

Equality, Diversity and Human Rights

Driver – Political, Social, Technology, Legal

Related Drivers – Mental Health, Neighbourhood Policing, Victims & Witnesses, Collection and Storage of Personal Information, Race & Hate Crime, Information Sharing, Data Mining, Recession

Background

This driver focuses on three areas involving equality, diversity and human rights:

- How equality, diversity and human rights is reflected in the day to day work of the Police Service?
- How the workforce reflects communities its serves?
- How the Police Service engages with communities to reduce overrepresentation of particular ethnic groups in the Criminal Justice System?

In 2010, HMIC will carry out a major inspection of all police authorities and forces progress on the workforce programme which includes:

- The adoption and implementation of equality standards
- The achievement of a workforce mix that maximises delivery for the public.

Political Context

The Home Office equality and diversity vision for the police service is to have:

“A police service that has the trust and confidence of all communities and a service that reflects the communities it serves.”

The 1999 Macpherson report found that Police forces needed to recruit far more minority ethnic officers so that the police would more closely resemble the communities they service.¹ The Policing Minister’s Assessment of Minority Ethnic Recruitment, Retention and Progression in the Police Service report shows that Black Minority Ethnic (BME) recruitment of 7.2% is around the national target of 7.0% set by the Home Secretary in 1999. However BME officer strength is well below target at 4.1 percent. Given that the turnover rate amongst officers are generally very low, recruitment within police forces in the future will need to reflect or exceed the economically active BME population for significant progress to be achieved. This is particularly so for the four major forces Metropolitan Police Service (MPS), West Midlands, Greater Manchester Police (GMP) and West Yorkshire who have the largest black and minority ethnic populations in their areas.²

Research published in June 2009 by the Fawcett Society found that there has been no consistent progress over the past five years in promoting women into senior positions in the criminal justice system.³ In 2008, only 12% of police officers at Chief Inspector grade and

above were women. The report suggests that by 2020 the police (and other Criminal Justice agencies) should be broadly representative of society with a balance of women and men.

Both the Green Paper and the Minister Assessment proposes the following actions:

- Produce a three year Equality, Diversity and Human Rights Strategy
- Equality standards for policing which could be included into local targets, for example on minority ethnic recruitment, retention and progression
- Local recruitment, retention and progression improvement plans such as Recruitment Buddy Scheme, Progression Mentoring, and Attachment Schemes
- Active talent management in areas where representation of diverse groups is of concern. These areas include the very low numbers of ethnic minority officers and staff applying and qualifying for promotion to chief officer level; the relatively low numbers of women seeking and obtaining promotion; and the low numbers of ethnic minority officers in specialist roles.
- Target recruitment campaigns⁴

Diversity of Police Personnel Providing a Better Service to the Community⁵

The members of a neighbourhood policing team in Kirklees West Yorkshire have developed a new scheme aimed at better serving local people from different cultural, ethnic, religious and diverse backgrounds. The staff within the Division who are themselves from a diverse background, or have a particular skill and knowledge, are being brought together to create an advisory network.

The database of personnel will then be used to consult and advise other staff on issues or situations which may arise on a day to day basis. Examples of its use include:

A Helpdesk officer was able to assist a deaf member of the public after accessing the database to locate a member of staff who had sign language skills

In the case of a German national who could not speak English, a search of the database was made to locate an officer who spoke the language

An officer wishing to deliver bad news to a local Sikh family was able to utilise information from the database together with their own knowledge of the religion and culture to assist all those concerned.

The disproportion of young black people in the criminal justice system is also a key governmental driver. The Home Affairs Select Committee published a report which recommended that the Government 'review, revise, redouble' its efforts to reduce the overrepresentation of young black people at all stages of the criminal justice system.

Police statistics shows that 10 years on from the Lawrence Inquiry black people are seven times as likely, and Asian people twice as likely, to be stopped and searched than white people. Both the Equality and Human Rights Commission⁶ and Home Affairs Select

Committee reports make recommendations for forces with high levels of race disproportionality to consider adopting alternative practices or use initiatives from forces with lower rates such as Staffordshire or London. Research should also be done into why some areas of the country have higher disproportionality rates over others. In addition to these recommendations, the Home Affairs Committee makes more recommendations including:

- Forces should provide, as standard, training relating to local minority ethnic communities, both for probationers and on an ongoing basis as the ethnic composition of an area changes. Fairness and objectivity should be key performance measures against which individual officers should be assessed when it comes to appraisal, and the police should prioritise these attributes when recruiting
- Recruitment from minority ethnic groups should be through a combination of: (a) increased effort put into promotional and outreach activities aimed at encouraging more members of minority groups to apply to join the police; and (b) the prioritising in recruitment of certain abilities, such as language skills and knowledge of cultural background, where relevant to policing needs in particular areas.⁷

In response to the Home Affairs Select Committee, the Government has published an action plan, '*Delivering Improved Outcomes for Young Black People in the Criminal Justice System*', which sets out the detail of the monitoring and reporting arrangements.⁸

Social Context

The Ministry of Justice commissioned a literature review focusing on research evidence on the experiences of minority groups in the justice system. The report, '*Access to Justice: A review of the existing evidence of the experiences of minority groups based on ethnicity, identity and sexuality*' found that these groups emerged as vulnerable in terms of access to justice due to identifiable prejudice and discrimination within the criminal justice system. Available evidence suggested discrimination or perceptions of discrimination lead to a lack of advice seeking amongst these minority groups. For crime and victim experiences, the police were at the vanguard of routes to access justice. Where mistrust in the police was found, evidence indicated this impacted directly on the reporting of crime.⁹

The Communities and Local Government Department has published a qualitative study report entitled, '*The Drivers of Black and Asian People's Perceptions of Racial Discrimination by Public Services*', which covers eight key public services, including the police. The report sets out the factors that contribute to perceptions of discrimination or fairness.

The police was the most widely discussed of all public services covered in the study and were generally expected to be fair when respondents positioned themselves as victims of crime. Conversely, the police were usually expected to be discriminatory when respondents positioned themselves as ordinary citizens who were approached by the police and treated as suspected criminals.

The report found there were differences in the Black and Asian communities in their perceptions of the police. More Black respondents (35) than Asian (22) respondents

expected to be discriminated against by the police, and more Asian respondents (24) than Black respondents (17) expected to be treated fairly by the police.

Black respondents, especially of Caribbean backgrounds, were very likely to hold well-informed, negative and highly politicised views about the police, developed over the years. Conversely, Asian respondents seemed to have enjoyed a better relationship with the police, but now felt targeted and discriminated against. This was most strongly felt by those from Pakistani, but Bangladeshi and Indian respondents also shared this view.

The recommendations in the report in respect of the police include:

- The current efforts to improve the quality of customer service in the police service should continue
- The drive to recruit more police officers and community support officers from minority ethnic backgrounds should continue
- The effectiveness of stops and searches as crime prevention and detection mechanisms needs to be balanced against the negative consequences they have on minority ethnic perceptions of racial discrimination in the criminal justice system as a whole
- Clarifying the rationale for stops and searches, as many respondents felt discriminated against when stop and searches were carried out based on loose “profiling”, but believed that they were a legitimate tool to fight crime when carried out based on evidence that the person targeted may have committed an offence.¹⁰

Legal Context

The Equality Bill is proposed as part of the Government’s Draft Legislative Programme for 2008/09. The Bill will extend to England, Wales and Scotland. Part 1 of the Bill makes provision to require some government departments and police authorities in England to have regard to the desirability of reducing socio-economic inequalities when making strategic decisions about the exercise of their functions.¹¹

Additionally the Bill reforms and harmonises equality law and restate the greater part of the enactments relating to discrimination and harassment related to certain personal characteristics among other provisions. The committee stage for this Bill is due 2 June 2009.

Also the Criminal Justice & Immigration Act 2008 introduces a new criminal offence of incitement to hatred on the grounds of sexual orientation.¹²

The report, *Access to Justice* provides evidence of minority groups’ experience of prejudicial and discriminatory treatment by the police. Much of this evidence was published or conducted after the time of the Macpherson Report (1999) and the subsequent reforms. The evidence concerning the police and policing practices suggested attention must be paid to ensuring top-down initiatives impact at the front-line where they were intended to achieve change. The report recommends:

- Where legislation is enacted or guidance amended, its application in practice should be closely monitored in order to ensure its translation into front-line provision.⁹

Potential Skills Needs

Communication skills – understanding the language requirements of a diverse society and to communicate with communities and young people

Community intelligence skills – aligning skills and experience of police officers and staff to neighbourhoods to support engagement and tackle crime

Customer service skills – delivery a consistent high quality service

Equality and diversity skills – cultural awareness of the diverse communities the police serve and taking into account socio-economic inequalities in strategic decision making

Joint problem-solving skills – establish effective and appropriate solutions to problems through joint working

Management and leadership skills – to support and challenge staff including such activities as mentoring

Media management skills – to aid in the recruitment of women and black and minority ethnic groups into the police service

Personal development management – managing the development of staff

Talent management – developing and keeping current workers as well as attracting new highly skilled workers

Victim and witness care skills to treat victims and witnesses appropriately and sensitively

¹ Macpherson, Sir William (1999) *The Stephen Lawrence Inquiry*. CM 4282-I, London: The Stationery Office.

² [Coaker, Vernon \(2008\) *Policing Minister's Assessment of Minority Ethnic Recruitment, Retention and Progression in the Police Service: A Paper for the Home Secretary*. London: Home Office.](#)

³ [Fawcett Society \(2009\) *Engendering Justice – From Policy to Practice: Final Report of the Commission on Women and the Criminal Justice System*. London: Fawcett Society.](#)

⁴ [Home Office \(2008\) *From the Neighbourhood to the National: Policing our communities together*. Cm 7448, London: The Stationery Office Ltd.](#)

⁵ <http://www.westyorkshire.police.uk/section-item.asp?sid=12&iid=6865>

⁶ [Bennetto, Jason \(2009\) *Police and Racism: What has been achieved 10 years after the Stephen Lawrence Inquiry report?* London: Equality & Human Rights Commission.](#)

⁷ [House of Commons Home Affairs Committee \(2007\) *Young Black People and the Criminal Justice System*. vol 1, HC 181-I London: The Stationery Office Limited.](#)

⁸ [Ministry of Justice \(2008\) *Delivering Improved Outcomes for Young Black People in the Criminal Justice System 2008-2011*. London: Ministry of Justice.](#)

⁹ [Mason, P., Hughes, N., Heck, R., Spalek, B. Ward, N., & Norman, A. \(2009\) *Access to Justice: a review of existing evidence of the experiences of minority groups based on ethnicity, identity and sexuality*. London: Ministry of Justice.](#)

¹⁰ [Gervais, M.C. \(2008\) *The Drivers of Black and Asian People's Perceptions of Racial Discrimination by Public Services: A qualitative study*. London: Communities and Local Government.](#)

¹¹ [Equality Bill.](#)

¹² [Criminal Justice and Immigration Act 2008 \(UK\).](#)