

JUSTICE, IMMIGRATION, AND RIGHTS

Briefing May 2024

BRIEFING SCOPE

The problem of justice in black communities is a long-standing issue that perpetuates inequality and inequity. It is beyond the scope of this short briefing to pay due attention to every form of injustice that black communities face in Britain. However, we highlight here five areas that we believe are of key concern to black communities in Britain. These are namely:

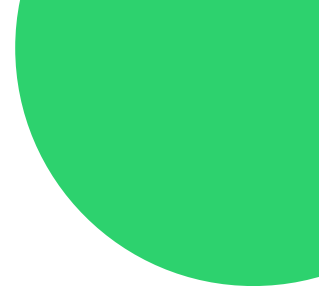
01. Policing
02. Violence against black women and girls
03. Custodial remand and offender management
04. Deaths in police custody
05. Windrush and the immigration system



01. POLICING

There are ethnic disparities in the confidence of policing. Both black Caribbean and black African communities have among the lowest levels of confidence. However, black Caribbean communities are particularly low at 54%, compared to 69% for black African groups.¹ Of those aged between 16- to 24-year-old, a lower percentage of black people (63%) had confidence in their local police than white people (79%) and Asian people (76%). 85% of white students have confidence in their local police, but this drops to 65% for black students (a 20pp gap).

There are several reasons for these racial and age disparities. One of these undoubtedly being the disproportionate use of stop and search on black communities, particularly black young people. There were 27.2 stop and searches for every 1,000 black people, compared with 5.6 for every 1,000 white people². This issue is particularly acute in London for black communities. There were 40.5 stop and searches for every 1,000 black people in London, compared with 14.2 per 1,000 Black people in the rest of England and Wales³. This represents a 26pp difference in stop and search between black Londoners and Black communities living outside of the capital.



Black communities are also much more likely to be arrested than other ethnic groups. Black people are 2.4 times as likely to be arrested as white people – there were 21.2 arrests for every 1,000 black people, and 9 arrests for every 1,000 white people. In places such as Dorset, black people were 8.2 times as likely to be arrested as white people⁴.

Finally, policing is not just about being officers being in the streets it is now also about the police being in schools. Freedom of Information requests made by the Runnymede Trust of 45 police forces show that there are 979 police officers operating in UK schools⁵. This showed that the full scope of police presence in schools is 43% greater than previous figures have suggested. Police officers are more likely to be based in schools in areas with higher numbers of pupils who are eligible for free school meals, which also correlates with higher numbers of black students. Black children are overpoliced, for example, 58% of all strip searches conducted by the Metropolitan police 2018-2020 were conducted on black boys⁶. By bringing the criminal justice system into schools, the placement of SSOs can facilitate the school-to-prison pipeline for many Black and ethnic minority young people.

02. VIOLENCE AGAINST BLACK WOMEN AND GIRLS

The challenges in policing must also consider the nuanced and experiences of black women and girls. While the Casey Review shows the problematic practices and cultures of the Metropolitan Police, it does not show how a lack of confidence in the police has a particular impact on black women. Research by Sistah Space showed that 86% of African and/or Caribbean women have either been a victim of domestic abuse or know a family member who has been assaulted. However, only 57% said they would report the abuse to the police⁷.

03. CUSTODIAL REMAND AND OFFENDER MANAGEMENT

While white offenders had an average custodial sentence length (ACSL) of 21.2 months this rises to 27.9 months for black offenders⁸. Recent analysis also shows a statistically significant association for offenders of black and mixed ethnicity with increased odds of receiving a custodial sentence compared to the white ethnic group, across all five-years between 2018-2022. Black defendants continue to serve a greater proportion of their original determinate sentence in custody (68% in 2022) when compared with mixed (64%) white (59%), Asian (58%) and prisoners from other ethnic groups (61%)⁹.

White male prisoners reported more positive relationships with staff; 74% reported feeling that they were treated respectfully by staff. This is compared to only 53% and 56% of black and mixed ethnicities, respectively¹⁰. In 2023, black offenders made up 30% of the prison population for under-18-year-olds, despite black offenders accounting for only 12% of the whole prison population. Black and mixed ethnicity prisoners are disproportionately represented across all younger age groups, making up 22% and 8% respectively of all prisoners aged under 25.

04. DEATHS IN POLICE CUSTODY

Recent research has shown that black people are seven times more likely to die than white people following the use of restraint by police. However, despite this disparity no death of a black person following police custody or contact has led to officers being disciplined for racism, at a conduct or criminal level. INQUEST's analysis of official data from the IOPC found that the categorisation of certain deaths is obscuring the extent of racial disproportionality by excluding many of the most contentious restraint-related deaths of black men¹¹.

05. WINDRUSH AND THE IMMIGRATION SYSTEM

The Windrush scandal has been an injustice that has caused significant damage to black Caribbean communities across the UK. This is a scandal that is rooted in 30 years of racist immigration law, as stated by a leaked Home Office report¹². As this report concludes, "during the period 1950-1981, every single piece of immigration or citizenship legislation was designed at least in part to reduce the number of people with black or brown skin who were permitted to live and work in the UK".

While the government has refused to release the full report, there is historical institutional racism embedded within the Home Office. This has led to a dismissal of key commitments made to address this issue and slow compensation payments. Due to this delay several Windrush victims have died before receiving their due compensation.

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