

Ethnic Inequalities in the Criminal Justice System

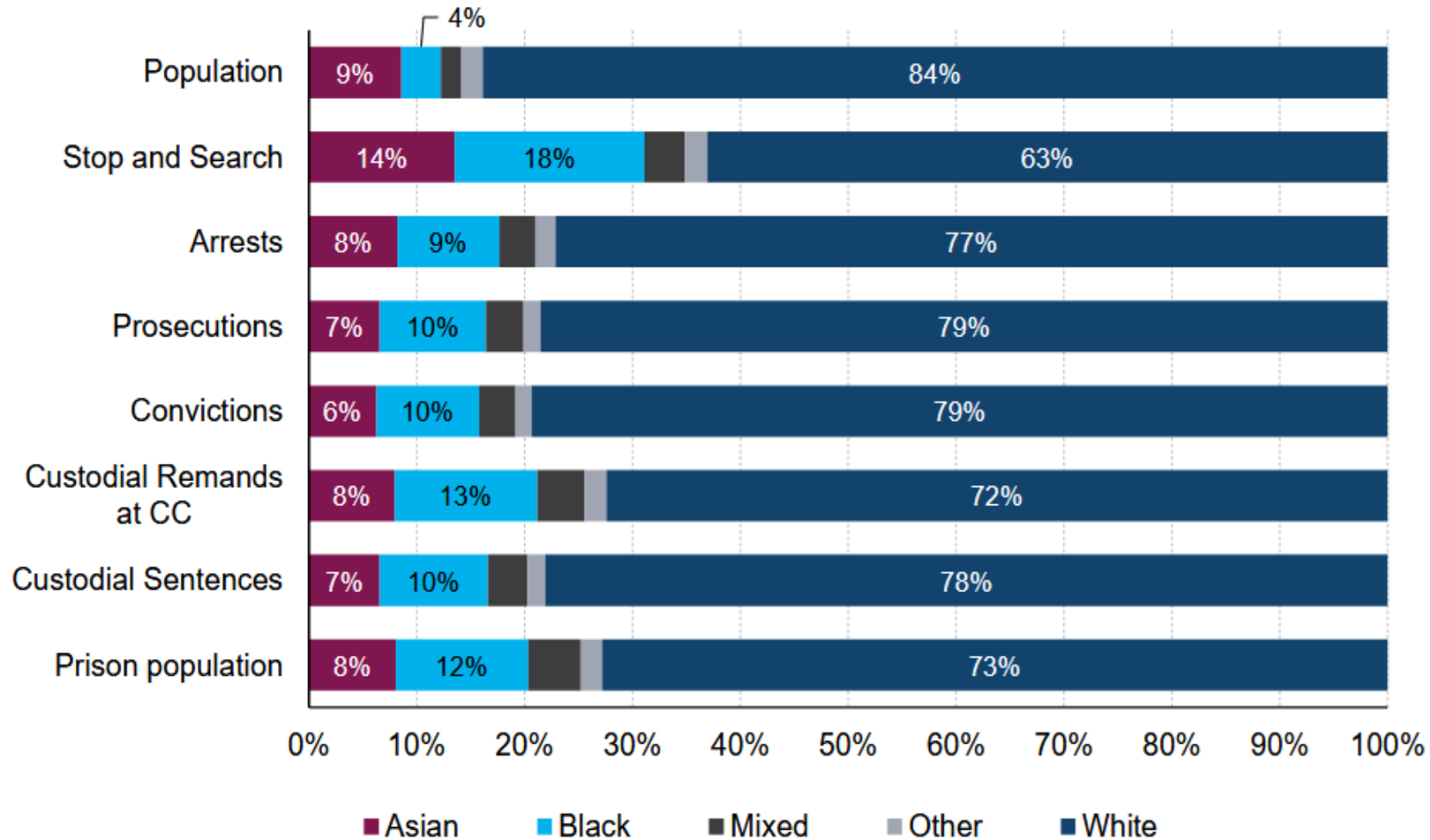
QIY – 19/07/2025

2017 Lammy Review

- At all stages of the Criminal Justice System, ethnic minority groups are
 - Disproportionately represented
 - Experience disproportionate outcomes
- Ministry of Justice data from 2021 show that they are
 - 4 – 28% more likely to be remanded in custody
 - Have a consistently high average custodial sentence length that White defendants
- What are the factors that explain this?
- “Explain or reform”!

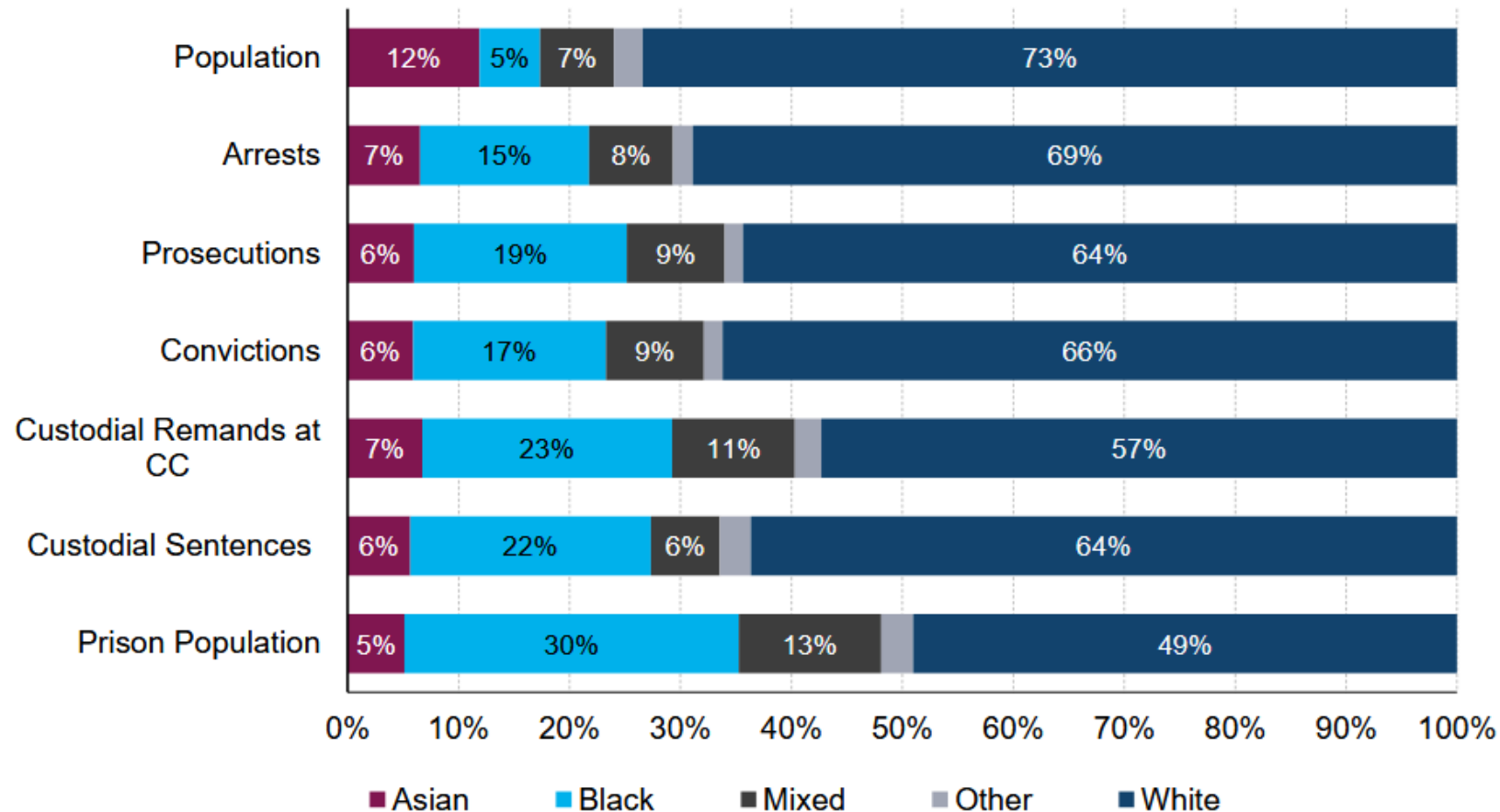
Adults in the CJS 2022

Figure 1.01: Ethnicity proportions for adults throughout the criminal justice system, 2022²



Children in the CJS 2022

Figure 1.02: Ethnicity proportions for children throughout the criminal justice system, 2022³



The Research

Funded by the Economic and Social Research Council

Supported by EQUAL, a national independent advisory group, part of the charity Action for Race Equality

ethnicityandcriminaljustice.co.uk

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Ethnic Inequalities in the Criminal Justice System

A policy briefing by EQUAL
January 2023

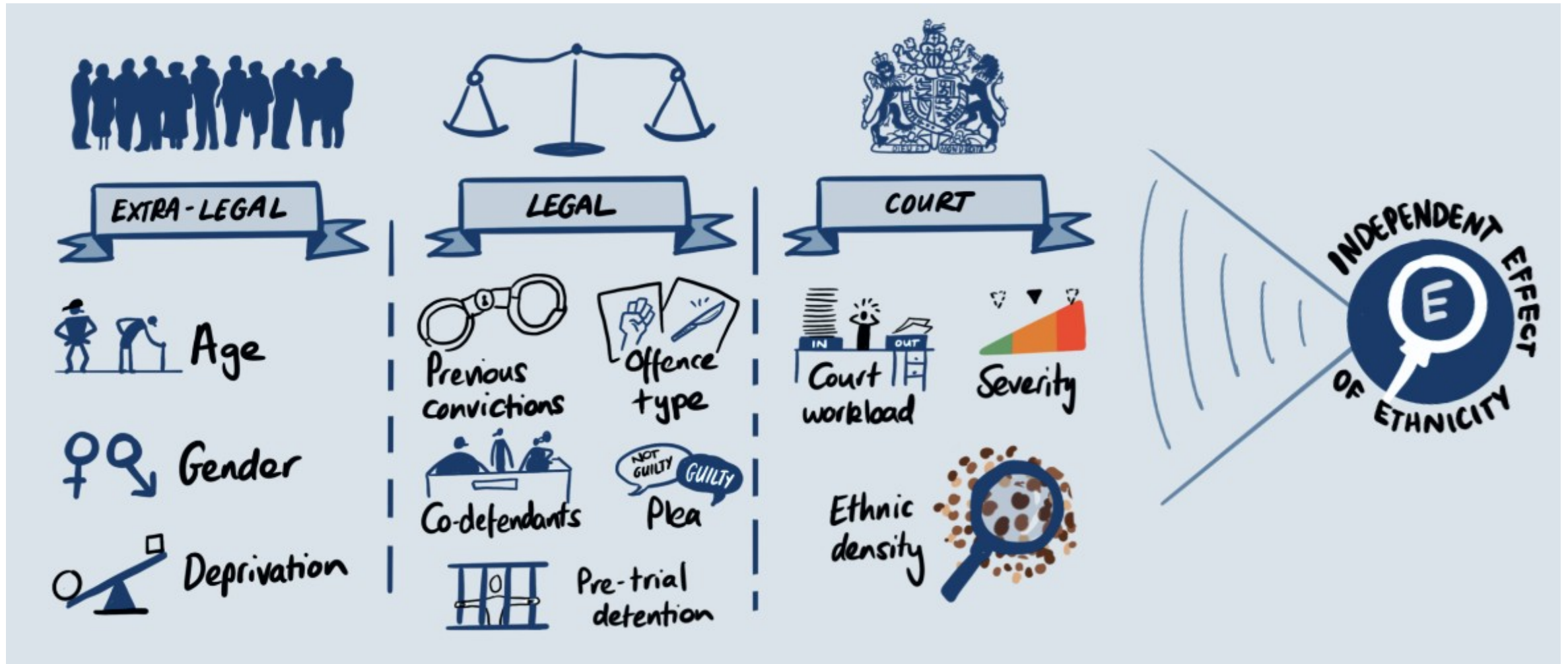
Dr Kitty Lymperopoulou



The Research

- Data from the MoJ Data First programme
 - Analysed at Manchester Metropolitan University
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1. Factors associated with the likelihood of pre-trial detention
 2. Likelihood of imprisonment
 3. The length of custodial sentences

The Research – confounding factors



Ethnic minority differences

Defendants from most ethnic minority groups are more likely to

- Be sent to Crown Court for trial
 - To plead not guilty
 - To be remanded in custody (pretrial detention/ bail refused)
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- Receive a custodial sentence
 - Pakistani, Bangladeshi and Black Caribbean groups receive longer sentences

Factors affecting sentencing outcomes

- Entering a not guilty plea
 - 3x more likely to be imprisoned
 - Receive 95% longer sentences
- Pretrial detention (refused bail)
 - more likely in ethnic minorities
 - Chinese – 60% higher
 - Other white – 37% higher
 - Mixed – 22-26% higher
 - Black – 15-18% higher
 - 7.5x more likely to be imprisoned

Factors affecting sentencing outcomes

- Receiving a custodial sentence
 - Chinese – 41% higher
 - Asian - 16-21% higher
 - White and Black African – 22% higher
 - Black – 9-19% Higher
- Receiving a longer sentence
 - Most disparities explained by legal factors e.g. offence type, previous convictions
 - Pakistani, Bangladeshi and Black Caribbean - 4-11% higher

Factors affecting sentencing outcomes

Ethnic disparities in remand and imprisonment remain or become more pronounced after important legal factors affecting these outcomes are taken into account

The existence of ethnic differences in remand and sentencing net of other important factors affecting these outcomes indicate biases in the CJS

The source of ethnic disparities is likely to be deeper and more systemic than bias in the way remand and sentencing decisions are made.

Recommendations

- Re-evaluate guidelines and practices leading to overrepresentation in the CJS and harsher sentencing
- Targeted efforts to raise awareness of, and responses to racial bias and ethnic inequalities in the CJS
- Training and support for CJS officials e.g judges, magistrates, probation officers, police officers
- Improve monitoring and reporting of outcomes by race and ethnicity in the CJS