

Press release

# Lammy review: emerging findings published

**From:** Lammy Review (<https://www.gov.uk/government/organisations/lammy-review>)

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Black and minority ethnic defendants are more likely to go to prison for certain types of crimes, a landmark review has found.



Open letter to Prime Minister ([https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/569218/open-letter-to-prime-minister.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/569218/open-letter-to-prime-minister.pdf)) (PDF, 128KB, 3 pages)

Black and minority ethnic defendants are more likely to go to prison for certain types of crime, a landmark review has found (<https://www.gov.uk/government/publications/black-asian-and-minority-ethnic-disproportionality-in-the-criminal-justice-system-in-england-and-wales>).

David Lammy MP has today published the emerging findings of his independent review into race and the criminal justice system.

The review commissioned an analysis paper looking at disproportionality in the criminal justice system. One finding was that for every 100 white women handed custodial sentences at Crown Courts for drug offences, 227 black women were sentenced to custody. For black men, this figure is 141 for every 100 white men.

Among all those found guilty at Crown Court in 2014, 112 black men were sentenced to custody for every 100 white men .

The disproportionality analysis also found that, among those found guilty, a greater proportion of black women were sentenced to custody at Crown Court than white women.

David Lammy MP said:

“These emerging findings raise difficult questions about whether ethnic minority communities are getting a fair

deal in our justice system.

“We need to fully understand why, for example, ethnic minority defendants are more likely to receive prison sentences than white defendants.

“These are complex issues and I will dig deeper to in the coming months to establish whether bias is a factor.

“I look forward to presenting my final report and recommendations to the Prime Minister next year.”

The emerging findings from the disproportionality analysis aimed to identify stages in the criminal justice system where disproportionality increased or decreased for black and minority ethnic individuals, with a view to identifying where further investigation may be needed.

The review considered evidence from the point of arrest onwards and - for the first time - applied data analysis techniques used by the US Department of Justice.

Other notable findings highlighted today from the disproportionality analysis and the wider Lammy review include:

- Of those convicted at Magistrates' Court for sexual offences, 208 black men and 193 Asian men received custodial sentences for every 100 white men.
- BAME defendants are more likely than their white counterparts to be tried at Crown Court – with young black men around 56% more likely than their white counterparts;
- BAME men were more than 16% more likely than white men to be remanded in custody;
- BAME men were 52% percent more likely than white men to plead 'not guilty' at crown court;
- In prisons, BAME males are almost five times more likely to be housed in high security for public order offences than white men, and
- Mixed ethnic men and women were more likely than white men and women to have adjudications for breaching prison discipline brought against them – but less likely to have those adjudications proven when reviewed.
- 51% of the UK-born BAME population agree that 'the criminal justice system discriminates against particular groups', compared to 35% of the UK-born white population;
- 41% of youth prisoners are from minorities backgrounds, compared with 25% ten years ago, despite prisoner numbers falling by some 66% in that time;
- The number of Muslim prisoners has almost doubled in the last decade

The Lammy Review has visited stakeholders across England and Wales, as well as undertaking fact-finding trips to the US, Australia and New Zealand. It will now focus on drawing up recommendations on how to address the issues raised. The recommendations will be presented formally to the government in the spring.

This review will be supported by an advisory group, newly-appointed by David Lammy and made up of business leaders, legal professionals and other experts. The panel includes Trevor Phillips, the founding chair of the Equality and Human Rights Commission, Suella Fernandes MP, a qualified Barrister, Keir Starmer MP, a former Director of Public Prosecutions and Dame Anne Owers DBE, a former Chief Inspector of Prisons.

It was also announced today that David Lammy has accepted an invitation from Justice Secretary Elizabeth Truss to broaden the scope of his review to take a comprehensive look at judicial ethnic diversity, including both the criminal courts and the tribunal courts, with only 6 per cent of court judges currently from BAME

backgrounds. Supplementary analyses of ethnicity and sentencing have also been published today in an Official Statistics publication (<https://www.gov.uk/government/statistics/associations-between-ethnic-background-and-being-sentenced-to-prison-in-the-crown-court-in-england-and-wales-in-2015>).

## Notes to Editors

- In January 2016, the former Prime Minister David Cameron asked David Lammy to lead a review of the Criminal Justice System in England and Wales, to investigate evidence of possible bias against black defendants and other ethnic minorities.
- His successor, Theresa May, said on the steps of Downing Street that: “If you’re black, you’re treated more harshly by the criminal justice system than if you’re white”. In August, the Prime Minister launched a government audit to tackle racial disparities in public service outcomes.
- The research adopted the US Department of Justice Office of Juvenile Justice and Delinquency Prevention’s Relative Rate Index model. The method tests for parity across ethnic groups at key stages of the CJS broken down by age, gender and broad offence group.
- Supplementary analyses of ethnicity and sentencing (<https://www.gov.uk/government/statistics/associations-between-ethnic-background-and-being-sentenced-to-prison-in-the-crown-court-in-england-and-wales-in-2015>) have also been published today in an Official Statistics publication.
- The Lammy Review is being supported by the Ministry of Justice and a panel of expert advisers. Formal recommendations are expected to be presented to ministers in spring 2017.
- The Justice Secretary Elizabeth Truss has asked David Lammy to broaden his review, in order to consider judicial ethnic diversity across tribunals, civil and family courts. The review has already considered ethnic diversity in the Crown Courts.
- David Lammy is MP for Tottenham and has served as chair of the All Party Parliamentary Group on Race and Community since 2010. A former Minister of State, he qualified as a barrister in 1995. David received cross-party praise for his work on the 2011 London Riots and authored the book ‘Out of the Ashes: Britain after the Riots in 2011’.
- The members of the advisory panel for the Lammy Review are:

Lord Victor Adebawale CBE, Dame Sally Coates DBE, Dame Linda Dobbs DBE, David Isaac CBE, Professor Binna Kandola OBE, Baroness Ruby McGregor-Smith CBE, Sir Martin Narey DL, Dame Anne Owers DBE, Sarah Payne CB, Trevor Phillips OBE, Matthew Ryder QC, Sir Keir Starmer KCB QC MP, Lola Baroness Young OBE, Simon Woolley, Shaun Bailey AM, Suella Fernandes MP.

- For interview requests, a copy of the analysis paper or more details, please contact the Lammy Review press team on 0203 334 3503. A copy of third party stakeholders and members of the Lammy Review Advisory Panel available for interview/comment is attached.

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