



BRIEFING PAPER

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Race and ethnic disparities

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Summary

On 14 June 2020, in the wake of Black Lives Matter protests, the Prime Minister [indicated](#) the Government would set up a commission to investigate “all aspects of inequality”. On 16 July 2020 the Prime Minister formally [established](#) the independent Commission on Race and Ethnic Disparities.

This briefing discusses the work and structure of the Commission. It provides statistics on race and ethnic disparities in various areas of life, including education, health, policing & criminal justice, employment, housing and public life. It also summarises previous major reviews into race and ethnic disparities.

What areas will the Commission consider?

The Commission’s [terms of reference](#) state it will “review inequality in the UK, focusing on areas including poverty, education, employment, health and the criminal justice system”.

On 14 September 2020 the Commission [published](#) a more detailed outline of the areas it will consider:

- Education
 - Early years family structures: including family services and attitudes towards education.
 - Disparities in educational attainment and exclusions.
 - Exploring success factors for improving educational outcomes.
 - Considering how the curriculum could highlight the contributions of the different communities and regions of the UK.
- Health
 - NHS workforce diversity and career progression.
 - Disparities in health outcomes.
- Crime and policing
 - Disparities in stop and search.
 - Building trust between communities and police force areas.
 - Improving police workforce diversity, retention and career progression.
 - An assessment of cautions and out of court disposals.
 - Police misconduct.
- Employment and enterprise
 - Opportunities for young people (with a focus on 16-24-year olds).
 - Barriers to entry and routes to progression.
 - The role of artificial intelligence in race disparity.
 - Access to capital and other success factors for entrepreneurs.
 - Public sector procurement.

When will the Commission report?

It is expected to report by the end of 2020. In a Written Statement to Parliament on 16 July 2020, the Prime Minister [said](#) the Commission “will submit their report by the end of the year”. The Commission’s terms of reference state the Commission should “aim to submit its findings to the Prime Minister by the end of the year.”

Who are the commissioners?

There are ten commissioners. [Dr Tony Sewell CBE](#), an education consultant, will chair the Commission. Dr Sewell was previously appointed by Boris Johnson (then Mayor of London) to chair an [inquiry](#) examining primary and secondary education in London.

The nine other commissioners are drawn from various fields including science, education, broadcasting, economics, medicine, policing and community organising. A full list of commissioners is available [here](#).

What other reviews have there been?

Some commentators reacted to the announcement of the Commission by highlighting that there have been previous reviews of racial inequality, with their recommendations in various states of implementation. This briefing discusses the following reviews, many of which we [know](#) the Commission will also consider:

- [Windrush Lessons Learned Review](#) (2020 – immigration)
- [Timpson Review](#) (2019 – school exclusions)
- [The Lammy Review](#) (2017 – criminal justice)
- [Angiolini Review](#) (2017 – police custody)
- [McGregor-Smith Review](#) (2017 – employment)
- [The Marmot Review](#) (2010 – health)
- [The Macpherson Report](#) (1999 – policing)

Further reading from the Commons Library

- [Constituency data: ethnicity](#)
- [Ethnic diversity in politics and public life](#)
- [Unemployment by ethnic background](#)
- [Gypsies and Travellers](#)
- [Poverty in the UK: statistics](#)
- [Windrush generation: Government action to ‘right the wrongs](#)

1. The Commission on Race and Ethnic Disparities

In a Written Ministerial Statement on 16 July 2020, the Prime Minister announced the establishment of a Commission on Race and Ethnic Disparities, which is due to report by the end of the year:

Today I am establishing an independent Commission on Race and Ethnic Disparities. This cross-government Commission will review inequality in the UK, across the whole population.

The Commission's work will touch upon many areas of public policy. It will make recommendations for action across Government, public bodies and the private sector, and will inform a national conversation about race, led by the evidence.

I have assembled a group of ten talented and ethnically diverse commissioners. They bring a wealth of experience from across a range of important sectors. In order to understand why disparities exist, what works and what does not, they will consider detailed quantitative data and qualitative evidence. They will also commission new research and invite submissions where necessary.

The Commission will set out a new, positive agenda for change - balancing the needs of individuals, communities and society, maximising opportunities and ensuring fairness for all.

I have placed the list of commissioners and the Commission's ambitious Terms of Reference, in the library of both Houses. Commissioners will be supported by a secretariat in the Cabinet Office Race Disparities Unit and will submit their report by the end of the year.¹

The Commission had been suggested earlier by the Prime Minister, in a *Telegraph* [article](#) on 14 June 2020:

It is time for a cross-governmental commission to look at all aspects of inequality – in employment, in health outcomes, in academic and all other walks of life. We need to tackle the substance of the problem, not the symbols.²

These announcements appeared at a time of heightened public concern about racial disparities and racism, particularly that targeted at Black people, following the death in the US of George Floyd. George Floyd, a 46-year-old Black man, died on 25 May 2020 after a police officer knelt on his neck for almost nine minutes. The event sparked a wave of protests across the US that spread globally and are associated with the Black Lives Matter movement.³

¹ [Commission on Race and Ethnic Disparities: Written statement - HCWS383](#)

² [Prime Minister's article in the Telegraph: 15 June 2020](#), Gov.uk 15 June 2020. The original article (£): [Rather than tear some people down we should build others up](#), *Telegraph* 14, June 2020

³ See: [Black Lives Matter protests: UK reaction to the killing of George Floyd](#), Commons Library, 4 June 2020

1.1 Commission administration

Structure

The Commission is independent of government although supported by the Race Disparity Unit within the Cabinet Office. The Sponsoring Minister is the Minister for Equalities, Kemi Badenoch MP. The commissioners were appointed directly by the Prime Minister.

It is chaired by [Dr Tony Sewell CBE](#), an education consultant who runs a charity focused on encouraging students from BAME backgrounds into careers in science and engineering.⁴ In 2012 Dr Sewell was appointed by Boris Johnson, then Mayor of London, to chair an inquiry examining primary and secondary education in London.⁵

There are nine other commissioners, drawn from various fields including science, education, broadcasting, economics, medicine, policing and community organising. A full list of commissioners is available [here](#).⁶ The Commission's work will be divided into four sub-groups, focusing on education, health, crime and policing.

Terms of reference

The Commission's [terms of reference](#) were published on 16 July 2020, alongside the Prime Minister's statement. Broadly, its purpose is to:

review inequality in the UK, focusing on areas including poverty, education, employment, health and the criminal justice system. The Commission will look at outcomes for the whole population.⁷

The terms of reference state the Commission should "aim to submit its findings to the Prime Minister by the end of the year."⁸ It has the following specific objectives:

- build on the Race Disparity Audit⁹ to establish where there are the greatest evidenced-based, persistent disparities between ethnic groups
- examine the cause of persistent disparities – considering racism and discrimination, as well as other factors including income, gender, age, geography and occupation
- establish the extent to which there is geographical variation in outcomes for people of different ethnicities and how much difference local action can make
- consider how greater integration and addressing segregation within communities, can contribute to addressing disadvantages faced by some groups
- consider how the situation in the UK has changed over time and differences (or similarities) in outcomes for ethnic groups by generation

⁴ [Dr Tony Sewell CBE](#), Gov.uk [accessed 25 September 2020]

⁵ [The Mayor's Education Inquiry First Report](#), February 2012

⁶ Commission on Race and Ethnic Disparities, Gov.uk [accessed 25 September 2020]

⁷ Terms of reference: Commission on Race and Ethnic Disparities, Gov.uk, 16 July 2020

⁸ Ibid.

⁹ See [Race Disparity Audit](#), Gov.uk [accessed 25 September 2020]

- examine how the UK compares to other similar countries
- review progress on taking forward previous Government action on ethnic disparities, including the implementation of past reviews
- provide opportunities for interested parties to offer evidence including organisations, members of the public, and front line workers in both the public and private sectors
- review the effectiveness of existing measures and approaches to promote equality and diversity in public sector bodies
- make recommendations for further action across Government, public bodies and the private sector¹⁰

Sub-group priorities

On 14 September 2020 the Commission [published](#) an outline of the priority areas for the four sub-groups on education, health, crime & policing and employment & enterprise.¹¹ These are summarised below.

Education

- Early years family structures: including family services and attitudes towards education.
- Disparities in educational attainment and exclusions.
- Exploring success factors for improving educational outcomes.
- Considering how the curriculum could highlight the contributions of the different communities and regions of the UK.

Health

- NHS workforce diversity and career progression.
- Disparities in health outcomes.

Crime and policing

- Disparities in stop and search.
- Building trust between communities and police force areas.
- Improving police workforce diversity, retention and career progression.
- An assessment of cautions and out of court disposals.
- Police misconduct.

Employment and enterprise

- Opportunities for young people (with a focus on 16-24-year olds).
- Barriers to entry and routes to progression.
- The role of artificial intelligence in race disparity.

¹⁰ Ibid.

¹¹ Commission on Race and Ethnic Disparities: sub-group priorities, Gov.uk [accessed 25 September 2020]

- Access to capital and other success factors for entrepreneurs.
- Public sector procurement.

1.2 Initial reaction

The response to the announcement of the Commission was mixed. David Isaac, chair of the Equality and Human Rights Commission, [said](#) the EHRC was ready to work with the new commission:

We know the scale of the problems we face to tackle the entrenched racial inequality in our country. It is not new. There have been countless reports and the data exists exposing all the issues. Now is the time for urgent action. We need to see a clear and comprehensive race strategy with clear targets and timescales from Government. We hope this new commission will help deliver that and we stand ready to work with it.¹²

Marsha de Cordova, the Shadow Secretary of State for Women and Equalities, called for “action on the structural racism that we already know exists”.¹³

Some other commentators, including the Shadow Justice Secretary, David Lammy MP, questioned whether there was any need for the Commission, given previous reviews and reports relating to racial inequality.¹⁴ In evidence to the Joint Committee on Human Rights in July 2020 Mr Lammy emphasised the need to implement the findings of these previous reviews:

The truth about these reviews is not, frankly, what David Lammy MP says or what Wendy Williams says, or indeed what the Grenfell inquiry will produce in a few years’ time; it is actually about the trust of the community. If people believe that David Lammy laboured hard in a cross-party sense to land these important issues, but the Government do not go with the spirit of the review and actually go further, not less far, they give up.

What happens is what we see on the streets of the United States. They take the law into their own hands. People get very angry and frustrated. I fear and worry for the future if we do not get to a place where we are not just kicking these issues into the long grass but are actually comprehensively implementing reviews that have been recommended after long and careful deliberation.¹⁵

Baroness Lawrence of Clarendon (the mother of Stephen Lawrence) made similar points to the Joint Committee, underscoring the need to implement lessons from existing reports:

We have a lot of work to do. We have had so many reports, and every time we have a report they go back to the beginning again and keep repeating the same thing. I am not sure how many more lessons the Government need to learn. It is not just the Government of today but the Government of the Labour Party.

¹² <https://twitter.com/EHRC/status/1272470269387575298> [accessed 25 September 2020]

¹³ [Charity boss Tony Sewell to head government race commission](#), BBC News, 16 July 2020

¹⁴ [Black Lives Matter: We need action on racism not more reports](#), says David Lammy, *BBC News*, 15 June 2020 [accessed 25 September 2020]

¹⁵ Joint Select Committee on Human Rights Oral evidence (virtual proceeding): [Black people, racism and human rights, HC 559, 6 July 2020](#), p3

How many more lessons do we all need to learn? The lessons are there already for us to implement.¹⁶

The following section of this briefing paper provides statistics on race and ethnic disparities in various areas of life, including education, health, policing & criminal justice, employment, housing and public life. After that, the paper summarises previous major reviews into inequality and discusses the implementation status of their recommendations.

¹⁶ Ibid., p6

2. Statistics

2.1 Ethnic groups in the UK

Survey estimates for 2019

The Annual Population Survey (APS) provides the most up-to-date estimates of the number of people belonging to different ethnic groups in the UK. The table below shows the most recent estimates for the whole of the UK.

Population by ethnic group, UK (2019)		
Ethnic group	Population (millions)	% of total population
White	56.50	85.6%
Asian / Asian British	4.92	7.3%
Indian	1.74	2.6%
Pakistani	1.42	2.1%
Bangladeshi	0.61	0.9%
Chinese	0.33	0.5%
Any other Asian background	0.82	1.2%
Black / African / Caribbean / Black British	2.22	3.4%
Mixed / Multiple ethnic groups	1.15	1.7%
Other ethnic groups	1.18	1.8%
Total	65.97	100.0%

Source: Annual Population Survey, Q1 2019 – Q4 2019 dataset

These UK-wide figures show White people as a single group¹⁷, but more detail is available for Great Britain. Around 78.9% of the population of Great Britain identified as White British in 2019, while 0.6% were White Irish (around 369,000 people) and 5.8% were from another White ethnic group (around 3.72 million people).

The Gypsy and Irish Travellers are White minority ethnic groups. Concerns have been raised about under-counting of these groups in surveys and the census because they can be hard to reach. For more background on this and estimates of the population size, see the Library's [Gypsies and Travellers briefing paper \(CBP 8083\)](#).

The 2011 Census

The decennial census provides a more comprehensive picture of ethnic groups in the UK, because the entire resident population is asked about the ethnic group they identify with. The most recent census was carried out in 2011. The census is carried out separately in England and Wales,

¹⁷ This is because the survey question about ethnic groups is asked in different ways in different countries, including differences in the options given for White ethnicity in Northern Ireland.

Scotland and Northern Ireland, each with a slightly different set of categories presented in the ethnicity question. In all nations, census respondents can also write in an ethnic group.

The Government's Ethnicity Facts and Figures website summarises [demographic information from the census in England and Wales](#) including information about the [age profile](#), [socio-economic status](#), and [family structure](#) of people in ethnic minority groups. Further analysis of findings on ethnicity in England and Wales is also available from the [Office for National Statistics \(ONS\) website](#).

Box 1: How are ethnic groups defined in official statistics?

Ethnicity is something that is self-defined, and can be highly personal. The terms that society uses for different ethnic groups can also change over time. While ethnicity can be described in lots of ways, statistics produced by the Government will normally use a standard set of categories to describe ethnic groups. These categories exist so that data can be compared over time and between different sources.

The standard categories are designed to be used in the census, survey questions, and government forms, where the survey respondent will be able to self-identify which group they belong to. The categories are slightly different in England and Wales, Scotland and Northern Ireland, but survey results can be brought together to produce aggregate UK-wide estimates like those above.

In practice, not all government departments and organisations use these standard categories, for example if they want the data they collect to be consistent with older data.

Before every census, the ONS consults on how ethnicity should be asked about. Views are taken from census data users, as well as people from different communities. For more detail, see the Library briefing on [Preparing for the 2021 Census \(CBP 8531\)](#).

More background on defining ethnic groups is available from the ONS' [Ethnic group, identity and religion](#) guide. A 2019 [blog post from the Race Disparity Unit](#) offers further historical background.

Local-level statistics

The census is able to provide data for small geographic areas, unlike survey data. The map overleaf shows the proportion of the population that belongs to an ethnic group other than White British in England and Wales.¹⁸ The map is scaled so that each hexagon represents a Middle Layer Super Output Area (MSOA), a type of small geographic area for statistical analysis defined by the ONS.

Each MSOA has a population of around 7,000 to 10,000 people, which means that densely-populated urban areas appear bigger in the map while relatively unpopulated rural areas appear smaller. These densely-populated urban areas tend to have a higher proportion of people from ethnic minority groups living there. London, Birmingham, Leicester and Bradford all have many MSOAs with a large proportion of ethnic minority groups.

The table overleaf shows the MSOAs in England and Wales that have the highest percentage of their population belonging to some of the broad ethnic groups reported in the census data. MSOAs with large Asian populations were more common than areas with large populations of people from Black or other minority ethnic groups – this

Statistics on ethnic groups by constituency for the UK are available from the Library's [Constituency data: ethnicity](#) dashboard.

¹⁸ The term 'White British' is used here to describe anyone who gave their ethnicity as White British or White English, White Welsh, White Scottish or White Northern Irish.

12 Race and ethnic disparities

is unsurprising given the size of the Asian population in the UK relative to other ethnic minority groups. In 2011, there were 160 MSOAs in England and Wales with a majority-Asian population, with some of the largest populations in parts of Leicester, Bradford, Birmingham and Blackburn.

There were four MSOAs with a majority Black population in England and Wales, three of which were in London. MSOAs with large populations of people identifying with Mixed or multiple ethnic groups were present in parts of Nottingham, Liverpool, London and Kirklees. The table also shows the proportion of people belonging to 'Other' non-White ethnic groups. These groups were prevalent in parts of central London, Liverpool and Sheffield. In each of the areas shown, the majority of people in the 'Other' group identified as Arab.

Which neighbourhoods have the biggest ethnic minority populations? Percentage of population by ethnic group, neighbourhoods in England and Wales, 2011

Neighbourhood		%	Neighbourhood		%
Asian / Asian British			Black / African / Caribbean / Black British		
Belgrave South	Leicester	85%	Peckham North West	Southwark	55%
Toller Lane & Infirmary	Bradford	84%	Peckham Park Road	Southwark	51%
Barkerend East	Bradford	83%	Stonebridge	Brent	51%
Sparkhill North	Birmingham	83%	Moss Side West	Manchester	50%
Bastwell	Blackburn	82%	Loughborough Road	Lambeth	48%
Mixed / Multiple ethnic groups			'Other' ethnic groups		
St Ann's East	Nottingham	11%	Paddington & St George's Fields	Westminster	22%
Deighton & Brackenhall	Kirklees	11%	Toxteth Park	Liverpool	22%
Toxteth Park	Liverpool	10%	Church Street	Westminster	21%
Thorneywood	Nottingham	10%	Westbourne	Westminster	19%
West Norwood South	Lambeth	10%	Burngreave & Grimesthorpe	Sheffield	16%

Notes: The 'neighbourhoods' listed are Middle-Layer Super Output Areas (MSOAs), defined by the Office for National Statistics.

'Asian / Asian British' includes people identifying as Indian, Pakistani, Bangladeshi, Chinese, and 'Other Asian'.

'Other ethnic groups' includes all ethnic groups that were not White, Asian, Black or Mixed.

Source: 2011 Census, Table KS201EW; Commons Library, [MSOA Names dataset](#)

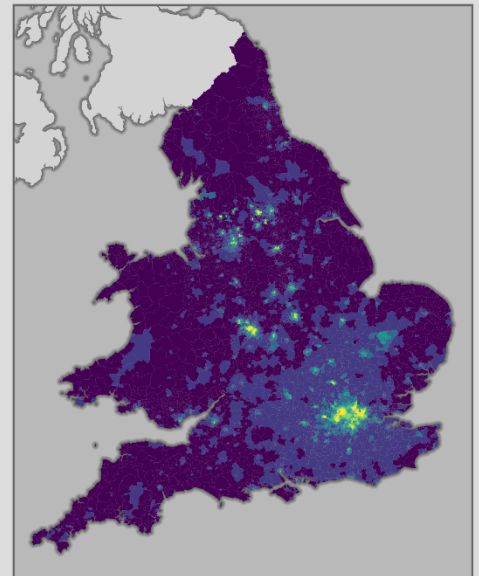
Which parts of England and Wales have the largest ethnic minority population?

How to read this population-based map

On this population-based map, one hexagon represents an area with a population of around 7,000 to 10,000 people. The colour shows the proportion of the area's population that belonged to an ethnic group other than White British at the 2011 Census.

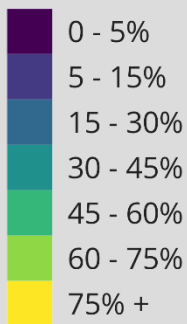
On traditional maps, sparsely-populated rural areas take up a lot more space than densely-populated urban areas. Because rural areas are less likely to have large ethnic minority populations, traditional maps (such as the inset, left) can under-emphasise the presence of minority ethnic groups.

The areas are grouped into traditional counties and other recognisable clusters. Black lines between hexagons show local authority boundaries. Large towns and cities are labelled.

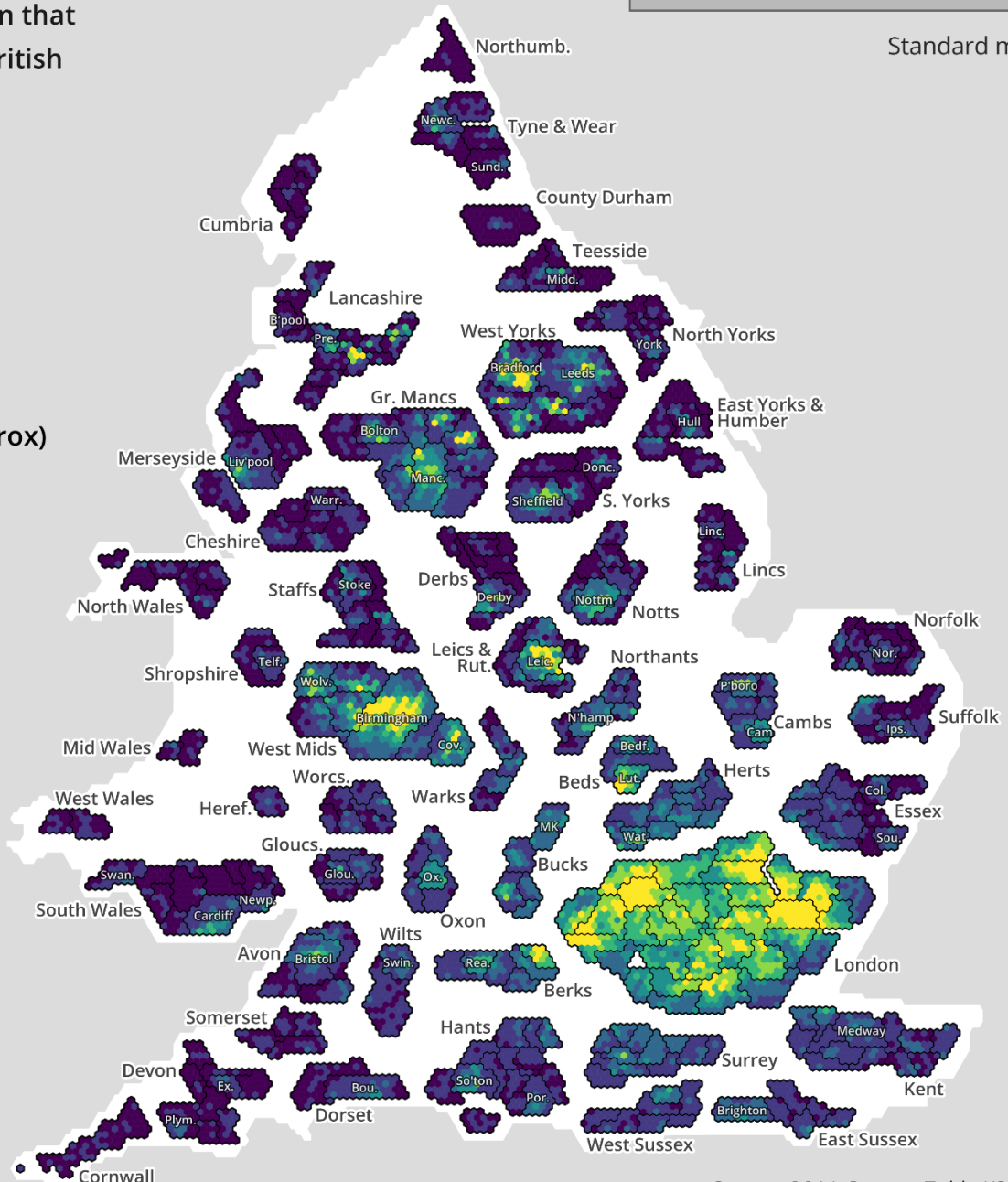
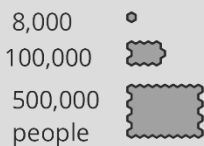


Standard map

% of population that is not White British



Map scale (approx)



2.2 Education Schools

Attainment at GCSE

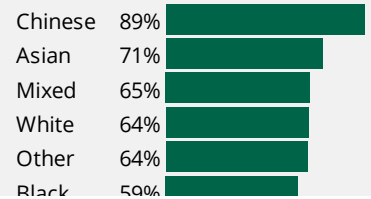
At the end of key stage 4 (the GCSE phase) there are some differences in headline measures of attainment across ethnic groups. In 2018/19, 64% of White British state-funded school pupils attained a standard pass in both English and maths GCSEs (grades 9 to 4, broadly equivalent to the old A* to C grading). The ethnic group with the highest attainment were Chinese pupils, with 89% achieving this measure. Black pupils showed the lowest attainment, with 59% attaining a standard pass in English and maths.

Progress 8 is a headline performance measure for schools in England. It measures the progress a school makes with its pupils between end of key stage 2 (end of primary) and key stage 4. A positive Progress 8 score means that on average, a group of pupils makes more progress than peers with similar prior attainment nationally. White pupils make the least progress of any major ethnic group. Again, Chinese pupils make the most progress.

The table below shows the GCSE attainment and progress data by detailed ethnic group. This highlights that differences arise within the broad ethnic groupings. For instance, among Black pupils those classed as Black African pupils show lower attainment than Black Caribbean pupils. In the Asian ethnic group, Indian pupils show higher performance than Pakistani and Bangladeshi pupils. Among the White ethnic group Gypsy/Roma and traveller children show much lower levels of attainment.

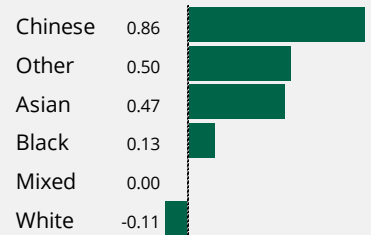
Pupils gaining a 9-4 in English and maths GCSE

England 2019: pupils in state schools



Average progress 8 score at the end of Key Stage 4

England 2019: pupils in state schools



Attainment at Key Stage 4

England 2019: Pupils at state schools

	% gaining a 9-4 in both English and maths at GCSE	Average progress 8 score
White	46.1%	-0.11
White - British	46.2%	-0.14
White - Irish	52.1%	0.13
Gypsy / Roma	26.6%	-1.05
Traveller of Irish Heritage	19.1%	-0.81
Any Other White Background	46.8%	0.45
Mixed	64.8%	0.00
White and Asian	53.7%	-0.38
White and Black African	63.9%	0.04
White and Black Caribbean	74.3%	0.22
Any Other Mixed Background	67.6%	0.14
Asian	70.5%	0.47
Indian	80.0%	0.71
Pakistani	62.2%	0.24
Bangladeshi	70.3%	0.47
Any Other Asian Background	76.1%	0.66
Chinese	89.3%	0.86
Black	59.3%	0.13
Black - African	48.3%	-0.31
Black Caribbean	64.4%	0.33
Any Other Black Background	54.4%	0.08
Any Other Ethnic Group	63.7%	0.50
All pupils	64.6%	-0.03

Notes: excludes pupils with missing ethnicity data.

Source: [Department for Education, Key stage 4 performance 2019 \(Revised\)](#), Table CH1

Exclusions

[The Department for Education](#) publishes the number and rate of permanent and fixed period exclusions broken down by ethnicity. This data is available for state-funded primary, secondary and special schools. The most recent data available is from the academic year [2018/19](#) (published in August 2020).

A permanent exclusion refers to a pupil who is excluded and who will not come back to that school (unless the exclusion is overturned). The permanent exclusion rate is the number of permanent exclusions in an academic year expressed as a proportion of sole and dual main registered pupils on roll as of January school census day.

A fixed period exclusion refers to a pupil who is excluded from a school for a set period of time. This can involve a part of the school day and it does not have to be for a continuous period. A pupil may be excluded for one or more fixed periods up to a maximum of 45 school days in one academic year. The fixed period exclusion rate is the number of fixed period exclusions in an academic year expressed as a proportion of sole and dual registered pupils on roll as of January census day.

Across all ethnic groups, in England in 2018/19 the overall permanent exclusion rate in state-funded schools was **0.10%**. Permanent exclusion rates by ethnic group are shown in the table below.

Permanent exclusion rate	
England 2018/19: Pupils at state schools	
	Exclusion rate
White	0.10
White - British	0.10
White - Irish	0.06
Gypsy / Roma	0.39
Traveller of Irish Heritage	0.27
Any Other White Background	0.05
Mixed	0.13
White and Asian	0.08
White and Black African	0.12
White and Black Caribbean	0.24
Any Other Mixed Background	0.10
Asian	0.04
Indian	0.01
Pakistani	0.06
Bangladeshi	0.04
Any Other Asian Background	0.04
Chinese	0.01
Black	0.11
Black - African	0.07
Black Caribbean	0.25
Any Other Black Background	0.13
Any Other Ethnic Group	0.08
All pupils	0.10

An exclusion rate of 0.10 is equivalent to 10 pupils per 10,000.

Source: Department for Education, [Permanent and fixed period exclusions in England 2018/19](#).

On average pupils of Gypsy/Roma and Travellers of Irish Heritage ethnic groups have the highest rates of both permanent and fixed period exclusions and pupils of Chinese ethnicity, the lowest.

Special educational needs

Pupils in England who have complex special educational needs (SEN) may have an Education, Health and Care plan (EHC plan) setting out their school or college placement, and their legal entitlement to special educational provision. Pupils with less complex special educational needs may receive support in school or college, through what is known as SEN Support.

In the 2019/20 academic year, pupils from the White Irish Traveller ethnic group had the highest incidence of EHC plans (5.0% of pupils, compared to the national average of 3.3%); a further 24.9% of White Irish Traveller pupils were receiving SEN Support (compared to the national average of 12.1%). Asian – Indian pupils had the lowest incidence of EHC plans (2.1%), and pupils of Chinese ethnicity the lowest rates of SEN Support (5.5%).¹⁹

Teaching workforce

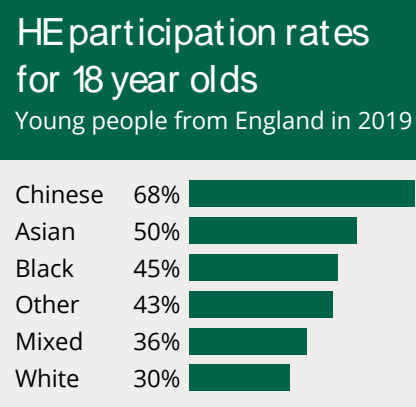
The proportion of the teaching workforce identifying as belonging to a minority ethnic group (**14.3%**) is broadly similar to the proportion identifying as such in the UK population as a whole.²⁰ However, those from minority ethnic groups are under-represented in leadership positions. At November 2019, **6.8%** of head teachers were identified as being from a minority ethnic group.²¹

Higher education

Access to higher education

The latest data on access to higher education is from the admissions service UCAS. The table opposite gives estimated entry rates for 18 year olds from England by broad ethnic group. UCAS do not publish these figures for more detailed ethnic groups. These data only cover full-time undergraduate courses.

Just over two-thirds of Chinese 18 year olds started higher education in 2019 as did half of Asian²² 18 year olds. The entry rate for 18 year olds from Black and 'other' ethnic groups were also above average. Fewer than one in three 18 year olds from White backgrounds started higher education in 2019. This broad pattern has been in place for the last decade. The largest increase in entry rates over this period was among Black 18 year olds, the smallest among White 18 year olds.



Source: [End of cycle data resources, UCAS](#)

¹⁹ Department for Education, Special educational needs in England, 2 July 2020;

²⁰ As a proportion of those who provided ethnicity data. In the school workforce data, minority ethnic group is any ethnic group excluding 'White British'.

²¹ As above, minority ethnic group is any identified ethnic group excluding White British. Totals includes head teachers with missing/ refused ethnicity data.

²² Combined rate for Indian, Pakistani, Bangladeshi and 'other Asian' ethnic groups.

UCAS breaks down entry rates by the ‘tariff’ level of different universities. There are three tariff groups; high, medium and low and these refer to average grades of students admitted. High tariff institutions where entrants have higher grades are generally considered more prestigious and harder to get into. This type of analysis therefore can shed light on a different aspect of access to higher education.

The table opposite shows that Chinese 18 year olds were also more likely to go to higher tariff universities, but the gap with other ethnic groups was much larger. While 45% of Black 18 year olds entered higher education in 2019 only 8% went to a higher tariff institution; the lowest rate of any ethnic group. Another way of looking at this disparity is the proportion of *entrants* to higher education who got into a higher tariff institution. This rate was 17% for Black 18 year olds compared to 51% of their Chinese and 30% of their White contemporaries respectively.







A more detailed ethnic breakdown has been produced by the Department for Education. This looks at the proportion of young people from state-funded schools starting higher education by age 19. This is given in the following table which includes a gender breakdown

The highest overall progression rate was again among Chinese young people, here 79%. Next highest were Indian (72%), other Asian (69%) and Black African (67%) young people. There was substantial variation within each ethnic group not shown in the broader UCAS data. The lowest rates by far were among those from Gypsy/Roma and Traveller groups.

Progression rates were around 30%²³ higher among females on average. The gender gap was smaller within ethnic groups with overall higher progression rates. The largest gender gap at 58% was within the Black Caribbean group.

Higher tariff 18 year old participation rates

Young people from England in 2019

Chinese	35%	
Asian	11%	
Mixed	11%	
Other	10%	
White	9%	
Black	8%	

²³ Relative difference in progression rates

Progression to HE by ethnic group and gender, England

Percentage of pupils from state-funded schools starting HE by age 19, 2018/19

		Female	Male	All
White	White - British	43.2	32.9	37.9
	White - Irish	58.5	47.5	53.0
	Gypsy / Roma	4.7	5.7	5.2
	Traveller of Irish Heritage	8.5	6.8	7.6
	Any Other White Background	51.9	41.5	46.6
Mixed	White and Asian	59.5	51.0	55.2
	White and Black African	59.8	42.6	51.5
	White and Black Caribbean	42.2	29.3	35.8
	Any Other Mixed Background	57.7	47.1	52.3
Asian	Indian	76.3	67.5	71.7
	Pakistani	62.5	50.8	56.5
	Bangladeshi	71.3	58.7	64.9
	Any Other Asian Background	74.2	63.9	68.8
Chinese		83.2	75.5	79.3
Black	Black - African	74.6	59.1	66.9
	Black Caribbean	54.6	34.6	44.7
	Any Other Black Background	60.4	44.0	52.1
Other	Any Other Ethnic Group	64.9	55.4	59.9
	Unknown	48.8	37.6	43.0
TOTAL		48.0	37.3	42.5

Source: [Widening participation in higher education 2018/19](#), DfE

Retention and outcomes

While entry rates to higher education are higher among minority ethnic groups, retention rates are generally lower, and degree outcomes poorer, than White students. The latest published data is for 2016/17 starters and graduates.

The Office for Students measures the proportion of new full-time home students at English universities who were continuing their studies one year later. The *non-continuation* rate (no longer in higher education) for 2016/17 starters was highest for Black students at 15.0% compared with 11.5% for 'other' ethnic groups, 11.2% for mixed, 9.7% for Asian and 8.7% for White Students. This broad pattern has remained stable since 2010.²⁴

Black graduates were least likely to gain a first or upper second class degree. 60% did so in 2016/17 compared with 72% of Asian, 75% of Mixed and 82% of White graduates. Some of this difference can be 'explained' by differences in entry qualifications. However, when these and other factors are taken into account their still remains a gap in outcomes by ethnic group. This was estimated at 17 percentage points

²⁴ [Continuation rates and transfers](#), Office for Students

(compared with White graduates) for Black graduates, 10 points for those from an Asian ethnic group and 6 points for those from a Mixed background.²⁵

Black graduates were also less likely to be in highly skilled employment or further study six months after graduation. 69% of Black graduates in 2016/17 were in such activities compared with 71% of Mixed, 72% of Asian and 74% of White graduates.²⁶

²⁵ [Differences in student outcomes](#), Office for Students

²⁶ *Ibid.*

2.3 Health

The relationship between health and ethnicity is a complex one that requires detailed investigation and understanding. Indeed as noted in Public Health England's [Local action on health inequalities](#) report, without explicit consideration of ethnicity within health inequalities work there is a risk of partial understanding of the processes producing poor health outcomes and ineffective intervention.

Availability of ethnicity details

Although the need to investigate ethnic inequality is increasingly recognised, efforts are hampered by limited availability of regular, accurate data to monitor ethnic variation in health outcomes and access to NHS services.

Observers note that despite some improvement, the completeness and accuracy of ethnicity recording within routine health data systems also remains patchy: see for example [Salway et al \(2020\)](#).

Public Health England's [Health equity report on ethnicity](#) highlights some key gaps in the available of data by ethnic group. Mortality data is of particular concern. Since ethnicity is not recorded on death certificates, it is impossible to calculate life expectancy estimates or mortality rates from death registration data.

Country of birth data is available from death registrations, but this does not represent a reasonable proxy for ethnic group. UK born citizens may be from a range of different ethnic groups.

Factors such as this influenced the recent recommendation from the report on [Understanding the impact of COVID-19 on BAME groups](#) to:

Mandate comprehensive and quality ethnicity data collection and recording as part of routine NHS and social care data collection systems, including the mandatory collection of ethnicity data at death certification...²⁷

Given the issues with the availability of ethnicity details in administrative records, much of the information examining ethnicity and health is taken from surveys. However, this data also has inherent problems and small sample sizes limit our knowledge about health inequalities between different ethnic groups. Where sufficient data is available to allow meaningful comparisons between ethnic groups, this tends to be a national level rather than for local areas. National data is not readily comparable between UK nations due to differences in data collection and measurement.

The following sections provide a brief overview of the main findings from available statistics examining differential health outcomes for particular ethnic groups.

Overweight and obesity

²⁷ PHE, [Beyond the data: Understanding the impact of COVID-19 on BAME groups](#), 2020, p10

[Data from the Active Lives Survey](#) shows that Black adults in England are more likely than other ethnic groups to be overweight or obese. 73.6% of Black adults were overweight or obese compared with 63.3% of White British adults. Other ethnic groups had below average figures: 56.2% of Asian adults were overweight or obese, along with 35.3% of Chinese adults and 57.0% of Mixed ethnic group adults.

Data from the English National Child Measurement Programme [analysed by PHE](#) indicates that, at age 4/5, children from Black ethnic groups are most likely to be overweight or obese. White children also have above average rates. Among children aged 10/11, most minority ethnic groups have above average rates of overweight and obesity. Children aged 10/11 from White and Chinese ethnic groups have below average rates.

Diabetes

A [NICE review from 2013](#) states that people from some minority ethnic groups have an equivalent risk of diabetes at a lower body mass index (BMI) than White people. In other words, their BMI-adjusted risk is higher. NICE recommended that lifestyle interventions be used at a lower BMI threshold for Black and Asian populations.

Cardiovascular conditions

Some ethnic groups are at a greater risk of cardiovascular conditions. The [British Heart Foundation](#) states that:

- People of a South Asian background are more likely to develop coronary heart disease than White people (read more [here](#)).
- African or African Caribbean people are at a greater risk of high blood pressure and stroke than other ethnic groups (read more [here](#)).

Mental health

Evidence on variation in mental health problems between ethnicities is uncertain. Research has found that diagnosis and recognition of mental disorders varies in different groups, and that there can be a stigma attached to mental health issues in some communities.²⁸

Prevalence of conditions

The [Adult Psychiatric Morbidity Survey](#) is undertaken every 7 years in England and gives a picture of trends in mental health and wellbeing. It includes information on variation between broad ethnic groups. The survey found the following variations²⁹:

- 22.5% of Black/Black British adults had symptoms of a **common mental disorder** such as depression and anxiety – compared with 17.7% of White British adults and 17.9% of Asian/Asian British adults.

²⁸ [DH, Ethnic Minority Psychiatric Illness Rates in the Community; Perceived barriers to accessing mental health services among black and minority ethnic \(BME\) communities: a qualitative study in Southeast England, BMJ Open](#)

²⁹ Prevalence figures in this section are age-standardised, which means that they take account of differences in the age structure of populations in different ethnic groups.

- The proportion of **people receiving treatment** varied between ethnic groups, at 14.5% for White British, 6.5% for Black/Black British and 7.1% for Asian/Asian British.
- 8.3% of Black/Black British adults screened positive for **Post Traumatic Stress Disorder**, compared with 5.8% of Asian/Asian British adults and 4.2% of White British adults.
- 3.5% of Black/Black British adults screened positive for **Bipolar Disorder**, compared with 1.4% of Asian/Asian British adults and 2.0% of White/White British Adults.
- 21.6% of White British adults reported ever having had **suicidal thoughts**, compared with 20.7% of Black/Black British adults and 13.1% of Asian/Asian British adults.

GP practice data

Analysis of [data from GP practice registers](#) in England shows that areas with a lower proportion of the population identifying as White also tend to have lower recorded prevalence of GP-diagnosed depression. However, the reverse is true for serious mental illness. Since this data does not include information on patient ethnicity, these correlations do not necessarily show variation between ethnic groups.

Outcomes for those undergoing psychological therapy

Data is collected on the [treatment outcomes of those referred to NHS psychological therapies](#) for common mental disorders such as depression or anxiety (known as 'IAPT') in England. People from minority ethnic groups are less likely to experience improvement in their condition, or recover from their condition, after therapy. In 2018/19, 64% of Asian/Asian British Adults saw improvement after treatment, compared with 65% of Mixed adults, 66% of Black/Black British adults and 68% of White adults. 47% of Asian/Asian British and Mixed adults recovered from their condition after treatment, compared with 49% of Black/Black British adults and 53% of White adults.

Further reading:

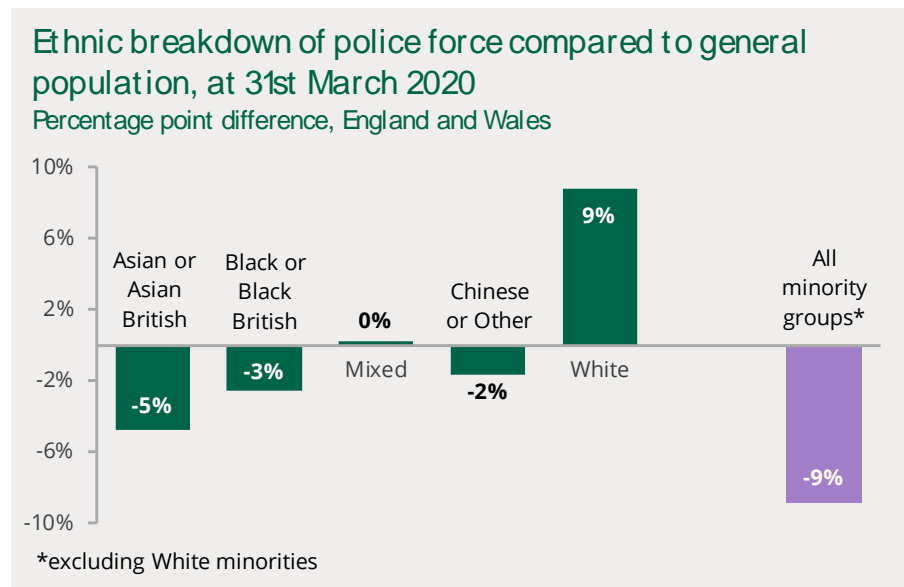
Public Health England, [Local action on health inequalities: Understanding and reducing ethnic inequalities in health](#) – contains analysis of further indicators such as cancer incidence, wellbeing, disability-free life expectancy, tuberculosis and child health indicators. The report also contains discussion of ethnic inequalities in the social determinants of health.

2.4 Policing and crime

Police Officers

At 31 March 2020, 9,174 (7%) police officers in England and Wales self-identified as being from an ethnic minority.³⁰ This represents a three-percentage point increase from 2007. This is considerably lower than the proportion of the general population from an ethnic minority (16%).³¹ Of those that identified as being from an ethnic minority, 42% were Asian or Asian British, 30% were of mixed ethnicity, 17% were Black or Black British and 11% were from Chinese or “Other” ethnic backgrounds.

The chart below shows the percentage point difference between the proportion of police officers from different ethnicities and the general population.



Note: excluding British Transport Police

Source: Home Office, [Police workforce, England and Wales](#), 30 July 2020 and earlier editions; Annual Population Survey dataset 2019.

Officers from ethnic minority backgrounds were also under-represented at senior ranks, accounting for 4% of officers at the rank of Chief Inspector or above. This proportion remained the same as at 31 March 2019.

The police force with the largest proportion of ethnic minority officers is the Metropolitan Police Service (15%). It is estimated that 41% of the resident population of London is from an ethnic minority background. The force with the next highest proportion is West Midlands (12%), followed by Bedfordshire (10%), Greater Manchester (9%) and Leicestershire (8%). North Wales and Cumbria had the smallest proportion of officers from ethnic minority groups (0.9% and 1.0% respectively).

³⁰ Excluding British Transport Police and central service secondments.

³¹ Population estimates based on the Annual Population Survey dataset 2019.

12 of the 43 territorial police forces in England and Wales in 2020 did not have any officers from an ethnic minority background ranked Chief Inspector or higher.

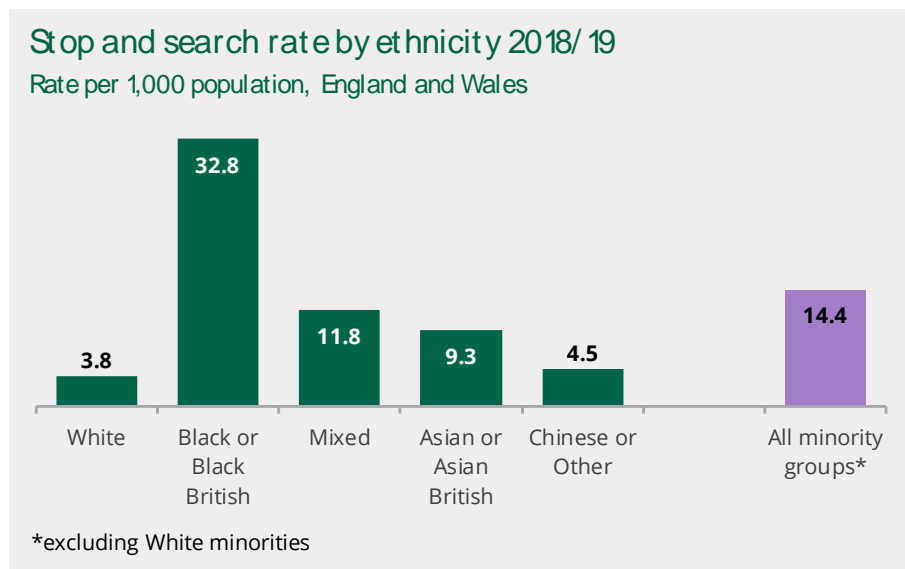
Further information on police workforce numbers can be found in the Commons Library Briefing Paper: [Police service strength](#).

Stop and search

People from minority ethnic backgrounds have been consistently more likely to be stopped and searched than White people.

Over the last decade, police forces have reduced their use of stop and search in response to concerns that police were overusing their stop and search powers and conducting poorly targeted searches, although this increased again slightly between 2017/18 and 2018/19. During this period, the disparity between the search rate for Black and White people has increased. This is the result of a larger reduction in the number of White people searched than Black people. Between 2008/09 (when the use of stop and search reached its peak) and 2017/18, the number of White people stopped and searched fell by 80% whilst the number of Black people searched fell by 70%. The number of searches of both White and Black people increased similarly between 2017/18 and 2018/19 (by 27% and 30% respectively).

The chart below shows the rate of stop and searches for different ethnic groups per 1,000 head of population in England and Wales during 2018/19 (excluding vehicle only searches):



Source: Home Office, *Police powers and procedures, England and Wales year ending 31 March 2019*, [Stop and search open data tables](#) [Accessed: 27 July 2020]; stop and search rates calculated using population estimates based on the Annual Population Survey 2019.

The search rate for all ethnic minority groups combined in 2018/19 was almost 4 times that for White people. The difference was particularly pronounced for people who self-identified as Black or Black British, who were almost nine times more likely to be searched than White people.

Further analysis of stop and search can be found in the Commons Library Briefing Paper: [Police powers: stop and search](#). The paper observes that:

There is no evidence to suggest that BME people are more likely to carry items that officers have powers to search for. Neither is there evidence that suggests they are more likely to be involved in criminality associated with stop and search enforcement (p21) [...]

The disparities in ethnic stop and search rates for England and Wales are primarily influenced by stop and search activity in London because the MPS conducts more searches than any other force [48% of all searches in 2018/19³²]. London has a diverse population (around 40% of people living in the capital are from BME backgrounds). The search rates for Asian Londoners are similar to those for white Londoners. However, black Londoners are subject to a disproportionate number of searches compared to white Londoners. (p22)

Domestic abuse

Crime is not always experienced equally within communities. By analysing data on the perpetrators and victims of crime according to different personal characteristics, high crime prevalence can at times be identified among certain groups. This information can be useful in helping to target intervention and support.

Disparities exist between different groups with regards to their experience of domestic abuse. The [latest statistics](#) on the characteristics of victims of domestic abuse are published by the ONS. This is based on survey data from the [Crime Survey for England and Wales](#) and as such are estimates of the true value amongst the general population.

The table below shows the prevalence of domestic abuse amongst different ethnic groups, as well as between genders:

³² Home Office, *Police powers and procedures, England and Wales year ending 31 March 2019*, [Stop and search open data tables](#) [Accessed: 27 July 2020].

Prevalence of domestic abuse in the last year			
Percentage victims once or more, Adults 16-74, England and Wales, 2018/19			
Ethnic group	Men	Women	All
White	3.9	7.2	5.6
English/Welsh/Scottish/Northern Irish/British	4.0	7.6	5.9
Irish	-	-	-
Gypsy/Irish traveller	-	-	-
Any other white background	1.8	3.8	2.9
Mixed	3.5	20.0	12.9
White and Black Caribbean	-	-	-
White and Black African	-	-	-
White and Asian	-	-	-
Any other Mixed/Multiple ethnic background	-	-	-
Asian or Asian British	2.4	5.7	3.8
Indian	2.1	6.2	4.0
Pakistani	0.8	9.1	4.5
Bangladeshi	-	-	1.1
Chinese	-	-	2.1
Any other Asian background	7.2	2.7	5.2
Black or Black British	3.3	10.4	7.1
Black African	3.4	7.1	5.3
Black Caribbean	-	18.7	13.2
Any other Black/African/Caribbean background	-	-	-
Other ethnic group	2.9	11.8	6.7
Arab	-	-	-
Any other ethnic group	-	-	7.1
All ethnic groups	3.8	7.5	5.7

Source: ONS, [Domestic abuse prevalence and trends, England and Wales: year ending March 2019](#), [Accessed: 27 July 2020]

In the 12 months to March 2019, an estimated 5.7% of all respondents experienced domestic abuse on at least one occasion. Women experienced domestic abuse at nearly twice the rate of men (7.5% and 3.8% respectively).

Looking at the ethnicity of female respondents, the prevalence of any kind of domestic abuse is highest amongst female respondents of "Mixed" ethnicity (20% of respondents had been the victim of domestic abuse in the previous twelve months); followed by women from Other ethnic backgrounds (11.8% of female respondents) and Black or Black British backgrounds (10.4% of female respondents).

Disparities exist within broader ethnic categories. Within the Black or Black British ethnic group, the prevalence of abuse was greater amongst female respondents who identified as Black Caribbean rather than Black African. 18.7% of female Black Caribbean respondents had been the victim of domestic abuse in the previous twelve months compared to 7.1% of female Black African respondents (a similar proportion to all females).

2.5 Criminal justice

What data is available?

The most comprehensive, recent exploration of ethnicity-based disproportionality in the justice system is [The Lammy Review \(2017\)](#). The main findings are summarised in Section 3.3 of this briefing. The Lammy Review sought to move beyond simple comparisons between the share of the population that is BAME and the share appearing at various points in the justice system. This was because while such comparisons highlight the disproportionality that exists – for example, that Black people make up approximately 4% of the population of England and Wales but 13% of those in prison – it usually tells us little about the reason for disproportionality. The Review’s authors were concerned with identifying the point or points at which disproportionality enters the system.

For the Lammy Review, research was commissioned from the Ministry of Justice (MoJ) which looked for evidence of disproportionality at each specific juncture of the criminal justice system.³³ This used data from 2014 and 2015 and which is now somewhat out-of-date. The statistics in this section draw on the findings of this analysis, updated versions of it where possible, and other data from the MoJ. Most of the MoJ data is taken from its [Criminal Justice Statistics](#) and [Offender Management Statistics](#) collections.

The UK Government has, in recent years, published regular summaries of the headline statistics on ethnicity and the criminal justice system. These include the [Race and the Criminal Justice System](#), which is released every two years, and [Ethnicity Facts and Figures](#), which was being updated quarterly but has not been updated since May 2019, at the time of writing. The Government also publishes an annual update on its progress towards responding to the recommendations in the Lammy Review: [Tackling racial disparity in the criminal justice system](#).

A note on data quality and coverage

Much of the criminal justice data by ethnicity has a high proportion of non-response or ‘not stated’. This is only a problem if the rate of non-response is not the same across all ethnicities and this is something that we cannot check. There are also gaps in the data: for example, there is no data on prosecutions and convictions for summary offences by ethnicity and there is no data on the use of force by staff in adult prisons, by the ethnicity of prisoners. Most of the data presented here covers England and Wales only.

Remand

The analysis conducted for the Lammy Review concluded that BAME defendants were disproportionately likely to be remanded in custody while awaiting trial at the Crown Court.³⁴ The latest published statistics from the MoJ indicate that in 2019, BAME defendants at the

³³ Uhrig, N. (2016) [Black, Asian and Minority Ethnic disproportionality in the Criminal Justice System in England and Wales](#). Ministry of Justice.

³⁴ Ibid., p.9

Magistrates' court were remanded in custody 21% of the time, compared with 16% of the time for White defendants.³⁵ At the Crown Court these proportions were 45% for BAME defendants and 39% for White defendants.³⁶

Proportion of defendants remanded in custody while awaiting hearing or trial

England and Wales, adults, 2019

% remanded in custody	White	Black	Asian	Chinese Mixed and other	Total BAME	
Magistrates' Court						
Males	17%	22%	19%	22%	22%	
Females	7%	13%	10%	11%	13%	
All	16%	21%	19%	21%	21%	
Crown Court						
Males	40%	47%	40%	52%	46%	
Females	25%	33%	26%	33%	32%	
All	39%	46%	40%	50%	45%	

Source: Ministry of Justice, Criminal justice statistics quarterly December 2019, Remand data tools

Notes: Indictable offences only

Guilty pleading

When the Lammy Review was published in 2017, it found that "Black, Asian and other ethnic minority men were greater than 50% more likely than White men to plead 'not guilty' at Crown Court."³⁷ The relevant data from 2019 shows that 37% of BAME defendants who were tried in the Crown Court pleaded 'not guilty' compared with 27% of White defendants,³⁸ meaning BAME defendants were 35% more likely than White defendants to plead 'not guilty'. A guilty plea carries a discount of up to one third of sentence length at the sentencing stage.³⁹ Amongst the BAME population, Black defendants were the most likely to plead 'not guilty' at 38%, followed by Asian defendants at 37%.

In relation to some specific offences, BAME defendants are more likely to plead 'guilty'. The 2019 data shows that 34% of BAME defendants pleaded guilty when they were charged with drug offences compared with 19% of White defendants. For possession of weapons offences, 9% of BAME defendants pleaded guilty compared with 7% of White defendants.⁴⁰ However, BAME defendants are consistently more likely

³⁵ Adult defendants only, male and female combined.

³⁶ MoJ, Criminal justice system statistics quarterly: December 2019, Remand data tools.

³⁷ [The Lammy Review \(2017\)](#)

³⁸ Ibid.

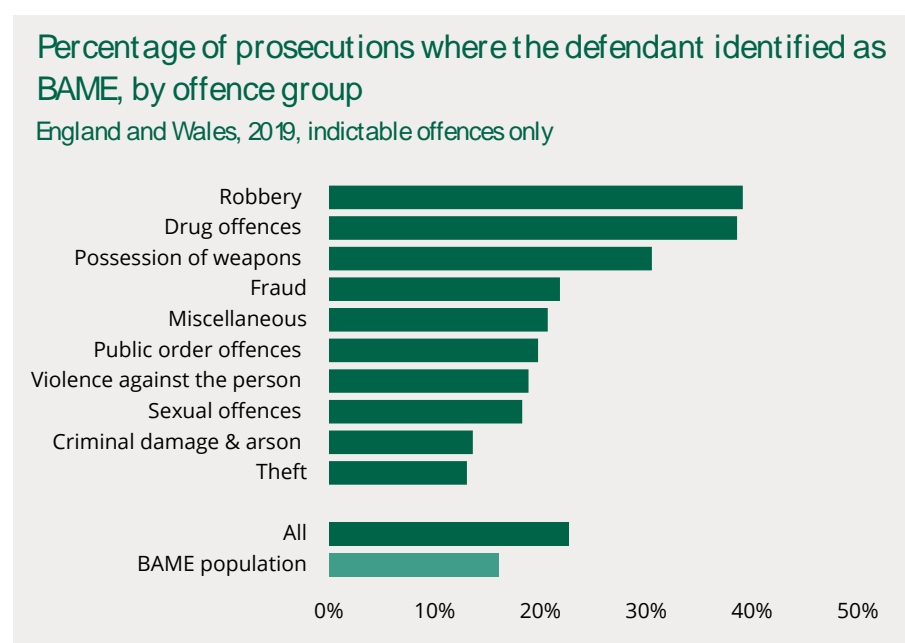
³⁹ Sentencing Council, [Reduction in Sentence for a Guilty Plea: Definitive Guideline](#)

⁴⁰ MoJ, [Criminal justice statistics quarterly December 2019](#), Outcomes by Offence Data Tool

to plead *not guilty* for robbery, theft offences, drug offences, possession of weapons, public order offences, and crimes against society.⁴¹

Prosecutions and convictions

Approximately 16% of the population of England and Wales identified as BAME in 2018, yet 23% of individuals that were prosecuted for indictable offences in 2019 were from a BAME background.⁴² There is no publicly available data on prosecutions by ethnicity for summary offences. Black individuals represented 4% of the population but the defendant was Black in 11% of prosecutions in 2019.⁴³ This disparity is more pronounced for certain offence groups: for instance, in 39% of drug offences prosecutions the defendant was BAME. Around a third of prosecutions of Black and Asian defendants were for drug offences, whereas this offence category accounted for 15% of prosecutions of White defendants.



Source: Ministry of Justice, Criminal justice statistics quarterly December 2019, Remand data tools

Notes: Indictable offences only

Overall in 2019, White defendants were more likely to be convicted (85% of were found guilty) than defendants from BAME backgrounds (79%).⁴⁴ This might be influenced by the fact that White defendants are 15% more likely than BAME defendants to plead 'guilty'.

Over one third (37%) of people convicted for drug offences were from a BAME background. Drug offences were the largest category of offence for which BAME offenders were convicted, while for White offenders this was theft. Half (50%) of convictions of Black offenders

⁴¹ Ibid.

⁴² MoJ, [Criminal justice statistics quarterly December 2019](#), Outcomes by Offence Data Tool

⁴³ Ibid.

⁴⁴ Ibid.

were for drug offences or possession of weapons, compared to under a quarter of convictions of White offenders.

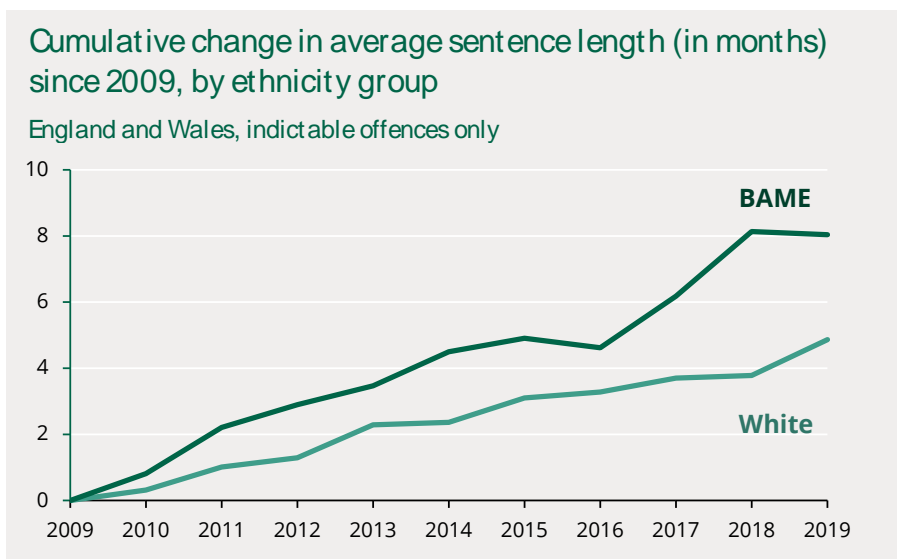
Sentencing

The Lammy Review found that the odds of imprisonment for BAME offenders were higher than for White offenders.⁴⁵ The data for 2019 shows a slight difference in the overall proportion of offenders sentenced to immediate custody, by ethnic group, with 34% of BAME offenders being sentenced to custody compared with 33% of White offenders for indictable offences.⁴⁶ There was no noticeable difference across the ethnic groups within the BAME category.

Analysis carried out for the Lammy Review went into more depth than the published MoJ statistics allow. The analysis found that

“Under similar criminal circumstances the odds of imprisonment for offenders from self-reported Black, Asian, and Chinese or other backgrounds were higher than for offenders from self-reported White backgrounds. Whilst statistically significant, the increases in the odds of imprisonment were all medium sized effects (53%, 55%, and 81% higher, respectively, for offenders self-reporting as Black, Asian, and Chinese or other). No effect was observed for offenders from a self-reported Mixed background”.⁴⁷

Average custodial sentence length has been rising in general in recent years but the rise has been steeper for BAME offenders. Overall, the average custodial sentence length for indictable offences rose by 5.2 months between 2009 and 2019; for White offenders the rise was 4.9 months and for BAME offenders it was 8.0 months.



Source: Ministry of Justice, Criminal justice statistics quarterly December 2019, Remand data tools

Notes: Indictable offences only.

⁴⁵ [The Lammy Review \(2017\), p.33](#)

⁴⁶ MoJ, Criminal justice system statistics quarterly: December 2019, Sentencing tool.

⁴⁷ MoJ (2016) [Associations between ethnic background and being sentenced to prison in the Crown Court in England and Wales in 2015](#), p.1

Disparities between White and BAME offenders start to appear when comparing average custodial sentence length (ACSL). Overall, BAME offenders received an average of 27 months in custody compared with 20 for White offenders. This is partly driven by the difference in the type of offences for which BAME and White offenders are convicted. But when comparing ACSL for specific offence groups, there are still differences by ethnic group, for example that, on average, BAME offenders received an average of 37 months in prison for violence against the person offences, compared with 20 months for White offenders.

There were also differences by sex in 2019, although the large majority of those convicted of indictable offences are male. Black male offenders sentenced to custody received more than twice the average custodial sentence length for violence against the person offences (44 months compared with 21). Asian male offenders received a longer average sentence for sexual offences (70 months) compared with White male offenders (57 months).

Prison

Prison population

BAME individuals make up around 16% of the population of England and Wales and 27% of its prison population. This is driven by there being a much higher proportion of the prison population who are Black (13%) than in the general population (4%). Most prisoners are male but in the female prison population of around 3,600 individuals, the proportion from a BAME background is closer to the proportion in the general population (18%).⁴⁸

Safety in custody

Figures on safety in custody are not routinely published by ethnicity but some data was recently made available in response to a Parliamentary Question.⁴⁹ This showed that the rate of self-harm incidents to prisoners was much higher for White prisoners than for any other ethnic group, in 2019. There were 91 self-harm incidents for every 100 White prisoners in 2019, compared with 25 for every 100 BAME prisoners and the rate was lowest for Black prisoners, at 18 incidents per 100 prisoners.⁵⁰ The figures also show that a higher proportion of self-inflicted deaths in prison over the last 5 years were of White prisoners (86%) than the proportion of the prison population that is White (around 72%).

Use of restraint techniques on prisoners

Statistics on the use of force, including restraint techniques, against prisoners are only available for the youth estate, although the MoJ is planning to pilot a tool for recording it in the adult estate.⁵¹

⁴⁸ MoJ, Offender management statistics quarterly, March 2020.

⁴⁹ [HC58603](#), 18 June 2020.

⁵⁰ It should be noted that there was a high level of 'unrecorded' ethnicities in this data, although even if all unrecorded ethnicities were BAME, the self-harm incident rate among White prisoners would still be much higher

⁵¹ As reported in response to [HC28644](#), 19 March 2020

The MoJ's Youth Justice Statistics indicate that in 2018/19, around 27% of BAME children and 24% of White children in the youth estate were subject to Restrictive Physical Intervention (RPI) at some point. There were 46 RPIs per 100 BAME children and 47 per 100 White children.⁵²

Reoffending

The MoJ measures proven reoffending as any further offence for which a person is convicted or cautioned that is committed within one year of the index (the original) offence. The latest figures at the time of writing indicate that the overall adult reoffending rate was 30% for White offenders, 31% for Black offenders, and 24% for Asian offenders.

There was a greater difference by ethnic group for juvenile offenders (those aged under 18 at the time of the index offence), with 40% of White juvenile offenders, 47% of Black juvenile offenders, and 31% of Asian juvenile offenders going on to reoffend.⁵³

⁵² MoJ, [Youth Justice Statistics 2018-19](#), table 8.5

⁵³ MoJ, Proven reoffending tables (annual average), January 2018 to March 2018, table A7a and A7b.

2.6 Employment and incomes

Labour market status, pay, incomes and poverty rates all vary between ethnic groups. Since a person's employment status and pay affect their income, and income determines if a household is in poverty, it is unsurprising that a similar pattern appears in all the charts below.

People from Bangladeshi and Pakistani ethnic groups in the UK have the lowest employment rates, the lowest pay, the lowest income and the highest poverty rates, often closely followed by people from Black ethnic groups. For the most part, people from White and Indian ethnic groups have the highest employment rates, pay and incomes and the lowest poverty rates.

Employment gaps

Employment rates were highest for White (78%) and Indian (78%) ethnic groups and lowest for Pakistani (57%) and Bangladeshi (59%) ethnic groups in April-June 2020.

Labour market status by ethnic group, UK

Data at April-June 2020, not seasonally adjusted

	Employment rate (Aged 16-64)	Unemployment rate (Aged 16+)	Economic inactivity rate (Aged 16-64)
Pakistani	57%	8%	37%
Bangladeshi	59%	8%	36%
Chinese	61%	5%	36%
Black/African/Caribbean/Black British	68%	8%	26%
Other ethnic group	69%	5%	28%
Mixed/Multiple ethnic groups	70%	6%	26%
White	78%	3%	20%
Indian	78%	4%	19%
Total	76%	4%	21%

Note: Unemployment rates have a slightly different denominator (economically active population aged 16+) to the other rates (16-64)

Source: ONS, [Labour market status by ethnic group](#), August 2020

Economic inactivity rates of some ethnic groups, like Pakistani (37%), Bangladeshi (36%), Chinese (36%) ethnic groups, are higher than average (21%). This is largely because of high rates of economic inactivity among women from these ethnic groups.

In April-June 2020, around 55% of women from the Pakistani and 51% of women from the Bangladeshi ethnic group were economically inactive, compared to 26% from a Black ethnic group, 25% from an Indian ethnic group, and 23% from a White ethnic group.

Economic inactivity by gender and ethnic group, UK

Data at April-June 2020, not seasonally adjusted

	All	Women	Men
Pakistani	37%	55%	20%
Bangladeshi	36%	51%	21%
Chinese	36%	40%	30%
Other ethnic group	28%	34%	21%
Mixed/Multiple ethnic groups	26%	33%	18%
Black/African/Caribbean/Black British	26%	26%	25%
Indian	19%	25%	13%
White	20%	23%	16%
Total	21%	25%	17%

Source: ONS [Labour market status by ethnic group](#), August 2020

Library briefing paper [Unemployment by ethnic background](#) provides more unemployment statistics.

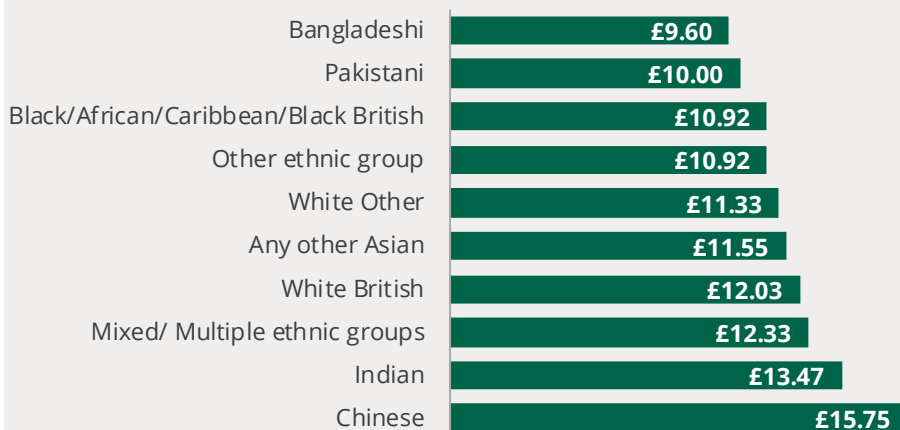
Pay gaps

The chart below shows the median gross hourly pay of employees in each ethnic group in Great Britain in 2018.

In 2018, people from Bangladeshi (£9.60) and Pakistani (£10.00) ethnic groups had the lowest average pay, and people from Chinese (£15.75) and Indian (£13.47) ethnic groups had the highest.

Median gross hourly pay by ethnic group

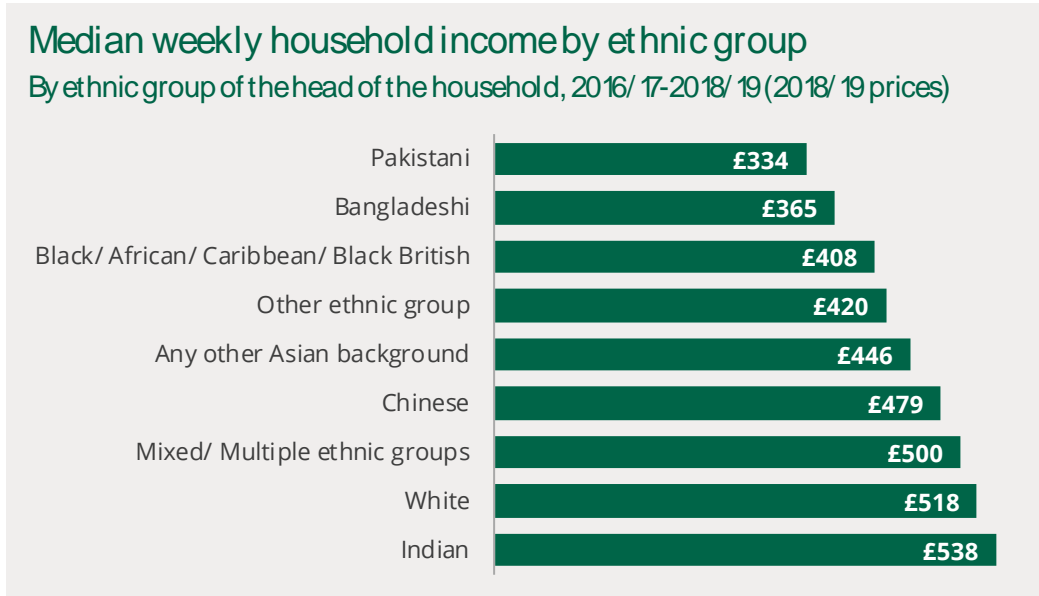
Great Britain, 2018, all employees



Incomes

The chart below shows the median weekly household income of ethnic groups in the three year period (2016/17-2018/19). Households are assigned an ethnicity based on that of the 'Household Reference Person' (HRP).⁵⁴

People from Pakistani (£334) and Bangladeshi (£365) ethnic groups have the lowest median household income and people from White (£518) and Indian (£538) ethnic groups had the highest.



The Resolution Foundation measures median incomes after housing costs by ethnic group and finds that income gaps have decreased since the mid-1990s, partly due to convergences in employment rates for both men and women. However, these gaps remain sizeable, as shown in the chart below.⁵⁵

Defining income

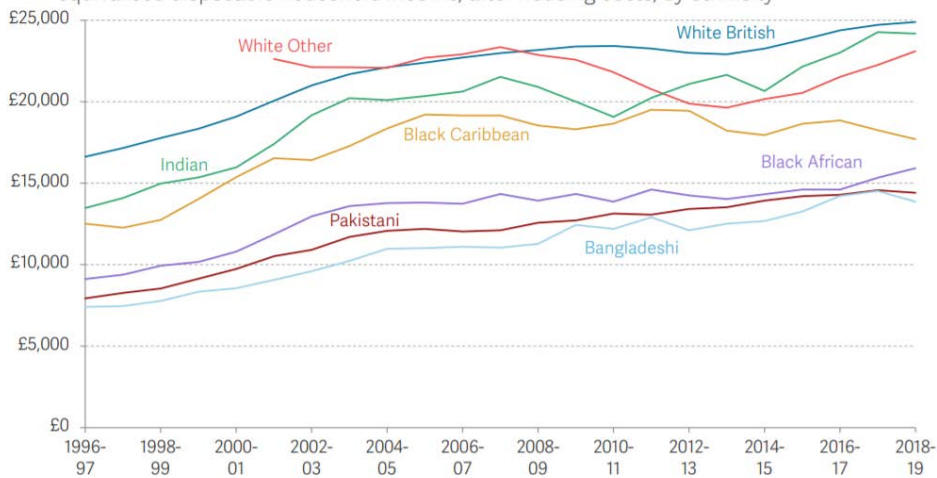
Income here refers to disposable income, which includes wages and other income like benefits, income from investments and private pensions. It excludes direct taxes, National insurance and local taxes, like council tax.

⁵⁴ The HRP is the person who owns the home or is responsible for the rent. In joint tenures, the HRP is the highest earner; if incomes are the same, the oldest person is the HRP.

⁵⁵ Resolution Foundation, [The Living Standards Audit 2020](#), 21 July 2020

FIGURE 10: Large income gaps remain between those from different ethnic groups

Three-year average (year ending) of median real (CPI-adjusted to 2019-20 prices) equivalised disposable household income, after housing costs, by ethnicity



NOTES: UK from 2002-03, GB before.
SOURCE: RF analysis of DWP, Households Below Average Income.

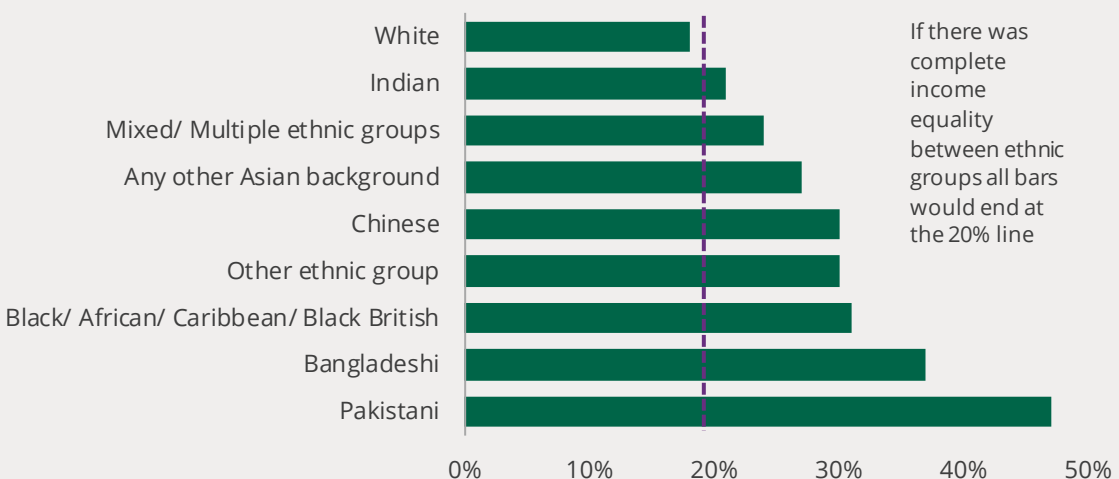
Income distribution

As well as a difference in median incomes, there is also a disparity between the proportion of people in different ethnic groups at the top and bottom of the income distribution.

The charts below show the percentage of people in each ethnic group living in households that were in the bottom fifth and the top fifth of all incomes in the years 2016/17 to 2018/19.

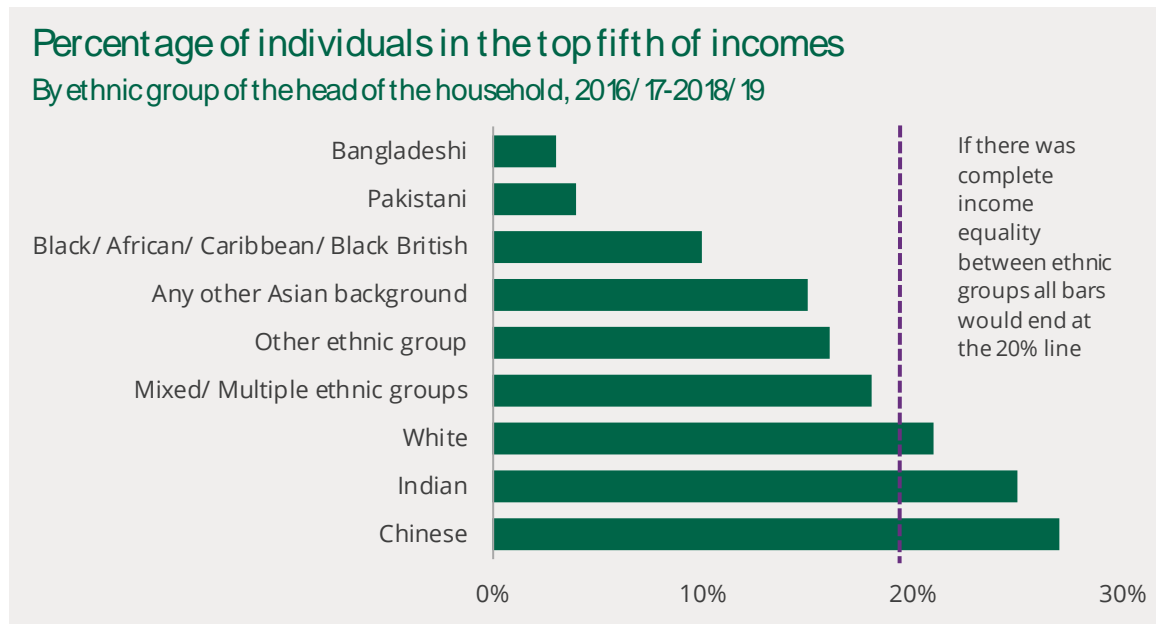
Nearly half (47%) of people from the Pakistani ethnic group lived in households that were in the bottom fifth of incomes, compared to 18% of people from a White ethnic group. 37% of people from the Bangladeshi ethnic group and 31% of people from a Black ethnic group were in the bottom fifth.

Percentage of individuals in the bottom fifth of incomes
By ethnic group of the head of the household 2016/17-2018/19



Source: DWP, [Households Below Average Income 2018/19](#)

At the other end of the income distribution, only 3% of people from the Bangladeshi ethnic group and 4% of people from the Pakistani ethnic group lived in households that were in the top fifth of incomes, compared to 27% of people from a Chinese ethnic group, 25% of people from an Indian ethnic group, and 21% of people from a White ethnic group.



Source: DWP, [Households Below Average Income 2018/19](#)

Poverty

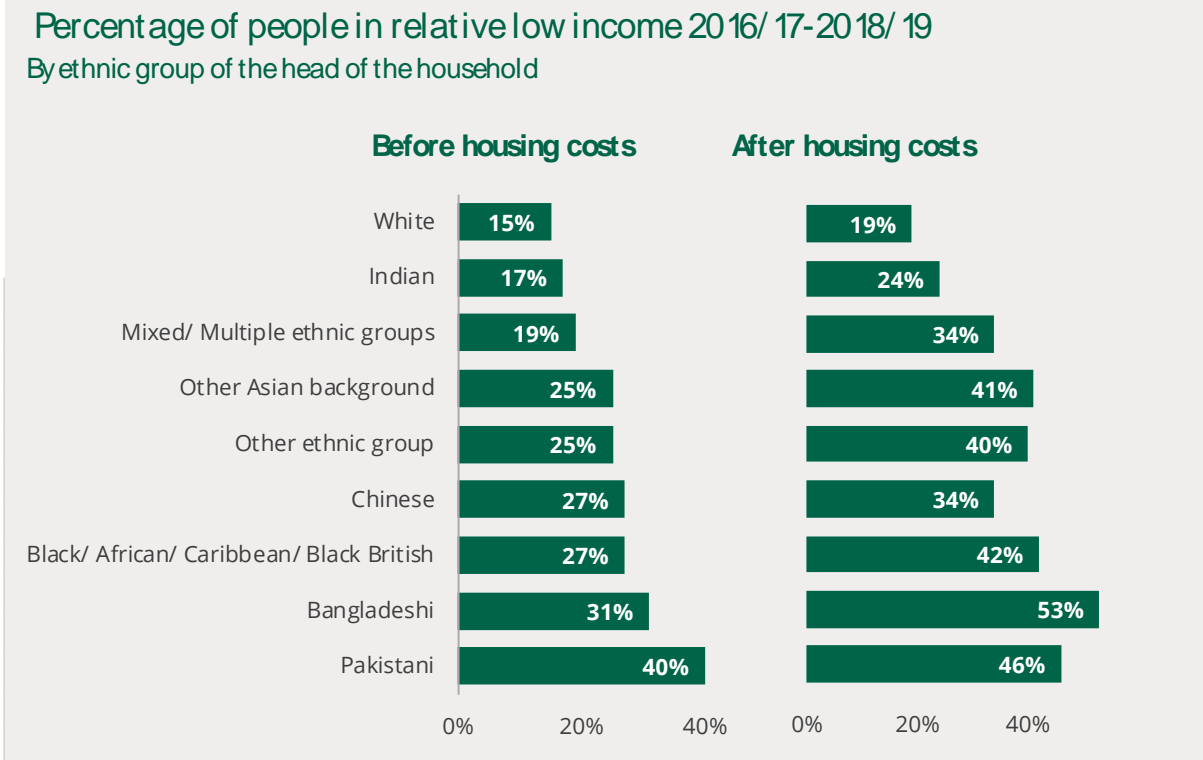
Measured before housing costs, people in households where the head of the household was from the Pakistani ethnic group experienced the highest poverty rate, at 40% (25 percentage points higher than households where the head is from White ethnic groups), during the period 2016/17-2018/19.

After housing costs, people in households where the head of the household was from the Bangladeshi ethnic group experienced the highest poverty rate, at 53% (34 percentage points higher than households where the head is from White ethnic groups).

27% of people in households where the head of the household was from a Black ethnic group were in poverty before housing costs, and 42% were in poverty after housing costs.

Defining poverty

Someone is defined as being in relative poverty/ low income if they live in a household with income below 60% of the median in that year. Incomes can be measured before or after housing costs.



Source: DWP, [Households Below Average Income 2018/19](#)

Library briefing paper [Poverty in the UK: statistics](#) provides more poverty statistics and information.

2.7 Housing

Home ownership and renting

The government's *Ethnicity facts and figures* website provides an analysis of the extent of [home ownership](#), [private renting](#), and [social renting](#) by ethnicity in England from 2016 to 2018. Households are assigned an ethnicity based on that of the 'Household Reference Person' (HRP).⁵⁶

During this period, 68% of White British households owned their own home. This is a higher rate of home ownership than most ethnic minority households.

Ethnicities with the highest and lowest rates of each type of housing tenure England and Wales						
	Home ownership		Private renting		Social renting	
Highest	Indian	74%	White Other	59%	Black African	44%
	White/Asian	70%	Arab	51%	White/Black African	41%
	White British	68%	Any Other	49%	Bangladeshi	33%
Lowest	Arab	17%	White British	16%	Indian	7%
	Black African	20%	White/Asian	20%	White/Asian	10%
	Any Other	29%	Black Caribbean	20%	Chinese	10%

Note: the 'Any Other' ethnic category refers to people who do not identify with the White, Asian, Black, Mixed or Arab ethnic category options. "/" indicates mixed ethnicity.

Source: Race Disparity Unit, [Ethnicity facts and figures: Housing](#)

Disparities exist within broader ethnic categories. Within the Asian ethnic group, whilst homeownership among Indian households is high, Pakistani (58%), Bangladeshi (46%), Chinese (45%) and households from Other Asian backgrounds (39%) all have lower rates.

Homeownership among Mixed White and Asian households is more than twice that of Mixed White and Black Caribbean (32%) and Mixed White and Black African households (34%). Black Caribbean households have twice the rate of homeownership of Black African households (40% compared to 20%).

White British households were less likely to rent their home privately than households from minority ethnic groups (16% compared to 39%).

Again, disparities can be seen within broader ethnic groups. Chinese households were more likely to rent privately (45%) than other Asian ethnic groups (e.g. 21% of Bangladeshi and 29% of Pakistani households). Black Caribbean households were less likely to rent privately than households from Black African (36%) and other Black backgrounds (36%).

⁵⁶ The HRP is the person who owns the home or is responsible for the rent. In joint tenures, the HRP is the highest earner; if incomes are the same, the oldest person is the HRP.

16% of White British households were social renters. Households from Black and Mixed White and Black ethnic backgrounds were most likely to rent social housing.

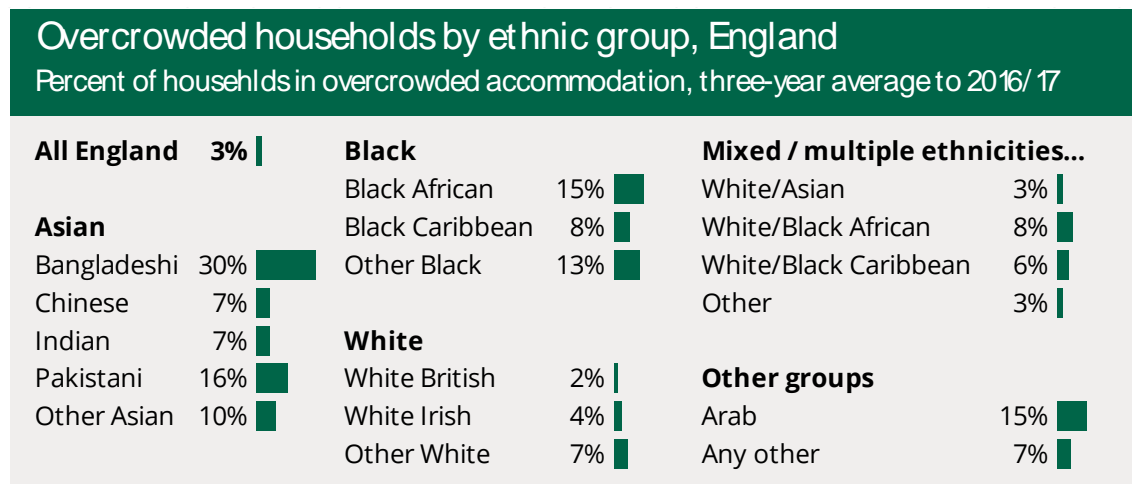
Overcrowding and housing conditions

Ethnic minority households are more likely to live in overcrowded accommodation than White British households (as above, these statistics are based on the ethnicity of the Household Reference Person or HRP and count all households that are not White British).

Overcrowding is measured according to a 'bedroom standard' which determines the number of bedrooms a household needs based on the ages and relationships of its occupants. Married or cohabiting couples are allocated a bedroom each, and children may share in pairs depending on their age and sex. A household with fewer bedrooms than it needs is said to be overcrowded.

Households with someone from an ethnic minority as the HRP are more likely to be overcrowded in all tenure groups. Around 5% of ethnic minority households that own their home are overcrowded, as are 11% of privately-renting households and 15% of social renting households. By contrast, the figures for White British households are 1%, 2% and 4% respectively.

The table below shows more detailed figures for different ethnic minority groups. More detailed analysis is available in the [Library briefing paper on overcrowding \(CBP 1013\)](#) and the [Ethnicity Facts and Figures website](#).



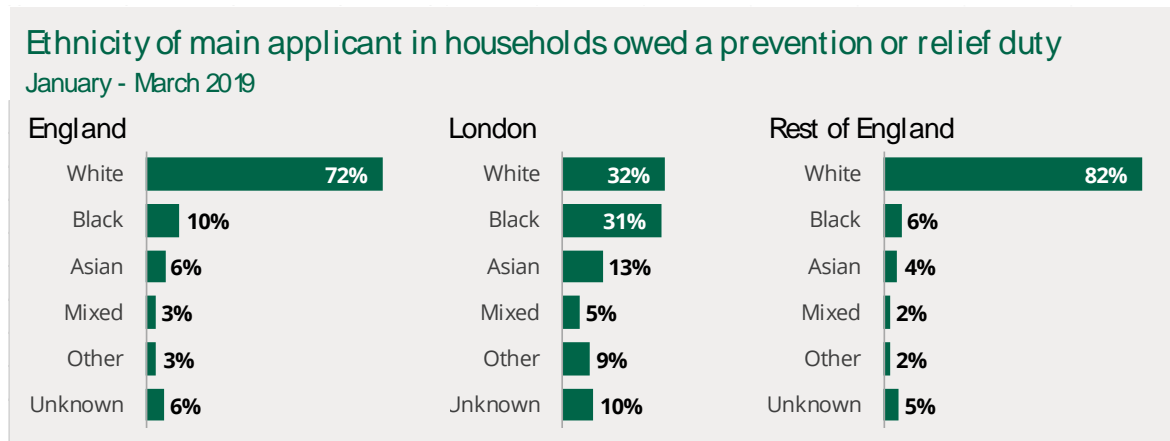
Source: [Ethnicity Facts and Figures, Overcrowded households](#), 27 April 2020

Analysis from the Ethnicity Facts and Figures website also looks at other aspects of housing conditions. The analysis found that [damp problems](#) were more common in some ethnic groups: 12% of Bangladeshi and 10% of Black African households have problems with damp compared with 4% of White British households. Additionally, [fuel poverty](#) is more common in ethnic minority households. In 2017, 20% of households in non-White ethnic groups were estimated to be in fuel poverty compared with around 10% of White households.

Homelessness

Local authorities in England have a duty to work to prevent and relieve homelessness for all eligible homeless applicants under the *Homelessness Reduction Act 2017*.

The chart below breaks down households owed a prevention or relief duty by the ethnicity of the main applicant. Of the 71,980 households owed a duty in England between January and March 2019, 72% were White (including White minorities) and 22% belonged to a minority ethnic group.



Note: Proportions for some ethnic groups will be underestimates because some households are recorded as ethnicity 'unknown'.

Source: MHCLG, [Homelessness live tables](#), *Detailed local authority tables: January to March 2019*

People from Black ethnic groups were over-represented in the population of homeless acceptances.⁵⁷ The main applicant was Black in around 10% of homeless acceptances, while households led by a Black person make up around 3% of households in England. People in Mixed and 'Other' ethnic groups were also over-represented, to a lesser extent.⁵⁸

Around 72% of acceptances were White households, compared with 89% in England's population. This difference is driven by White British households rather than other White ethnicities.

The picture in London is different from the rest of England. Households with a White main applicant were even further under-represented (accounting for 32% of homeless acceptances compared with 65% of the household population), whilst households with a Black main applicant were substantially over-represented (31% of acceptances compared to 13% of households). Households with a main applicant from an Asian, Mixed or other ethnic group were also over-represented, to a lesser extent.

The Greater London Authority (GLA) publishes [statistics on rough sleeping in London](#).⁵⁹ In 2018/19 the majority of people seen rough

⁵⁷ Household population estimates based on Labour Force Survey Household Dataset, Q2 2019.

⁵⁸ See MHCLG's [homelessness live tables](#) for a more detailed ethnic breakdown.

⁵⁹ GLA, [CHAIN Greater London Full Report 2018/19](#), Section 4.7

sleeping were White (63%). This is slightly higher than the city's White population (59%). Within this broader ethnic category, 31% were White British, 7% were Gypsy or Irish Traveller and 31% belonged to other White ethnic groups (mostly from Central and Eastern Europe). By contrast, people from non-British White backgrounds make up just 15% of London's population.⁶⁰

Rough sleepers from an Asian background were under-represented (7% compared to 18% of the population).

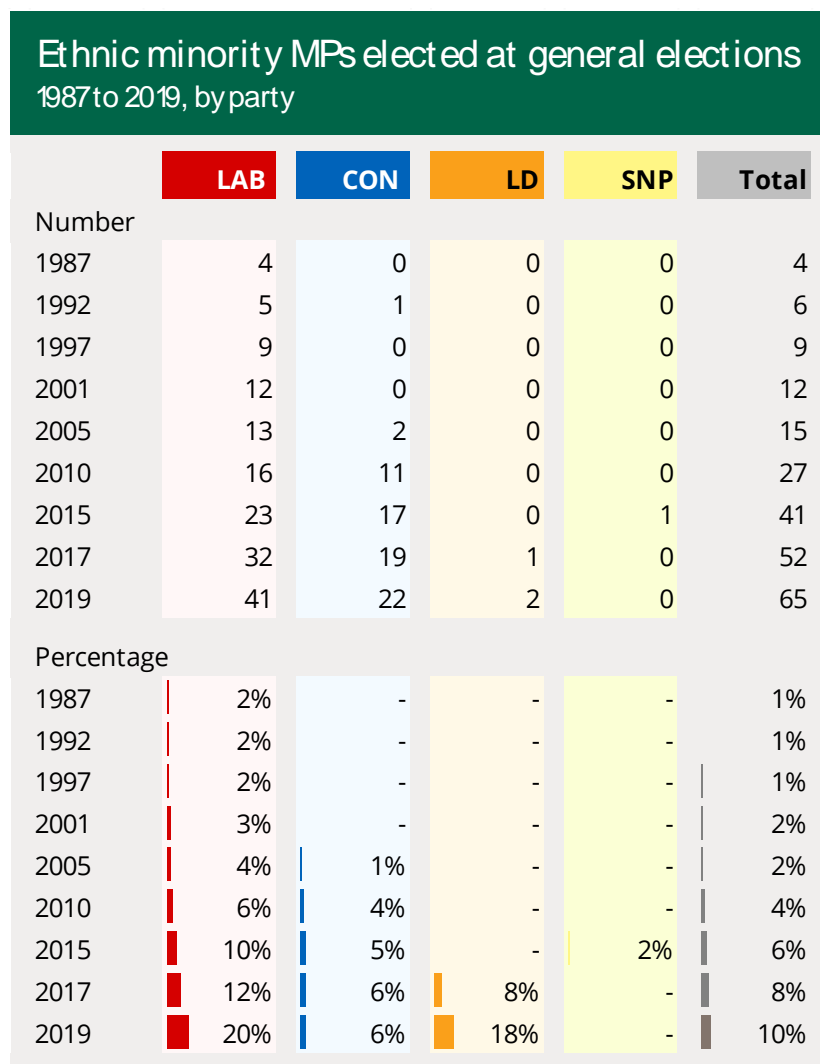
⁶⁰ Population estimates based on Annual Population Survey datasets 2019.

2.8 Ethnic diversity in public life

Politics

There is no official data on the ethnicity of Members of the House of Commons and the House of Lords. We therefore rely on external sources for this data and it should be treated with some caution.

The number of ethnic minority MPs has increased at every general election since 1987. Following the 2019 General Election, 10% of Members of the House of Commons have an ethnic minority background (compared with 13.8% of the country). The chart below shows the number and proportion of ethnic minority MPs elected at general elections since 1987, by party.



Source: [British Future](#) (2019), House of Commons Library Briefing Paper [CBP7529, UK Election Statistics: 1918-2020](#)

[Research by Operation Black Vote](#) suggests that in August 2020 there are 48 ethnic minority Members of the House of Lords, 6.2% of all [772 Peers](#).

There are [three Cabinet Members](#) from an ethnic minority background: Rishi Sunak, Chancellor; Priti Patel, Home Secretary; and Alok Sharma,

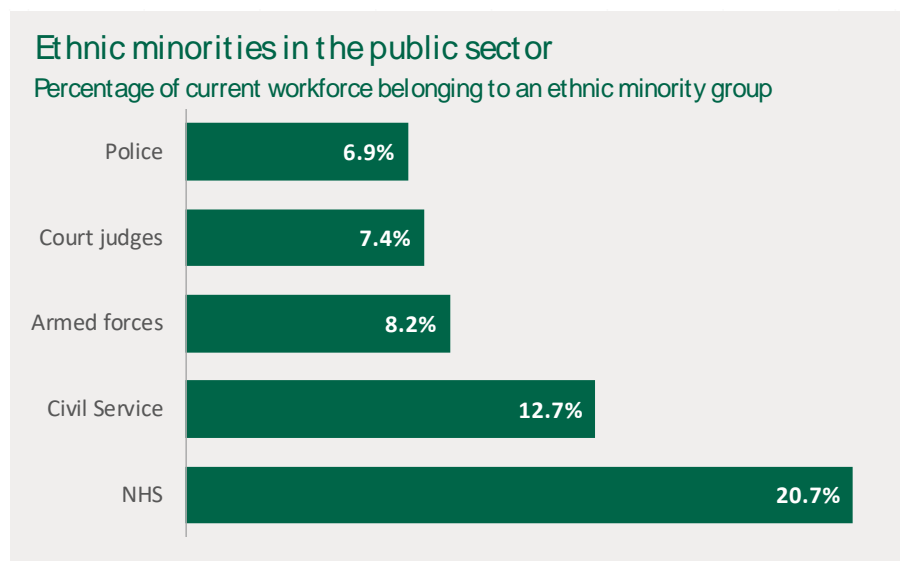
Business Secretary. Suella Braverman, Attorney General, attends Cabinet and is also from an ethnic minority background.

Ethnic minority representation in the devolved legislatures has been much lower, ranging between 0-4%. [Operation Black Vote](#) reported in 2019 that about 14% of local councillors in England were from ethnic minorities.

Selected public sector organisations

The chart below shows the proportion of personnel in the armed forces, Civil Service, police and NHS, and court judges, who are from ethnic minority groups (groups other than the White ethnic group). These figures hide substantial differences between job profiles: people from ethnic minorities tend to be in less senior positions. This is not the case in the NHS, where 39.3% of consultants are from ethnic minority groups.

Note that figures for the NHS are for England and figures for the police and court judges are for England and Wales only. For comparison, in 2018, ethnic minorities made up 12.7% of the economically active population in the UK and 13.8% in England and Wales.



Source: [GOV.UK, Workforce and business](#)

The table above shows data for all ethnic minorities grouped together (excluding White ethnic minorities). This hides differences between ethnic groups, which are presented in more detail on the Government's [Ethnicity Facts and Figures](#) pages on 'Workforce diversity'. Asians make up the largest proportion of ethnic minority employees, just as they are the largest ethnic minority group in the UK population.

More information is included in Library Briefing Paper [Ethnic Diversity in Politics and Public Life](#).

Diversity in the legal profession

The Courts and Tribunals Judiciary has been publishing diversity statistics in some form since the year 2000. The current series of [Judicial Diversity Statistics](#), reports on the number and proportion of judges and magistrates by sex, ethnicity, age, and other characteristics.

In 2018/19, 6% of judges were BAME compared with 2% in 2000/01.⁶¹ The proportion of BAME people over 18 years of age in England and Wales was around 16% in 2019 and 9% in 2001.⁶² In 2018/19, 12% of Magistrates were BAME compared with 8% in 2012/13 (the earliest year of comparable data available).

There are no official statistics on diversity in the legal profession but the Solicitors Regulation Authority has published reliable estimates based on a survey of its members.⁶³ These show that, in 2019, 21% of lawyers working in law firms were BAME: 15% were Asian, 3% Black, 2% mixed ethnicity, and 1% 'other'.⁶⁴ This was in comparison to BAME individuals making up around 13% of the overall workforce of England, Scotland, and Wales in 2018.

The SRA does note that, "Both Black and Asian lawyers are significantly underrepresented in mid to large size firms (those with six or more partners). The largest firms (50 plus partners) have the lowest proportion of BAME partners - only 8% (no change since 2017). This contrasts with one partner firms, where 36% of partners are from a BAME background (up 2% since 2017)."

⁶¹ This is the proportion of Judges who declared their ethnicity.

⁶² 2019 figure from the Annual Population Survey Jan-Dec 2019 dataset; 2001 figure from Census data, accessed via [Nomisweb](#).

⁶³ In the most recent round of data collection, 96% of firms submitted responses, so these figures can be taken as representative.

⁶⁴ Solicitors Regulation Authority, [How diverse is the legal profession?](#) 20 March 2020

3. Previous reviews

3.1 Windrush Lessons Learned Review (2020)

Background

The [Windrush Lessons Learned Review](#) was led by Wendy Williams, HM Inspector of Constabulary and Fire and Rescue Services. It was published on 19 March 2020.⁶⁵

The May Government set up the Review in 2018, as one strand of its response to the Windrush scandal.⁶⁶ The scandal affected an unknown number of longstanding UK residents who had migrated to the UK from Caribbean Commonwealth and other countries in the post-war period. They were wrongly identified as illegal immigrants and consequently denied access to employment, healthcare, and other services, and targeted for removal from the UK.

The Review's terms of reference were to focus on events from 2008 onwards, identifying the underlying causes of the Windrush cohort's difficulties and the key lessons for the Home Office.

Summary of recommendations

The report highlighted a need for systemic and cultural change within the Home Office. It made 30 recommendations, which covered three main themes:

... the Home Office must acknowledge the wrong which has been done; it must open itself up to greater external scrutiny; and it must change its culture to recognise that migration and wider Home Office policy is about people and, whatever its objective, should be rooted in humanity.⁶⁷

The Review called on the Home Office to publish a comprehensive improvement plan within six months of its publication (rec 2). Other specific recommendations include undertaking a full review and evaluation of the hostile/compliant environment policy (rec 7); cultivating a better understanding of the groups affected by Home Office policies, through improved engagement, research and service user involvement (rec 8); establishing a Migrants' Commissioner responsible for speaking up for people affected by the immigration system (rec 9); establishing an overarching strategic race advisory board to inform policy-making and practice (rec 27); and overhauling staff learning and development (recs 6, 11, 12, 29).

Considering the question of whether the Home Office is institutionally racist, Ms Williams' report concluded

While I am unable to make a definitive finding of institutional racism within the department, I have serious concerns that these

⁶⁵ [Windrush Lessons Learned Review: Independent review by Wendy Williams](#), HC 93, 19 March 2020

⁶⁶ For background and a more detailed overview of the Review, see Commons Library briefing CBP 8779, [Windrush generation: Government action to 'right the wrongs'](#)

⁶⁷ [Windrush Lessons Learned Review: Independent review by Wendy Williams](#), HC 93, 19 March 2020, p.7

failings demonstrate an institutional ignorance and thoughtlessness towards the issue of race and the history of the Windrush generation within the department, which are consistent with some elements of the definition of institutional racism.⁶⁸

Government response and status of implementation

The Johnson Government has accepted the Review's recommendations in full.⁶⁹

The Home Secretary gave an update on progress in implementing the recommendations in a [statement to the House on 21 July 2020](#).

She said that "urgent and extensive work is taking place across the Home Office and beyond on all the recommendations". The Home Office has grouped the Review's recommendations into five broad categories:

- Righting the wrongs and learning from the past
- Creating an inclusive workforce
- Changing the Home Office's openness to scrutiny
- Inclusive and robust policymaking
- A more compassionate approach – people not cases

Giving some examples of work underway in each of the above categories, Priti Patel commented that "in many cases we are going further than the recommendations that Wendy has made".

The Home Office has also established a Windrush Cross-Government Working Group. Part of its remit is to provide strategic input into the Home Office's response to the Lessons Learned Review.⁷⁰ Its membership comprises stakeholders and community leaders and senior representatives from across government departments.

Wendy Williams is due to conduct a follow-up review in September 2021.⁷¹

3.2 Timpson Review (2019)

In March 2018 the Secretary of State for Education commissioned Edward Timpson MP to undertake a review of school exclusions, to explore how head teachers use exclusion in practice, and why some groups of pupils are more likely to be excluded. In particular, the review looked at the variation in exclusion rates between pupils from different ethnic groups. The report of the review was [published](#) on 7 May 2019.⁷² The report observed:

In relation to ethnicity, some ethnic groups are associated with a lower likelihood of being permanently excluded, including

⁶⁸ [Windrush Lessons Learned Review: Independent review by Wendy Williams](#), HC 93, 19 March 2020, p.7

⁶⁹ [HC Deb 23 June 2020 c1193](#)

⁷⁰ [HC Deb 21 July 2020 c2020](#)

⁷¹ [HC Deb 21 July 2020 c2023](#)

⁷² Timpson Review of School Exclusion, CP 92, May 2019

Bangladeshi and Indian children who are around half as likely to be excluded as White British children. Children from other ethnic groups are more likely to experience exclusion, in particular Black Caribbean and Mixed White and Black Caribbean pupils.⁷³

Section 2.2 above provides recent data on this. The review report discusses race and ethnicity at [pages 34-36](#).

Summary of recommendations

The report's 30 recommendations are wide-ranging, and in the main do not mention ethnicity directly although are generally relevant to differences in rates of exclusion among ethnic groups. The recommendations that relate expressly to race and ethnicity were:

- The Department for Education (DfE) should establish a fund to develop best practice on areas including "creating inclusive environments, especially for children from ethnic groups with higher rates of exclusion"⁷⁴
- The DfE "should extend funding to equality and diversity hubs (an initiative to increase the diversity of senior leadership teams in England's schools through training and support for underrepresented groups) beyond the current spending review period and at a level that widens their reach and impact."⁷⁵

Government response and status of implementation

The DfE [published](#) its response to the Timpson review in May 2019.⁷⁶ The [annex](#) to the response document provides specific responses to each of the reviews 30 recommendations.

In reply to a PQ in January 2020 on the timeframe for implementing the undertakings in the response document, the Minister of State for School Standards, Nick Gibb MP, said:

The Government is taking forward an ambitious programme of action on behaviour, exclusion and alternative provision (AP) which will respect head teachers' powers to use exclusion when they need to, enable schools to support children at risk of exclusion, and ensure that excluded children continue to receive a good education. We will expand AP and improve the quality of the sector so that pupils in AP receive an education on a par with that received by their mainstream peers and receive the support they need in other areas. Further information on the timeframes for this work will be provided in due course.⁷⁷

⁷³ Ibid., pp9-10

⁷⁴ Ibid., p74

⁷⁵ Ibid., p64

⁷⁶ DfE, The Timpson Review of School Exclusion: Government Response, CP95, May 2019

⁷⁷ [School Exclusions Review, UIN 3183, tabled on 14 January 2020](#)

3.3 The Lammy Review (2017)

Background

In January 2016 the then Prime Minister David Cameron asked David Lammy MP to lead a review of the criminal justice system in England and Wales to investigate evidence of possible bias against people from Black, Asian and Minority Ethnic (BAME) backgrounds.

Announcing the review, David Cameron said that it would examine “the over-representation of defendants from black and ethnic minority backgrounds in the criminal justice system” including possible sentencing and prosecutorial disparity.⁷⁸

Summary of recommendations

David Lammy published his [emerging findings](#) on disproportionality in November 2016, followed by a [final report](#) and recommendations in September 2017.⁷⁹

The review noted that although people from minority ethnic backgrounds were “breaking through barriers” in areas such as education and political representation, the justice system “bucks the trend”:

Those who are charged, tried and punished are still disproportionately likely to come from minority communities. Despite making up just 14% of the population, BAME men and women make up 25% of prisoners, while over 40% of young people in custody are from BAME backgrounds. If our prison population reflected the make-up of England and Wales, we would have over 9,000 fewer people in prison – the equivalent of 12 average-sized prisons. There is greater disproportionality in the number of Black people in prisons here than in the United States.

These disproportionate numbers represent wasted lives, a source of anger and mistrust and a significant cost to the taxpayer. The economic cost of BAME overrepresentation in our courts, prisons and Probation Service is estimated to be £309 million a year.⁸⁰

The review considered that the response to this disproportionate representation should be based around three core principles:

- putting robust systems in place to ensure **fair treatment** in every part of the criminal justice system;
- building **trust** in the criminal justice system; and
- stronger analysis about where **responsibility** lies outside the boundaries of the criminal justice system, including more work with local communities.

⁷⁸ Prime Minister’s Office press release, [Review of racial bias and BAME representation in criminal justice system announced](#), 31 January 2016

⁷⁹ Lammy Review press release, [Lammy review: emerging findings published](#), 16 November 2016 and [Lammy publishes historic review](#), 8 September 2017

⁸⁰ Lammy Review, [The Lammy Review: An independent review into the treatment of, and outcomes for, Black, Asian and Minority Ethnic individuals in the Criminal Justice System](#), 2017, p3

The final report made 35 recommendations (summarised at pages 7-9 of the report), including the following:

- better recording, analysis and dissemination of data on ethnicity in the criminal justice system
- a new principle of 'explain or reform', where criminal justice agencies that cannot provide an evidence-based explanation for apparent disparities between ethnic groups should introduce reforms to address those disparities
- Crown Prosecution Service reviews of joint enterprise, gang prosecutions and modern slavery
- a new 'deferred prosecution' model with interventions before pleas are entered rather than after
- addressing data gaps in court statistics on pleas and remand decisions
- increasing the transparency of criminal courts by improving access to sentence data and sentencing remarks
- introducing a new online feedback system on how judges conduct cases, and taking measures to achieve a representative judiciary
- introducing assessments of young offenders' maturity
- improving data on ethnicity in relation to prisons, release of prisoners and reoffending
- increasing BAME representation in prison staff and leadership positions
- exploring how criminal records could be "sealed" or kept from employers, in particular for young people

Government response and status of implementation

The Government published its [response](#) to the review in December 2017.⁸¹ The Ministry of Justice said:

The response has sought to respond directly to the problems that Lammy's report identifies and his recommendations. As a key principle from the review, the Government has adopted "explain or change" as an approach to identify and objectively assess disparities, and then decide whether and how changes need to be applied.

In the response, the Government has committed to publishing more and better data on race and ethnicity, including on the working of the courts, victims and offender management.

On a small number of the recommendations the Government has indicated that it will proceed with caution, where significant barriers exist that prevent it from implementing a recommendation as it stands. Where this is the case, it will aim to

⁸¹ Ministry of Justice, [Government Response to the Lammy Review on the treatment of, and outcomes for, Black, Asian and Minority Ethnic individuals in the Criminal Justice System](#), December 2017

be transparent about the reasons and open to change, as circumstances alter.⁸²

The Ministry of Justice has subsequently published two updates on its progress in implementing the review's recommendations, the first in October 2018 and the second in February 2020.⁸³

On 23 June 2020 Justice Minister Alex Chalk gave the following update on the status of the review's recommendations:

Out of the 35 recommendations;

- i. 16 have been completed (2, 3, 4, 5, 6, 7, 8, 11, 12, 13, 18, 19, 22, 23, 33, 35)
- ii. 17 recommendations are still in progress, of which:
 - 1 recommendation is in the initial stages (34),
 - 11 recommendations aim to be completed within 6 – 12 months (15, 17, 20, 21, 24, 25, 26, 27, 28, 29, 30)
 - 5 recommendations will take longer than 12 months to be completed (1, 9, 10, 31, 32)
- iii. In the Government's response to the Review in December 2017, it was stated that two recommendations specific to a target for judicial appointments and appraisal (14, 16) would not be taken forward.⁸⁴

Boris Johnson repeated these figures during Prime Minister's Questions on 24 June 2020.⁸⁵

However, David Lammy has disputed these figures. In an open letter to the Prime Minister, he argued that only six of his recommendations have in fact been implemented:

It is false to say that these 16 recommendations have been implemented. As is clear from the government's latest update on the implementation of the Lammy Review, 'Tackling Racial Disparity in the Criminal Justice System: 2020 Update', recommendations 3, 5, 6, 7, 23 and 33 have been implemented. However, recommendations 8, 13, 18, 19 and 35 have not been implemented. Meanwhile, recommendations 2, 4, 11, 12 and 22 have at best been partially implemented.⁸⁶

On 30 June 2020 Mr Lammy asked an Urgent Question on the Government's implementation of the review's recommendations. He

⁸² Ministry of Justice, [Lammy Review - Government Response](#), 19 December 2017

⁸³ [Tackling Racial Disparity in the Criminal Justice System: 2018 Update Includes progress responding to the Lammy Review into the treatment of, and outcomes for, Black, Asian and Minority Ethnic individuals in the Criminal Justice System, one year on](#), October 2018 and [Tackling Racial Disparity in the Criminal Justice System: 2020 Update Includes progress responding to the Lammy Review into the treatment of, and outcomes for, Black, Asian and Minority Ethnic individuals in the Criminal Justice System](#), February 2020. Annex 1 of each update sets out progress on each of the review's recommendations.

⁸⁴ [PQ 59745 \[on Treatment of, and Outcomes for, Black, Asian and Minority Ethnic Individuals in the Criminal Justice System Independent Review\]](#), 23 June 2020

⁸⁵ [HC Deb 24 June 2020 c1310](#)

⁸⁶ [Letter from Rt Hon David Lammy MP to Rt Hon Boris Johnson MP](#), 25 June 2020. See also [Boris Johnson accused of misleading MPs over race review response](#), BBC News, 25 June 2020

said he was “disappointed” to hear the Prime Minister claim that 16 of the recommendations had been implemented:

I was disappointed to hear the Prime Minister break that consensus last week when he claimed that 16 of the recommendations I made in the Lammy review had been, and I quote, “implemented”, when in fact the majority of them had not. Inadvertently, he misled the House, and it is a shame he is not answering this urgent question himself.

There is a huge difference between implementing my recommendations and, as the Minister has said at the Dispatch Box today, completing the actions the Government committed to following my recommendations.⁸⁷

In response, Alex Chalk reiterated the Government’s view that 16 recommendations have been completed, two have been rejected and 17 are in progress. He said the Government had always made it clear that “not every last recommendation could or indeed should be implemented precisely as requested”. He said the Government “were determined to implement the policy objective even if doing things to the absolute letter would not necessarily be the best way of achieving that”.⁸⁸

3.4 McGregor-Smith Review (2017)

Background

On 5 February 2016, the then Business Secretary Sajid Javid launched a review into the progression of Black and minority ethnic (BME) workers in the labour market.⁸⁹ The review was led by Baroness McGregor-Smith, a Conservative peer and then CEO of FTSE 250 company, Mitie.

The [terms of reference](#) for the review focussed on six issues:

- **Imperatives for change:** Looking at the business and economic case for drawing on wide and diverse pools of talent.
- **Identifying obstacles:** Looking at obstacles to progression for BME workers, such as cultural, conscious and unconscious biases.
- **Impact of obstacles:** Assessing why the obstacles prohibit BME workers from gaining roles commensurate with their talent.
- **Data:** Bringing together data to explore the scale of the problem.
- **Best practice:** Highlighting examples of best practice from public and private sector employers.
- **Recommendations:** Cost-effective recommendations to ensure progression for BME workers in the public and private sector.

The review formed part of the Government’s BME 2020 plan which aimed to improve labour market outcomes for BME workers, including by increasing rates of university education and rates of employment.⁹⁰

⁸⁷ [HC Deb 30 June 2020 cc172-3](#)

⁸⁸ [HC Deb 30 June 2020 c176](#)

⁸⁹ Department for Business, Innovation and Skills (BIS), [Business Secretary steps up fight to end discrimination](#), 5 February 2016.

⁹⁰ *Ibid.*

The review was also designed to complement the [Parker Review of ethnic diversity on UK company boards](#). This review, which issued its final report in October 2017, called for all FTSE 100 companies to have at least “one director of colour by 2021”, and by 2024 for the FTSE 250.⁹¹

Further background information can be found in a House of Lords Library Note, [Black and Minority Ethnic People in the Workplace in Britain \(LLN 2016/021\)](#).

Summary of key recommendations

The final report, [Race in the Workplace: The McGregor-Smith Review](#), was published in February 2017.

The report found that while BME people made up 14% of the UK working-age population they made up only 10% of the workforce. A greater portion of BME workers reported having been overlooked for promotion compared to White workers. The proportions also varied among different ethnicities. Lack of connections, unconscious bias and discrimination were all identified as factors contributing to this.⁹²

The report also highlighted that there was a significant lack of data on rates of employment and pay for BME workers among large employers.⁹³

The report made a total of 26 recommendations under the themes of: measuring success, changing culture, improving processes, supporting progression and building inclusive workplaces.⁹⁴

Most of the recommendations were targeted at businesses. These included recommendations such as publishing aspirational targets, providing transparent career pathways and building inclusive networks.

Only a handful recommendations were targeted at the Government:

- Legislate to require all companies with more than 50 employees to publish the number of employees by race in each pay band (Recommendation 4).
- Create free online unconscious bias training (Recommendation 5).
- Work with employers and third sector organisations to create a guide on discussing race in the workplace (Recommendation 22).
- Work with Business in the Community to create an online portal with information on taking positive action (Recommendation 23).
- Write to all institutional funds with holdings in FTSE companies to ask for their policies on diversity and inclusion and how they will hold companies to account (Recommendation 25).

⁹¹ Department for Business, Energy and Industrial Strategy (BEIS), [Beyond One by '21: A Report into the Ethnic Diversity of UK Boards](#), 12 October 2017, p10. See also BEIS, [Ethnic Diversity Enriching Business Leadership: An update report from The Parker Review](#), 5 February 2020.

⁹² BEIS, [Race in the Workplace: The McGregor-Smith Review](#), 28 February 2017, p. 6.

⁹³ *Ibid.*, pp. 12-16.

⁹⁴ *Ibid.*, p. 32.

- Review the implementation of the recommendations one year on (Recommendation 26).

The most significant recommendation was the one calling for mandatory ethnicity pay gap reporting (discussed below). The report of the McGregor Smith Review was published just after the Government made the regulations introducing gender pay gap reporting.⁹⁵

Government response

The Government published a [brief response](#) alongside the final report of the McGregor-Smith Review. The response addressed recommendations calling for Government action. In the response the Government also committed to look at the recommendations directed at businesses in its capacity as an employer.⁹⁶

On the recommendations concerning the creation of guidance and online tools the Government committed to producing guidance on discussing race in the workplace:

[Business in the Community] is already doing a great deal of positive work, sharing best practice and bringing employers together. Their current online toolkits and guides already provide support to hundreds of employers and we will continue to work with them and others over the coming months to do what we can to deliver on your recommendations in this area. This includes developing a guide on discussing race in the workplace as well as having a single portal where useful case studies and unconscious bias training packages can be sourced.⁹⁷

On the issue of ethnicity pay gap reporting, the Government said that a voluntary, non-legislative solution should first be tried:

For these reasons, we believe that in the first instance, the best method is a business-led, voluntary approach and not legislation as a way of bringing about lasting change. We believe the case you have made in your report is compelling and expect businesses will want to comply. We therefore believe a non-legislative solution is the right approach for now, but will monitor progress and stand ready to act if sufficient progress is not delivered.⁹⁸

Implementation of the recommendations

In July 2018 the Government published a [scorecard report](#) on the implementation of recommendations in the McGregor-Smith Review.

Online tools and resources

The scorecard noted steps the Government had taken to implement the recommendations relating to the creation of online tools and guidance.⁹⁹ This included Business in the Community (BITC) publishing a [booklet on talking about race in the workplace](#) and a range of other online toolkits.

⁹⁵ See [The gender pay gap](#), Commons Library Briefing Paper SN 7068, 6 March 2020.

⁹⁶ BEIS, [Government response to Baroness McGregor-Smith](#), 28 February 2017.

⁹⁷ *Ibid.*, p2

⁹⁸ *Ibid.*, p3

⁹⁹ BEIS, [Race at Work 2018: The McGregor-Smith Review one year on](#), 11 October 2018, p. 11.

Ethnicity pay gap reporting

The scorecard noted that the Government had not legislated for mandatory ethnicity pay gap reporting and highlighted that only 11% of employers voluntarily collect data about pay and ethnicity.¹⁰⁰

Alongside the scorecard report, the Government published a [consultation on ethnicity pay gap reporting](#). The consultation said that given the small number of employers publishing ethnicity pay gap data, the Government had concluded that legislation was necessary:

A year later, we know that a small number of employers have chosen to publish ethnicity pay data voluntarily. We have heard reports from business and public sector representatives of a lack of clarity around what information should be reported, as well as concerns about the use of classifications and levels of data collection and self-reporting rates within organisations. [...]

The government believes it is time to move to mandatory ethnicity pay reporting.¹⁰¹

It noted that this would require primary legislation. The Regulations on gender pay gap reporting were made under a specific power conferred by section 78 of the [Equality Act 2010](#).

The consultation noted that there were multiple options for how mandatory ethnicity pay gap reporting could work. These included:

- One pay gap figure comparing average hourly earnings for White and BME employees;
- Multiple pay gap figures comparing average hourly earnings for employees in different ethnic groups;
- Information on the proportion of employees by ethnic group in each £20,000 pay band (the model proposed in McGregor-Smith).

Previous studies, such as a [2017 study by the Equality and Human Rights Commission](#), found that pay gaps differed significantly between ethnicities. It also noted important intersections between ethnicity and gender.¹⁰²

The consultation listed some barriers to a reporting duty, such as the difficulty of classifying employees by ethnic group and the fact that many employers do not currently collect data on employee ethnicity.

The consultation also sought views on the size of company that should be required to report ethnicity pay gap data.

For comparison, the obligation on gender pay gap reporting applies to companies with 250 or more employees. Employers must publish:

- The difference in mean hourly pay between male and female ‘full-pay relevant’ employees;
- The difference in median hourly pay between male and female full-pay relevant employees;

¹⁰⁰ Ibid. p. 7.

¹⁰¹ BEIS, [Ethnicity Pay Reporting: Government Consultation](#), 11 October 2018

¹⁰² S. Longhi and M. Brynin, [The ethnicity pay gap](#), Equality and Human Rights Commission Research Report 108, August 2017, pp. 30-36.

- The difference in mean bonus pay between male and female full-pay relevant employees;
- The difference in median bonus pay between male and female full-pay relevant employees;
- The proportion of male and female full-pay relevant employees in the lower, lower-middle, upper-middle and upper pay quartiles.¹⁰³

The consultation closed on 11 January 2019. The Government has yet to publish a response. In February 2020 the Confederation of British Industry (CBI) called on companies with more than 250 employees to start voluntarily publishing ethnicity pay data.¹⁰⁴

Following the Black Lives Matter protests in June 2020, a [petition calling for legislation on mandatory ethnicity pay gap reporting](#) received over 130,000 signatures.

In response to a Parliamentary Question from Baroness McGregor-Smith the Government simply noted that a new Commission will be examining the issues of race and ethnic disparities in the UK:

The Government ran a consultation from October 2018 to January 2019 on Ethnicity Pay Reporting and, we have met with businesses and representative organisations to understand the barriers towards reporting and what information could be published to allow for meaningful action to be taken. We have also run voluntary methodology testing with a broad range of businesses to better understand the complexities outlined in the consultation using real payroll data.

On the 14 June, my Rt. Hon. Friend the Prime Minister announced a new Commission on race and ethnic disparities which will examine continuing racial and ethnic inequalities in Britain and ways Government can address these and improve lives. Further information will be published in due course.¹⁰⁵

3.5 Angiolini Review (2017)

Background

In 2015, Theresa May (then Home Secretary) asked Dame Elish Angiolini QC to conduct a review of deaths and serious incidents in police custody. The review was prompted by criticisms of two separate investigations into the death of Black men following their time in police custody (cases involving the deaths of Sean Rigg and Olaseni Lewis). However, Dame Elish was asked to consider the operation of police custody and police accountability more widely.¹⁰⁶

Dame Elish [published](#) her review in January 2017. It made a total of 110 recommendations on a range of issues including: the treatment of vulnerable people in custody, the way in which the death and serious injury (DSI) matters are investigated and the support provided to bereaved families. Dame Elish made nine specific recommendations on

¹⁰³ See [The gender pay gap](#), Commons Library Briefing Paper SN 7068, 6 March 2020.

¹⁰⁴ CBI, [CBI urges firms to reveal ethnicity pay gap](#), 28 February 2020.

¹⁰⁵ [PO HL5858 \[on Equal Pay: Ethnic Groups\]](#), 1 July 2020.

¹⁰⁶ Home Office, [Home Secretary announces review of deaths in police custody](#), July 2015; HC Deb, [Independent Review: Deaths in Police Custody](#), 30 October 2017

the subject of race. Those nine recommendations are explored in this paper, other Library papers ([police powers: detention and custody](#) and [police complaints and discipline](#)) discuss some of Dame Elish's other recommendations.

Summary of recommendations regarding race

Dame Elish concluded that "institutional racism... still appears to be an issue within the police service".¹⁰⁷ She said that the deaths of young black men following contact with the police

resonate with the black community's experience of systemic racism, and reflect wider concerns about discriminatory over-policing, stop and search, and criminalisation.¹⁰⁸

Dame Elish's was critical of how the issue of race was handled systemically by those investigating police death and serious injury matters. She was concerned that:

Those investigating DSI matters do not always consider the role ethnicity played in the incidents they investigate. She recommended that the Independent Police Complaints Commission (IPCC) should adopt a "systematic approach" to considering the role discrimination played in DSI incidents. She called on the IPCC to address discrimination "robustly" in their investigation report recommendations.¹⁰⁹

The stereotyping of young Black men as "dangerous, violent and volatile" was still a problem within the police service. She recommended police officers attend "mandatory training and refresher training on the nature of discrimination... which aims to confront discriminatory assumptions and stereotypes."¹¹⁰

Available police statistics are not detailed enough to monitor police use of force against BAME people and those with mental ill health. She said police use of force statistics "must include ethnicity and mental health in all force data so as to provide a standardised national picture". She also recommended that the Home Office and the IPCC monitor police data to "draw out patterns" and devise plans to address racial disparities.¹¹¹

The police complaints, police discipline and criminal justice systems are ineffective at holding police officers involved in incidents involving Black men accountable for criminality and misconduct.¹¹² She called on the IPCC to publish criteria for deciding on whether police action amounts to misconduct or gross misconduct. She argued that "dismissal should always follow findings of gross misconduct, unless there are wholly exceptional circumstances."¹¹³ She recommended that prosecutors meet with those investigating DSI

¹⁰⁷ Rt. Hon. Dame Elish Angiolini DBE QC, [Report of the Independent Review of Deaths and Serious Incidents in Police Custody](#), January 2017, para 5.7

¹⁰⁸ Ibid, para 5.6

¹⁰⁹ Ibid, para 5.18 & p93

¹¹⁰ Ibid, p93

¹¹¹ Ibid, para 5.42

¹¹² Ibid, p177

¹¹³ Ibid

incidents within the first two weeks of their investigation to discuss “the probability and/ or possibility of criminal charges”.¹¹⁴ She called for a review of the CPS’ specialist unit handling prosecution decisions about deaths in police custody “to ensure it is properly resourced with experienced prosecutors”.¹¹⁵

Government response and implementation

In October 2017, eight months after the publication of her report, the Government published its response to Dame Elish.¹¹⁶ Much of its response pointed to its existing police reform programme.

The Conservative Party (as partners in the Coalition Government and as the governing party following the 2015 election) had been pursuing major policing reforms. The reform process had begun in 2010 with the publication of the White Paper [Policing in the 21st century: reconnecting police and the people](#). Its central proposal was to replace Police Authorities with directly elected Police and Crime Commissioners (PCCs). In 2012 the first PCC elections were held in England and Wales. In the same year the new College of Policing was established. The College was a new independent body responsible for professional standards in policing.

In 2014 Theresa May announced an “end-to-end” review of the police complaints and discipline systems (a year before she commissioned Dame Elish to conduct her review of death and serious incidents in custody).¹¹⁷ By the time Dame Elish’s report was published, a major piece of legislation introducing reforms to police accountability and powers (the [Policing and Crime Act 2017](#)) had already made its way through Parliament.

Replacing the IPCC with the Independent Office for Police Conduct

The 2017 Act renamed and restructured the IPCC to create the new Independent Office for Police Conduct (IOPC). The new corporate structure of the IOPC is supposed to aid the transparency of its work by placing sole responsibility for its core functions in its Crown appointee Director General (currently Michael Lockwood).

The IOPC’s first strategic plan (published in 2018 which runs to 2022) commits to:

- “identify and address factors that impact the quality of [its] work and may cause inconsistent outcomes for users of our services.”¹¹⁸
- “ensure [its] work adds value by...developing a clear strategy to focus on areas that concern both the public and the police.”¹¹⁹

¹¹⁴ Rt. Hon. Dame Elish Angiolini DBE QC, [Report of the Independent Review of Deaths and Serious Incidents in Police Custody](#), January 2017, p190

¹¹⁵ Ibid

¹¹⁶ HM Govt, [Government response to the Independent Review of Deaths and Serious Incidents in Police Custody](#), October 2017

¹¹⁷ HC Deb, [Police Reform](#), 22 July 2014

¹¹⁸ IOPC, Strategic plan 2018-22, November 2018, p15

¹¹⁹ Ibid

- “work closely with colleagues across the policing environment to improve our approach to learning recommendations and work with them to drive change within policing”.¹²⁰
- Work to increase BME people’s confidence in the police complaints system by offering tailored support and guidance to help people understand their rights.¹²¹

In July 2020 the IOPC announced a new thematic focus on “race discrimination investigations”. This commits them to independently investigate more complaint and conduct matters involving allegations of discrimination. The IOPC said this would allow them to “establish the trends and patterns which might help drive real change in policing practice”.¹²²

Reforming the police complaints and discipline system

The 2017 Act introduced major changes to both the police complaints and discipline systems. The reformed systems became fully operational in February 2020. The Library’s briefing paper [police complaints and discipline](#) discusses these reforms in detail.

Dame Elish specifically recommended that misconduct be better defined, and that findings of gross misconduct should always result in an officer’s dismissal.

Misconduct has been redefined in the reformed system but not quite in the way Dame Elish proposed. Misconduct has been redefined to mean breaches of policing standards that are serious enough to warrant disciplinary proceedings (previously misconduct was any breach of the standards). This is supposed encourage officers to own and learn from mistakes by reducing the seriousness of how some breaches of policing standards are handled.¹²³ The new statutory guidance on [professional standards, performance and integrity in policing](#) provides some information on what breaches warrant disciplinary proceedings but ultimately it is still decided on a “case by case basis”.¹²⁴

Under the reformed discipline system officers whose conduct is found to amount to “gross misconduct” are not always dismissed. These officers can still be sanctioned with a “final written warning” or a “reduction in rank”.¹²⁵ The new [statutory guidance](#) provides advice to decision makers on choosing the right sanction. The College of Policing has also published guidance on [outcomes in police misconduct proceedings](#) designed to ensure “consistency and transparency in assessing conduct”.¹²⁶ The College of Policing guidance says “cases where

¹²⁰ Ibid, p16

¹²¹ Ibid, p18

¹²² IOPC, [IOPC announces thematic focus on race discrimination investigations](#), 10 July 2020

¹²³ IOPC, [Statutory guidance on the police complaints system](#), February 2020, para 4.6

¹²⁴ College of Policing, [Code of Ethics: A Code of Practice for the Principles and Standards of Professional Behaviour for the Policing Profession of England and Wales](#), July 2014, para 5.1.8 and box 2

¹²⁵ Home Office, [Conduct, Efficiency and Effectiveness: Statutory Guidance on Professional Standards, Performance and Integrity in Policing](#), February 2020, para 11.123

¹²⁶ College of Policing, [Guidance on outcomes in police misconduct proceedings](#), undated

discrimination is conscious or deliberate” are “particularly serious” whilst unconscious discrimination can “also have a significant impact on public confidence in policing”.¹²⁷

There is a renewed focus on efficient decision making in the reformed discipline system. This is supposed to ensure that officers who should be, are dismissed expeditiously. Cases involving credible allegations of gross misconduct can now be “fast tracked” to disciplinary proceedings when there is a public interest case for dismissing the officer(s) involved.¹²⁸ There is also a new expectation that those investigating police conduct explain to others in the system when their investigations take longer than a year.¹²⁹

Police training

Police forces are expected to train their officers and staff on unconscious bias. However, their unconscious bias training has frequently been criticised. In February 2020, Her Majesty’s Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) reported that only nine of nineteen forces they inspected on the use of their stop and search powers had adequate unconscious bias training.¹³⁰

The College of Policing now sets national standards for police training (though the delivery of training is still an operational matter for police forces). The College is currently driving fundamental reforms to police recruitment and training processes. These reforms are designed to standardise police training and (in the process) make the police a graduate profession. The reforms include:

- The development of [three new entry routes](#) to become a police constable.
- The introduction of a [Police Educational Qualifications Framework \(PEQF\)](#) for police officer roles.
- The development of the [National Policing Curriculum](#) to support the long-term professional development of all those who work in policing. “Equality and diversity” as now part of the national policing curriculum’s core learning.

Use of force statistics

Since 2017 there has been an extended operational requirement for forces to record their use of force.¹³¹ The new statistical release does provide some data on the perceived ethnicity of those subject to the police use of force. However, these statistics are classified as “experimental”. This means they cannot yet be relied upon to provide an accurate picture of all police “use of force”.¹³²

¹²⁷ Ibid, paras 4.53 & 4.54

¹²⁸ Home Office, [Conduct, Efficiency and Effectiveness: Statutory Guidance on Professional Standards, Performance and Integrity in Policing](#), February 2020, para 7.50

¹²⁹ Ibid, para 7.3

¹³⁰ HMICFRS, [PEEL spotlight report: Diverging under pressure](#), February 2020 p17

¹³¹ Home Office, [Police use of force statistics](#), last updated December 2019

¹³² Ibid

Her Majesty's Inspectorate of Prisons (who jointly inspects police custody with HMICFRS) has remained critical of the collection and analysis of use of force data relating to police custody. In 2019 they concluded that "this critical area does not attract the oversight and level of governance we would expect from force leaderships."¹³³

3.6 The Marmot Review (2010)

Background

In November 2008, the Secretary of State for Health asked Professor Sir Michael Marmot to chair an independent review of evidence-based strategies for reducing health inequalities in England. The review reported in February 2010 with the title '[Fair Society, Healthy Lives](#)'.¹³⁴

The review looked at health inequalities generally, rather than solely at race and ethnic disparities in health outcomes. Nevertheless, the review did look throughout at the relationship between ethnicity and other social determinants of health. The review is one of several being considered by the Commission on Race and Ethnic Disparities as part of its focus on health.¹³⁵

Summary of recommendations

The Marmot report found a "social gradient" in health (meaning that "the lower a person's social position, the worse his or her health"). It recommended action to reduce the gradient by seeking to improve health throughout society. Since health inequalities resulted from social inequalities, action was needed "across all the social determinants of health".¹³⁶ The report also recommended the adoption of the "life course approach" to improving public health.¹³⁷ Six specific policy objectives were recommended:

- Give every child the best start in life.
- Enable all children, young people and adults to maximise their capabilities and have control over their lives.
- Create fair employment and good work for all.
- Ensure healthy standard of living for all.
- Create and develop healthy and sustainable places and communities.
- Strengthen the role and impact of ill health prevention.¹³⁸

¹³³ HMIP, [Annual report 2018/19](#), p72

¹³⁴ The Marmot Review, [Fair Society, Healthy Lives: The Marmot Review](#), February 2010

¹³⁵ [Commission on Race and Ethnic Disparities: sub-group priorities](#), Gov.uk, 14 September 2020

¹³⁶ *Ibid.*, p15

¹³⁷ *Ibid.*, p20

¹³⁸ *Ibid.*, pp171-176

Government response and status of implementation

As part of the NHS Long Term Plan process all local health systems in England have been asked, as part of their overall delivery plans, to set out how they will specifically reduce health inequalities by 2023/24 and by 2028/29. In addition, the UK Government's Green Paper, [Advancing our Health: Prevention in the 2020s](#) (July 2019), set out proposals to achieve "5 more years of healthy, independent life by 2035 while reducing the gap between richest and poorest". Public Health England's [Strategy 2020 to 2025](#) (September 2019) commits it to "work to narrow the health gap".

To mark the 10 year anniversary of the publication of the Marmot Review report the Health Foundation commissioned Professor Sir Michael Marmot and his team at the UCL [Institute of Health Equity](#) to examine progress in addressing health inequalities in England. [Health Equity in England: The Marmot Review 10 Years On](#) (February 2020) found that while there had been progress in some areas there was also evidence of widening health inequalities. As with the 2010 report, the 2020 follow-up looked at health inequalities generally, yet highlighted the relationship between health inequalities and race:

Austerity has taken its toll in all the domains set out in the Marmot Review. From rising child poverty and the closure of children's centres, to declines in education funding, an increase in precarious work and zero hours contracts, to a housing affordability crisis and a rise in homelessness, to people with insufficient money to lead a healthy life and resorting to foodbanks in large numbers, to ignored communities with poor conditions and little reason for hope. And these outcomes, on the whole, are even worse for minority ethnic population groups¹³⁹

The report's main recommendation was for the Prime Minister to "initiate an ambitious and world-leading health inequalities strategy and lead a Cabinet-level cross-departmental committee charged with its development and implementation".¹⁴⁰ For NHS England and Public Health England, the review recommended greater investment in more deprived areas and the reassessment of resource allocation formulae,¹⁴¹ more investment in prevention services¹⁴² and for health care organisations to act on the social determinants of health.¹⁴³

3.7 The Macpherson Report (1999)

The murder of Stephen Lawrence in 1993 is now considered a landmark moment in the history of race relations in Britain. Stephen was murdered by a group of White males in a racially motivated attack. The failure of the police to thoroughly investigate his murder, and the near twenty year wait for any of his attackers to be prosecuted, highlighted systematic problems with how Black people were treated by the police.

¹³⁹ Ibid., p5

¹⁴⁰ Ibid., p150

¹⁴¹ Ibid., p142

¹⁴² Ibid., p133

¹⁴³ Ibid., p144

The publication of Macpherson's Inquiry into the investigation of Stephen's murder in 1999 was a watershed moment for both police leaders and black rights activists. Macpherson's conclusion that the Metropolitan Police Service (and other police services across the country) was institutionally racist sparked a national debate about police reform.¹⁴⁴

Macpherson made 70 specific recommendations in his report. They considered the whole police service and touched on police governance, police recruitment and training, the oversight of police powers, the support provided to the families of murder victims and how the police record and respond to crimes motivated by racism.¹⁴⁵

The policing landscape today is fundamentally different to that Macpherson was examining. However, questions persist as to whether the police have overcome institutional racism.

The Home Affairs Select Committee examined the police's progress in 2009 and concluded that they had made "tremendous strides". They reported that 67 of MacPherson's 70 recommendations had been "implemented fully or in part". However, the Committee remained concerned that Black people continued to be "over-represented in the criminal justice system".¹⁴⁶

Ethnic disparities can still be found across police data, including in the use of police powers (notably stop and search), the numbers of BME police officers and in the confidence in the police felt by Black people.¹⁴⁷ The Home Affairs Select Committee has been taking evidence from policing stakeholders and BME community leaders as part of work to update its 2009 report. It's expected to publish a new report considering the Macpherson report "twenty-one years on" later this year.¹⁴⁸

¹⁴⁴ [The Stephen Lawrence Inquiry: A report of an inquiry by Sir William Macpherson](#), Cm 4262-I, February 1999, chapter six: racism, para 6.39

¹⁴⁵ *Ibid*, chapter forty-seven

¹⁴⁶ House of Commons Home Affairs Committee, [The Macpherson Report—Ten Years On: Twelfth Report of Session 2008–09](#), July 2009, paras 15-17

¹⁴⁷ See above, section 2.4

¹⁴⁸ Home Affairs Committee, [The Macpherson Report: twenty-one years on](#) [last accessed 7 August 2020]

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