www.bteg.co.uk/sites/default/files/Angela.pdf](http://www.bteg.co.uk/sites/default/files/Angela.pdf)