

Race, ethnicity and crime



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Introduction

This OpenLearn course examines the relationships between race and ethnicity and crime, criminalisation and criminal justice. It sets out why critical perspectives are concerned about the problematic ways in which race and crime have been – and continue to be – connected.

This OpenLearn course provides a sample of postgraduate study in [Criminology](#).

Learning Outcomes

After studying this course, you should be able to:

- explain why the concept of criminalisation is valuable for understanding race–crime debates
- describe the problem of disproportionality in relation to the criminal justice system
- provide examples of some of the ways in which critical criminology has conceptually approached and researched ‘race’ and ethnicity.

The US, Australia and the UK

The relationship between race and ethnicity and crime and criminology is characterised by conflict, dispute and contestation. The focus of explanatory concern for critical criminologists is the wider structural, cultural, political and historical contexts and divisions in which particular populations become associated with criminality and deviance and identified, labelled and pathologised as figures of menace, danger and threat.

Understanding and challenging the ways in which this criminalisation leads to the over-policing, over-incarceration and under-protection of particular populations lie at the heart of critical criminological arguments.

The indication of a problematic relationship between race, ethnicity and crime can be seen in the race and ethnicity data across the core institutions (policing, judicial and penal systems) that make up the criminal justice system in most national contexts in the Global North. This data reveals the significant disproportion and over-representation of Black and minority ethnic (BME) populations in all negative or unfavourable categories; for example, stop-and-search, arrests, convictions, custodial sentencing. Three examples of the data in three different national settings are outlined below. **The United States**

In his indictment of the race–crime relationship in the United States, Loic Waquant has argued that:

Three brute facts stand out and give a measure of the grotesquely disproportionate impact of mass incarceration of African-Americans. First the ethnic composition of the prison population in the United States has been virtually inverted in the last half century going from about 70 per cent (Anglo) White to less than 30 per cent today ... Next, ... the White-Black incarceration gap has grown rapidly in the past quarter-century, jumping from 1 [White] for 5 [Black] in 1985 to about 1 for 8 today ... Lastly, the lifelong cumulative probability of 'doing time' in a state or federal penitentiary based on the imprisonment rates of the early 90s is 4 per cent for whites, 16 per cent for Latinos and a staggering 29 per cent for blacks.

(Waquant, 2002, p. 43)

Australia

In Australia, government figures and criminological research (e.g. Blagg, 2008) show that Aboriginal Australian populations are disproportionately represented in the country's criminal justice and penal institutions. For example, while Aboriginal people make up only 2 per cent of the population of Australia, they represent 20 per cent of all prisoners. There are spatial and demographic clusters that show even more dramatic patterns of race disproportion: in Western Australia, 42 per cent of the adult prison population is Aboriginal. Furthermore, Aboriginal young people represent 4 per cent of the Western Australian population, yet make up around 80 per cent of all youths in detention (Hughes, 2009, p. 125). Policy interventions tend to remain focused on cultural explanations – that is, 'the Aboriginal problem' – for this over-representation. In this context, arrest and detention are most often viewed as first-resort tools for the maintenance of social order (Blagg, 2008). **The UK**

In the UK, figures available from the Ministry of Justice for 2008/09 show that within the criminal justice system 'substantial differences continue to exist in the experiences of

people from BME groups compared with people from a White background'. It is worth looking at some examples taken from the report in a little more detail:

- Trend data for 2004/05 to 2008/09 showed that, in England and Wales, the use of stop-and-search had increased each year in the last five years for every ethnic group. The greatest percentage rises were for the Black and Asian groups with increases of over 70 per cent.
- In 2008/09, there were three times more arrests of Black people than of White people per 1000 population. Trend data shows that there was a 4 per cent increase in arrests of White people between 2004/05 and 2008/09, a 16 per cent increase for Black people, and a 26 per cent rise for Asian people.
- In relation to courts and prisons the Ministry of Justice report also shows that a higher percentage of BME offenders were sentenced to immediate custody for indictable offences in 2008 than offenders from a White ethnic background. Research indicated that people from BME backgrounds are more likely to plead not guilty and be tried. A guilty plea can reduce the sentence by up to a third. As at 30 June 2009, members of BME groups accounted for 27 per cent of the overall prison population including foreign nationals (83,454) compared to 25 per cent of the overall prison population (76,190) in 2005.

(Source: Ministry of Justice, 2010)

Case study: Racial disproportion in the US

Deborah Peterson Small is Executive Director of Break the Chains, a small non-profit advocacy organisation working towards the reform of drug policy in the US. In this short video clip, she discusses the greater probability of a Black or Latino person being arrested for a drug-related offence than a White person, despite the fact that the different ethnic groups consume and trade in drugs at comparable rates. She unpacks the consequences of this disproportionate likelihood of being drawn into the criminal justice system both on individuals, and their families and communities.

Watch the video below now.

Video content is not available in this format.

[Racial disproportion in the US](#)

Contexts of criminalisation

Taking a critical perspective on the problems of disproportionality outlined in the figures previously discussed and in the interview with Deborah Peterson Small, means locating the causes behind these figures within wider social and political contexts. Anxieties about social order and urban conflict can be understood as arenas in which connections between race, ethnicity and crime have been potent and longstanding. Serious urban disorder has been a particular feature of race politics in multicultural societies such as the US, the UK, Australia and France since the 1950s. This is not to say social unrest did not happen before then, but rather that since the 1950s it has been possible to analyse urban conflict within a wider sociology of race and ethnic relations.

In the UK context, the widespread urban conflict that characterised inner-city areas such as Bristol, London, Manchester and Liverpool during the early and mid 1980s was explained in competing ways. Some put emphasis on socio-economic factors, others on racism and others on criminality and cultural pathologies. However, even in the political mainstream there was some limited acknowledgment of the problematic nature of the policing of BME communities (see Scarman, 1981). This acknowledgement was extended in *The Stephen Lawrence Inquiry: Report of an Inquiry* by Sir William Macpherson in 1999, which described the policing of the murder of Black teenager Stephen Lawrence as a failed investigation due to the institutional racism of the Metropolitan Police. This was defined as the systematic and 'collective failure of the organisation to provide an appropriate and professional service to people because of their colour, culture or ethnic origin' (Macpherson, 1999, para. 6.34). Crucially, the Report noted that the racism was institutional because of the failure of leadership and managers of organisations to recognise and take effective steps to address racist practices and behaviours. However, the significance of this intervention (and the subsequent amendment of the 1976 Race Relations Act, 2000) was lost in outbreaks of sustained urban conflict mainly involving young Muslim men, far right political groups, and the police across northern towns in England in 2001.

Again there were competing accounts of why this 2001 unrest happened but mainstream policy and political responses were articulated around concerns as to the ethnic polarisations between White English and Pakistani English residents in urban areas like Bradford (e.g. Ouseley, 2001). Community cohesion came to dominate an agenda in which local Muslim communities appeared to be blamed for the polarisation and cultural withdrawal that had occurred. As criminologist Eugene McLaughlin (2009) notes, there is an inherent contradiction in the combined emphasis on community cohesion on the one hand and the emphasis on national security on the other. This contradiction was to become more apparent as the events of 9/11 in the US, Bali in 2002; Madrid in 2004; and London in 2005 – were read as further confirmation of the 'threats' Muslim culture posed. As with those involved in urban unrest in the UK in the 1980s, the urban unrest of 2001 and the impact of political violence saw the configurations of notions of dangerous criminality – criminal figures and criminal practices – being ethnically rewritten around young Muslim Asian and Arab men (see, for example, the rising stop-and-search figures for Asian people cited earlier).

Conclusion

The course has provided a brief overview of the diverse but connected and developing ways in which some critical criminological perspectives have engaged with the meanings of race, ethnicity and cultural difference in studies of 'crime' and criminal justice.

Review questions

- Why might the concept of criminalisation be valuable to understanding race–crime debates?
- How can the data relating to race and ethnicity in criminal justice systems be interpreted?
- Building on what you've learned in this course, can you think of some ways in which other factors (such as political influences or different historical and cultural contexts) might matter for critical criminologists looking at the race–ethnicity–crime relationship?

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