



The drivers of Black and Asian people's perceptions of racial discrimination by public services:

A qualitative study



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Marie-Claude Gervais
ETHNOS Research & Consultancy

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Department for Communities and Local Government

Communities and Local Government
Eland House
Bressenden Place
London
SW1E 5DU
Telephone: 020 7944 4400
Website: www.communities.gov.uk

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The views expressed in this report are those of ETHNOS. They may not necessarily reflect those of Communities and Local Government.

Executive Summary

Background

It is not possible for public services to be modern, fair and effective if significant sections of the population perceive them as discriminatory. The Government aims to bring about measurable improvements in perceptions of racial discrimination in public services. To that effect, it set a target to decrease the proportion of people of minority ethnic backgrounds who expect to be treated worse than people of other races by one or more of eight key public services and in the labour market, as measured by the Citizenship Survey. The 2005 Citizenship Survey showed no significant improvements on the overall measure since 2001, although there were significant reductions in the proportions who thought that the police, prison service, courts or Crown Prosecution Service, as individual services, discriminated against them. However, results from the April-September 2007 Citizenship Survey, alongside which this report is being published, show that there has been a significant¹ improvement on the overall measure: the proportion of people from minority ethnic groups who feel that they would be treated worse than other races by at least one of eight public service organisations was 34% compared with 38% in 2001. This qualitative study was commissioned to understand why there had been no improvements between 2001 and 2005 and what can be done to improve perceptions of racial discrimination on the part of public services.

Aims of the research

The aim of the research was to understand better the key drivers of Black and Asian people's perceptions of racial discrimination in eight public services: council housing departments and housing associations, local schools, local doctors' surgeries, the police service, the prison service, the courts, the Crown Prosecution Service (CPS) and the probation service.

Three key questions guided the research:

- What role do personal beliefs, level of awareness and understanding play in explaining perceptions of racial discrimination by the public services?
- What are the most influential drivers of perceptions of racial discrimination by the public services?
- How can people's perceptions of racial discrimination by public services be improved?

¹ Because the Citizenship Survey uses responses from a sample to estimate responses from the population, differences between estimates from successive years and between sub-groups may occur by chance. Tests of statistical significance are used to identify which differences are unlikely to have occurred by chance. Where Citizenship Survey results are quoted in this report, tests at the five per cent significance levels have been applied (the level at which there is a one in 20 chance of an observed difference being solely due to chance).

The research focused exclusively on people's perceptions. It makes no assessment about the validity of these perceptions and the extent to which specific services actually discriminate or not against people of minority ethnic backgrounds.

Methodology

The research design used qualitative methods: individual in-depth interviews, incorporating the use of vignettes of ambiguous scenarios. Qualitative methods were used because they generate rich data and allow us to gain a detailed understanding of respondents' attitudes and experiences. However, they are not suitable for gathering statistical data that can be inferred to the wider population. Each interviewee was presented with three scenarios in which a Black or Asian person is in contact with public services. The scenarios were designed specifically to be ambiguous with respect to racial discrimination, so that respondents' reactions could be taken as a measure of their understanding of and sensitivity to racial discrimination. Interviewees were then asked to discuss in detail their expectations of fairness or racial discrimination in public services, in the labour market and in wider society.

One-hundred and twenty (120) people took part in the research. Respondents were selected from a database of Black and Asian people who had taken part in the 2005 Citizenship Survey and had agreed to be recontacted for research purposes. Respondents were selected to ensure that there was a spread of people in the following categories:

- Black and Asian ethnic groups
- aged under 35, and 35 and above
- both genders
- higher and lower socio-economic group
- different regional groupings, including a group living in areas of low minority ethnic population
- levels of expected discrimination by public services, as defined by respondents' answers to the previous Citizenship Survey.

The fieldwork was carried out between April and June 2006.

Findings

Perceptions of racial discrimination were found to be an outcome of the interaction between "psychosocial" factors, on the one hand, and service-specific factors, on the other.

Psychosocial drivers of perceptions

The psychosocial factors which were found to impact on perceptions of discrimination or fairness were the respondents’:

- self-concept
- view of the world
- understanding of racial discrimination
- sensitivity to racial discrimination
- sources and types of knowledge.

Respondents who perceived and expected racial discrimination in many public services tended to:

- have a self-concept based on a politicised (racial or religious) social identity
- assume that the world is not “just” and have a sceptical attitude towards public services
- have a complex understanding of racial discrimination which combines personal and structural components
- be sensitive to racial discrimination across various contexts
- draw on personal and vicarious experiences, informal and formal knowledge, and the media to elaborate their perceptions.

Respondents who perceived and expected racial discrimination in few or no public services tended to:

- have a self-concept based on a personal identity or a non-politicised social identity
- assume that the world is “just” and have a trusting attitude towards public services
- have a limited understanding of racial discrimination focused predominantly on attitudes and behaviours displayed in personal interactions
- be insensitive to racial discrimination across various contexts
- draw mainly on personal and vicarious experiences to elaborate their perceptions.

These psychosocial drivers of perceptions impacted on perceptions of racial discrimination in British society as a whole, in the labour market and in public services.

Service-specific drivers of perceptions of racial discrimination

Other drivers of perceptions of racial discrimination derived more directly from people's knowledge and experience of specific public services. These are listed below for each service. The issues in italics are the most important drivers of perceptions of racial discrimination for each particular service (as determined both by the frequency with which they were mentioned and the strength of feeling they evoked in the respondents). The ethnic background of the respondents most likely to identify these drivers is noted in brackets.

- **In housing services, the main drivers of perceptions of racial discrimination were:**
 - *Allocation policies: Perceptions of prioritisation of refugees* (Black and Asian people)
 - Allocation policies: Perceptions that ethnic minority households are accommodated in worse areas and properties than White households (mainly Asian people).
- **In local GP services, the main drivers of perceptions of racial discrimination were:**
 - Perceived discrimination from Asian doctors towards Asian patients (only Asian people).
- **In local schools, the main drivers of perceptions of racial discrimination were:**
 - *The mismanagement of racial and/or religious incidents against pupils* (Black and Asian people)
 - Lower expectations of schools from Black pupils (only Black people)
 - Disproportionate exclusion and detention amongst Black pupils (only Black people).
- **In the police service, the main drivers of perceptions of racial discrimination were:**
 - *Basic distrust, associated with the case of Stephen Lawrence and an undercover television reportage on racism in the police service ("The Secret Policeman")* (Black and Asian people)
 - *Disproportionate stop and searches amongst minority ethnic people* (Black and Asian people)
 - *Perceived lack of accountability: associated with the case of Jean-Charles de Menezes* (Black and Asian people)

- Greater number of minority ethnic deaths in custody: associated with the case of Christopher Alder (mainly Black people)
- Perceived unwillingness of the police service to deal with crimes against minority ethnic people (mainly Black people)
- Poor retention of minority ethnic staff: associated with the case of Gurpal Viridi (Black and Asian people).
- **In the CPS, the main drivers of perceptions of racial discrimination were:**
 - *Basic distrust of the Criminal Justice System, based on views of the police* (Black and Asian people)
 - *Perceived lack of independence from the police* (mainly Black people)
 - *Harsher sentences for minority ethnic people, based on the misperception that the CPS is responsible for sentencing decisions* (mainly Black people)
 - Perceived lack of transparency in decision-making (Black and Asian people).
- **In the courts, the main drivers of perceptions of racial discrimination were:**
 - Basic distrust of the Criminal Justice System, based on views of the police (Black and Asian people)
 - *Harsher sentences for minority ethnic people* (mainly Black people)
 - *Socio-demographic profile of judges* (Black and Asian people)
 - *Perception that anti-terrorism legislation discriminates against Muslims, although the framing of the legislation is not the responsibility of the courts* (only Asian people)
 - Perceived lack of training for magistrates (mainly Asian people).
- **In the prison service, the main drivers of perceptions of racial discrimination were:**
 - *Perceived lack of accountability* (Black and Asian people)
 - *Verbal and physical abuse of inmates by White prison officers* (Black and Asian people)
 - *Knowledge of deaths in custody: associated with the case of Zahid Mubarek* (mainly Asian people)
 - Unequal access to parole (mainly Black people).
- **In the probation service, the main drivers of perceptions of racial discrimination were:**
 - Basic distrust of the Criminal Justice System, based on views of the police (mainly Black people).

Overall, the research established that amongst respondents who expected discriminatory treatment in no or few public services, perceptions of fairness were more likely to be based on basic trust than on evidence of fairness in the services. These respondents were rarely able to articulate the reasons why they perceived services to be fair. In the absence of personal experiences of racial discrimination, and without much knowledge about many of the services (let alone the level of fairness or discrimination that may exist in each public service), they simply assumed that the services were fair.

By contrast, respondents who expected discrimination in many public services were usually able to state very specific reasons to justify their perceptions. They also carefully distinguished between services, between individual service providers, between areas, between poor and specifically discriminatory service, as well as between discrimination based on class, gender, race and religion. They were also better able to discuss why they deemed certain public services to be fair than respondents who expected no public services to discriminate against them. Importantly, the majority of the respondents who perceived discrimination from many public services were responsive to positive changes in public services. Only a small minority of respondents had deeply entrenched negative perceptions of public services that were unresponsive to changes. This indicates that reductions in actual inequalities in service provisions and delivery should also generate improvements in perceptions of fairness, although this is unlikely to happen quickly and uniformly.

Recommendations

Recommendations can be clustered into three themes: structural mechanisms, front-line service delivery and communications.

Structural mechanisms

- The focus on perceptions of structural racial discrimination amongst “high” and some “medium” discrimination respondents suggests that, in order to ensure that public services are indeed fairer in the long term, considerable efforts need to be put into building confidence in and strengthening structural mechanisms such as those discussed below.
- **Involvement and consultation:** Public services should seek to involve and consult minority ethnic people at every stage in service planning and delivery to ensure that services truly meet the diverse needs of the communities they serve.
- **Monitoring and evaluation:** Public services should have in place rigorous monitoring mechanisms to identify any evidence of unequal treatment, processes and outcomes, and the results of monitoring should be used to help plan and deliver fairer services.
- **Transparency:** Public services need to be seen to plan and deliver their services based on fair and explicit criteria.

- **Accountability:** Public services should ensure that they have effective complaints procedures so that they are seen to have a zero-tolerance approach to discrimination, and so that the public is reassured that any instance of perceived racial discrimination can be investigated and that redress can be obtained (if relevant). Independent external bodies (acting as regulators, inspectors or auditors) have an important positive impact on trust and perceptions of fairness in public services, and their remit should clearly encompass race equality.

Front-line service delivery

- Emphasis should be put on improving fairness in public services themselves, as people's perceptions of racial discrimination are mainly grounded in their experiences and knowledge of specific services, rather than in their experiences in wider society or in the labour market.
- Public services should ensure that they provide professional, courteous and culturally-sensitive customer service to all, especially in face-to-face interactions.
- Public services should continue to strive to have a workforce that is representative of the population that they serve, as the mere presence of minority ethnic staff is interpreted both as a sign and a guarantee that public services do not discriminate.

Communications

- Good communications strategies should be in place to ensure that significant progress towards reducing inequalities in public services is perceived as such by the public. There is a need to diffuse, through the mass media, "hard" evidence of progress towards greater fairness.
- There is little understanding of the need for public sector provisions that meet the specific needs of diverse service users. Greater efforts are necessary to communicate the rationale for such provisions.
- Public services should communicate their willingness to be held accountable for any racial discrimination that may occur as they discharge their functions. Findings from reports and inquiries carried out by independent external bodies (regulators, inspectors or auditors) should be effectively publicised.
- To improve perceptions of fairness in the groups that, in this research, were most likely to perceive discrimination from public services (eg Muslim people, Black Caribbean people), there is a need for more targeted communications (eg community consultation events, campaigns in specialist media) to address the specific concerns of these groups.

The full report includes further recommendations for individual services, and explores the various ways in which drivers of perceptions could be ranked to determine priorities for action.

Chapter 1

Introduction

1.1. Introduction

It is not possible for public services to be modern, fair and effective if significant sections of the population perceive them as discriminatory. The Government aims to bring about measurable improvements in perceptions of racial discrimination in public services. However, there is growing evidence indicating that there are wide ethnic variations both in actual inequalities of outcomes and in perceptions of fairness in different public services. The evidence on actual inequalities by ethnic group across government is set out in a statistical annex, *Race Equality in Public Services*, which was published in the progress report on the Government's strategy for race equality and community cohesion². The evidence on perceptions of fairness in public services by different ethnic groups can be found, for instance, in reports from the Social Exclusion Unit (SEU, 2005) and in findings from the Citizenship Survey³. Tackling inequalities in outcomes and in perceptions of fairness amongst people from ethnic minority backgrounds is a crucial matter of social equity.

1.2. Policy background

As part of its role in driving forward the Government's agenda to reduce racial inequalities and tackle discrimination, Communities and Local Government has a Public Service Agreement target (PSA 10) to reduce perceptions of race discrimination and to increase perceptions of community cohesion. Specifically, the race element of the target will be achieved through a:

“decrease in the number of people from minority ethnic groups⁴ who expect to be treated worse than people of other races by one or more of eight key public services and in the labour market, as measured using the Citizenship Survey.”

² Improving Opportunity, Strengthening Society – Two Years On. This report can be found at: www.communities.gov.uk/publications/communities/opportunity-progress-report

³ The Citizenship Survey is a household survey covering a representative core sample of almost 10,000 adults in England and Wales each year. There is also a minority ethnic boost sample of 5,000 to ensure that the views of these groups are robustly represented. Since 2007, the survey has moved to a continuous design, allowing the provision of headline findings on a quarterly basis.

⁴ By “minority ethnic groups”, in this context, we refer to all ethnic groups except the White group.

The organisations covered by the PSA 10 are: the police service, prison service, courts, Crown Prosecution Service (CPS), probation service, council housing departments/ housing associations, local schools and local doctors' surgeries⁵.

1.3. Aim of the research

Communities and Local Government commissioned this research to identify which factors are the most salient for Black and Asian people in determining whether they think public services will treat them worse because of their ethnicity. The overall aim is to better understand how to generate the greatest improvements in perceptions of racial discrimination.

Specifically, the research seeks to address the following questions:

- What role do personal beliefs, level of awareness and understanding play in explaining perceptions of racial discrimination by the public services?
- What are the most influential drivers of perceptions of racial discrimination by the public services?
- How can people's perceptions of racial discrimination by the public services be changed and improved?

Currently, there is very little understanding about the reasons that account for the different levels of perceptions of racial discrimination amongst respondents from various minority ethnic backgrounds. A detailed analysis of findings from the Citizenship Survey found that perceptions of discrimination in public services are associated with certain socio-demographic factors and, in some cases, with the experience people had of public services. For example, it established that Black people, people aged under 50, people with higher educational levels and those who live in areas with lower levels of deprivation are all more likely to perceive discrimination from public services. Similarly, it established that people who had had contacts with public services that are part of the Criminal Justice System and with council housing departments and housing associations were more likely to perceive organisational discrimination by these agencies than those who had not (Atwood *et al*, 2003; Home Office 2004). Yet, the reasons for these patterns are not well understood.

Perceptions of unequal treatment may be related to actual inequalities in outcomes or treatment from public services. However, the relationship between actual and perceived inequalities is not necessarily straightforward. Poor outcomes, for example, may neither be the result of, nor interpreted as, racial discrimination. Perceptions

⁵ More information about the PSA target can be found at <http://www.communities.gov.uk/corporate/about/howwework/publicserviceagreements/psa-notes/psa-target10/>

of inequalities in outcomes may not necessarily reflect the reality. Indeed, increased reports of discrimination in surveys may represent a rising level of consciousness rather than an actual change in the level of discrimination (Modood *et al*, 1997). Higher perceptions of discrimination may be linked to that fact that people from minority ethnic backgrounds are more likely to have had contact with some services (eg housing, the police) because of their disproportionate location in lower socio-economic groups, rather than being linked to poorer services (Modood *et al*, 1997, Audit Commission, 2005). For the Criminal Justice agencies, perceptions of the police are thought to drive perceptions of the CJS more generally (CJS Race Unit, 2005). There is some evidence from the British Crime Survey and other sources that aspects of contact with the police contribute to expectations of racial discrimination (eg stop and search) and are therefore key to improving perceptions of discrimination (Clancy *et al*, 2001).

Similarly, perceptions of fairness may not necessarily reflect the actual fairness of services. It may be that people do not expect to be treated worse than people from other races by public services because they have had positive personal experiences of good and fair service from these services and simply generalise from such experiences without giving the matter further consideration. It may be that they have had no contact with the services and simply assume that they must be fair. It may also be that people who expect to be treated fairly generally have lower expectations of services, and are therefore more easily satisfied, than those who expect to be discriminated against. Yet other possible explanations are likely to come into play.

Thus, the limited evidence that exists shows that the relationship between actual and perceived inequalities is complex. It is crucial to have a sound grasp of the factors that explain this relationship in the various groups and in relation to specific services in order to achieve the Government's aim of reducing perceptions of discrimination.

It should be stated from the start that improving perceptions is not regarded as a substitute for reducing actual inequalities. However, rather than focusing on disproportional outcomes, this research set out to explore the factors which influence perceptions of racial discrimination by public services, for Black and Asian people, as well as the relative importance of these factors. While the research is primarily intended to serve policy-makers, it also makes an important contribution to the scientific understanding of the ways in which people construe situations as discriminatory or not. The colossal scientific literature on racial prejudice and discrimination⁶ has explored the social psychology of racism from a developmental⁷,

⁶ Eg Allport, 1954; Augoustinos & Reynolds, 2001; Brown, 1995; Duckitt, 1992; Fiske, 1998.

⁷ Eg Clark & Clark, 1947; Piaget & Weil, 1951; Nesdale, 2001.

psychodynamic⁸, cognitive⁹, situational¹⁰, discursive¹¹ and institutional¹² point of view, amongst others. This rich body of research has focused on trying to explain the nature, causes and modes of operation of racism, at an individual and collective level. Behind the variety of theoretical and methodological approaches adopted and the range of empirical issues investigated, however, one finds that racism has been predominantly looked at from the point of view of the (individual or collective) perpetrators of racism.

By comparison, very little research has been carried into the construal of racism by social actors (notable exceptions include Essed, 1991). Why is it that, all other things being equal, some people perceive a particular situation or person as being racist and others don't? What are the drivers of perceptions of racial discrimination? Are some people consistently more or less prone to perceiving racism? Who might they be? Asking these questions enables us to examine the processes of meaning construction around racism. It enables us to explore how individuals are active producers of meaning around the issue of racial discrimination, rather than looking into the processes of victimisation or resistance that, essentially, take racism for granted and then explore its consequences for individuals and communities. This is not to say that this approach denies the reality of racism, on the contrary. The evidence of personal and structural racial discrimination in the UK and elsewhere is incontrovertible. However, this perspective temporarily "suspends" concerns with measuring the actual extent of discrimination in order to focus on how people construe situations as racist or not in the first place. This approach can provide valuable additional knowledge and understanding of what can be done to improve perceptions of fairness, as well as actual fairness, in public services.

1.4. Research design

The research adopted an entirely qualitative methodology. The study used semi-structured face-to-face interviews, incorporating the presentation to respondents of vignettes of "ambiguous scenarios". Qualitative methods were used because they generate rich data and allow us to gain a detailed understanding of respondents' attitudes and experiences. However, they are not suitable for gathering statistical data that can be inferred to the wider population.

The interview questions were aimed at better understanding people's perceptions of discrimination by specific services. They probed respondents' identity, understanding of discrimination, experiences and perceptions of discrimination in specific public

⁸ Eg Adorno *et al*, 1950.

⁹ Eg Tajfel, 1981; Brown, 1995.

¹⁰ Eg Sherif *et al*, 1961; Milgram, 1974.

¹¹ Eg Billig, 1987; 2001; 2002; Wetherell & Potter, 1992; Van Dijk, 1984; 1987; 1992,

¹² Eg Goldberg, 1993; 2002.

services as well as in the labour market and in British society as a whole, and the sources of knowledge they use to elaborate their perceptions of fairness or discrimination. The vignettes described scenarios, deliberately created to be ambiguous (Essed, 1991; Mellor *et al*, 2001), in which a Black or Asian person is in contact with the police, council housing services and the courts. These vignettes were used to understand how research participants understand discrimination, the extent to which they identified with the people in the scenario, and the criteria they invoked in deciding whether an encounter with a public service is racist or not.

One hundred and twenty (120) people took part in the research. Respondents were selected from a database of 1,223 people from Black and Asian backgrounds who had taken part in the 2005 Citizenship Survey and had agreed to be recontacted for research purposes. Using this database, respondents were selected to reflect expected differences in experiences and perceptions of discrimination or fairness by public services as a function of their ethnic group, age, gender, socio-economic group and area of residence (defined both by the respondent's Government Office Region and by the percentage of minority ethnic population living in their local authority). Respondents were also selected based on the number of public services they expected would discriminate against them, as stated in their response to the Citizenship Survey.

Fuller discussions of methodology can be found in Appendices A, B and C.

The fieldwork was carried out between April and June 2006.

1.5. Structure of the report

Following this overview of the aims of the research and brief description of the research design, chapter two provides a framework to understand people's perceptions of racial discrimination. Chapter three explores the relationships between perceptions of racial discrimination in British society as a whole, in the local area, in the labour market and in public services. The findings reported in chapter two provide the background to make sense of people's perceptions of fairness or discrimination in public services. After a brief overview of some of the main cross-cutting themes and issues in the research (chapter four), a separate chapter is devoted to each public service. These chapters have a common structure. They discuss respondents': i) awareness, knowledge and experience of each service; ii) the sources of their perceptions; iii) the main reasons why they expect to be treated fairly or unfairly by public services; iv) their assessment of change and awareness of any policies or initiatives that may have brought about any perceived change in each service; and v) the demographic profile of the respondents who perceived fairness or discrimination from each service. Chapter thirteen then reports on the suggestions respondents have made to improve fairness in public services. The final chapter sums up the evidence from the study and draws up recommendations both to reduce actual inequalities and to improve perceptions of fairness in each service.

Chapter 2

Psychosocial drivers of perceptions of racial discrimination

2.1. Introduction

This chapter explores why different people interpret their experiences of public services differently. Evidence from the research shows that experiences and knowledge of services alone, important as they are, do not suffice to explain perceptions of fairness or racial discrimination by public services. Such perceptions also fundamentally depend on a number of psychosocial factors¹³, chiefly: people's self-concept, view of the world (as either fair or unfair), understanding of racial discrimination and sensitivity to it. All of these factors, in turn, are structurally bound up with the broader discourses which circulate both in mainstream British society and in the minority ethnic communities with which people identify.

The discussion seeks to provide a necessary background to understand the views respondents expressed in relation to racial discrimination in British society as a whole, in their local areas, in the labour market, and in each of the eight public services that are discussed in depth in subsequent chapters.

2.2. Community narratives: Integration and affirmation

Before reporting on the findings, it is important to provide a context for the views that were expressed during the interviews. It was clear that the Black and Asian communities had very different "narratives" in relation to discrimination. This is not the place to retrace the history of the "Black pride" movement and of the civil rights campaigns that led to the greater collective affirmation of Black people both in the USA and in the UK. However, the legacy of this history, and the resultant understanding of and sensitivity to racial discrimination, could still be felt in the views propounded by many Black respondents. While there have been (and continue to be) many instances of resistance to racism amongst Asians in the UK, the resistance has not cohered into a large-scale social movement in the same way as it has for Black people. This is not to say that all Black people share a similar race consciousness, nor that all Asian people are less indignant about racial discrimination. Clearly,

¹³ The word "psychosocial" is intended to capture the fact that people's perceptions are shaped through and through by their experience of belonging to communities which provide frameworks of interpretation for them. Thus, individual differences in perceptions of discrimination are not so much rooted in individual psychology as they are rooted in the differential access people have to symbolic resources as a function of their positions in social and community networks.

the emergence of a “Muslim power” approach in the UK Pakistani community to match the “Black power” approach of the 1960s and 1970s (Modood, 2003) shows that Asians can be highly politicised about issues of race or faith discrimination. However, when we considered the Black and Asian communities as a whole in this research, there was generally a lower level of knowledge and sensitivity to racial discrimination amongst Asian than Black respondents. It therefore became necessary to introduce this brief discussion of the broader historical, political and ideological issues as background to make sense of these differences¹⁴. These different community narratives shaped people’s self-concept, view of the world, understanding of racial discrimination and sensitivity to it. They framed their perceptions of racial discrimination in British society, in the labour market and in public services¹⁵.

2.3. Self-concept: Personal and social identity

A key differentiating factor shaping perceptions of racial discrimination is the extent to which people’s self-concept is predominantly based on a personal identity (defined through their own personal attributes) or on a social identity (defined through a strong identification with a group based on either nationality, ethnicity, religion or colour) (Tajfel, 1981; 1982).

Respondents’ self-concepts were critical to perceptions because those with a strong personal identity were much more likely to discuss their perceptions based on how they *personally* expected they would be treated. They were likely to expect to be treated fairly by public services (ie to be in the “low” or “medium” discrimination categories) and elsewhere.

“Frankly, I’m a human being first. If you ask me, then I can say I’m Asian, but human being, that is the first thing.”

(Asian male, over 35, low socio-economic group, low discrimination, low concentration)

“I just think of myself as an individual actually, I don’t really notice my colour. I’m individual and I do not see myself as belonging to any group at all.”

(Black male, under 35, high socio-economic group, medium discrimination)

¹⁴ This also serves to emphasise that views about discrimination are not only a matter of individual perception; they are also a matter of social cognition.

¹⁵ A cautionary note needs to be introduced here: the discussion should not be taken to suggest that the community narratives precede experiences of racial discrimination. Clearly, these community narratives themselves emerged as a response to racism. However, they also have taken on a life of their own and, to the extent that they have become part of the consciousness and identity of many people from minority ethnic backgrounds, they do shape subsequent perceptions.

By contrast, those with a strong social identity almost always discussed how they expected members of their group (eg all Muslim people, all Black people, young Black boys), rather than themselves personally, to be treated by public services. They related to what happened to other people in the same social group, and felt that they shared a common history and fate, usually organised around a political project of racial, cultural, ethnic or religious affirmation. They were also more likely to socialise within their group and to access media that reflected the values and interests of their group. For all of these reasons, they were more likely to expect discrimination from public services (ie to be in the “high” and “medium” discrimination categories) and elsewhere.

“Being Afro-Caribbean is important in terms of my history, in terms of the way I perceive the world, of my consciousness, of how I relate to other people, so obviously it is important on an everyday level.”

(Black male, over 35, high socio-economic group, high discrimination)

“If something happens to another Black person, it hurts you more, it reaches you more.”

(Black female, under 35, low socio-economic group, high discrimination)

“What matters to me is being Muslim. That’s who I am.”

(Asian male, over 35, high socio-economic group, high discrimination)

To some extent, self-concepts are fluid and context-specific: we all adapt to circumstances and may feel that age, gender, social class or a specific personality trait, for instance, are more important than ethnicity, race or religion in some contexts than in others. However, self-concepts are also relatively stable: we all carry them with us across situations and over time. It is therefore important to identify the circumstances under which social identities become more salient. As a general rule, this happens in situations of difference (eg immigration, international conflict, sporting competitions) or rejection (eg experiences of discrimination, economic exclusion) (ETHNOS, 2005). Social identities can acquire a more rigid and permanent quality if people are repeatedly made to feel different and excluded.

“I’ve tried to be British Asian, a British Asian woman but I find that very, very hard because, time and time again, negative experiences bring you back to that Asian woman bit again. The British bit goes out of the window. You try, they won’t let you.”

(Asian female, over 35, high socio-economic group, high discrimination)

"I used to feel British, totally. But as time goes by and my experiences grow, I realise it's an identity which can be taken away, can be questioned by other British people. And that makes you question it. [...] Watching the news, for instance, watching the rise of the BNP, seeing or listening to people's interpretation of what "British" means, experiencing things at work or with the police... It's the way that the extremely racist element has found its way into the mainstream that's troubling me, the fact that people are accepting it. So now I'd say that the British aspect is, unfortunately, moving away, because it can be taken away by other people, whereas my identity as a Muslim or as a Pakistani can't be really taken away."

(Asian male, under 35, high socio-economic group, high discrimination)

"I'm Afro-Caribbean. I'm not comfortable with the label "Black British" because to me saying that you are Black British means that you feel like you are part of Britain and I don't. I still think that you are excluded from society if you are Black, even if you are born here. There's always that assumption that Britain is for White people."

(Black female, over 35, high socio-economic group, high discrimination)

Many Muslim respondents spoke of a growing experience of exclusion, rejection and discrimination (at government level, in the media, in local communities, in face-to-face interactions) and, as a result, of a growing identification with Islam. Amongst Black people, this feeling of exclusion persisted, but it was also waning. This sense of exclusion from mainstream British society impacted on people's perceptions of racial discrimination by public services. It led some respondents to assume that they would be discriminated against by public services, as they felt they were in most spheres of their lives.

2.4. View of the world: Trust or scepticism

Another important driver of perceptions of racial discrimination was people's basic view of the world as either a "just world" or not¹⁶. The belief that the world is either just or unjust played an important role in the development of an overall attitude of trust or distrust (or at least scepticism) in public services.

¹⁶ This is consistent with much existing research on the "just world" hypothesis (Lerner, 1970, 1971; Lerner & Meindl, 1981). This body of research established that most people have difficulty accepting the manifest injustices of life and have a strong need to believe that the world is just. A just world would be a world in which people get what they deserve and in which general fairness or equity prevails. This belief is important because it means that people can be in control of what happens to them. Thus, the belief in a "just world" is usually associated with an "internal locus of control" (people seeing themselves as responsible for the outcomes of their actions) (Rotter, 1966).

Respondents in the “low” and “medium” discrimination categories had a tendency to believe that the world was a reasonably just place and to explain both fair and unfair outcomes through the actions of the minority ethnic people themselves. This was more pronounced amongst higher socio-economic group respondents, especially those who were very successful economically and who expected others to be able to achieve the same for themselves.

“I think it’s up to the individual. That’s the problem with a lot of ethnic minorities. They want everybody else to be fair to them, but they don’t do anything to improve themselves... Everybody is an individual. Everybody has to make sacrifices and efforts. Nowadays, it’s become fashionable for ethnic minorities to want everything and to play the race card when they don’t get it.”

(Asian male, over 35, high socio-economic group, low discrimination)

“I’m a believer that you are what you make yourself at the end of the day. Some people don’t have that good opportunities, but you are what you make yourself. Sooner or later there’s got to be a stance of individual people taking responsibility for their own life, as opposed to them saying it’s about society. People have to take a rightful ownership and make it better for themselves.”

(Black male, under 35, high socio-economic group, low discrimination, low concentration)

By contrast, respondents in the “high” discrimination category were more likely to believe that the world was not a fair place. Many argued that, almost regardless of their attitudes and behaviours, they (and others in their group) did not “get what they deserved” because of racial discrimination in wider society, in the workplace and in public services.

“Everything that I do everyday makes me feel discrimination. Whether I’ve got my hair up or down, whether I’m in a pink or yellow top, whether I’m getting on a bus and somebody doesn’t like you sitting next to them, or I’m walking down the street and an old White person would clutch their bag or hold tight. There’s always a reaction and there’s nothing you can do about that.”

(Black female, under 35, high socio-economic group, high discrimination)

“I’ve lived here all my life and suddenly I have become a target because I happen to be a Muslim. Nothing to do with me: I haven’t changed at all, but I have to live with the consequences.”

(Asian male, under 35, low socio-economic group, high discrimination)

An important aspect of the “just world” view is the associated switch from believing that people get what they deserve to believing that they deserve what they get (known as “derogation of the victim”). This phenomenon was often observed, especially amongst Black respondents in the “low” and “medium” discrimination categories, where people argued that it was the criminal “nature” of Black people that was responsible for their targeting by the police and their over-representation in the Criminal Justice System (CJS). Based on this understanding, they were less likely to perceive CJS services as racist.

2.5. Understanding of racial discrimination

People's understanding of racial discrimination was another key factor in their perceptions. Respondents varied a great deal in the complexity of their understanding of racial discrimination¹⁷. Some respondents had a very limited understanding: they thought of racial discrimination almost exclusively in personal, interactional terms and only perceived racism when it was blatant, overt and violent; they based their perceptions solely on personal or vicarious personal experiences; they largely took fairness for granted and found it difficult to explain why they felt public services were fair. They were therefore most unlikely to expect that they would experience racial discrimination (although they could recognise blatant instances of discrimination).

Other respondents had a detailed and sophisticated understanding of racial discrimination and could describe its causes, operations and consequences at an individual and a collective level. They thought about racial discrimination not only as manifest in individual attitudes and behaviours, but also as organisational processes and structures which can lead to the neglect or exclusion of minority ethnic people. They drew on a range of sources of knowledge, which usually combined personal experiences (less often amongst respondents in higher socio-economic groups), community-based knowledge, the media and, in some cases, formal knowledge (more often amongst respondents in higher socio-economic groups). They were able to discuss a broad range of public services from an equality perspective and to talk about changes that took place over time. Some of these respondents also generalised from their experiences and knowledge of racial discrimination to encompass other minority groups (such as other ethnic groups, women or disabled people). These respondents were very likely to consider the possibility that there was racial discrimination in their everyday life and in public services.

¹⁷ The assessment of the complexity of people's understanding of racism is a composite of many considerations: people's ability to discuss the experience, nature, causes and consequences of racial discrimination; their conceptualisation of equality or fairness in terms of equal treatment, equal opportunities and/or equal outcomes; the range of sources of knowledge they were drawing on (personal and vicarious experiences of overt racism only, or also community-based knowledge, the media, research reports, professional experiences); the range and subtlety of arguments they put forward; the ability to assess changes over time; the ability to take the perspective of other stakeholders (such as minorities beside the respondent's own, service providers, policy-makers, etc); and the range of services they were familiar with from an equality perspective.

The overwhelming majority of respondents had a relatively simple understanding of fairness as “same treatment”. They equated fairness with “treating everybody the same” but did not explore this idea in any depth¹⁸. Conversely, these people conceived of discrimination simply as treating people differently because of their race, colour, nationality, ethnicity, culture or religion. The “sameness” or “difference” people had in mind pertained almost exclusively to treatment in face-to-face interactions, through both verbal and non-verbal behaviours. From this perspective, racial discrimination was the outward manifestation of someone’s stereotypes and prejudices towards people from minority ethnic and faith backgrounds.

“In some places, the way people look at you, you feel uncomfortable, like I don’t belong here.”

(Black male, under 35, low socio-economic group, low discrimination, low concentration)

“It’s just the assumptions people make about you because you wear a head scarf. You know their views will change how they treat you.”

(Asian female, under 35, high socio-economic group, medium discrimination)

Some of those who understood racial discrimination in personal terms also thought that prejudices were an inevitable part of “human nature” which could never be entirely eradicated. They felt that, “realistically”, one could not expect public services (anymore than one could expect individuals) to be entirely unbiased and fair. Based on these limited expectations, they did not think that most public services were unreasonably or unduly discriminatory. They did not expect that services could do much to become fairer either.

“I don’t think there is anything that can be done through laws and procedures and stuff like that. If the person feels strongly against another race, then there’s no changing them, is there?”

(Black female, under 35, low socio-economic group, low discrimination)

“There is racism everywhere. It’s part of human nature. There’s not much you can do about it.”

(Asian male, over 35, low socio-economic group, high discrimination)

However, a large minority of respondents had a more complex understanding of racial discrimination that included concerns over unequal treatment but also focused on unequal opportunities and outcomes. Their understanding of racial discrimination included both personal and structural dimensions. Indeed, their perceptions of racial discrimination by public services were often based on an assessment of the “laws,

¹⁸ This partly explains why some respondents thought that specialist provisions for certain categories of people were “unfair”. It also explains why most respondents were opposed to the principle of positive discrimination, even if they had personally benefited from it.

rules, regulations, processes, systems, procedures, policies, initiatives, requirements, norms and beliefs" which govern organisational life and can either reproduce or eradicate discrimination.

"The systems themselves should be totally impartial. The way the systems work should be incorruptible and the services that are provided should be incorruptible. And it doesn't matter whether you're a member of the Ku Klux Klan and you're working in the probation service and you meet a Black person. The procedures in that job should make it impossible for you to be able to subvert that person's future."

(Black male, over 35, high socio-economic group, high discrimination)

"Racist discrimination is not just about talking and behaving in a certain way. People can be nice and polite but racist through the policies that they implement."

(Asian male, under 35, low socio-economic group, low discrimination)

Those who had a structural understanding of racial discrimination usually thought that the latter could be eliminated through adequate institutional arrangements. Thus, they had higher expectations that public services could be made fair and were therefore more likely to be dissatisfied if they perceived any racial discrimination in public services.

"There's no excuse. They can change things and they know that, hence all the new legislation on race. But that could have happened much earlier and much more could be done."

(Asian male, over 35, high socio-economic group, high discrimination)

Some of these respondents (all of whom were in the "high" discrimination category and had a complex understanding of racial discrimination), discussed how, in order to be fair, some services may have to make different provisions for certain groups of people, based on their distinct needs.

"It's about removing barriers and the barriers can be different for different people. There's got to be slight differences to accommodate for individual differences."

(Asian male, over 35, high socio-economic group, high discrimination, low concentration)

“I think not that people should all be treated the same but that every group needs to be taken into consideration [...] You need to look at everyone within that community and find out what their needs are so that all their needs can be met.”

(Black female, over 35, high socio-economic group, high discrimination)

The research indicates that respondents varied a great deal in the complexity of their understanding of racial discrimination and, in turn, their understanding of the need for targeted, specialist provisions. This suggests that better communications of the justification for specialist provisions would be necessary.

2.6. Sensitivity to racial discrimination

Above and beyond differences in people’s understanding of racial discrimination, there were also differences in people’s sensitivity to racial discrimination. Many respondents, especially in the “low” and “medium” categories, claimed that they chose to ignore racial discrimination and, as a result, did not experience any. This explains why some respondents had a low perception of discrimination in public services, even if they had a reasonably good understanding of racial discrimination.

“It’s just the way I was brought up. You were always told to turn a blind eye.”

(Black male, under 35, high socio-economic group, low discrimination, low concentration)

“If a dog barks, if you bark back against that dog, then there is no difference between you and a dog. Just ignore them. Rise above them. That’s what I do.”

(Asian male, over 35, high socio-economic group, low discrimination)

“I don’t really take no notice of racism because I don’t really care when it comes to things like that, to tell you the truth. I don’t know why but I don’t dwell on it. Because I think to myself I don’t have to be around you if you don’t like the colour of my skin.”

(Black female, under 35, low socio-economic group, low discrimination)

By contrast, many respondents in the “high” discrimination category claimed that they saw racial discrimination everywhere.

“Any situation when I’m dealing with the public, I always have to take it into consideration, just in case. It comes to the forefront. It’s always there. I wouldn’t just go into something blindly and not think I’m Black, you know?”

(Black male, under 35, high socio-economic group, high discrimination)

"I've experienced racism loads of time. Loads, loads, loads. All the time. There's so much, I couldn't even give you an example. It's such a general thing. To me, it's just like a way of life."

(Black male, under 35, high socio-economic group, high discrimination)

"Everybody thinks we're all terrorists. You're Asian, you're Muslim, you're a terrorist. You can't escape that. It's all around you."

(Asian male, under 35, low socio-economic group, low discrimination)

2.7. Sources and types of knowledge

Finally, there were differences between respondents in the kinds of knowledge they drew on to construct their understanding of racial discrimination and to assess whether individuals and organisations were racist or not. Although the boundaries between the following sources and types of knowledge are by no means clear cut, it seemed reasonable to distinguish between the informal knowledge derived from personal experiences, from vicarious experiences (which include the second-hand experiences of relatives, friends and colleagues), and from the wider community (which include loose descriptions of "the stories" one hears about), and the more formal knowledge acquired through studies, professional activities and the media.

Respondents who had a greater understanding of and sensitivity to discrimination usually derived their knowledge from a broad range of both formal and informal sources. Respondents who had a more limited understanding of racial discrimination and who were less sensitive to it usually derived their knowledge mainly from personal (and sometimes vicarious) experiences. If they did not feel that they had experienced discrimination directly through their personal encounters with service providers, in the absence of alternative sources of knowledge, they assumed that services were fair.

In the chapters on the eight public services, the sources of knowledge people used to determine whether particular services were fair or unfair will be identified.

2.8. Typology and profile of respondents

As is apparent in the above discussion, the research suggests that "high" and "low" discrimination respondents are very different from each other.

- **"High" discrimination respondents**

"High" discrimination respondents were likely to:

- have a strong, politicised social identity

- want to participate fully in British society while asserting a distinctive minority identity
- assume the world is not “just” and be sceptical in relation to mainstream institutions
- have a complex understanding of racial discrimination which integrates a focus on structural aspects of discrimination
- be sensitive to the possibility of discrimination
- draw on multiple sources of knowledge to assess whether or not public services are fair.

The majority of “high” discrimination respondents were reasonable and measured in their assessment of discrimination. As will be demonstrated in subsequent chapters, they distinguished between situations, between services, between communities, between areas, and so on. In their responses to the vignettes, as in their lives in general, they explored various alternative explanations before concluding that differential treatment or outcomes were attributable to racial discrimination. They wanted more information before they concluded to discrimination. If they did conclude promptly to discrimination, it was usually because they projected on the specific situation perceptions of differential opportunities, treatment and outcomes based either on evidence discussed in the media, on their own professional experience and on their own personal experiences of discrimination by public services. The majority of people who perceived racial discrimination in many public services generalised their perceptions to all ethnic minorities (and indeed to discrimination based on disability, gender, sexuality, etc). Only a small minority had deeply entrenched negative perceptions that were unresponsive to social change and driven by basic, simplistic and generalised distrust. These people were more likely to restrict their perceptions of discrimination to their own group and not to generalise to other groups.

In terms of their socio-demographic profile, “high” discrimination respondents were more likely to be:

- Caribbean if they were Black
- Pakistani if they were Asian
- male if they recounted direct experiences
- female if they recounted vicarious experiences
- from higher socio-economic group if they were older and had indirect, formal knowledge of racial discrimination
- from lower socio-economic group if they were younger and direct experiences of racial discrimination

- UK-born and long-established
- living in areas of high minority ethnic concentration.
- **“Low” discrimination respondents**

“Low” discrimination respondents were likely to:

- have a strong personal identity or a non-politicised social identity
- want to share in the dominant British narrative
- assume that the British society is “just” and have a basic trust in mainstream institutions
- have a limited understanding of racial discrimination which focuses on personal aspects of discrimination
- have little sensitivity to racial discrimination
- draw almost exclusively on personal or vicarious experiences to assess whether or not public services are fair.

Respondents who expected few or no public services to be discriminatory tended to make favourable assumptions about public services but rarely based on substantive knowledge and understanding. Many claimed not to pay much attention to discrimination and to have made a conscious decision not to “dwell” on any negative experiences they might have had. Many also tolerated a limited amount of racial discrimination since they felt that prejudice was part of “human nature” and, therefore, that public services could never eradicate it completely. They had lower expectations of fairness from public services. Moreover, many believed that their own behaviours and relaxed attitudes towards racial discrimination largely accounted for the good treatment they received from public services and in wider society. Indeed, the majority of the “low perceivers” had an individualistic outlook – they took credit for their successes and they blamed others for their failures (including being the victims of racism), rather than invoking discrimination to explain differences in treatment or outcomes¹⁹.

In terms of their socio-demographic profile, “low” discrimination respondents were more likely to be:

- African, if they were Black
- Indian and Bangladeshi, if they were Asian
- female

¹⁹ It is worth noting that a number of respondents also expressed racist views towards other communities and, indeed, towards other members of their own community. They were not only victims of discrimination but could also be perpetrators themselves.

- from lower socio-economic groups, if they were recent migrants, older respondents and/or if they spoke little/no English
- from higher socio-economic groups if they were young or old, but long-established
- non-UK born, recent migrants
- living in areas of low minority ethnic concentration.

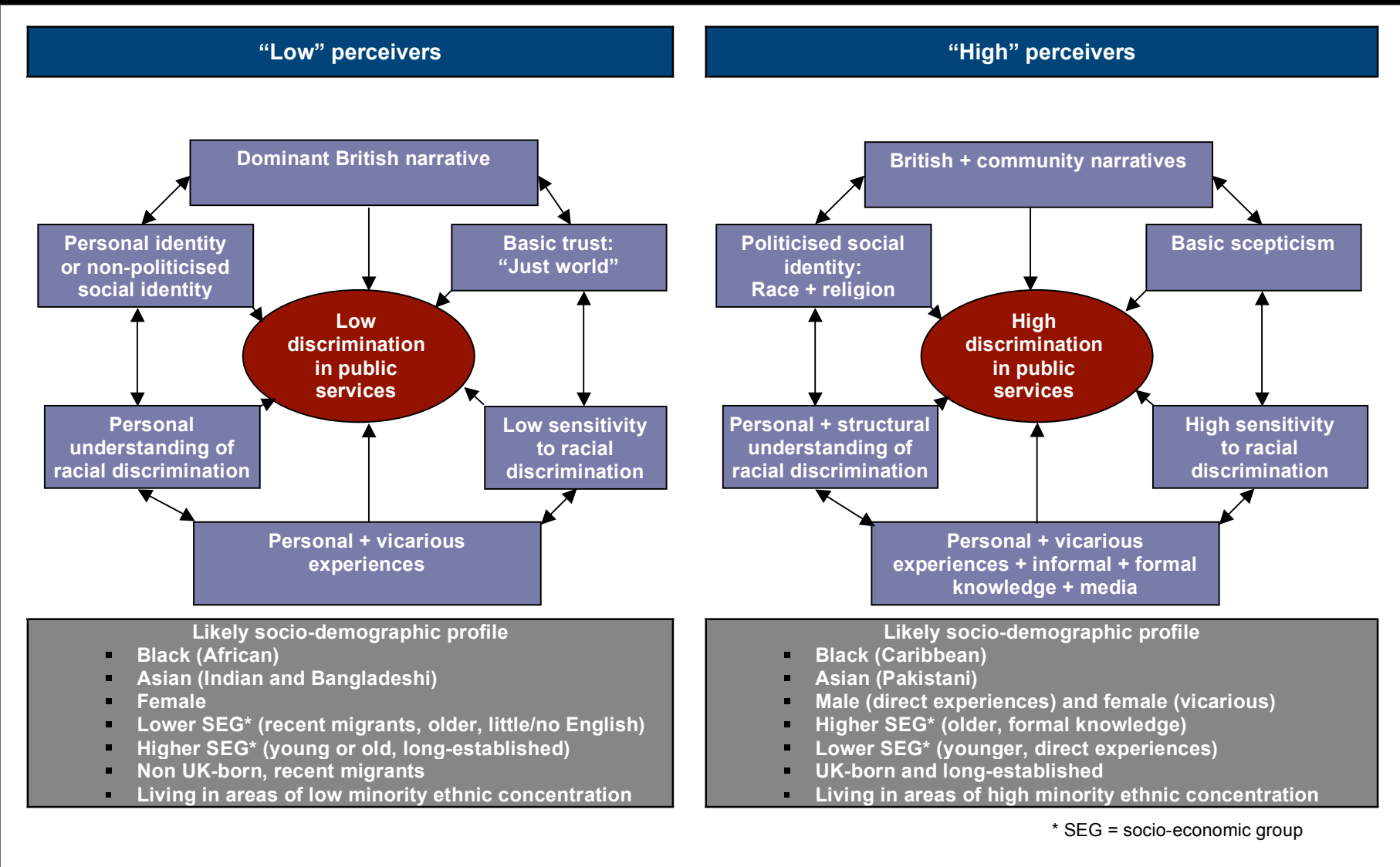
“Medium” discrimination respondents

It is particularly important to understand the factors that drive perceptions of racial discrimination amongst “medium” discrimination respondents. Changing their perceptions of public services would demonstrate progress in relation to the PSA target on race equality and community cohesion. However, while both “high” and “low” discrimination respondents have a clear socio-demographic profile, as well as stable perceptions of racial discrimination in public services, “medium” discrimination respondents have a less coherent profile, as well as less stable perceptions of racial discrimination. Some shared many of the attributes of either the “high” or “low” discrimination respondents, but had come to the considered view that only one or two public services would discriminate against them. When this was the case, perceptions could be based either on inferences from a single negative personal experience or on knowledge of a single “high-profile” case or issue. Others, however, had much less fully formed and stable perceptions of services: their responses were context-dependent, subject to change, and largely based on “feelings” that respondents were unable to substantiate.

As each public service is discussed, the drivers of perceptions in the “medium” category which stem from the services themselves will become apparent. The services found to be problematic for the “medium” category were mostly the police service, the prison service, the Courts, schools and housing services, but also local doctors’ surgeries on a few occasions). The discussions of each service will make clear as well the demographic characteristics of the respondents for whom issues in service provisions and delivery actually functioned as “drivers” of perceptions.

Figure 1 below summarises the psychosocial drivers of perceptions of discrimination or fairness in the “high” and “low” discrimination categories. Because of their changing profile, no equivalent diagram can be produced for the “medium” discrimination category.

Figure 1: Psychosocial drivers of perceptions of discrimination



Chapter 3

Perceptions of racial discrimination outside public services

3.1. Introduction

The analysis of responses to the Citizenship Survey identified that respondents who perceived discrimination in British society as a whole were also likely to perceive discrimination in the labour market and in public services. The present study sought to shed light on the relationship between perceptions of discrimination in these three contexts. Specifically, the study attempted to determine whether experiences of discrimination in British society and/or in the labour market were driving people's perceptions of discrimination in public services.

3.2. Discrimination in British society

Respondents were asked whether they thought British society as a whole treated people from ethnic minority backgrounds fairly, and whether they felt that there was more or less race equality in British society today compared with ten years ago. Most respondents in the "medium" and "low" discrimination categories felt that Britain was, by and large, a fair society. They based this assessment on the fact that:

- they had been granted citizenship (if they had migrated to Britain themselves)
- they could benefit from the welfare state
- the institutions of central government and the legal system are structurally fair (by comparison with other countries)
- they felt they could succeed in Britain if they worked hard ("you get what you deserve")
- they had not personally experienced any blatant racism
- they thought the British people were "nice" and open-minded.

In terms of change, a significant number felt that they could not comment because they had not resided in Britain for long enough to do so. Those who were able to comment generally felt either that British society had always been relatively fair or that it had improved over the past ten years. The only issue in relation to which they perceived deterioration was the treatment of Muslims.

By contrast, respondents in the “high” discrimination category generally argued that Britain was still racist. They felt that:

- the very idea of “Britishness” continued to exclude minority ethnic people
- the nature of discrimination had changed: it had become more subtle but had not gone away
- the targets of discrimination had merely changed: Muslims, Eastern Europeans and asylum seekers and refugees had replaced Black people as the main targets of discrimination
- the minority ethnic population continued to live in the most deprived areas
- there was limited social integration between minority ethnic and White British people
- the relative success of the BNP at recent local elections showed that the situation had not improved.

Despite these important concerns, Black “high” discrimination respondents were likely to think that society was more multicultural and inclusive, that structural discrimination had decreased, and that blatant, virulent racism had virtually disappeared (in relation to Black people, but not in relation to the new targets). Asian “high” discrimination respondents, on the contrary, were likely to think that the situation had worsened for them, especially if they were Muslims.

A considerable number of respondents went so far as to say that racial discrimination was no longer an issue and that only religious hatred towards Muslims was now a problem. This view was found across all categories of respondents. Anti-Muslim sentiment did not affect only Muslim people themselves (Pakistanis, Bangladeshis and Muslim Indians), but also Hindu and Sikh Indians, who were sometimes the target of religious hatred because they were mistaken for Muslims. As a result, many were keen to develop a stronger Indian, rather than Asian, social identity, to mark out the differences between themselves and Muslims.

The findings show a very strong relationship between perceptions of discrimination both in British society and in public services. Most of the respondents who expected discrimination in both contexts were Black people in the “high” and “medium” discrimination categories. Amongst them, however, nearly half felt that racial discrimination had decreased overall. But there were also many Asians (from all ethnic and faith backgrounds) who felt that there was a growing anti-Muslim sentiment in British society in general and who expected that this would lead them to experience discrimination in public services.

A much smaller number of respondents expected discrimination in neither contexts. They were mainly people who had a very limited understanding of discrimination and a low sensitivity to it (usually recent migrants who lived predominantly within their own communities, who spoke little or no English, who were from lower socio-economic groups), and/or people who basically trusted that the world was a fair place in which people got what they deserved (some of whom were long-established, fully integrated, from higher socio-economic groups and living in areas of low minority ethnic concentration).

Those who expected discrimination in British society but not in public services were usually respondents in the “low” discrimination category with a non-politicised social identity and a limited understanding of and sensitivity to discrimination, but who had had a blatant personal or second-hand experience of discrimination (often in relation to Islam). Such experiences may have taken place on the streets, on public transport, in shops, when trying to rent accommodation privately, etc. Similarly, those who expected discrimination in public services but not in British society were often respondents in the “low” or “medium” discrimination categories, also with a non-politicised social identity and a limited understanding of and sensitivity to discrimination, who had had a blatant experience of discrimination in one or two public services.

It is difficult to interpret these findings with any certainty. The assumption was that people’s perceptions of discrimination in British society would drive their perceptions of discrimination in public services. There is indeed a very strong relationship between perceptions of discrimination and fairness in both contexts. However, this seems to be because some people have an understanding and sensitivity to racial discrimination and others don’t, and all project whatever understanding and sensitivity they have to various contexts. It does not seem to be because people generalise from their perceptions of British society to public services. The fact that the reasons for expecting fairness or discrimination are so different in the various contexts strongly suggests this interpretation.

3.3. Discrimination in the local area

In addition to these general assessments about British society as a whole, more than half of the respondents argued that assessments of fairness or discrimination had to be made at a local level (rather than a regional or national level). Only at a local level could one really understand how economic circumstances, the ethnic profile of the local population and the quality of public services interacted to produce public services which respondents perceived to be more or less fair.

Nearly all of those who discussed issues to do with local areas spontaneously distinguished between areas of high minority ethnic concentration (large urban areas) and areas of low minority ethnic concentration (rural areas and small towns). Opinions were divided about which context would be most likely to be associated with fairness. The majority thought that there would be less racial discrimination in areas of high minority ethnic concentration because residents would be used to cultural differences and services would be tailored to meet diverse needs. However, people also argued that areas of high minority ethnic concentration were also likely to be economically deprived and to be characterised by intense competition over scarce resources (mainly in housing). Both factors were expected to impact negatively on fairness in public services.

A small number of respondents thought people from minority ethnic backgrounds would have better life chances in areas of low minority ethnic concentration (but not necessarily that there would be less racial discrimination). Indeed, the prospect of a better life was often the reason why people had moved to such areas in the first place.

Regardless of people's expectations and perceptions, those who lived in areas of low minority ethnic concentration actually were *less* likely to expect and experience discrimination from public services. The reasons for this may include the fact that:

- areas of low minority ethnic concentration are generally more affluent
- the respondents in these areas are usually from a higher socio-economic group (which would have shielded them from discrimination elsewhere as well)
- the respondents in these areas usually have a strong individualistic outlook.

At any rate, these findings suggest the need to carry out further research to determine whether fairness or discrimination in public services may be geographically patterned.

3.4. Discrimination in the labour market

According to the April–September 2007 Citizenship Survey, 20 per cent of minority ethnic people who have been refused a job felt that it was for reasons of race.

Respondents were asked whether they thought there was any discrimination in the labour market and, if there was, whether they thought the situation had improved or worsened over the past ten years. Just over half of the respondents claimed that they expected some discrimination in the labour market. However, they expected that this would be mainly subtle and covert rather than blatant and overt. Indeed, many said that they “felt” discrimination happening at various levels, but could not prove it.

Those who claimed that there was racial discrimination in the labour market generally felt that the extent of the discrimination had decreased. Asians were more likely to report greater discrimination and Black respondents were more likely to report greater fairness. No one reported having challenged employers over alleged discrimination.

The main reasons why respondents perceived and expected fairness in the labour market were:

- the view that there was little or no racial discrimination in the labour market in general
- the belief that people “get what they deserve”
- the positive experience of getting the jobs people wanted
- people’s limited experience of the labour market (eg amongst students, long-term unemployed people, self-employed people and those who had only worked within the confines of their own minority ethnic community)
- the fact that one’s workplace had a very diverse workforce
- the experience of working in public sector services where there is shortage of qualified staff (eg nursing, teaching, social work) and one therefore felt valued.

The main reasons why respondents perceived and expected discrimination in the labour market were:

- the assumption that discrimination in wider British society also affected the workplace
- the difficulties people experienced in getting job interviews
- the difficulties people experienced in getting promoted (ie the “glass ceiling” effect)
- the fact that there was widespread unemployment in the respondents’ communities
- the experience of being excluded from informal discussions with colleagues
- the perception of unequal access to professional development
- the view that mechanisms to increase the number of minority ethnic staff were counter-productive (ie unfair, “tokenistic”, “patronising”)
- distrust in complaints procedures and redress in cases of alleged racial discrimination
- colleagues’ assumption that minority ethnic people are only interested in “ethnic” work.

It is worth noting that most of the examples of discrimination in the labour market or workplace people gave were not recent.

The findings show a strong relationship between those who perceived discrimination both in the labour market and in public services, as well as those who perceived discrimination in neither contexts. This seems to support the earlier findings that some people tend to be highly attuned to the possibility of racial discrimination across different contexts, and others seem to have little sensitivity to racial discrimination regardless of context. Some respondents perceived discrimination in the labour market but not in public services, and others perceived discrimination in some public services but not in the labour market. In both cases, their answers were explained by highly specific instances of discrimination they had encountered in either context. The specific reasons for expecting discrimination in the eight public services are described at length in subsequent chapters.

The findings reported in this chapter strongly suggest that most respondents distinguish between contexts and do not have such a generalised and entrenched distrust that their perceptions of racial discrimination cannot change over time.

Chapter 4

Perceptions of racial discrimination in public services: Overview

The remainder of the report discusses the drivers of perceptions of racial discrimination in the public services covered by the PSA target 10. For each service, the report covers the following:

- people's awareness, experience and knowledge of the services
- the main sources of their perceptions
- the main reasons for their expectations of fairness
- the main reasons for their expectations of discrimination
- their perceptions of change (improvement or deterioration)
- their awareness of any policies that have contributed to change
- the distribution of opinions according to socio-demographic variables.

Before we report on these issues, a number of cross-cutting issues must be highlighted.

4.1. Limited concerns about racial discrimination

Overall, respondents were less concerned about racial discrimination than might have been expected. There is a presumption that, as people from minority ethnic backgrounds themselves, respondents will be highly sensitive to racial discrimination. We only found this to be the case amongst "high" and some "medium" discrimination respondents. Given that there are more people in the minority ethnic population as a whole that qualify as "low" discrimination according to the last Citizenship Survey, concerns over racial discrimination may be less salient than many policy makers would assume they are.

4.2. Richer discourses in relation to services perceived to be racist

Respondents generally had much more to say about services when they perceived and expected them to be racist than when they perceived and expected them to be fair. This is partly because people generally take fairness for granted and only notice when their expectations of fairness are contradicted by experience. However, the main reason is that many of the respondents who expected services to be fair did so without having given the matter much thought: they neither had a complex understanding of discrimination nor a high sensitivity to it. In the absence of blatant personal experiences of racism, they simply assumed that services were fair. The people who generated the richest discourses in relation to fair as well as unfair services were respondents in the "high" discrimination category who had come to the reasoned conclusion that services were fair.

4.3. Imbalance between services

There was also an imbalance in the quantity and quality of data elicited in relation to the various public services, largely based on people's degree of knowledge, understanding and experience of the various services. While most respondents felt able to discuss, at least in basic ways, fairness and discrimination in relation to local schools, local doctors' surgeries and the police, fewer felt able to discuss housing services, the courts and the prison service, and fewer still could meaningfully comment on the Crown Prosecution Service (CPS) and the probation service. Because of both the imbalance in the richness of the discourses between services in general and between services expected to be fair as compared with those expected to be discriminatory, the report may seem to over-estimate the rationality, depth of knowledge and level of engagement which respondents demonstrated in relation to each of the various services. It is important to bear in mind that many respondents did not discuss the services in any depth and that their views are therefore less likely to be reported here.

4.4. Distribution of opinions

We sought to identify patterns in the distribution of opinions to support policy makers in targeting groups that are more likely to expect discrimination from public services. Finer breakdowns will be provided in relation to each public service.

- **Ethnicity**

While Black and Asian people do share common experiences, ethnic communities also vary a great deal in relation to their understanding of and sensitivity to discrimination. For instance, Black Caribbean people were more likely to have a strong, politicised social identity, and to be more aware of and sensitive to racism, than their Black African counterparts. Similarly, Pakistani people were more likely to have a strong, politicised social identity, and to be more aware of and sensitive to racism (specifically Islamophobia), than their Bangladeshi (also Muslims) and Indian counterparts. Ethnic sub-groups also based their perceptions of racial discrimination on different sources of knowledge: both Black Caribbean and Pakistani people were more likely to report having personally experienced racial discrimination than either Black African, Indian or Bangladeshi people. Amongst the latter three groups, Indians were most likely to have a good knowledge and understanding of racial discrimination (probably linked to their higher socio-economic profile, higher educational achievements, longer length of stay in the UK, and greater likelihood in living in areas of low ethnic minority concentration), even though they may not have experienced overt racism themselves. For those reasons, it is unhelpful to group all Black people or all Asian people together when assessing perceptions of discrimination or fairness in public services²⁰.

- **Sex**

Across all ethnic groups, men were more likely to have personally experienced racial discrimination than women, but not necessarily to perceive more racial discrimination from public services. There were greater gender differences in perceptions of racial discrimination in the Asian communities (where women were less likely to have any formal knowledge of racial discrimination) than in the Black communities.

- **Socio-economic group**

People of lower socio-economic group were either more likely to report having experienced racial discrimination personally (especially if they were Black Caribbean or Pakistani), or less likely to report having experienced racial discrimination (especially if they were older people, more recent migrants, and people who spoke little or no English). By contrast, people of higher socio-economic group were either more likely to have a good understanding of (structural) racial discrimination (largely based on formal knowledge and media reports) and to empathise with victims of racism despite not having experienced overt racial discrimination personally, or to have a limited understanding of and sensitivity to racism, and to care little about victims of racism because they saw them as responsible for the treatment they incurred from public services and wider society.

²⁰ It is worth emphasising that respondents were recruited on the basis of their ethnicity, not their religion. We did gather information on religion during the interview, in the context of exploring people's self-concept, but this information cannot readily be used to explore systematically respondents' perceptions of racial discrimination in public services. However, since all Pakistani and Bangladeshi respondents (as well as a small number of Indian respondents) were Muslims, we used Pakistani and Bangladeshi ethnicity as a proxy for being Muslim.

- **Residential area**

It is hard to assess whether there were differences in perceptions of racial discrimination on the basis of Government Office region because there was an uneven number of respondents in each of these areas and because Government Office region tended to overlap with ethnicity. However, there were important differences between people living in areas with a large minority ethnic population and those living in areas with a small minority ethnic population. The former were much more likely to expect public services to be discriminatory than the latter.

Chapter 5

Housing services

5.1. Introduction

Findings from the April–September 2007 Citizenship Survey showed that White people were more likely than people from minority ethnic groups to expect worse treatment than people of other races by council housing departments or housing associations. Overall, 24 per cent of White people expected to be treated worse in housing services, compared with 11 per cent of people from minority ethnic groups. However, the reasons behind White people’s perceptions of discrimination are not explored in this particular study.

In total, 50 respondents chose to discuss housing services, 18 of whom expected housing services to discriminate against them, and 32 of whom expected housing services to treat them fairly. Amongst those who expected to be discriminated against, 10 were Black and 8 were Asian.

5.2. Awareness, experience and knowledge of housing services

Everyone in the sample had some awareness of council housing services; fewer people had any awareness of housing associations. People’s knowledge of housing services, and of potential sources of discrimination therein, was limited, except amongst those who had personal experience of social housing. For those who had experienced social housing, this experience was a key driver of perceptions of fairness or discrimination.

5.3. Sources of knowledge

Personal experiences, the vicarious experiences of family and friends and the wider informal knowledge that circulates within the respondents’ communities were the main sources of their knowledge about housing services. The media did not contribute to shaping perceptions of fairness or discrimination in housing services, except to the extent that negative public discourses about refugees and asylum seekers in general provided a framework for respondents’ attitudes towards refugees in social housing (see below). Not surprisingly, the interviews were richer amongst those who had personal (or vicarious) experience of housing services.

5.4. Reasons for expected fairness

Those who had some experience of housing services generally expected them to be poor but fair. In other words, these respondents believed that their satisfaction or dissatisfaction had to do with the nature of the services in general rather than with the treatment they got specifically as Black or Asian applicants or residents. This was true even amongst “high discrimination” respondents.

“They give you your house because of what you need, not because of the colour of your skin or your creed.”

(Asian male, over 35, high socio-economic group, high discrimination, low concentration)

“I’ve heard loads and loads of complaints, but never anything about racism. Never.”

(Black female, under 35, high socio-economic group, medium discrimination)

- **Perceptions of explicit and fair allocation policies**

Especially amongst those who had experience of housing services, this basic confidence that housing services are provided based on the merit of individual cases largely derived from the fact that allocation policies were seen to be clear, explicit and fair. This was by far the main factor shaping perceptions of fairness.

“They do make their decisions based on some policy and they can explain this to you. You can disagree with their policies but it’s not to do with racism.”

(Asian male, under 35, low socio-economic group, medium discrimination)

“The housing system works basically on your circumstances and your circumstances isn’t your colour. It’s if you have anywhere to live, if you have children, if where you are is not suitable for you to live. And whoever is at the highest priority or has the most points is the person that gets that property.”

(Black female, under 35, low socio-economic group, high discrimination)

- **Experience of good customer service**

Another important factor shaping perceptions of fairness was the fact that many had experienced good customer service from housing services. A number of respondents who had anticipated being treated poorly because of their circumstances (eg not speaking English, being a Black single mother, having accumulated rent arrears), specifically reported that they had been treated courteously and fairly.

“If you can’t speak English, they pass you on to someone who speaks your language. They use translators. And most of the letters they send have some information that you can get interpreters in them. They definitely try not to make language a barrier.”

(Asian female, over 35, low socio-economic group, medium discrimination)

“The housing officer did not look at me like a stereotype. He just dealt with me like I am a young woman who needs a place for her and her child. That was it.”

(Black female, under 35, low socio-economic group, high discrimination)

Being dealt with promptly when requesting care and repairs or making a complaint was also interpreted as a sign that housing services were fair towards minority ethnic people. This stresses the role of positive experiences in attributing fairness.

- **Experience of minority ethnic front line staff**

As in other public services, the presence of minority ethnic frontline staff was immediately interpreted as evidence that housing services are not discriminatory, and as a guarantee that housing officers will not discriminate against service users. People with recent experience of social housing often commented on how diverse the workforce was in their local housing office.

5.5. Reasons for expected discrimination

- **Allocation policies: Perception that refugees are given priority**

Having identified that explicit and fair allocation policies were the main driver of perceptions of fairness in housing services, “unfair” allocation policies that were perceived to give priority to refugees were the main driver of perceptions of discrimination. Respondents wrestled between two competing logics: the principle of allocating housing based on needs (where some acknowledged that some refugees “had a case” but most took advantage of the welfare system), and the principle of entitlement (where people felt that, as British tax-payers, they should be given priority over refugees). The second logic nearly always prevailed.

There was a clear perception amongst many respondents (whether or not they themselves were in social housing) that local councils were discriminating against the local population. They did not believe that the reason for the discrimination was racism against them specifically; simply that the perceived prioritisation of refugees ended up relegating everyone (including White British people) to “the bottom of the queue”. This was a source of deep frustration and resentment towards refugees, and these feelings were reinforced by often incendiary media coverage of “bogus” asylum

seekers. Examples were numerous and vociferous, and spread across all categories of respondents.

“I’m sorry to say that asylum seekers or whatever, they burden the council. Suddenly, they become priority for the council so they’ve got to be housed quickly [...] If we eliminate this situation, then I think housing is fine.”

(Asian male, over 35, high socio-economic group, low discrimination)²¹

“If you’re an asylum seeker, you can come in, click your fingers and it’s just sorted. But if you’re actually a citizen of the country, you can rot on a waiting list forever or live in a tiny hostel with drug addicts [...] That’s the only department I could definitely say I would feel discriminated against.”

(Black male, under 35, low socio-economic group, medium discrimination)

From a policy perspective, this issue is critical: the quotes above were deliberately selected from respondents who explicitly stated that housing was the only service from which they expected discrimination because of the perceived priority given to refugees.

- **Allocation policies: Perception that minority ethnic people are accommodated in worse areas and properties**

Another driver of perceptions of discrimination was the view that properties were allocated on the basis of stereotypes of minority ethnic communities. This was thought to lead to the clustering of minority ethnic communities in the most deprived areas and in the worst housing stock. This view was based on a mixture of knowledge and experience. It was more common amongst Asian than Black respondents.

“The general view is that Asian people all want to live together and that clouds their [council services] judgement in certain situations. Not all of us want that because these are often the worst areas anyway.”

(Asian male, under 35, low socio-economic group, medium discrimination)

“It’s always the same: White people get nice accommodation with a garden and they put the Black people in high rise flats. They think we don’t mind living in a mess.”

(Black male, over 35, high socio-economic group, high discrimination)

²¹ This quote comes from a respondent who is technically classified as “low” based on his response to the Citizenship Survey. However, in the interview situation, he would be more appropriately classified as a “medium” discrimination respondent, since he identified housing as one public service from which he expected racial discrimination. Such discrepancies between responses in the Citizenship Survey and the face-to-face interviews occurred with some frequency in the research. This is to be expected: some time had elapsed between the survey and the interviews, people’s views are not always consistent even within a short time span, different research methods were used, etc. Nevertheless, this explains why the content of some quotes does not seem to correspond with the level of expected discrimination stated in the identification of the respondents. We have noted in the report all the quotes which discussed expected discrimination from specific public services despite being produced by respondents classified as “low” discrimination based on their responses to the Citizenship Survey.

Other less frequent reasons for expected discrimination included the perception that minority ethnic people stayed on waiting lists longer and had to wait longer for repairs, and that housing services did not take hate crime seriously. Finally, some respondents who expected discrimination from council housing actually invoked reasons that did not pertain specifically to council housing. Instead, they discussed general dissatisfaction with such issues as refuse collection, public libraries, public transport, crime in the local area, etc.

Although housing services were generally expected to be fair, it is interesting that those who expected them to be unfair (even in the “low” and “medium” categories) generally did so on “structural” rather than personal grounds.

“The council staff are very polite and friendly, but it is their actions that clearly indicate racism. It is all hidden. It is in their mechanisms, how they deal with us.”

(Asian male, under 35, low socio-economic group, low discrimination)²²

5.6. Perceptions of change and awareness of policies and initiatives

While very few people could spell out exactly what had led to the positive changes they perceived in social housing, the dominant opinion was definitely that services were fairer. Improvements were noted in relation to allocation policies (with councils being seen as promoting more mixed communities and increasing applicants’ choice over their properties); the recruitment of minority ethnic housing officers; the level of investment in the housing stock; the management of hate crime; and the quality of customer services. None of these views were particularly fleshed out, but they amounted to a definite sense that housing services were getting better and fairer. The one issue that undermined all these perceived improvements was the view that refugees had priority over other applicants.

5.7. Distribution of opinions

Amongst respondents who expected housing services to be discriminatory, the analysis found no clear pattern in relation to ethnicity, sex, age, socio-economic group or region.

However, the analysis did find that slightly more Black respondents than Asian respondents expected housing services to be fair. Moreover, Black respondents who expected housing services to be fair tended to be in lower socio-economic groups (and had some personal, vicarious and community-based knowledge of housing services), while Asian respondents who expected housing services to be fair tended to be in higher socio-economic groups (and has less experience of housing services).

²² See footnote 21.

5.8. Summary of housing services

- Those with experience of social housing tend to expect that housing services will be poor but fair. Those without experience of social housing tend to assume that housing services are fair.
- The main reasons for expected fairness in housing services are:
 - perception of explicit and fair allocation policies
 - experience of good customer service
 - assumption that minority ethnic front line staff will not discriminate
- The main reasons for expected discrimination revolve around allocation policies:
 - perception that refugees are prioritised
 - perception that minority ethnic applicants get worse housing in worse areas
- The perceived prioritisation of refugees is the main driver of perceptions of discrimination and a key issue for “medium” and “low” discrimination respondents.
- Notwithstanding concerns over refugees, respondents tend to perceive improvements towards greater fairness in housing services.
- Amongst respondents who expect housing services to be discriminatory, the analysis shows no pattern in relation to ethnicity, sex, age, socio-economic group or region.

Chapter 6

Local doctors' surgeries

6.1. Introduction

Findings from the April–September 2007 Citizenship Survey showed that only 4 per cent of minority ethnic people expected that they would be discriminated against by a local doctor's surgery compared with 2 per cent of White people.

In total, 65 respondents chose to discuss local doctors' surgeries. The vast majority of those (57) expected to be treated fairly and only a small minority (8) expected to be discriminated against.

6.2. Awareness, experience and knowledge of local doctors' surgeries

Local doctors' surgeries are unique amongst the eight public services discussed in that all respondents were familiar with them and had had personal experiences with their doctors' surgeries.

6.3. Sources of knowledge

The views reported here are almost exclusively grounded in personal experience. There were almost no references to community-based knowledge, to media reports or to specialist knowledge in the discussions. There was no mention of the NHS service as a whole. The focus was plainly and squarely on the respondents' own experiences of their doctors. In fact, the discussions revolved almost exclusively around the nature of the interactions between patients and doctors, rather than on health inequalities more broadly. This may be related to the fact that this service was discussed first and foremost in terms of fairness, and often by people in the "low" and "medium" discrimination categories, whose understanding of discrimination is characterised by an emphasis on equal treatment in face-to-face interactions, rather than on structural issues.

6.4. Reasons for expected fairness

- **Overall satisfaction with local GP**

The vast majority of respondents asserted that they received excellent and entirely fair treatment from their GP. Almost invariably, respondents claimed that they had had “no problems at all” with their doctors and many described them as “perfect”, “fantastic” or “excellent”. This background of overall satisfaction partly accounts for the perception that local doctors’ surgeries are not only good but fair.

- **Absence of personal experiences of racial discrimination**

Many respondents reported that they never experienced racial discrimination from their doctors and were not aware that other people had. Given this absence of personal or vicarious experience of discrimination, they assumed that local doctors’ surgeries did not and would not discriminate.

“We’ve had lots of experience with our GP and we’ve had no problems at all. And it’s not just our GP. It’s the whole practice because we have seen other doctors and the treatment has been the same. And it’s not only me as well. I’ve got my father-in-law, who’s seventy-five, my husband, myself, my sister, her baby, my brother-in-law, my two daughters. We’ve never had any problems.”

(Asian female, over 35, high socio-economic group, low discrimination, low concentration)

- **Benevolent service**

Local doctors’ surgeries were seen as benevolent. Alongside housing, schools and, in some cases, the police and the probation service, they were described as services that are “there to help”. This led respondents to trust that their doctors would not do anything to harm them, including discriminate against them.

“Because it’s a caring profession and it’s more about looking after people’s health, they wouldn’t treat people unfairly.”

(Black male, under 35, high socio-economic group, medium discrimination)

- **Professionalism and medical training**

Local doctors were perceived as highly qualified professionals whose remit is to focus only on the biomedical needs of each individual. Therefore, respondents did not believe that there was any scope for discrimination from doctors. The vast majority argued that their health status alone determined the treatment they get.

"GPs just see you as the patient. You've got a headache, he's gonna give you paracetamol. Same for everyone."

(Asian male, under 35, high socio-economic group, high discrimination)

- **Personal relationship**

The trust people had in their doctors also stemmed from the fact that they had developed a personal relationship with them over time. As a result, they felt that they had acquired a distinct personality in the eyes of their doctors, which reduced the likelihood of them relying on stereotypes.

"A lot of GPs have known you from childhood. They have more of a relationship with you."

(Black female, under 35, low socio-economic group, high discrimination)

As mentioned above, the perceptions of doctors were almost entirely grounded in personal experiences. Very few respondents discussed health issues from a community-wide perspective. Only one Asian man referred to media reports of inequalities in health in his answer, but immediately dismissed their claims based on his personal experience.

- **Large number of minority ethnic doctors**

Many respondents identified the diverse ethnic make-up of local doctors' surgeries as a reason for their trust in their fairness. Staff diversity was interpreted both as evidence that the medical profession is not racist and as a guarantee that doctors would not discriminate against their patients.

"Because a high proportion of GPs are Asian, I would not expect to be discriminated against. They will look after you, your welfare, your medical health. They're not really going to have any other issues or pre-assumptions. If you don't speak English, you can still talk to them and they can relate to you and make you feel at ease."

(Asian male, under 35, high socio-economic group, high discrimination)

6.5. Reasons for expected discrimination

- **Perceived discrimination from Asian doctors towards Asian patients**

Some Asian respondents (all of lower socio-economic backgrounds) felt that Asian doctors were likely to discriminate against them. Based on their own personal experiences, these Asian respondents complained that Asian doctors did not listen

to their Asian patients, did not take their complaints seriously, "patronised" them and unduly intruded in their personal life. This was attributed to a range of factors, including: a feeling of "arrogance" and a "superiority complex" amongst Asian doctors; possible differences in the professional culture of those who trained abroad and in the UK; possible discrimination towards Muslim patients by non-Muslim Asian doctors; the belief amongst Asian doctors that they can treat Asian patients poorly with impunity since patients will not complain against them; and the view that Asian doctors are more likely to work in deprived areas and to be overworked and under-resourced as a result.

"GPs are a funny one because I think it's the other way round: Asian doctors don't listen to you very well. You get out of the surgery faster. They don't listen enough. They think they know everything really. I think it's because older Asian GPs, they're not trained in this country, they're trained abroad. I think they know Asians won't complain. They would put up with it."

(Asian male, under 35, low socio-economic group, medium discrimination)

"I have a doctor, he's a White man and he's a brilliant doctor. But a couple of weeks ago, I went to get the pill off my doctor and I had this Asian woman and she was so patronising and so rude. She looked at me like: 'Well, are you having sex?' Because she's an Indian woman and I'm an Indian girl so she thinks...She goes: 'Well, I'll give you one month's worth and you can come back with your mother.' And I said to her: 'I'm nearly 21 years old. My mother has no influence over that. You have no right to do that'."

(Asian female, under 35, low socio-economic group, high discrimination)

As one respondent explained, having Asian doctors may be more important for older people who cannot communicate in English and who are more at ease with people from their own community, but less relevant for those who are born and brought up in the UK and who are competent to negotiate the health care system.

"People make an assumption that if you are Asian you will feel more comfortable with an Asian doctor. My parents probably feel more comfortable because they're of a different generation, but I don't feel comfortable at all because they automatically have their own stereotypes."

(Asian female, over 35, high socio-economic group, high discrimination)

Asian respondents who had experienced discrimination from Asian doctors generalised from this experience to other Asian doctors. By contrast, the two Black respondents who had experienced racial discrimination from individual GPs were

keen to emphasise that these isolated incidents were not representative of GP services in general. Thus, they made no inferences about fairness in local doctors' surgeries based on personal experiences of discrimination with individual doctors.

Finally, a very small minority (four "high discrimination", higher socio-economic group respondents of various ethnic groups and sex) mentioned reasons for expected discrimination that were not based on personal experiences of face-to-face interactions with GPs, but derived from formal knowledge (gleaned mainly from the media and from professional training and experiences). These were all instances of potential structural discrimination: difficulties in registering with local doctors' surgeries for asylum seekers, refugees and new migrants; concerns that those who do not speak English may get worse services, especially amongst the new communities where specialist provisions are not yet established; knowledge of ethnic inequalities in health; and the view that the NHS lacks targeted health education and health promotion for minority ethnic communities.

6.6. Perceptions of change and awareness of policies and initiatives

No one in the sample perceived any significant change in local doctors' surgeries with respect to fairness or discrimination. Respondents had always been satisfied with this service and always felt it was fair. There was a sense that local surgeries were over-stretched, but this was not specifically related to fairness. No one mentioned any policy or initiative that had contributed to reduce discrimination amongst local doctors' surgeries.

6.7. Distribution of opinions

Amongst the small minority of respondents who expected discrimination from their local doctors' surgeries, six were Asian and two were Black. All the Asian respondents were from lower socio-economic groups. Not a single "high discrimination" Black respondent identified local doctors' surgeries as being discriminatory, despite this group having the most acute sensitivity to racial discrimination of all categories of respondents. On the contrary, many discussed at length why they felt their doctors' surgeries were fair.

Amongst the large majority of respondents who expected fairness from their local doctors' surgeries, the analysis found no clear pattern in relation to ethnicity, sex, age or region. However, we found that people from higher socio-economic groups were slightly more likely to perceive their doctors to be fair than those of lower socio-economic groups. This pattern was more pronounced amongst Asians than amongst Black respondents.

6.8. Summary of local doctors' surgeries

- Everyone in the sample had direct experience of local doctors' surgeries.
- Perceptions of fairness or discrimination in local doctors' surgeries are almost entirely based on personal experiences (ie treatment in face-to-face interactions with doctors).
- Local doctors' surgeries are overwhelmingly perceived to be fair.
- The main reasons for expected fairness from local doctors' surgeries are:
 - patients' overall satisfaction with their doctors
 - the absence of personal experience of overt discrimination
 - the view that doctors offer a benevolent service
 - confidence in doctors' professionalism and medical training
 - the fact that patients develop a personal relationship with their doctor
 - the perception that minority ethnic doctors will not discriminate
- Only a small minority think that local doctors' surgeries can be discriminatory, based on their own negative experiences. The main reason for expected discrimination is the personal experience of discriminatory treatment from GPs, mainly amongst Asian patients from lower socio-economic groups, from their Asian GPs.

Chapter 7

Local schools

7.1. Introduction

According to the April–September 2007 Citizenship Survey, few people from minority ethnic groups (6%) expected local schools to treat them worse than people of other races. However, there were differences between minority ethnic communities, with Black people (9%) being much more likely to expect to be discriminated against than Asian people (4%).

Local schools were the second most commonly discussed public service, after the police: 74 respondents discussed local schools, of whom 53 expected to be treated fairly and 21 expected to be discriminated against. Amongst those who expected discrimination, 15 were Black and 6 were Asian.

7.2. Awareness, experience and knowledge of local schools

All research participants were familiar with state schools and many had either been educated in the UK themselves and/or had children who had. The level of experiential knowledge about this service was high. Many respondents drew on this personal or vicarious experience in deciding whether local schools were fair or discriminatory.

7.3. Sources of knowledge

Perceptions of discrimination or fairness in schools were predominantly based on personal experiences as former pupils, or vicarious experiences as parents of children who are currently in schools. Many of the personal experiences of discrimination were recounted by older respondents (mostly Caribbean men) in relation to their own childhood experiences. While these adults stated that they expected schools to discriminate against them, in fact their discussions often revealed that they believed schools had much improved and were now unlikely to treat minority ethnic pupils unfairly. Many of the personal and vicarious experiences were also recent. This was the case amongst young Caribbean women, who talked about their relatively recent personal experiences in schools and about the ongoing issues faced by their own children. There was also a group of Asian parents who perceived ongoing discrimination in schools through the vicarious experiences of their children. The

media contributed relatively little to people's perceptions of discrimination or fairness in schools, except to the extent that they reinforced existing perceptions, in the Black communities, of underachievement amongst young Black men. The only other mention of the media was in relation to the case of the young Muslim girl who wanted to wear a full-length jilbab in school but was not allowed to do so. This, however, was not found to be an important issue in the sample.

7.4. Reasons for expected fairness

Along with council housing services, local doctors' surgeries and, in some instances, the police and the probation service, local schools are perceived as benevolent organisations. Many respondents (especially from lower socio-economic group) simply assumed that schools would not discriminate against any pupil. This basic trust was bolstered by the absence of personal or vicarious experience of discrimination and by positive experiences of schools, especially in Asian communities.

The majority of respondents had a thoughtful approach to schools, largely informed by personal and vicarious experiences. They could identify many different reasons why schools would treat them (their children, their community and most people from minority ethnic backgrounds) fairly.

- **Fair admissions criteria and procedures**

One such reason was confidence in admissions procedures. People trusted that admissions were based exclusively on catchment areas and the "siblings rule", rather than on other arbitrary or elitist selection criteria which could potentially exclude them. They perceived admissions procedures to be fair to the extent that they treated everyone the same within a local education authority. No one commented on the fact, for instance, that catchment areas of good schools would favour those who can afford to live in these areas and can therefore have a detrimental impact on minority ethnic people, since they are less likely to be able to afford to live in such areas.

"I don't see how they can discriminate to be honest with you. People apply and they get in. It's purely on postcode and formal criteria."

(Black female, under 35, low socio-economic group, low discrimination)

- **High numbers of pupils from minority ethnic backgrounds**

Respondents commonly assumed that schools would not discriminate if a significant proportion of the student body came from minority ethnic backgrounds. The mere presence of minority ethnic pupils was taken as indicative that schools were fair, even when schools were known to be underperforming and where there was no sign of interactions with other minority or majority ethnic groups.

“Because there are so many people from ethnic minorities, it’s unlikely to be any discrimination. My local school was 100 per cent Bengali. There wasn’t a single White person in my school. How could they discriminate?”

(Asian male, under 35, low socio-economic group, medium discrimination)

- **Good management of racist incidents**

Many respondents commented on the fact that schools now had behaviour management and anti-racism policies in place to deal with cases of racial harassment and bullying. They were confident that their children’s schools adopted a zero-tolerance approach to racial discrimination and that any incident would be managed fairly and sensitively. In some cases, these views were based on the parents’ perceptions that their children’s school had a great ethos in general and that racial discrimination (either from other pupils or from staff) would not be tolerated. In other cases, parents had put school policies to the test and found that teachers and Heads had handled their complaints satisfactorily.

“Schools are better now. They seem to deal with things like bullying better than in our days. The system is a lot better. They get parents involved, try to work out what is going on. At my infant school, they won’t tolerate racism at all.”

(Black male, over 35, low socio-economic group, low discrimination, low concentration)

- **A multicultural approach to education**

Many respondents discussed the fact that the entire curriculum now reflects the ethnic and religious diversity found in contemporary British society. This was seen as a fundamental change which cut across all aspects of school life and contributed to making schools “welcoming for everyone”. Examples of this more diverse approach included the teaching of various religions, some “Black history month” projects, multicultural “home corners” in classrooms, the inclusion of minority ethnic dishes on canteen menus and the fact that books were chosen to appeal to children of various backgrounds.

- **Dedicated support for children with English as an additional language**

The provision of dedicated support to enable children who are not fluent in English to gain full access to the curriculum and to integrate as much as possible in school life and in wider society was seen as an extremely positive step by many, especially in the Asian communities and amongst Black African respondents.

“Now they have special classes for people who can't read English and, as far as I can see, local schools do everything they possibly can to get these people fitting into local society.”

(Asian male, over 35, high socio-economic group, low discrimination)

- **Parental and community involvement in education and governance**

There is a widespread view that schools were working in much closer partnerships with parents to ensure that children from all backgrounds achieved their potential. Examples included parental and community involvement in school governance (through participation in governing bodies), parent-teacher associations, parent consultation evenings, the involvement of parents as helpers in classrooms and good communications with the school. All these structures and processes helped to ensure that schools were more representative of the communities they serve. A small number of respondents had taken up these opportunities to get involved in school life. The others were simply happy that they could do it (ie that equal opportunities were in place), even if they had not got involved.

7.5. Reasons for expected discrimination

Despite the dominant view that most local schools do not discriminate, a significant number of respondents believed that schools did discriminate. The reasons for expectations of racial discrimination in schools differed between Black and Asian people. Amongst Black people, there was a clear split: the majority of those who expected discrimination in local schools were young Caribbean women of lower socio-economic groups. Some of them recalled their own relatively recent experiences of being ignored, derided, bullied or harassed in schools. Others recounted the experiences of their children of school age and the failure of expectations they felt existed in relation to young Black pupils. A few also drew on formal knowledge and media reports of under-achievement and school exclusions amongst young Black pupils. Older Caribbean men tended to discuss how they had been railroaded in manual jobs and sports when they were young, but generally felt that the situation had improved for young Black men. Amongst Asian people, the main reason for expected discrimination was bullying in schools. It was nearly always parents of school age children who commented on this issue.

- **Mismanagement of racist and/or religious incidents**

This was the most common reason for expected discrimination from schools. It was discussed by all categories of respondents, both in relation to themselves or to their children, and in the past and the present tense. Four Asian parents reported that they had taken their children out of school following incidents of racist or Islamophobic bullying.

“My daughter was called a nigger by one of the children and I went to see the Head about it and she just brushed it off. She said: “It’s just one of those things, you know, your child *is* Black.”

(Black female, under 35, low socio-economic group, low discrimination)²³

“We have had bad experience with the school. Our son was racially bullied by other students. We went there so many times to speak to the teacher and head teacher but they didn’t take our complaint seriously and made no effort to address the problem. They were taking the side of the White student. We got so fed up that we withdrew our son from the school and put him in a private school.”

(Asian male, over 35, high socio-economic group, medium discrimination)

- **Lower expectations from Black pupils**

Many Black respondents discussed at length and with passion the lower expectations schools (used to) have of young Black boys. Many recounted personal or vicarious experiences of being channelled in non-academic streams (eg sports, drama or music, being advised to find manual jobs), or told that they could not be admitted in “academic” schools, regardless of their ability. They also knew that this experience was shared by many other Black people, based on both informal knowledge and media reports. This reflected their social identification as Black people and their sense of belonging to a wider community.

“I remember going to a careers officer who came to visit the school and all the Black guys we all came out and said: ‘What did he say to you?’ ‘He said you should go and get a job at Ford’s, become a mechanic and get a job at Ford’s.’ He said that to every Black guy and after a while it was just a joke. No aspirations, no proper look at the person, the individual in front of them.”

(Black male, over 35, high socio-economic group, high discrimination)

“I went to try and register my son in this school and the headmaster looked at me and told me plain: “This is a very academic school.” In other words, it is not for my child. She’s never met the child. She doesn’t know what his ability is. But, straight off, because he is Black, he has got no hope of being academic. And there have been a lot of other experiences from other people with schools, same kind of thing.”

(Black female, over 35, low socio-economic group, high discrimination, low concentration)

²³ See footnote 21.

However, there was also a clear sense that the situation in local schools had changed. In fact, many of these discussions were used to show the progress schools had made towards Black pupils. This explains why many Black men and women in the sample felt that schools were now fair.

- **Disproportionate exclusion and detention of Black pupils**

There were also strong views that Black pupils (especially boys) were much more likely to be held in detention or altogether excluded from schools than their White counterparts. This was partly attributed to the children's own difficult behaviour, and partly to the schools' inadequate handling of "disruptive" young Black pupils.

"The Black boys who are acting up, most of them are very intelligent but because of the way they're treated, because of what's going on at home, the teachers might not recognise them, they just put them down as disruptive and teachers don't want to deal with them. And then the quick way is to just exclude them."

(Black female, under 35, high socio-economic group, medium discrimination)

7.6. Perceptions of change and awareness of policies and initiatives

Almost everyone who discussed local schools (irrespective of whether they expected discrimination or fairness from them) felt that schools had improved considerably. Respondents could discuss in some detail a broad range of different and significant improvements. There was a good awareness of central government, local authority and school policies and initiatives. In other words, many had a good understanding of the structures that are necessary to promote fairness in the context of schools. This was reflected in the reasons for expected fairness discussed above.

7.7. Distribution of opinions

Amongst the respondents who expected discrimination from local schools, the analysis identified two sub-groups: 1) young Black Caribbean women (who discussed both their own and their children's experiences), and 2) Asian parents (who discussed their children's experiences). Older Caribbean men also discussed at length their personal experiences of discrimination as they were being educated, but they used these experiences to show how schools had become fairer.

Amongst the respondents who expected fairness from local schools, the analysis found that slightly more Asian than Black respondents expected schools to be fair. No other pattern in relation to ethnic sub-groups, sex, age, socio-economic group or region emerged.

7.8. Summary of local schools

- Many respondents had direct and/or vicarious experiences of local schools.
- Perceptions of fairness or discrimination in local schools are predominantly based on experience, with the media serving to reinforce existing views about underachievement and social exclusion amongst young Black boys in particular.
- The main reasons for expected fairness from local schools are:
 - trust in admissions criteria and procedures
 - the perception that high numbers of minority ethnic pupils guarantee fairness
 - the view that most schools now manage racist incidents sensitively
 - the view that the curriculum has become more multicultural
 - knowledge that schools offer support to children with EAL needs
 - knowledge that parents and the wider community can get involved in their children’s education and in school governance
- The main reasons for expected discrimination from local schools are:
 - the experience of mismanagement of racist and/or religious bullying in schools
 - the view that schools have lower expectations of Black pupils
 - knowledge of higher rates of detention and school exclusions amongst Black pupils
- The most important driver of perceptions of discrimination is the mismanagement of racist incidents and/or religious bullying. This is an issue amongst “medium” and “low” discrimination respondents.
- Two groups are most likely to think that schools are unfair: young Black Caribbean women and Asian parents.
- Schools are generally thought to have become much fairer.

Chapter 8

The Police Service

8.1. Introduction

According to the April–September 2007 Citizenship Survey, 37 per cent of Black people thought that they would be treated worse than people of other races by the police, compared with 16 per cent of Asian people and 5 per cent of White people. There was a significant decrease since 2001 in the proportion of minority ethnic people who expected to be treated worse by the police.

The police was the most commonly discussed of all services: 98 respondents chose to discuss the police, of whom 57 expected that the police would discriminate against them, and 41 expected that they would treat them fairly. 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.

8.2. Awareness, experience and knowledge of the police

All respondents were familiar with the police and the vast majority had had some experience of this service. Experiences included merely seeing police officers on the beat, attending community policing events and consultation, contacting the police for help, reporting crime, being stopped, being searched, and being verbally and physically abused 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. Asian respondents, by contrast, seemed to have enjoyed a better relationship with the police, but now felt targeted and discriminated against. This was most strongly felt by Pakistanis, but Bangladeshi and Indian respondents also shared this view.

8.3. Sources of knowledge

All possible sources of knowledge were invoked in relation to the police service: personal and vicarious experiences (as ordinary citizens, victims of crime, perpetrators of crime and professionals in contact with the police), community-based knowledge (“you hear stories”), formal knowledge and, to an unparalleled degree in this study, knowledge derived from the media. As a result of the wide range of sources of knowledge, the discourses gathered about the police were the richest and most sophisticated of all the public services.

Knowledge derived from personal experiences was usually associated with expectations of fairness when respondents positioned themselves as victims of crime and when they had initiated contact with the police themselves. By contrast, it was nearly always associated with expectations of discrimination when respondents positioned themselves as ordinary citizens who were approached by the police and treated as potential criminals.

“If you’re in a situation where you need police, you’ll see how helpful they can be. But if you’re in a situation where you don’t need them and they’re just coming after you, that’s where you’ve got to be careful.

(Black male, under 35, low socio-economic group, medium discrimination)

Community-based knowledge, formal knowledge and knowledge derived from the media were generally associated with expectations of discrimination. Those who relied significantly on these sources of knowledge were more likely to think that the police was “institutionally racist”. Those who relied predominantly on personal experiences (except in the context of stop and search procedures) were more likely to think that the police included racist officers but was not institutionally racist.

A few high-profile cases significantly contributed to shaping perceptions of the police as institutionally racist. The Stephen Lawrence Inquiry²⁴ was the most influential of all, especially in the Black communities.

²⁴ Black teenager Stephen Lawrence was murdered in London in 1993. Sir William Macpherson led an inquiry into the failed police investigation of the murder and into minority ethnic communities’ trust in policing. The report concluded that institutional racism existed both in the Metropolitan Police Service and in the police service more widely. The Home Secretary published an action plan for implementing the wide-ranging recommendations of the Inquiry in 1999. A Home Office evaluation of the impact of the Inquiry found there had been some substantial changes in policing, including the general excision of racist language, improvements in how hate crime is dealt with and community consultation. However, improvements were not uniformly visible across all forces and further work is needed to deal with more systemic issues (Foster *et al* (2005), *Assessing the impact of the Stephen Lawrence Inquiry*, Home Office Research Study 294, Home Office).

"[The Stephen Lawrence Inquiry] has created quite a bad impression to the point where I think that's where a lot of my conversation has come from. I don't actually know them. I know a couple of policemen and I know they're fair, but because of that, I still think the police service is racist. But that's a shame because on the whole, they do a lot of good stuff, everybody knows that, but these bad things get highlighted and the perception of the good stuff is completely undermined by the perception that they're institutionally racist. And because of that, I'm worried that I would be treated wrong."

(Black male, over 35, high socio-economic group, high discrimination, low concentration)

Other high-profile cases drove perceptions of racial discrimination in the police. These included the shooting of suspected "terrorist" Brazilian Jean-Charles de Menezes; a BBC undercover television reportage entitled "The Secret Policeman"²⁵; the case of Christopher Alder²⁶ who died in police custody; and the case of Sikh Sergeant Gurpal Viridi²⁷.

"That guy [Jean-Charles de Menezes] that was killed at the train station, he did not do anything, he wasn't with a bomb or anything, but the police shot him and that, I think, has created a lot of confusion between we, the civilians, and the police. So I think that too has caused a lot of grievances."

(Black female, over 35, high socio-economic group, low discrimination)²⁸

"Everyone has seen the undercover programme [The Secret Policeman]. You could just see these thugs. You know it's real. Everything is recorded. You get scared. That was enough to get a picture of the situation in there."

(Asian male, under 35, high socio-economic group, medium discrimination)

"They are more accountable for what happens to people in their protection but again, there was a young Black man [Christopher Alder] who died on the floor, who was choking and there was a film of the policeman standing. He was literally dying on the floor, with his trousers down, really undignified, and he died. He choked and someone was making a joke about what was happening. We are still getting deaths in custody."

(Black male, over 35, high socio-economic group, high discrimination)

²⁵ This programme was shown in 2003. It exposed racism in the Greater Manchester and the North Wales police forces. It showed police officers displaying blatant racism, both in their language and in interactions with the public. The programme demonstrated that the policies implemented after the Lawrence Inquiry to combat racism were failing and mainly drove racism underground.

²⁶ Christopher Alder died in police custody in Hull in 1998. In 2006, the Independent Police Complaints Commission published a report of the review of the events leading up to his arrest. It found that the four officers who were present at Christopher Alder's death did not assault him. However, it found that they were guilty of the most serious neglect of duty, largely due to racist assumptions. It also found significant flaws in the investigations and disciplinary proceedings which followed his death. (*Review of events leading to the death of Christopher Alder*, Independent Police Complaints Commission, 2006)

²⁷ Gurpal Viridi, a police sergeant in the Metropolitan Police Service, was arrested in 1998 for distributing racist hate mail within the police service. Sgt Viridi had received the mail himself. Although the CPS did not press charges, the MPS dismissed him. An Employment Tribunal subsequently found in 2000 that he had been discriminated against on the grounds of his race and awarded him £125,000 in damages.

²⁸ See footnote 21.

“Black and Asian people who have joined the police force are finding the experience difficult having to deal with racism. There was a case of the Sikh policeman [Sergeant Viridi] who’s just taken his department to court again because of racism. They tried to say that he was sending race hate emails and because he was questioning what was going on, the police station it all got turned back on him and he had to take the Federation to court and he won and he’s back at work now. Nothing’s changed.”

(Black male, over 35, high socio-economic group, high discrimination)

Despite being aware of many of these cases, many respondents argued that the police force as a whole was not racist, but that it contained a few “bad apples”, “rogue elements”, “bigots” and “thugs”. They bracketed out these incidents and maintained their basic confidence in the police.

“It’s not the police service. It’s the individuals they employ.”

(Asian female, under 35, high socio-economic group,
medium discrimination, low concentration)

In the “medium” and “low” discrimination categories, some of the incidents described above were not seen as cases of racial discrimination at all. Instead, they were perceived as cases depicting the difficulties inherent in police work or as simple “mistakes”.

“I don’t think they’re racist. They’re just trying to do a difficult job in difficult circumstances as best they can.”

(Black female, under 35, high socio-economic group, low discrimination)

“I’ve seen in the TV one man [Christopher Alder] who was in the station, but in my view they didn’t think he was sick. He died in the office. They should have to be careful but they made a mistake. They make a mistake. Maybe they didn’t think it was serious.”

(Asian female, over 35, low socio-economic group, medium discrimination)

8.4. Reasons for expected fairness

- **Basic trust: “The police are there to protect us”**

An important reason why some people expected to be treated fairly by the police was their basic confidence that the police service is there to protect them. For them the police was a benevolent service working to guarantee the safety of the wider community.

“The police is there to keep law and order. If you are Black, if you are White, the police have to help you. I don't mind what people say that they are racist. The police is there to help everybody.”

(Black female, under 35, low socio-economic group, medium discrimination)

This framing of the role of the police was most common amongst Black Africans and amongst older Asians who were either of lower socio-economic backgrounds and lived in large urban areas, or of higher socio-economic backgrounds and lived in areas of low minority ethnic concentration. It was also characteristic of many people in the “low” and “medium” discrimination categories who positioned themselves as “law-abiding citizens” who would not “get into trouble” with the police and, therefore, expected that they would be treated fairly.

“As an upstanding citizen of the community, I would like to think that I would be treated fairly.”

(Black male, under 35, high socio-economic group, low discrimination)

“I would never put myself in a situation where the police would have to deal with me. That's why I don't think they would discriminate against me.”

(Asian female, under 35, high socio-economic group, low discrimination)

This reflected a worldview in which people are thought to “get what they deserve”. From this perspective, respondents disputed claims of racial discrimination in the police. They explained that criminal behaviours within their communities were responsible for the “mistaken” view that minority ethnic groups are unfairly targeted.

- **Stop and search is seen as necessary to guarantee public safety**

Many respondents (especially in the “medium” and “low” discrimination categories) believed that stopping and searching based on ethnic profiles was necessary to ensure public safety.

“I've got a friend who's got stopped five times by the police at the train station. He's Iraqi. He has to carry a bag to school, large text books. There's nothing no one can do about it. At the end of the day, they're doing it for the greater good, isn't it? They have to target people that are most likely to be terrorists and that would be Asian people. When I'm going on the train, I want to feel safe, so you have to put up with that.”

(Asian male, under 35, low socio-economic group, medium discrimination)

“There are plenty of Asian men who are dodgy, who are doing wrong things. You can’t label the police as racist because they are dealing with them.”

(Asian female, over 35, high socio-economic group, low discrimination, low concentration)

“There are a few decent Black guys who are working hard but there are loads that aren’t. It’s only a minority of Black guys that are actually doing something for themselves. If they get involved in crime, they should live with the consequences. That’s not being racist, it’s just being honest.”

(Black female, under 35, high socio-economic group, low discrimination)

Thus, many did not object to stop and search procedures. They only wanted reassurance that officers would deal with people politely and courteously as they carried out their duty.

- **Positive experiences as victims of crime**

Expectations of fairness from the police largely derived from positive personal experiences of the police, usually when victims reported crimes (eg stolen property, burglaries, domestic violence, stalking). Across all categories of respondents, there were some people who commented that they had been treated “fairly”, “professionally” and “courteously” by the police. They described the service as “quick, superb, helpful, thoughtful, nice, very good, absolutely fine, soft, approachable” and so on.

“I got my handbag stolen a few years ago. I never got my handbag and all my valuables but they [the police officers] were good. I found that they were prompt and courteous. I found that they listened. I had their assurance that they would look into the matter. Their advice and their suggestions were sound. I was reassured that if I needed to contact them I could. I was given the numbers. I was given a victim support leaflet. It was very good, very thoughtful. There was a softness, a human touch. It wasn’t just like they had a format to follow.”

(Black female, over 35, high socio-economic group, low discrimination)

“I feel safe with them because they helped me. They give you a woman to talk to and then they take you to counselling, and they went with me to the courts. They picked me up and then we went to the courts and they paid money for the person to take care of the children. This [White] police lady, she was very nice, she was like a sister.”

(Black female, under 35, low socio-economic group, medium discrimination)

- **Absence of personal experiences of racial discrimination**

As with all the other services, some respondents in the “medium” and “low” discrimination categories discussed their expectations of fairness or discrimination from the police solely through the prism of their own experiences. In the absence of any personal experience of discrimination, they expected that the police would treat them fairly. This self-referential knowledge was used to invalidate the claims of racial discrimination in the police reported in the media.

“We hear about all this discrimination from the papers and the television but we’ve had no bad experience so I can’t say that they would be racist towards me at all.”

(Asian female, over 35, high socio-economic group, low discrimination)

“You can only judge based on your own experience and the police round here are okay.”

(Black male, over 35, low socio-economic group, low discrimination, low concentration)

These were often respondents for whom ethnicity or religion, as a general rule, did not have any strong political meanings.

- **Greater number of minority ethnic officers**

Except for a small number of Black respondents in the “high” discrimination category who had a strong and unshakable distrust of the police, most respondents interpreted the presence of more police officers from minority ethnic backgrounds as a sign that the police would treat them fairly.

“You see everywhere the fact that they are trying to bring ethnic people. I see lots of different police people. That’s why I don’t think that they discriminate.”

(Asian male, under 35, high socio-economic group, medium discrimination)

In fact, the presence of more minority ethnic officers on the streets was the single most important factor underpinning people’s perceptions that the police service had improved and become less racist.

8.5. Reasons for expected discrimination

- **Basic distrust of the police**

Respondents in the “high” and “medium” discrimination categories, especially in the Black Caribbean community, were likely to see the police as the repressive, law-enforcing arm of the State.

“The police, it’s not a friendliness they bring with them. It’s a brutality, an enforcement. They like to intimidate you.”

(Black female, under 35, high socio-economic group, high discrimination)

“When you look at the reality, the police aren’t there for myself. They’re there to protect the power of the Government.”

(Black male, under 35, low socio-economic group, high discrimination)

The police were often seen as exacerbating, rather than solving, problems within the Black community. Many believed that they would be better off left to their own device.

“For the Black community, instead of being there to police the area, they become antagonistic and they stir up trouble rather than to prevent trouble. So instead of being seen positively, they are seen in negative terms.”

(Black male, over 35, high socio-economic group, high discrimination)

“There is almost like an unwritten law in the Black community which is: ‘Anything happens, you don’t call the police. You take care of it yourself because the police ain’t gonna help you. They’re gonna make matters worse, they’re gonna mess it up for you’.”

(Black female, under 35, high socio-economic group, high discrimination)

The above quotes indicate that perceptions of the police were rooted in the common experiences of Black people as a whole. It is as representatives of the Black community, and as heirs to a history of confrontational relations between the police and Black people, that many Black respondents stated that they would expect discrimination from the police. While respondents very rarely referred to specific events or procedures in the distant past (eg the Brixton riots, SUS laws, etc), these nevertheless contributed to the diffused but potent distrust many continued to feel towards the police.

"It's historical things. Black people's perceptions are based on the historical relationship between Black people and the police and also things that are still going on."

(Black female, over 35, high socio-economic group, high discrimination)

In the main, Asian people had not developed a similar consciousness and politicisation around racial discrimination. However, a similar distrust of the police was emerging in the Asian community, especially amongst Muslims.

"Nowadays it's just getting worse. There's racism and that's written on the walls, especially since the bombings happened. They tend to blame the Asians."

(Asian female, under 35, low socio-economic group, medium discrimination)

Perceptions of racial discrimination were sometimes more negative because of the very *high* expectations respondents had of the police. Because the police are invested with a high degree of power and authority, because they are the entry point to the entire Criminal Justice System, and because police officers are role models, they cannot be allowed to discriminate at all.

"You cannot afford to have a bad police officer. It's such an essential service. It's one of the cornerstones of society, a working, functioning, trustworthy police service. Having 80 per cent of the police not racist isn't good enough, because that 20 per cent can do a lot of damage. They have a big impact on people's lives. They can change someone's life instantly and forever if they get things wrong."

(Asian male, under 35, high socio-economic group, high discrimination)

"Being a police officer is a very responsible job. You're not only doing a job so you prevent crime, you're meant to be a role model. They should be setting an example of how to behave."

(Asian male, under 35, high socio-economic group, medium discrimination)

- **Disproportionate rates of stop and searches amongst minority ethnic people**

One aspect of community policing drove perceptions of discrimination more than any other: the disproportionate use of stop and searches involving minority ethnic people. While many factors may account for the higher rates of stop and searches in the minority ethnic communities, most respondents interpreted the high levels of stop and search as a symptom of racial stereotyping and of personal and/or institutional discrimination. There was near universal awareness that young Black and Asian men were disproportionately stopped and searched. This awareness was based on a combination of personal and vicarious experiences, and of formal and

informal knowledge gleaned from their community and from the media. While some people saw these procedures as a necessary part of community policing (as described above), many objected to them. Black men were the most likely to have personally experienced stop and search and to distrust the police as a result.

“There’s not a Black boy that’s not been stopped.”

(Black male, under 35, low socio-economic group, medium discrimination)

In the sample, there were 25 detailed descriptions of personal experiences of stop and search. Examples described a range of situations. Sometimes, the police were looking for a Black suspect and the respondents were arrested because they happened to be in the area. Sometimes, the police were making assumptions that, as Black or Asian people, they should not have been in certain areas or driving a luxury car. Sometimes, the police deliberately harassed them or sought to aggravate the situation in a way that seemed motivated by racism. Sometimes, the police verbally and physically abused people as they were stopping and searching them. One person even described how the police sought to criminalise young Black men by planting evidence. Examples are too numerous to recount, but a sample will illustrate the issues summarised above.

“I was walking with a mate on Bishops Avenue in Hampstead. It was a quiet day, two Black men with locks were walking down the road having a quiet conversation. About 15 minutes into the walk, a police car just pulled up and two police officers jumped out and they stopped us. They’d had reports of two people acting suspiciously. Basically, local people didn’t want us in that neighbourhood and the police were quite willing to enforce that.”

(Black male, over 35, high socio-economic group, high discrimination)

“Me and a few of my friends were stopped on the high road by police. And we were being very polite and everything, communicating, cooperating and everything, and they ended up calling us Black bastards.”

(Black male, under 35, low socio-economic group, medium discrimination)

“I’ve had guns at my head. Some police mistook me for an armed robber. I’m trying to tell them my name, they tell me to shut up. I show them my driving license, they say you don’t look old enough. They had to phone my wife to describe who I am.”

(Black male, over 35, low socio-economic group, medium discrimination)

"I was driving and the police stopped me. Usually they come out of the car straightaway and they come up to you, but this policeman was sitting in the car for a minute. So then I took my seat belt off to get out and see if he wanted to speak to me or not. As I took my seat belt off he came up to the window and said: 'Do you know what I've stopped you for? You wasn't wearing a seatbelt'. He just wanted to do me for that, for anything."

(Asian male, under 35, low socio-economic group, medium discrimination)

"I've been stopped and the bizzie [North West slang for police] put his hands in his pockets and said: 'Do you want to be arrested for a knife or do you want to be arrested for a bag of cannabis?' he said. 'Pick one'. I knew exactly what he meant. I just picked the knife and he said: 'You are arrested for an offensive weapon. I was charged with an offensive weapon. The magistrates got me a £75 fine. That's on me mothers' life."

(Black male, over 35, low socio-economic group, medium discrimination, low concentration)

In addition, there were 12 detailed descriptions of vicarious experiences of stop and search procedures, mainly amongst Black respondents but also, in the more recent past, amongst Asians.

- **Greater number of minority ethnic deaths in custody**

Another important driver of perceptions of racial discrimination in the police was the view that people from minority ethnic backgrounds were more likely to die (or to be otherwise mistreated) while in police custody. The case of Christopher Alder, with its infamous CCTV footage, was reinforcing existing views based on informal and formal knowledge.

"Black people are still dying in police stations. I bought *The Voice* last week and there was this woman saying she wants justice for her brother who has been killed in the police station. I know for a fact, from my own studies, that there have been quite a few Black people who have died in police stations and there have never been enquiries and there's never been a policeman prosecuted for that and you've got to ask yourself why? Why is there this different treatment? If it was a middle class White person, would that be the same?"

(Black female, over 35, high socio-economic group, high discrimination)

- **Perceived unwillingness to deal with crimes against minority ethnic people**

There was also a perception that the police committed fewer resources to solving crimes affecting ethnic minority communities. The police were accused of "complacency" and "double standards", of "doing nothing" or responding more slowly. Some respondents felt that "Black on Black" crime, in particular, was allowed to continue unhindered.

“Two kids I know got shot dead and the police ain’t doing nothing about it, cos as far they’re concerned, it’s Black on Black. I don’t care that it’s Black on Black, they’re supposed to stop the crime. That’s what we’re paying our taxes for, for them to sort it out, and it’s not happening.”

(Black male, over 35, low socio-economic group, medium discrimination)

“Police don’t bother about us and don’t come when we call them. We have telephoned them few times when we had problems outside the house but they didn’t bother to turn up.”

(Asian male, over 35, high socio-economic group, medium discrimination)

- **Poor retention of minority ethnic staff**

Expectations of discrimination from the police were also fuelled by a perception that, despite enormous attempts to recruit more officers from the minority ethnic communities, the police force did not succeed in retaining these staff. Many discussed how institutional and personal racism were forcing minority ethnic people out of the police service. Again, the case of Sergeant Viridi reinforced views that were gleaned from all sources of knowledge except personal experience.

“I’ve heard a lot of stories within the police force because my brother worked in London, Scotland Yard. He actually had to get counselling for it, because he had a lot of abuse. He’s changed his job now.”

(Asian female, under 35, low socio-economic group, medium discrimination)

“I’ve known five or six Black people that have gone into the police force that have left so quickly because racism was so high.”

(Black male, over 35, high socio-economic group, medium discrimination)

“They try to recruit more ethnic minorities but what’s the point? Statistics show that the majority of them leave anyway because of the abuse from their colleagues.”

(Asian female, under 35, low socio-economic group, high discrimination)

- **Perceived lack of accountability**

All of the above reasons for expectations of discrimination from the police were magnified because respondents felt that the police lacked accountability. Despite recognition of the many “good things” the police had been doing to improve fairness, without any confidence in the possibility of redress in cases of wrongdoings, confidence remained low.

"They're a law unto themselves, aren't they? They ain't got no one to answer to so they can do whatever they want."

(Black male, over 35, low socio-economic group, medium discrimination)

"The biggest problem is that they can walk around, carry their little truncheons and hit somebody. They can claim that they were provoked, they can do whatever they want and get away with it."

(Asian female, under 35, low socio-economic group, high discrimination)

The Independent Police Complaints Commission did not help assuage fears over the perceived lack of accountability. The two people who mentioned it claimed that the Commission was not truly independent and that its work had not resulted in any successful prosecution of police staff.

8.6. Perceptions of change and awareness of policies and initiatives

The perceptions of change in the police were more or less evenly divided between those who thought that the police had become less racist (often older Black Caribbean men), and those who thought that it had either not changed or got more racist (often young Muslim men and women).

The arguments invoked by those who felt that the police had become fairer over the years were: the view that societal changes (eg a more multicultural society, greater tolerance, appreciation of diversity) had impacted positively on the police; the recognition that there were many more minority ethnic officers on the beat and the increased confidence that this generated; the view that internal procedures had become more formalised and that this prevented the most serious and blatant forms of racial abuse; the fact that the police had had to learn the lessons from high-profile cases; the feeling that the media were acting as watchdogs and would report on serious racist incidents; the recognition that the police were trying to build bridges with the minority ethnic communities and to consult with them; and trust that officers now received better professional and diversity awareness training.

The arguments invoked by those who felt that the police had either stayed the same or become more racist were all the reasons for expected discrimination discussed above. Many respondents were aware of the police initiatives which other people perceived as positive, but they felt that, at best, these would lead to "superficial" changes because they were "tokenistic." At worse, they would serve to embed racial discrimination more deeply into the force by making it more subtle and pernicious. Those who held these views readily acknowledged that there was little the police could do that would restore their confidence.

“People can bring these statistics and say: ‘Oh, this has changed, that has changed.’ I won’t believe it. I don’t care what they say, I don’t believe the police ever will change.”

(Asian female, under 35, low socio-economic group, high discrimination)

“I don’t think the police could ever convince me that they do not discriminate, to be honest with you. Never.”

(Asian male, under 35, high socio-economic group, medium discrimination)

8.7. Distribution of opinions

Perceptions of discrimination in the police force are very widespread, even amongst people in the “medium” and “low” discrimination categories. They are also more likely to be found in some groups than others. Not a single “high” discrimination Black respondent identified the police as a fair service. Young Black Caribbean and African men, older Black Caribbean women, and young Pakistanis and Bangladeshis (Muslims) were more likely to perceive the police to be racist. In the Black communities, people in higher socio-economic groups were more likely to perceive discrimination than those in lower socio-economic groups (which suggests that their perceptions are largely based on informal and formal knowledge). No such differences were found in the Asian community in relation to perceived discrimination.

Perceptions of fairness in the police force were also patterned by socio-demographic attributes. Amongst the respondents who expected fairness from the police, the analysis identified four sub-groups: 1) older Caribbean men (because they perceived major improvements), 2) Black African people in general, 3) older Asian people in higher socio-economic groups, especially those who lived in areas of low minority ethnic concentration; and 4) older Asian people in lower socio-economic groups, especially those who lived in areas of high minority ethnic concentration.

8.8. Summary of the police

- The police was the most widely discussed of all public services covered in the study.
- Perceptions of fairness or discrimination in the police were based on a wide range of sources of knowledge:
 - personal and vicarious experiences
 - community-based knowledge
 - formal knowledge
 - the media (to an unparalleled degree)
- The police was generally expected to be fair when respondents positioned themselves as victims of crime. It was usually expected to be discriminatory when respondents positioned themselves as ordinary citizens who were approached by the police and treated as suspected criminals.
- The main reasons for expected fairness from the police were:
 - a basic trust that the police are there to protect the public
 - the view that stop and searches are necessary to guarantee public safety
 - positive experiences as victims of crime
 - the absence of any personal experience of racial discrimination
 - the view that the greater number of minority ethnic officers demonstrates and guarantees fairness
- The main reasons for expected discrimination from the police were:
 - a basic distrust of the police as a repressive and aggressive force
 - knowledge that minority ethnic people are disproportionately stopped and searched
 - perceptions that minority ethnic people are more likely to die in custody
 - a view that the police are less willing to tackle crimes against minority ethnic people
 - concerns over the poor retention of minority ethnic staff in the force
 - a perceived lack of accountability
- Basic distrust of the police and stop and searches were the most important drivers of perceptions of discrimination. They also impacted negatively on perceptions of fairness in the Criminal Justice System more widely.
- Perceptions of change in the police were divided between those who thought that the police had:
 - become less racist (older Black Caribbean men)
 - not changed or become more racist (young Muslim people)

Chapter 9

The Crown Prosecution Service

9.1. Introduction

According to the April–September 2007 Citizenship Survey, 20 per cent of Black people thought they would be treated worse than people of other races by the Crown Prosecution Service (CPS), compared with 7 per cent of Asian people and 5 per cent of White people (the difference between Asian people and White people's perceptions is not significant). Since 2001, there has been a significant decrease in the proportion of people from minority ethnic groups who feel that they would be treated worse by the CPS.

Few respondents felt able to discuss the Crown Prosecution Service (CPS): only 29 respondents chose to do so. Of those, 20 expected that the CPS would discriminate against them and nine expected that it would treat them fairly. The majority (14) of those who expected to be discriminated against by this service were Black (all of whom save one were from Caribbean backgrounds). The six Asians who expected discrimination from the CPS were from a range of ethnic and religious backgrounds. Perceived discrimination from the CPS was mainly an issue amongst “high discrimination” respondents.

9.2. Awareness, experience and knowledge of the CPS

Overall, respondents had little awareness and understanding of the CPS. Only the probation service was less known. When people were familiar with the CPS, many still found it difficult to define exactly what this service does and where the boundaries lay between the police service, on the one hand, and the courts, on the other. In particular, there may have been a lack of clarity about responsibility for sentencing decisions, which are made by judges and magistrates, not the CPS. This confusion about the precise remit of the CPS, and the overlap perceived between the latter and both the police and the courts will be evident throughout this chapter.

9.3. Sources of knowledge

Knowledge of the CPS and of the ways in which racial discrimination may be displayed in that service was generally limited. However, those who did have some knowledge and understanding of the CPS had acquired it from a range of sources: personal and vicarious experiences, informal and formal knowledge (through studies or work), and the media. The role of the media was different in relation to the CPS than in relation to the police or the prison service. In the latter two cases, the media were invoked because they had covered the findings of public enquiries that had found the police or the prison service to be institutionally racist. In the case of the CPS, the media were invoked because they reported on individual cases which respondents *themselves* interpreted as a manifestation of racial discrimination.

“Obviously, when we’re watching the news, their sentences always seem a lot of harsher than if somebody of a White race had done the same crime.”

(Black female, over 35, low socio-economic group, medium discrimination)

As is manifest in the above quotation, many respondents believed that the CPS’ decisions influenced the courts and, therefore, impacted on the sentences minority ethnic people received from judges and magistrates.

9.4. Reasons for expected fairness

Perceptions of fairness or discrimination in the CPS were much affected by the overall level of confidence people had in the Criminal Justice System. Thus, a number of respondents, especially in the Asian communities, expected that the CPS would treat them fairly for much the same reasons that they expected the courts to treat them fairly: they had confidence in the legal system, they trusted the professionalism of the lawyers working for the CPS, and they expected that due processes would drive the case for prosecution. In the absence of personal or vicarious experiences to the contrary, and with very limited discussions in the community or in the media about the CPS, for most people, this basic trust was not challenged.

“The courts, the prosecution service and the probation service, because they are higher up the chain, I think that they look at things from the legal perspective and they look at the facts of a case, because by that time, you’ve got judges and lawyers involved who are professional.”

(Black male, under 35, high socio-economic group, medium discrimination)

“The CPS, you expect them to be doing things by the book, by the letter of the law. They’ve been entrusted with that responsibility, and I expect them to follow through. They’ve been entrusted with the law. They know what the procedures are.”

(Asian male, over 35, high socio-economic group, high discrimination)

In addition, one respondent reported positive vicarious experiences of the CPS.

“I know of people who have been involved with [the CPS] and, to be fair to them, they did what they could in a proper way. As far as I could see, they did all they could. They were more than professional and they treated him in a very fair way.”

(Asian male, over 35, high socio-economic group, high discrimination)

9.5. Reasons for expected discrimination

- **Basic distrust of CJS based on views of the police**

Some of the reasons for expecting discrimination from the CPS were the exact opposite of the reasons invoked for expecting fairness: a basic distrust of the legal system and lack of confidence in the professionalism of lawyers. The reasons for the basic distrust of the CJS were generally not discussed in any detail; they were generalisations from negative perceptions of the police. However, some were more substantive and focussed on the specific nature of the work of the CPS.

“[People I know] did an audit, an evaluation of the CPS. They went through cases and documented the service, the sentences that people had been given for what crime and the circumstances, to try to see whether partial sentences were given out on the basis of ethnicity. They were.”

(Black male, under 35, high socio-economic group, high discrimination)

- **Perceived lack of independence from the police**

Many respondents, in particular in the Black Caribbean community, shared the view that the Criminal Justice System as a whole holds negative stereotypical views of them and that this colours all aspects of their work. The overall argument was that the CPS only decides to prosecute if there is sufficient evidence to have a fair chance of a conviction, but that they rely on what respondents perceived as a racist police service to gather this evidence. This means that the quality of evidence varies according to the ethnic or racial backgrounds of both the victims and the perpetrators of crimes which, it is argued, systematically works against the minority ethnic communities.

“The police and the CPS work hand in hand. They might be in cahoots together. It’s a partnership so the CPS is working on the information the police service has given them. If they’re emotional about something, if they’re not looking at clear facts, they will pass that emotion onto the CPS people who will think there’s a stronger case and therefore fight harder to prosecute somebody or try to go for a longer sentence.”

(Asian male, over 35, high socio-economic group, medium discrimination)

“They can more or less decide how much effort they want to put into getting evidence for and against someone. It would be pretty hard to prove if they did not do their work properly. But we do know that the outcomes are much worse from Black people.”

(Black male, under 35, high socio-economic group, high discrimination)

The fact that police officers were rarely seen to get prosecuted themselves was also interpreted as evidence that the CPS colluded with the police.

“There’s loads of examples in the media, isn’t there? Have you seen the one with Jean-Charles de Menezes, the one that got shot by the police? Just cos they’re police officers, they get let off completely free.”

(Black female, under 35, low socio-economic group, high discrimination)

“I know for a fact from my own studies that there have been quite a few Black people who have died in police stations and there have never been enquiries and there’s never been a policeman prosecuted for that and you’ve got to ask yourself why? That’s part of the culture of the CPS.”

(Black female, over 35, high socio-economic group, high discrimination)

- **Harsher sentences for minority ethnic people**

Black respondents argued that negative racial stereotypes also impacted on the work of the CPS in that the service was more likely to think that Black people are inherently dangerous and, therefore, to believe that it is in the public’s interest to prosecute Black criminals more vigorously than White criminals. There was a widespread view amongst Caribbean respondents, in particular, that Black criminals get harsher sentences than their White counterparts as a result of the combined work of the police, the CPS and the courts.

“I particularly feel that they see Black people as a threat, as a physical threat and that predisposes everything beforehand, and that’s why basically they go after Black people. It’s just stereotypes of a race as threatening, so they feel they need to put us safely behind bars: ‘Get them off the streets! Keep them in there longer!’”

(Black female, under 35, high socio-economic group, high discrimination)

“The CPS works as hard as they can to give as much as they can. They drop the hardest charges they can on you and give you the longest prison sentence they can. If you are a Black fella, you get onto serious charges, you gonna get porridge, proper porridge. No messing about. If the CPS have worked out you are Black, the charges have shot up two ladders. Your White friend will get three months, you’ll get the year. That’s the way it works. It always has done.”

(Black male, over 35, high socio-economic group, high discrimination)

It is difficult to determine the precise influence ethnicity has on sentencing decisions since many legitimate factors relating both to the offender and to the offence need to be taken into account by judges and magistrates. It is clear however that many “high discrimination” Caribbean people (with or without experience or knowledge of the CPS) do perceive that ethnicity affects the work of the CPS and impacts negatively on sentencing decisions made by magistrates and judges.

- **Perceived lack of transparency: CPS works “behind the scenes”**

Perceived lack of transparency in the procedures of the CPS also contributed to expectations of discrimination and to reinforcing distrust. The service seemed “invisible” to people. It seemed to carry out its work away from any public scrutiny and to make decisions based on largely implicit and arbitrary criteria. Thus, some respondents felt that they would not even be able to tell whether they were discriminated against by the CPS, which itself added to their unease.

“They’re unpredictable. You wouldn’t know if they were discriminating against you. How would you know, if everything is happening behind the scenes? You’d just get the verdict that so and so is not going to be prosecuted because we don’t have sufficient evidence.”

(Asian male, over 35, high socio-economic group, high discrimination)

“The CPS, it’s like a myth, you know it’s there, but you never get to speak to a CPS man, do you? The only way I’d ever believe them is... Don’t be telling me something. Let me speak to it, let me touch it, let me bite it, whatever it may be. I would need to deal with it one to one.”

(Black male, over 35, high socio-economic group, high discrimination)

Perhaps because CPS staff are not highly visible, or perhaps because the CPS actually has a high percentage of minority ethnic staff working for the service, very few respondents commented on the issue of a White workforce in relation to this service.

9.6. Perceptions of change and awareness of policies and initiatives

Despite sometimes scathing criticisms of the CPS, the respondents who discussed this service felt that it had (significantly) improved over the years. No one felt there was more racial discrimination in the CPS now than in the past. There was a clear recognition that the CPS had “tidied up its act” since they perceived that it had become formally independent from the police²⁹ and was better regulated than in the past.

“They’re probably better regulated in terms of what they can do in terms of sentencing. There’s probably a lot more fairness now than there probably was, and there’s less variance between the individual people working in there and how they will prosecute you. I still think there’s a bit of variance, but it’s not as pronounced as it was a few years ago.”

(Asian male, over 35, high socio-economic group, high discrimination, low concentration)

“I remember my dad telling me stories, when he moved in the 70s and what life was like for him when he came over in the 70s, and the law and the police. So it has changed because the things that he and his friends and family experienced, I haven’t experienced in my lifetime. It’s changed a lot. The CPS has changed dramatically.”

(Black female, under 35, high socio-economic group, high discrimination)

Some of the perceived improvements were loosely linked to the fact that improvements in race relations in British society would have also impacted on the CPS. There were also comments about the changing nature of the workforce in the legal profession generally and the fact that the CPS was trying to recruit more minority ethnic lawyers and to train other staff about diversity and equality.

“I know the CPS will change. It’s a service that can adapt because everybody wants to be a lawyer, solicitor and barrister, something to do with the law. It will change over time because there are so many different races in England studying law, practising law.”

(Black female, under 35, high socio-economic group, high discrimination)

²⁹ The Crown Prosecution Service was created by the Prosecution of Offences Act 1985. It is (and was set up as) an independent body that works closely with the police.

“I’ve have read a lot about the diversity awareness and training that their officers and employees undergo...The fact that there are opportunities being created for ethnic minorities to progress within that service.”

(Asian male, over 35, high socio-economic group, high discrimination, low concentration)

As with other services, these comments suggest that the ethnic profile of staff in public services matters to people: a high number of minority ethnic people is interpreted as evidence and guarantee that the organisation is not discriminatory.

9.7. Distribution of opinions

Very few respondents in the sample had sufficient knowledge of the CPS and of the ways in which discrimination may be played out in this service to choose to discuss the CPS. The respondents who expected discrimination from the CPS were often “high discrimination” Black Caribbeans, amongst whom there was an even split in terms of age, sex and socio-economic group, but a large majority of people living in areas in high minority ethnic concentration. The numbers are too small to identify any other patterns in the distribution of opinions in relation to perceptions of discrimination.

Only 9 respondents discussed the CPS as a service from which they expected to be treated fairly. The numbers are too small to identify any patterns amongst them, but it is worth noting that six out of nine of these respondents lived in areas of low minority ethnic concentration.

9.8. Summary of the CPS

- The CPS was the second least discussed of all public services covered in the study.
- The CPS was more likely to be perceived as discriminatory than as fair by the relatively small number of respondents who discussed their views about the CPS.
- The CPS was mainly discussed by “high discrimination” Black Caribbean people.
- Perceptions of discrimination in the CPS were based on all sources of knowledge.
- The main reasons for expected fairness from the CPS were not discussed in any detail but they loosely included: a basic trust in the legal system, confidence in the professionalism of the lawyers working for the CPS, and confidence that due processes drove the case for prosecution.
- The main reasons for expected discrimination from the CPS were:
 - a basic distrust of the CJS and the police which generalised to the CPS
 - the perceived lack of independence of the CPS from the police
 - the view that the CPS contributes to harsher sentences amongst minority ethnic people
 - the perceived lack of transparency of the CPS
- Despite many scathing criticisms of the CPS, respondents strongly felt that the service had become much fairer and that it would continue to become fairer.

Chapter 10

The Courts

10.1. Introduction

According to the April–September 2007 Citizenship Survey, 20 per cent of Black people thought they would be treated worse than people of other races by the courts, compared with 6 per cent of Asian people and 5 per cent of White people (the difference between Asian people and White people’s perceptions is not significant). Since 2001, there has been a significant decrease in the proportion of people from minority ethnic groups who feel that they would be treated worse by the courts.

In total, 50 respondents discussed the courts. The majority of those (30) expected to be discriminated against by the courts, while a large minority (20) expected to be treated fairly. An equal number of Black and Asian respondents expected the courts to discriminate against them.

10.2. Awareness, experience and knowledge of the courts

All research participants were aware of the existence of the courts, although only a minority understood how the legal system works (eg the distinction between civil and criminal courts, between Crown courts and magistrate courts for criminal matters, the circumstances when juries are involved or when a bench of magistrates presides). Unless respondents were clear about the courts or had themselves faced magistrates for minor criminal offences, they implicitly discussed the Crown courts. This was apparent from the fact that many had serious criminal offences, highly trained professionals and trials with juries in mind when giving their views of the courts.

10.3. Sources of knowledge

Various sources of knowledge were invoked in relation to the courts: personal and vicarious experiences (as defendants, as witnesses, as jurors and as professionals regularly in contact with the legal system), community-based knowledge, formal knowledge (as students and as professionals) and knowledge derived from the media. The media promoted a basic understanding of the courts through portrayals of the legal system in “courtroom dramas” and other such programmes, some of which may have been based on US experiences; they did not contribute specifically to an understanding of racial discrimination in the courts.

10.4. Reasons for expected fairness

There was considerable trust in the fairness of the courts. The key aspects underpinning this trust were the independence of the judiciary from the legislative system; the openness and transparency of the judiciary as a whole (in some measure due to the scrutiny of the media); confidence in the fairness of the law itself; the belief that decisions are based on evidence rather than personal opinion; the possibility of redress in case of unfair decisions; the perceived professionalism and competence of (Crown court) judges; and the presence of a representative jury in some cases. As with many other services, lack of any experience of the courts (for some), together with some positive personal experiences (for others) also contributed to expectations of fairness.

- **Trust in the legal system**

As in most other services, respondents' views were informed by general conceptions of the nature of the service itself. In this case, many expected that the courts would be fair because, as upholders of the law, the courts must be fair.

"I would be very, very disappointed if I ever was discriminated against by them because there should be no discrimination whatsoever because if they are failing, we're all doomed. They are the law."

(Asian male, over 35, high socio-economic group, high discrimination, low concentration)

"They've got to be impartial. They've got a lot of responsibility and authority. If they don't treat people fairly, then the whole system falls down. So they wouldn't, they couldn't be racist."

(Black male, under 35, low socio-economic group, low discrimination, low concentration)

In some cases, this trust was bolstered by comparisons with the judiciary in other countries, where courts were thought to be either structurally racist or endemically corrupt.

- **The independence of the judiciary**

This aspect of the British legal system tended to be either mentioned in broad terms or simply taken for granted. However, one respondent actually experienced this independence first-hand, which had life-changing consequences for him.

“Everybody else, all the politicians and the Home Office and the prosecution and the police, they were all saying: ‘Oh! He’s overstayed, he should be deported. Put him in prison and recommend deportation.’ But the judge looked at the situation, saw my probation report and he did not recommend deportation. He said: ‘Right, this is your first offence. You’ve always been working here, always been paying your taxes.’ He was not influenced by them. He made up his own mind. If that judge was discriminating me, he would have thrown the book at me and said: ‘Right, ship him out as soon as he has finished his time’.”

(Black male, under 35, low socio-economic group, low discrimination, low concentration)

- **The transparency of the courts**

Confidence in the fairness of the courts also rests on perceptions that the courts are transparent (decisions are based on facts and carefully documented) and open to scrutiny. This was often contrasted with the police, the CPS and the prison service.

“The judiciary in the UK is very transparent. They always try to be as transparent and impartial as possible because they don’t want to stigmatise themselves as being discriminatory in favour of one ethnic group. Everybody can come to court and listen in on a case. It’s in the public eye.”

(Black male, under 35, low socio-economic group, low discrimination, low concentration)

“The difference between the courts and prison service is that the courts follow a written code of law and adhere to this, whereas in the prison service the officers are free to do what they want and there is no one to check them.”

(Asian male, under 35, low socio-economic group, low discrimination)

- **Trust in the fairness of law**

With the exception of a few Muslim respondents who believed that anti-terrorist legislation is inherently discriminatory (see below), all respondents fundamentally trusted that laws themselves were fair. If properly applied, people believed that outcomes would be fair too.

“The system itself is fair. There would be evidence, there would be witnesses and all that would have an influence on how the judge decides on the case. I mean there are pretty tight processes and rules they have to follow and the law itself is fair anyway.”

(Asian female, over 35, low socio-economic group, high discrimination)

There was also much confidence that unfair decisions could be overturned and rectified through the system of appeal. In this sense, the system was thought to be accountable.

“If there is a feeling that maybe certain people were treated differently because of their race, it always comes up at a later stage. People can appeal if they are unfair.”

(Black male, under 35, low socio-economic group, low discrimination, low concentration)

- **Professionalism and competence of (Crown court) judges**

For many, the extensive training and professionalism of the judges was interpreted as a guarantee that they would not discriminate. These respondents therefore had confidence both in the law itself and in how it is applied by individual judges. In other words, they felt the courts would be neither structurally nor personal racist.

“Judges are in such a position of responsibility. It’s not like some low level policeman. It’s a different class of person. They have to be beyond racism and all. They have to be open-minded. They have to be mindful of the consequences of what they do and what sentences they pass. I don’t think there would be racism.”

(Asian female, over 35, high socio-economic group, high discrimination, low concentration)

“When you’ve got to the stage of being a judge, you’re able to look at things from a professional point of view more easily. You would take into account the actions of the person who’s contravened the law rather than their background.”

(Black male, under 35, high socio-economic group, medium discrimination)

- **Diverse jury**

The presence of a diverse jury was also seen as an important safeguard against the potential biases of individual judges. Some respondents had been jury members themselves, knew people who had done jury service, had been tried by jury, or had witnessed jury members at work. In all cases, they thought juries had contributed to a fairer outcome for the defendants.

“I was a member of jury. I see with my own eyes. They are very fair, a thousand times better than in Pakistan. They listen. They take time. They give right punishment.”

(Asian male, over 35, high socio-economic group, low discrimination)

“I love to sit in the audience in the public gallery at the Old Bailey. I love watching how they analyse things. And I did watch the jury and I was counting and there were women equally to men; there were Blacks, there were Whites; there were really young, there were middle aged, there were elderly. That selection of the jury is a safeguard.”

(Asian female, over 35, high socio-economic group, high discrimination, low concentration)

- **Lack of experience of the courts**

As with all the other components of the Criminal Justice System (except for the police), many people had no personal experience of the courts. This lack of personal experience rather than a considered opinion about the fairness of the courts, accounted for their expectations of fairness.

- **Positive personal experiences**

There is no space to recount in detail the positive experiences respondents had of the courts and the impact these had on their expectations of fairness. It suffices to say that these positive experiences happened to them as defendants, jury members, professional or lay observers, or as people working in the legal profession. In relation to defendants, most cases pertained to minor offences (such as speeding tickets, non-payment of rent or of TV license) but some cases pertained to serious criminal offences which had led to prison or community sentences. In all cases except one (which took place some 30 years ago in magistrates courts), defendants felt they had been treated fairly.

10.5. Reasons for expected discrimination

Some respondents had a basic distrust in the courts based on the fact that they are part of the wider Criminal Justice System which, as a whole, was perceived to be discriminatory. More specific reasons for expecting discrimination from the courts included perceptions of harsher sentences amongst minority ethnic people than White British people, the belief that decisions were based on interpretations of the law made by conservative old male judges who are disconnected from reality, concerns over the perceived lack of legal and diversity awareness training amongst magistrates, and concerns that new anti-terrorism laws discriminate against Muslims. Many of these perceptions were based on formal knowledge or media coverage, especially amongst those who had a good understanding of discrimination and had a strong social identification with their community.

"All studies, all the research indicates that Black youth continue to have a poor outcome within the court system. It's also quite clear from a lot of media coverage."

(Asian male, over 35, high socio-economic group, high discrimination)

- **Basic distrust of CJS based on views of the police**

Some respondents (especially "high discrimination" Black people) perceived the CJS as a whole to be racist, largely based on a deeply entrenched distrust of the police. Expectations of racial discrimination by the courts were based on generalisations rather than a deeper consideration of the specific work of the courts.

"To a certain extent, they're an extension of the police and if the police have been shown to be racist then, by definition, the courts would be racist. It's one system."

(Black male, under 35, low socio-economic group, high discrimination)

- **Harsher sentences for minority ethnic people**

By far the main concern across all categories of respondents (but especially in the Black community) was the view that people from Black and Asian backgrounds receive harsher sentences than their White counterparts. All sources of knowledge were used to justify this view. Some assessments were based on detailed knowledge and understanding and included references to specific high-profile cases.

"I've actually studied about differentials in sentences between Black and White in this country and America, so I do know what the research shows. There is really a significant difference in sentencing and there is also significant difference in Black people committing a crime once being more likely to go to prison than a White person who is more likely to get a community sentence. So I do know there's structural racism."

(Black female, over 35, high socio-economic group, high discrimination)

"You must have heard about this. I [know someone who] went to a pub and the first thing was: 'What are you doing in the pub?' And these Leeds footballers, they were there and they just hit him. They bashed him, really badly. He was nearly killed. They just kicked him and left him for dead. And when his father took them to court, the judge let them off with really minor sentences. What if he'd died?"

(Asian female, over 35, low socio-economic group, medium discrimination)

“Compared to other riots, the people in Bradford were judged much more harshly. As they say, the punishments did not fit the crimes. There were young kids in there with no history, no criminal convictions, and they were sent to prison just for throwing stones at police.”

(Asian male, under 35, high socio-economic group, high discrimination)

Other assessments were much less specific but they also served to undermine the perceived legitimacy and authority of the courts.

“I’ve heard a lot about higher sentences. Me and my friend, we do talk a lot about this. Asians can get the blunt end of it a lot. I’ve heard a lot of cases of that.”

(Asian male, under 35, high socio-economic group, medium discrimination)

“I have no experience of the courts but when you read the papers, most of the time it’s the Black person that gets the biggest sentence.”

(Black female, over 35, low socio-economic group, high discrimination, low concentration)

- **Socio-demographic profile of judges**

The perceived socio-demographic profile of judges also drove perceptions of discrimination. Indeed, while some respondents thought that professionalism would override personal biases, many also felt that judges were nearly all “White conservative old men” and “old foggies” who “live in a different world” and are “disconnected” from the reality of people from ethnic minority backgrounds. They felt that this would inevitably impact on sentences. This impression of the courts as a White dominated institution was reinforced, rather than attenuated, by experience.

“I’ve been in court a couple of times and I’ve never ever seen one person of a background other than English. It’s predominantly English people. It’s getting more mixed but if you’re looking at the top, it’s handled by English people. They should have people of different ethnic backgrounds working within the court system.”

(Black male, under 35, low socio-economic group, medium discrimination)

- **Perceived lack of legal and diversity training for magistrates**

A few respondents expressed concerns about the power vested in the hands of what they perceived as ill-trained magistrates drawn from the local population. While they recognised that there were limits to the power of magistrates (eg they cannot normally order sentences of imprisonment which exceed six months or fines

exceeding £5,000), acknowledged that legal advice was provided by clerks and knew that decisions are made by a bench of three magistrates, these safeguards were still felt to be insufficient to guarantee fair outcomes.

“I don't think magistrates have sufficient expertise or experience. Alright, there's a clerk there to advise them about the law, but they haven't got sufficient training or any understanding about race.”

(Asian male, over 35, high socio-economic group, high discrimination)

“Magistrates are just ordinary people who are given some power. They are less well trained at that level. So there is more scope for racism than at Crown court level. At magistrate level, they just rubberstamp what the police will tell them. They'll go along with whoever is prosecuting. It's open and shut cases because the magistrates will just go along with whatever the authority tells them. They're not trained to do anything else.”

(Asian male, over 35, high socio-economic group, medium discrimination, low concentration)

- **Perception that anti-terrorism legislation discriminates against Muslims**

Many Muslims commented on how the “community” was beginning to think that the courts discriminated against Muslims. This was mainly in the form of “you hear stories”, without any detail. It was not always clear how much of this growing sense of discrimination was due to generalisations from experiences of discrimination in wider society, and how much was narrowly focused on the courts. But one issue, the anti-terrorism legislation, certainly conveyed to some Muslim respondents the sense that the courts were structurally discriminating against them. Although the courts themselves are not responsible for drawing up the legislation, the fact that many Muslims respondents singled out the courts as discriminatory and raised the issue of anti-terrorism legislation in the context of discussing the courts (as well as in the context of discussing discrimination in British society as a whole) is meaningful in the context of studying perceptions of discrimination.

“With all the new powers, the new anti-terror laws, Asians are getting really discriminated against. They've had the IRA for years and never measures like now. Suddenly, they're keeping people in prison without trials. The system is breaking up: there's one law for everybody and there's another for this lot!”

(Asian male, under 35, high socio-economic group, high discrimination)

“I have heard stories about the courts from people in the community and also read about it in the papers. Asian people don't get justice.”

(Asian male, over 35, high socio-economic group, medium discrimination)

“They’re really going after Muslims now. There’s no presumption of innocence. That’s gone now. The law is harsher on us. It’s all changed after 9/11.”

(Asian female, under 35, low socio-economic group, medium discrimination)

10.6. Perceptions of change and awareness of policies and initiatives

As a general rule, perceptions of change were very different in the Black (Caribbean) and Asian (Muslim) communities, with the former generally perceiving greater fairness, and the latter generally perceiving greater discrimination from the courts.

“Over the years, I have seen partial sentencing, heavier sentences on Black people. And sometimes Black people have gone to jail for no reason. Now I know these things happened 20, 25 years ago. I am not too sure how the judicial system is working now but I think they’re fairly ok now.”

(Black male, over 35, high socio-economic group, high discrimination)

“You just hear stories, a lot more stories, that there’s racism now towards Asians in the courts. I don’t remember hearing these stories in the past.”

(Asian female, under 35, high socio-economic group, medium discrimination)

The only respondent who did comment on some of the policies and initiatives which may have contributed to bringing about the positive changes, however, was a Muslim professional (living in a low minority ethnic concentration area and whose self-concept was not particularly shaped by either ethnicity or religion).

“If you’d asked me this ten years ago, I’d have said the courts [discriminate], definitely. But there is a lot of sensitivity towards if someone is motivated by racism. There’s more training, more diversity awareness. They have appointed diverse background magistrates and that is helping. But mostly it is the scrutiny of the media and fear of complaints and changes more generally in society. They don’t want to be found out to be racist.”

(Asian male, over 35, high socio-economic group, medium discrimination, low concentration)

10.7. Distribution of opinions

While there were no ethnic differences in the number of Black and Asian people as a whole who expected to be discriminated against by the courts, there were differences by ethnic sub-groups: Caribbean and Pakistani people were more likely to expect discrimination from the courts than other Black and Asian respondents.

Expectations of discrimination from the courts are a big issue in particular amongst “medium discrimination” Pakistani respondents. No other pattern emerges in relation to either sex, age, socio-economic group or region for those who expect the courts to discriminate against them.

With respect to those who expect fairness from the courts, the number of Asian respondents is too small to draw any meaningful conclusion. Amongst Black people, however, it would seem that young Black men (regardless of ethnic sub-group, socio-economic group or region) are more likely to think that the courts are fair.

10.8. Summary of the courts

- Respondents were aware of the existence and role of the courts.
- Respondents based their perceptions on various sources of knowledge: personal and vicarious experiences (as defendants, witnesses, jurors and professionals), community-based knowledge, formal knowledge (as students and professionals) and the media (although not in relation to discrimination per se).
- The main reasons for expected fairness in the courts were:
 - trust in the legal system
 - the independence of the judiciary from the legislative system
 - the openness and transparency of the judiciary as a whole
 - trust in the fairness of law itself and the possibility of overturning unfair decisions
 - the perceived professionalism and competence of (Crown court) judges
 - the presence of a representative jury in some cases
 - the lack of any experience of the courts
 - positive personal experiences of the courts
- The main reasons for expected discrimination from the courts were:
 - basic distrust of the courts as part of the CJS
 - perceptions of harsher sentences amongst minority ethnic people
 - the homogeneous socio-demographic profile of judges
 - the perceived lack of legal and diversity awareness training amongst magistrates
 - concerns that new anti-terrorism laws discriminate against Muslims
- Black (Caribbean) respondents perceived that the courts had become fairer. Asian (Muslim) respondents perceived that the courts had become more discriminatory.
- Discrimination in the courts was a serious issue amongst “medium” discrimination Pakistani respondents in particular.

Chapter 11

The Prison Service

11.1. Introduction

According to the April–September 2007 Citizenship Survey, 22 per cent of Black people thought they would be treated worse than people of other races by the Prison service, compared with 12 per cent of Asian people and 2 per cent of White people. Since 2001, there has been a significant decrease in the proportion of people from minority ethnic groups who feel that they would be treated worse by the prison service.

The prison service was discussed by 40 respondents, the vast majority of whom (34) expected that it would discriminate against them. Apart from local doctors' surgeries, the prison service was the only other service in relation to which more Asian (21) than Black (13) respondents expected to be treated unfairly. Expectations of unfair treatment by the prison service amongst Asians were found at all levels of expected discrimination.

11.2. Awareness, knowledge and experience of the prison service

Awareness of the prison service was near universal, but knowledge and experience were more limited. A surprisingly high number of respondents (14) had had contacts with the prison service, some as inmates (3), some as friends or relatives of inmates (9) and some as professionals (2) working with the prison service.

11.3. Sources of knowledge

As noted above, for a relatively small section of the sample, knowledge of the prison service was based on personal and vicarious experiences. For the remainder, it was based on the media. Perceptions were sometimes loosely based on depictions of prison life in movies and fictional TV programmes. However, they were also based on real cases and reports from enquiries and inspections.

11.4. Reasons for expected fairness

Six respondents expected that the prison service would not discriminate against them. In three cases, this was because they thought that, as law-abiding citizens, they would never go to prison. Their expectations were exclusively framed by their own experiences, based on a non-politicised self-concept, and driven by a basic belief that they would “get what they deserve”. Those whose answers were based on social identification with their community claimed that the prison service itself, and the prison officers within, were not racist. They acknowledged that some inmates might be racist but not the prison service.

“Maybe the inmates would be racist but you can’t blame the system for what the inmates have done.”

(Black male, under 35, low socio-economic group, low discrimination, low concentration)

“There might be some problems with people who can’t mix up with other people in the prisons. But as for officer or expert, the duty people themselves, I can’t see any problem that they will treat differently to different people.”

(Asian male, under 35, high socio-economic group, low discrimination)

11.5. Reasons for expected discrimination

- **Perceived lack of accountability: “Things happen behind closed doors”**

The fundamental driver of perceptions of discrimination in relation to the prison service was the fact that things, quite literally, happened “behind closed doors”. This led to a feeling that prisons would be environments where unfair and abusive treatment would go unnoticed and unpunished.

“In the prison service, the officers are free to do what they want and there is no one to check them.”

(Asian male, under 35, low socio-economic group, low discrimination)³⁰

“I have heard stories obviously about how Black men can be abused in prison and various things, how White prison officers can take advantage and abuse Black prisoners without retribution.”

(Black male, over 35, high socio-economic group, high discrimination)

³⁰ See footnote 21.

These perceptions were corroborated by those with personal experience of the prison service as inmates.

“You get told you are shit and treated like shit. You are not worth anything, we’ll talk to you like shit and we’ll bully you about and, if we don’t particularly like you, we’ll give you a hiding every time we see you.”

(Black male, over 35, high socio-economic group, high discrimination)

“When I was saying this is not right what happened to me in the prison, they not listened to me. They said to me, they can do everything they want to me. It was terrible down there.”

(Asian male, over 35, high socio-economic group, high discrimination)

For some respondents, the fate of prisoners was not a pressing concern because they are criminals who “get what they deserve”. For others, the knowledge that some people hold precisely these views of criminals conspires to create an even more abusive environment.

“The wardens and stuff do give quite abusive treatment and they do make racial citations. So they said to us: ‘What do you want to do? Who do you want to complain to?’ Because you’re already seen as a criminal, so who’s really going to listen to what you say against someone that’s on the good side of the law? Nobody listens. They’re not reprimanded or anything. That’s the problem.”

(Asian female, under 35, low socio-economic group, high discrimination)

“Everyone in prison is a crook, so no one is really going to listen to them if they have issues. And because of that, those issues don’t come out until a big event happens like a guy gets killed in a cell or kills himself in a cell or stuff like that.”

(Black male, under 35, high socio-economic group, medium discrimination)

The view that the prison service lacks any form of accountability provided the backdrop against which to understand all other concerns, because it made it possible for abusive or unfair treatment to take place unchecked and unhindered.

- **Verbal and physical abuse of inmates by White prison officers**

Many respondents also expected that minority ethnic inmates would be verbally or physically abused. This was mainly based on assumptions about the predominant culture of prisons, but also on more specific personal and vicarious experiences, as well as on community-based knowledge.

"I got a cousin of mine that was in prison. We don't know what happened in prison but he's ended up in hospital in a coma. He was a healthy boy before. That's why we don't trust the prison service."

(Asian female, under 35, low socio-economic group, medium discrimination)

"I've heard a lot of stories where the screws slam people's head down on the floor and crunching them up and throwing them into holes and a lot of the time, a lot of my Black friends I hear it from, the screws they do like getting physically violent with them."

(Black male, under 35, low socio-economic group, medium discrimination)

There was genuine disquiet amongst Muslims about the abuse they might encounter in prison because of their religion. This was in part based on inferences from perceptions of growing Islamophobia in wider society.

"With the current situation, the paranoia and ignorance surrounding maybe Muslims, things are getting worse. From my personal experience outside the prison service, I'd assume the prison service would be dire for Muslims."

(Asian male, under 35, high socio-economic group, high discrimination)

"Because of the Islamophobia, that's why I would be treated worse."

(Asian female, over 35, high socio-economic group, high discrimination, low concentration)

- **Knowledge of deaths in custody: the case of Zahid Mubarek**

Beside these generic concerns, the perceptions of the prison service amongst Asians (mainly Pakistanis) were deeply affected by the case of Zahid Mubarek, the young man who was bludgeoned to death with a table leg by his cellmate, a known racist psychopath, in 2000³¹. The death of Zahid Mubarek received considerable media coverage. This single event largely explains why so many Asian respondents expected to be discriminated against by the prison service. This case did for the Asian community and the prison service what the Stephen Lawrence case did for the Black community and the police service.

"You remember that guy he was killed? He was going to be released and he was killed in the prison. That's why I thought maybe it was racist, because he was Asian. When you hear these stories, it frightens you, doesn't it?"

(Asian female, over 35, low socio-economic group, medium discrimination)

³¹ There was a public inquiry, after Zahid Mubarek's family took a campaign to the House of Lords. The public inquiry, which reported in 2006, attributed the death to systemic failures at Feltham young offender institution in London. It made a number of recommendations to improve race relations in prisons and suggested that the concept of institutional racism defined in the Lawrence Inquiry should be adapted to institutional religious intolerance. The report of the public inquiry also acknowledged that, while there was no room for complacency, many of the systemic shortcomings identified at the time of Zahid's death had been eliminated in the intervening six years (*Report of the Zahid Mubarek Inquiry, 2006*).

“There was one incident where, I think it was Zahid Mubarek, the 19 year old, who was killed by a racist cellmate. Sheer ignorance by the prison service, putting an Asian individual, Pakistani individual with a known racist. I would say that was discrimination, negligence.”

(Asian male, under 35, high socio-economic group, high discrimination)

- **Unequal access to parole**

Some respondents also thought that unfair treatment would be manifested through unequal use of discretionary powers. There were concerns in particular about parole. The system, it was argued, had much scope for discrimination because it was based on assumptions about the personality of a prisoner and the likelihood of them reoffending, views about what constitutes “good behaviour” in prison, understanding about domestic circumstances and other such matters in relation to which stereotyping could have an effect. There were also concerns about the fact that prisoners cannot easily appeal against an unfavourable parole decision.

“Two of my brothers have been to jail. The young one, yes, he did wrong and he deserved to go jail. But when it was time for his parole, I believe that he deserved to get his parole but he was turned down. [...] White guys would have got parole, I’m pretty sure, but I couldn’t prove it. They can always say it’s not to do with colour but he knows it is.”

(Black female, under 35, low socio-economic group, high discrimination)

“If they don’t like Black people, that’s gonna affect how they see you and when they want to give you parole. They might just think you ain’t gonna behave out there for no reason other than you’re Black.”

(Black male, under 35, low socio-economic group, medium discrimination)

Finally, it is worth noting that a number of people commented on their experiences as visitors to prisons and reported that Black and Asian visitors were either physically separated from White visitors or that they felt subjected to greater security checks.

11.6. Perceptions of change and awareness of policies and initiatives

Perceptions of change were very different in the Black and Asian communities, with the former generally perceiving greater fairness, and the latter generally perceiving greater discrimination from the prison service.

“They have obviously improved because it used to be dreadful to be in prison in the 80’s as a Black person. Nowadays, there is more monitoring. They have got more Black prison officers now. They have got more prisoners groups and things like that. So racism must have decreased in prisons. But there are lots of stories about unfair treatment in prisons still. It has improved because it’s being made accountable. We’ve heard cases and stories of things that have happened in prison and that was highlighted. Now, because of the way independent press people operate, there’s more light being shed on the darker corners as well.”

(Black male, over 35, high socio-economic group, high discrimination)

“The thing is there’s so much ignorance about Muslims now. That’s going show in prison as well. You would not get good treatment as a Muslim these days. No way. I don’t think so.”

(Asian male, under 35, high socio-economic group, high discrimination)

11.7. Distribution of opinions

Perceptions of discrimination in prisons were more common amongst Asian than Black people. Young Pakistani men, in particular, were very likely to believe that prisons would discriminate against them, even in the “medium” and “low” discrimination categories. Across both Black and Asian respondents, younger people were slightly more likely to think that prisons would discriminate against them. No patterns emerged in relation to either socio-economic group or region.

Not a single “high” discrimination respondent expected that prisons would be fair. Of the six respondents who did think that prisons were fair, only one was Asian (Indian), and four lived in areas of low minority ethnic concentration.

11.8. Summary of prison service

- Awareness of the existence and role of prisons was near universal.
- Respondents based their perceptions of fairness or discrimination in prisons on various sources of knowledge: personal and vicarious experience (as inmates, friends or relatives of inmates, and professionals working with the prison service), as well as the media (both fictional and factual programmes).
- The main reasons for expected fairness in prisons were the fact that respondents simply could not picture themselves as criminals, and the fact that they felt inmates, rather than staff, were the ones likely to be racist, for which the prison service as a whole could not be held responsible.
- The main reasons for expected discrimination from the prison service were:
 - perceived lack of accountability, as “things happen behind closed doors”
 - verbal and physical abuse of inmates by White staff
 - deaths in custody: the case of Zahid Mubarek
 - unequal access to parole
- Perceptions of change were very different in the Black and Asian communities, with the former generally perceiving greater fairness, and the latter generally perceiving greater discrimination from the prison service (largely due to the case of Zahid Mubarek)
- The group most likely to expect prisons to discriminate against them were young Pakistani men, even in the “medium” and “low” discrimination categories.

Chapter 12

The Probation Service

12.1. Introduction

According to the April–September 2007 Citizenship Survey, 18 per cent of Black people thought they would be treated worse than people of other races by the Probation service, compared with 8 per cent of Asian people and 2 per cent of White people.

The probation service was the least discussed of all the public services. Only 14 respondents chose to discuss this service, of whom nine expected to be discriminated against and six expected to be treated fairly. The majority of those who expected to be discriminated against were Black Caribbean men in the “high discrimination” category. Because of the small number of respondents who discussed the probation service, the findings are less robust than in relation to other public services.

12.2. Awareness, experience and knowledge of the probation service

The main reason why few people discussed the probation service was that only a very small number of respondents felt they had sufficient knowledge of this service to be able to discuss it.

12.3. Sources of knowledge

Perceptions of the probation service were based on different sources: those who expected to be treated fairly generally based their perceptions on personal or vicarious experiences and on formal knowledge. Those who expected to be treated unfairly generally based their perceptions on some conflation of the probation service with the entire Criminal Justice System, often driven by a deep distrust of the police. The media played no role at all in shaping people's perceptions of this service.

12.4. Reasons for expected fairness

- **Lack of knowledge about the probation service**

The main factor accounting for expectations of fairness from the probation service was lack of knowledge about it. Very few respondents had had any personal experience of probation. The vast majority of respondents were either unclear about the role of the probation service or unaware of its existence. When respondents were asked to identify from the list of public services which ones they expected to treat them fairly or unfairly, typical answers included: "I've never been in contact with them so I can't tell", "I wouldn't know about the probation service", "I've had no dealings with them", "I've never heard of that", "What do they do?", "I don't even know what this means", "Is that the police?", and so on. Thus, lack of awareness, experience and knowledge, rather than an informed consideration of the degree of fairness with which the probation service discharges its duties, was the most important factor accounting for expectations of fairness.

- **Perception of probation as a benevolent service**

Unlike the other components of the Criminal Justice System (except the police in some cases), the probation service ranked alongside local doctors' surgeries, local schools and housing services amongst the services that are "there to help".

"The probation service is there to help them not to reoffend, isn't? They have a duty of care."

(Black female, under 35, low socio-economic group, low discrimination)

"These guys are more human. They are the ones that clean up everybody else's mess. They will genuinely find ways to try and help you."

(Black female, over 35, low socio-economic group, high discrimination, low concentration)

- **Positive personal experiences**

The only people who had been on probation were three Black men and women from lower socio-economic backgrounds. Amongst them, experiences were positive.

"I got probation once and that guy was absolutely brilliant. He really was. He was like a friend. I could go to that person even when my probation thing was up. You find genuinely good people in the probation service. [...] They try to find the cause of situations. They try to steer you to a positive instead of a negative. They don't belittle you in any way. They just try to find the root of your problem and try to see if they can help you to solve whatever the problem is."

(Black female, over 35, low socio-economic group, high discrimination, low concentration)

"I have had experience with the probation services and I was treated fairly. They are there to help, aren't they? It's kind of counselling really, in another way. [...] When I went to court, the report that the guy wrote helped me a lot. He was very supportive of me. He put a bigger picture for the judge to see me through."

(Black male, under 35, low socio-economic group, low discrimination, low concentration)

12.5. Reasons for expected discrimination

- **Basic distrust of CJS based on views of the police**

No one who expected to be discriminated against by the probation service did so based on recent negative personal experiences. This lack of grounding in personal experience may explain why those who stated that they expected discrimination from the probation service could rarely discuss in any depth the specific nature of the discrimination they anticipated. Instead, expectations were loosely based on the view that the probation service *must* be racist because it is part of a racist Criminal Justice System.

"It falls under the law as a whole. The whole legal system is against Black people. That's why."

(Black male, under 35, high socio-economic group, high discrimination)

"I don't really trust that whole system, police, prison, courts, crime, etc. I don't trust it at all so... I don't think it's fair at all."

(Black male, under 35, high socio-economic group, high discrimination)

"Probation, that's when you get released early, isn't it? I think I would be treated differently there. They all have this stupid perception that if you're Muslim, you're a terrorist. So they may think I have terrorist connections because they would blanket this perception to all Asians, all Muslims. I don't know. It's just a perception, nothing to substantiate it or no reason for me to believe that way, but I just can't help thinking I would be."

(Asian female, over 35, high socio-economic group, high discrimination, low concentration)

Specific factors mentioned by respondents (but without sufficient frequency to draw meaningful conclusions from their statements) were: the view that Black people get harsher probation sentences than other people, the view that probation officers hold stereotypes of Black people as essentially aggressive, threatening and beyond rehabilitation and therefore invest less effort in helping them, and the perceived collusion between prison officers and probation officers which means that negative assumptions formed by prisoner officers about a person cannot be rectified.

12.6. Perceptions of change and awareness of policies and initiatives

Amongst those with experience of the probation service, there was a definite sense that the service had improved over the years. The main reason for this was the view that probation officers had become more focused on rehabilitation than on punishment (while the reverse was true in the past). This was demonstrated by the fact that they worked in close multi-agency partnerships to address the personal and logistical issues (such as substance misuse, child abuse, poor basic daily living skills, housing problems) that can contribute to a person's difficulties.

"My nephew had to go to probation. He sat down with the probation officer, told him what was going on with him in his life, and the probation officer had these external bodies and he linked with them and my nephew had like a key worker for housing and one for the drug place. And then they liaise together so they get things sorted for him, which is helpful. When I was on probation, it was like punishment. You had your half hour of being told off every week. Nowadays, it's more about rehabilitation than punishment. So my nephew who is on probation at the minute, he doesn't see a problem at all. He finds it quite useful, which is not the experience I had twenty-odd years ago."

(Black male, under 35, low socio-economic group, high discrimination)

"The probation service has undergone a shake up and they're trying to reshape the way they deal with especially young offenders with drug problems and various social problems. The initiative has changed from simply sentencing young offenders to trying to educate them, trying to break the chain of offending. They're given job skills, given slightly more responsibility, coaching. And the sort of basic job of the probation officer on the street level has changed. But these are all political decisions so in transferring an ideal into actual reality, it's very difficult. There are administrative problems within the social services but the goals are right."

(Black male, over 35, high socio-economic group, high discrimination)

12.7. Distribution of opinions

Given that only 14 respondents discussed the probation service, it is difficult to identify any demographic pattern, besides the fact that Caribbean men in the “high” discrimination category (regardless of age, socio-economic group or region) are the most likely to expected discrimination from the probation service.

12.8. Summary of probation service

- Awareness of the existence and role of the probation service was extremely limited, and only a small number of respondents discussed this service.
- Respondents based their perceptions of fairness or discrimination in the probation service on personal and vicarious experiences, and on inferences from perceptions of racial discrimination in the CJS as a whole. The media played no role in shaping perceptions.
- The main reasons for expected fairness in the probation service were:
 - lack of knowledge of the probation service
 - the view that the probation service is benevolent
 - positive personal experiences during probation
- The main reasons for expected discrimination from the probation service were:
 - generalisations based on distrust of the CJS as a whole
- The probation service was thought to have become much better and fairer over the years, and to have a greater focus on rehabilitation than on punishment now than in the past.
- The only people likely to expect the probation service to discriminate against them were Black Caribbean men in the “high” discrimination category.

Table 1: Summary of findings for public services

	Housing Services	Local Doctors' Surgeries	Local Schools	Police Service
Awareness	<ul style="list-style-type: none"> • High 	<ul style="list-style-type: none"> • High 	<ul style="list-style-type: none"> • High 	<ul style="list-style-type: none"> • High
Knowledge	<ul style="list-style-type: none"> • Medium 	<ul style="list-style-type: none"> • High 	<ul style="list-style-type: none"> • High 	<ul style="list-style-type: none"> • High
Experience	<ul style="list-style-type: none"> • For those in social housing 	<ul style="list-style-type: none"> • High 	<ul style="list-style-type: none"> • High 	<ul style="list-style-type: none"> • High
Sources of knowledge	<ul style="list-style-type: none"> • Personal experiences • Vicarious experiences • Community 	<ul style="list-style-type: none"> • Personal experiences 	<ul style="list-style-type: none"> • Personal experiences • Vicarious experiences 	<ul style="list-style-type: none"> • Personal experiences • Vicarious experiences • Community • Formal knowledge • Media
Reasons for expected fairness	<ul style="list-style-type: none"> • Explicit and fair allocation policies • Good customer service • Minority ethnic housing officers 	<ul style="list-style-type: none"> • Overall satisfaction • No personal experience of discrimination • Benevolent service • Professionalism/training • Personal relationship • Minority ethnic doctors 	<ul style="list-style-type: none"> • Fair admissions criteria and procedures • Minority ethnic pupils • Good management of racist incidents • Multicultural education • EAL support • Parental and community involvement 	<ul style="list-style-type: none"> • Basic trust • Benevolent service • Stop and search necessary • Positive experiences as victims of crime • No personal experience of discrimination • Minority ethnic police officers
Reasons for expected racial discrimination	<ul style="list-style-type: none"> • Allocation policies: priority to refugees • Allocation policies: worse areas and properties 	<ul style="list-style-type: none"> • Discrimination by Asian doctors to Asian patients 	<ul style="list-style-type: none"> • Mismanagement of racial incidents • Lower expectations of Black pupils • Exclusion and detention of Black pupils 	<ul style="list-style-type: none"> • Basic distrust • Rates of stop and searches • Deaths in custody • Unwillingness to deal with crimes against ethnic minorities • Poor retention of minority ethnic staff • Lack of accountability
Change and awareness of policies	<ul style="list-style-type: none"> • Better and fairer now • Low awareness of policies 	<ul style="list-style-type: none"> • No change: always fair • No awareness of policies 	<ul style="list-style-type: none"> • Better and fairer now • High awareness of policies 	<ul style="list-style-type: none"> • Fairer for Black people • More racist for Muslim people • High awareness of policies

Table 1: Summary of findings for public services (continued)				
	Crown Prosecution Service	The Courts	Prison Service	Probation Service
Awareness	<ul style="list-style-type: none"> • Medium 	<ul style="list-style-type: none"> • High 	<ul style="list-style-type: none"> • High 	<ul style="list-style-type: none"> • Very low
Knowledge	<ul style="list-style-type: none"> • Low (limited to the Black community) 	<ul style="list-style-type: none"> • Medium 	<ul style="list-style-type: none"> • Medium 	<ul style="list-style-type: none"> • Very low (limited to the Black community)
Experience	<ul style="list-style-type: none"> • Low (limited to the Black community) 	<ul style="list-style-type: none"> • Medium 	<ul style="list-style-type: none"> • Low 	<ul style="list-style-type: none"> • Very low (limited to the Black community)
Sources of knowledge	<ul style="list-style-type: none"> • Personal experiences • Vicarious experiences • Formal knowledge • Media 	<ul style="list-style-type: none"> • Personal experiences • Vicarious experiences • Community • Formal knowledge • Media 	<ul style="list-style-type: none"> • Personal experiences • Vicarious experiences • Media 	<ul style="list-style-type: none"> • Personal experiences • Vicarious experiences • Formal knowledge
Reasons for expected fairness	<ul style="list-style-type: none"> • Trust in CJS • Lack of experience • Confidence in the professionalism of CPS lawyers • Confidence that due processes drive prosecutions 	<ul style="list-style-type: none"> • Trust in the legal system • Independence of judiciary • Transparency of the courts • Trust in the fairness of the law • Professionalism of judges • Diverse jury • Lack of experience • Positive personal experiences 	<ul style="list-style-type: none"> • Lack of experience from being “law-abiding citizens” 	<ul style="list-style-type: none"> • Lack of knowledge • Benevolent service • Positive personal experiences
Reasons for expected racial discrimination	<ul style="list-style-type: none"> • Distrust of CJS • Perceived lack of independence from the police • Harsher sentences for minority ethnic people • Lack of transparency 	<ul style="list-style-type: none"> • Distrust of CJS • Harsher sentences for minority ethnic people • Demographic profile of judges • Lack of training for magistrates • Anti-terrorism legislation 	<ul style="list-style-type: none"> • Lack of accountability • Verbal and physical abuse of inmates by White staff • Deaths in custody • Unequal access to parole 	<ul style="list-style-type: none"> • Distrust of CJS
Change and awareness of policies	<ul style="list-style-type: none"> • Better and fairer now • Low awareness of policies 	<ul style="list-style-type: none"> • Fairer for Black people • More racist for Muslim people • No awareness of policies 	<ul style="list-style-type: none"> • Fairer for Black people • More racist for Muslim people • No awareness of policies 	<ul style="list-style-type: none"> • Better and fairer now • No awareness of policies

Chapter 13

Respondents' suggestions for improvements

Many recommendations to improve public services have been identified by respondents. They pertain to eight overarching areas of service planning and delivery. While analytically distinct, these areas are interrelated in practice.

13.1. Involvement and consultation of minority ethnic communities

Respondents felt that public services would benefit from greater involvement with and consultation of minority ethnic communities. They wanted services to be planned based on an assessment on the diverse needs and preferences of the various communities. They wanted the involvement and consultation to be proactive and ongoing rather than reactive and exceptional. The mechanisms to do so included research on minority ethnic issues, facilitation of advocacy, participation by public services at community events and in community life, and involvement of minority ethnic people in decision-making bodies.

13.2. Diversity of workforce

Perceptions of diversity in the workforce were a huge driver of perceptions of racial discrimination or fairness overall. Having a diverse workforce was often taken as an indicator of the degree of racial discrimination or fairness that existed in the organisation as a whole. Minority ethnic staff were thought to contribute to fairer services mainly because they understood better service users from their own communities, they made fewer assumptions about their needs and preferences, and they were able to communicate in other languages. People simply assumed that minority ethnic people would not be racist (an assumption not borne out by the analysis).

13.3. Professionalism and diversity and equality training

Respondents distinguished between those they perceived to be highly-skilled professionals (such as doctors, lawyers, judges) and those they perceived to be less skilled employees (such as housing, police, prison and probation officers). They assumed that professionalism decreased the likelihood of racial discrimination. In all public services, but especially in those services where providers were not required by their profession to be highly skilled, respondents pressed for all staff to receive good diversity awareness training. In their view, this should cover not only issues of service delivery (ie better customer service), but also issues of service planning and implementation. Thus, respondents saw diversity and equality training as a means to change the culture of organisations. Some suggested that training should include immersion in, or at least extensive contact with, minority ethnic communities.

13.4. Excellent customer service

The quality of customer service was a key driver of perceptions of racial discrimination across all categories of respondents. Many used this single dimension of service provision to assess whether or not public services were racist. A polite and courteous approach in face-to-face interactions was seen as key, especially for the majority whose understanding of racial discrimination focused predominantly or exclusively on personal mistreatment based on prejudiced attitudes. How officers discharged their duty mattered more than *what* they did.

13.5. Transparency in decision-making

The level of transparency in decision-making was another main driver of perceptions of racial discrimination by public services. Respondents wanted all public service providers to have clear, explicit, transparent and enforceable procedures to override personal biases.

13.6. Communications and explanations for procedures and decisions

Many respondents admitted that their perceptions of racial discrimination by public services could be based on misinterpretations of the reasons for the treatment they received from public service providers. They felt that perceptions could be improved by better communications about the reasons why decisions were made, so that they would not attribute differential treatment or outcomes to discrimination. The need for better communications is related to customer service, transparency of process and accountability.

13.7. Monitoring and evaluation and evidence of progress

Some respondents felt that the practice of ethnic monitoring was disempowering and that it contributed to entrenching, rather than reducing, differences between the minority and majority ethnic communities. However, most respondents strongly believed that ethnic monitoring and evaluation were necessary to identify discrimination and to map out progress towards eradicating it. Many respondents wanted to be shown evidence of progress; they did not want to be told about "intentions" (eg aims, targets, objectives, procedures).

13.8. Accountability, complaints procedures, redress and sanctions for racial discrimination

Finally, the level of perceived accountability in public services was another main driver of perceptions of racial discrimination. Respondents needed to be reassured that any instance of discrimination would be investigated internally and, if necessary, externally through independent agencies. They wanted to have clear and readily accessible complaints procedures. They wanted reassurances that complaints about individuals or organisations would not lead to victimisation. They also wanted clear mechanisms for redress and tougher sanctions against racial discrimination.

The relative importance the above suggestions varies for each service – with some services perceived to have already implemented some of the above suggestions. The next chapter draws out which specific suggestions can be applied to each service.

Chapter 14

Conclusions and recommendations

14.1. Introduction

This final chapter sums up the evidence and draws up recommendations both to help reduce actual inequalities and to help address perceptions of discrimination in each public service amongst Black and Asian people. These two aims of the recommendations are kept in a delicate balance. To some extent, the assumption is made that reductions in actual inequalities will generate reductions in perceptions of discrimination (although the process is unlikely to be linear, uniform and rapid). This assumption seems warranted by the fact that most respondents who expected discrimination from public services were well informed, realistic and reasonable in their assessment of the type of discrimination they expected that minority ethnic people may encounter from public services. However, it is also clear that expectations of discrimination were not always based on a full knowledge and recognition of the considerable amount of work already done in some public services to reduce inequalities and to improve fairness. Thus, some of the recommendations focus on developing more efficient and targeted communications strategies to address the perceptions of discrimination highlighted by the report.

14.2. Understanding the drivers of perceptions of racial discrimination

The drivers of perceptions of racial discrimination in public services are many and complex. Some precede any personal contact with services, others are outcomes of direct experiences. Some are based exclusively on personal experiences, others draw on formal knowledge and the media. Some are specific to certain services, others are cross-cutting. Some are more amenable to change through policy, others are not (at least in the short to medium term). Some are important to "high" discrimination respondents, others matter more to "medium" or "low" discrimination respondents. For all these reasons, it is not possible to simply rank the drivers of perceptions of racial discrimination and to determine which are the "most influential" ones overall. Nor is it possible to identify a simple solution to improve everyone's perceptions of racial discrimination. Change will necessarily be slow and uneven.

14.3. Psychosocial drivers of perceptions of racial discrimination

Respondents' self-concept, view of the world, understanding of and sensitivity to racial discrimination all impacted on their perceptions of fairness or discrimination in public services. Respondents who perceived and expected racial discrimination in many public services tended to: have a self-concept based on a politicised (racial or religious) social identity; assume that the world is not "just" and have a sceptical attitude towards institutions; have a complex understanding of racial discrimination combining personal and structural components; and be sensitive to discrimination across various contexts. Respondents who perceived and expected racial discrimination in few or no public services tended to: have a self-concept based on a personal identity or a non-politicised social identity; assume that the world is "just" and have a trusting attitude; have a limited understanding of racial discrimination focused predominantly on personal discrimination; and be insensitive to discrimination across various contexts.

14.4. Understanding of racial discrimination

The vast majority of respondents thought of fairness simply as "same treatment", and of racial discrimination as "different treatment". On that basis, respondents did not perceive discrimination from services which they believed treated them like everybody else (eg local schools admissions criteria, treatment by local doctors' surgeries), but they were likely to perceive discrimination from services that they perceived to respond to very specific minority needs and issues (eg refugees in social housing). Only a very small minority understood the importance (largely recognised amongst policy-makers and service providers) of having targeted provisions for groups with specific needs, in order to ensure equity.

Most respondents in the "medium" and "low" discrimination categories understood and perceived racial discrimination on a personal level (as the manifestation, in face-to-face interactions, of people's racist stereotypes and prejudices) rather than on a structural level. Given the importance of the quality of personal interactions in shaping perceptions of fairness or discrimination, policy should focus on improving all aspects of personal contacts between public services and their users. Such improvements could be achieved relatively quickly and inexpensively, and have a positive impact on perceptions of fairness.

However, the respondents who were more knowledgeable about and sensitive to racial discrimination, and who expected racial discrimination in many public services, were more likely to have a structural understanding of racial discrimination. They tended to think of racial discrimination as a product of organisational cultures and systems. This suggests that real progress toward greater equality in public service provision and delivery requires improvements at a structural level as well.

14.5. Awareness, knowledge and experiences of public services

For the majority of “low” and “medium” discrimination respondents, perceptions of *fairness* were based on limited awareness, knowledge and experiences of racial discrimination and of public services. By contrast, perceptions of *racial* discrimination amongst “high” discrimination respondents were likely to be based on greater awareness, knowledge and experiences of discrimination and of public services. Except for a minority of respondents who had deeply entrenched negative perceptions of public services, respondents who perceived racial discrimination in many public services were usually able to state very specific reasons and to provide evidence to justify their perceptions. Indeed, they often invoked much the same reasons as those highlighted by experts³². They also carefully distinguished between services, between individual service providers, between areas, between poor and specifically racist services, as well as between discrimination based on class, gender, race and religion. Significantly, they were better able to discuss why they deemed certain public services to be fair than respondents who expected no public services to discriminate against them. Importantly, the majority of the respondents who were likely to perceive and expect discrimination from public services were responsive to positive changes in public services. They also suggested a range of thoughtful recommendations to improve fairness in public services.

Respondents generally had much more to say about services perceived to be racist than those perceived to be fair. They also had much more to say about services they were familiar with. These included local schools, local doctors' surgeries, the police and, to a lesser extent, housing services, the court service and the prison service. Few meaningfully commented on the Crown Prosecution Service and fewer still on the probation service. Because the report necessarily draws on the views of people who chose to discuss services they were familiar with, it may give the impression that respondents are more knowledgeable than they were.

14.6. Types and sources of knowledge

Different respondents drew on different types and sources of knowledge to assess whether or not services were discriminatory. Those who perceived racial discrimination in many public services tended to draw on many types and sources of knowledge: personal and vicarious experiences, informal and formal knowledge, and the media. Those who perceived racial discrimination in few or no public services generally drew only on personal and vicarious experiences. Thus, it would

³² See for instance, the Home Office report into Race and the Criminal Justice System (2005); the ODPM report into the experiences of minority ethnic communities in housing (Harrison & Phillips, 2003); the report into discrimination in the CPS (Denman, 2001); and the DFES report into minority ethnic attainment and participation in education and training (Bhattacharyya et al, 2003).

be erroneous to conclude that direct experiences alone drive perceptions of racial discrimination in public services. While they almost entirely shaped the perceptions of people in the “low” discrimination category, they only partly accounted for the perceptions of people in the “medium” and “high” discrimination categories. In fact, many such respondents had never personally experienced discrimination from public services but, because they had a strong social identity, were knowledgeable about and sensitive to racial discrimination, and accessed different media, they were fully aware that minority ethnic communities did suffer from racial discrimination.

The media did not significantly impact on people’s perceptions of fairness or discrimination in relation to housing, local doctors’ surgeries, local schools, the courts, the CPS and the probation service. The only two public services in relation to which the media significantly contributed to perceptions of racial discrimination were the police service (especially reports on Stephen Lawrence, Jean-Charles de Menezes, Christopher Alder, Gurpal Viridi and the undercover report “The Secret Policeman”) and the prison service (especially reports on Zahid Mubarek).

14.7. Perceptions of racial discrimination in society, in the labour market and in public services

There are strong relationships between perceptions of discrimination in British society, in the labour market and in public services. However, for most respondents, what accounts for the relationships seems to be the fact that they perceive (or not) racial discrimination in all contexts through the same prism, that is, their self-concept, worldview, understanding of racial discrimination and sensitivity to racial discrimination. This interpretation seems to explain the findings better than the idea that perceptions of racial discrimination in British society or in the labour market drive perceptions of racial discrimination in public services. Only a minority of respondents generalised from experiences in wider society to experiences in public services.

Recommendations

These recommendations are intended to address the main drivers of perceptions of racial discrimination, as described above. They can be applied across different public services and are clustered into three themes: structural mechanisms, front-line service delivery and communications. These recommendations form the basis for the service-specific recommendations described in section 14.9.

Structural mechanisms

- The focus on perceptions of structural racial discrimination amongst “high” and some “medium” discrimination respondents suggests that, in order to ensure that public services are indeed fairer in the long-term, considerable efforts need to be put into building confidence in and strengthening structural mechanisms.

- **Involvement and consultation:** Public services should seek to involve and consult minority ethnic people at every stage in service planning and delivery to ensure that services truly meet the diverse needs of the communities they serve.
- **Monitoring and evaluation:** Public services should have in place rigorous monitoring mechanisms to identify any evidence of unequal treatment and the results of monitoring should be used to help plan and deliver fairer services.
- **Transparency:** Public services need to be seen to plan and deliver their services based on fair and explicit criteria.
- **Accountability:** Public services should ensure that they have effective complaints procedures so that they are seen to have a zero-tolerance approach to discrimination, and so that the public is reassured that any instance of perceived racial discrimination can be investigated and that redress can be obtained (if relevant). Independent external bodies (acting as regulators, inspectors or auditors) have an important positive impact on trust and perceptions of fairness in public services, and their remit should clearly encompass race equality.

Front-line service delivery

- Emphasis should be put on improving fairness in public services themselves, as people's perceptions of racial discrimination are mainly grounded in their experiences and knowledge of specific services, rather than in their experiences in wider society or in the labour market.
- Public services should ensure that they provide professional, courteous and culturally-sensitive customer service to all, especially in face-to-face interactions.
- Public services should continue to strive to have a workforce that is representative of the population that they serve, as the mere presence of minority ethnic staff is interpreted both as a sign and a guarantee that public services do not discriminate.

Communications

- Good communications strategies should be in place to ensure that significant progress towards reducing inequalities in public services is perceived as such by the public. There is a need to diffuse, through the mass media, "hard" evidence of progress towards greater fairness.
- There is little understanding of the need for public sector provisions that meet the specific needs of diverse service users. Greater efforts are necessary to communicate the rationale for such provisions.
- Public services should communicate their willingness to be held accountable for any racial discrimination that may occur as they discharge their functions. Findings from reports and inquiries carried out by independent external bodies (regulators, inspectors or auditors) should be effectively publicised.
- To improve perceptions of fairness in the groups that, in this research, were most likely to perceive discrimination from public services (eg Muslim people, Black Caribbean people), there is a need for more targeted communications (eg community consultation events, campaigns in specialist media) to address the specific concerns of these groups.

14.8. Priorities

We discussed in the introduction to this chapter that it is neither possible to simply determine which drivers of perceptions of discrimination are the “most influential” ones overall, nor to identify a simple solution to improve everyone’s perceptions. However, it is possible to examine which priorities would be associated with specific rationales.

- **Focus on main concerns**

One way of determining priorities for improvements is to examine the concerns that were the most important ones for each particular service (as determined both by the frequency with which they were mentioned and the strength of feeling they evoked in the respondents) together with the ethnic backgrounds of the respondents most likely to identify these concerns. Using this logic, the main priorities would be in:

- housing services: the perceived prioritisation of refugees (Black and Asian people);
- local schools, the mismanagement of racist/religious incidents (Black and Asian people);
- the police service, basic distrust, the disproportionate stop and searches amongst minority ethnic people and the perceived lack of accountability of the police service (Black and Asian people);
- the CPS, the perceived lack of independence from the police (mainly Black people) and concerns over perceived harsher sentences for minority ethnic people (mainly Black people);
- the courts, concerns over perceived harsher sentences for minority ethnic people (mainly Black people), concerns over the homogeneous socio-demographic profile of judges (Black and Asian people) and perceptions that anti-terrorism legislation discriminates against Muslims (only Asians); and
- the prison service, perceived lack of accountability (Black and Asian people), fear of verbal and physical abuse of inmates by White prison officers (Black and Asian people) and deaths in custody (mainly Asians).

- **Focus on main concerns among “medium” and “low” discrimination respondents**

Another way of determining priorities could be to focus on the suggested improvements which would have a positive impact on the largest number of Black and Asian people. Given that a) the latest Citizenship Survey found that the vast majority of Black and Asian respondents expect little or no discrimination from public services, and b) people who expect little or no discrimination from public services generally base their perceptions largely on personal experience of fairness or racism in face-to-face interactions, it could be argued that the key priorities to improve

perceptions of fairness across all public services should be to focus on the various dimensions of personal racism. This would mean to:

- have staff from diverse minority ethnic backgrounds
- deliver courteous and competent services
- ensure that the rationale for actions and decisions is clearly communicated
- focus on main concerns among “medium” discrimination respondents.

Since the PSA target is to reduce the percentage of people who think that one or more services discriminate them, a key group of people whose perceptions need to be shifted is those who think that only one or two services discriminate. Therefore another way of determining priorities for improvements would be to focus on the key issues for this group. According to this logic, the main priorities would be to:

- reduce inequalities in stop and searches amongst Black and Asian people
- tackle perceptions of harsher sentences by the courts amongst Black people
- address ill-feelings about anti-terrorism legislation amongst Muslim people
- address perceptions that refugees have priority in social housing amongst Black and Asian people
- demonstrate reductions in the incidence of bullying and racism in schools amongst Black and Asian people
- improve confidence that Muslim prisoners would be treated fairly amongst Muslims.
- **Focus on main concerns among “high” discrimination respondents**

Alternatively, it could be argued that priority should be given to addressing the concerns of people who perceive many public services to be discriminatory since a) this qualitative research found them to be generally well informed, sophisticated and realistic in their understanding of racial discrimination, b) changes that would satisfy these respondents would contribute to reducing actual inequalities, and c) changes that would satisfy these respondents would also, almost inevitably, satisfy other less demanding people and eventually generate improvements in perceptions of fairness. Based on this logic, and despite the relatively small number of Black and Asian people who do expect many public services to discriminate against them, the priorities for improvements would be to focus on putting in place the structures and processes necessary to:

- monitor and evaluate public services to assess real progress
- increase transparency of decision-making
- increase accountability, access to complaints procedures, possibility of redress and sanctions against racial discrimination.

- **Focus on key social groups**

Yet another way of identifying priorities is to focus on the social groups that are more likely to perceive discrimination across many public services. Results from this study – which could be looked at in conjunction with results from the Citizenship Survey – suggest that efforts need to be directed towards the following sub-groups:

- all Muslim people, especially UK-born Pakistani people
- all Caribbean people, especially those at risk of social and economic exclusion
- people of lower socio-economic groups who live in areas with a large minority ethnic population.

Finally, it could be argued that improving only perceptions of fairness in the police service in itself would help improve perceptions of fairness across many of the Criminal Justice System (CJS) agencies, since the police is seen as the entry point to the entire CJS. In the absence of direct experiences of the other CJS agencies, some respondents generalised from their perceptions of the police service to perceptions of other CJS agencies.

14.9. Drivers of perceptions of fairness and discrimination in specific public services

- **Housing services**

Most respondents felt that housing services were fair: they had confidence in allocation policies, were satisfied with the diversity of the frontline staff and felt that services were sometimes poor but rarely discriminatory. By far the dominant driver of perceptions of racial discrimination in housing was the perception that refugees are given priority in social housing. Less frequent concerns included perceptions that minority ethnic people were allocated worse properties in worse areas. Notwithstanding the widespread concerns over the perceived prioritisation of refugees, in every other respect, housing services were thought to have become fairer.

Recommendation:

- Communications about the perceived prioritisation of refugees in housing services need to be improved³².

³² The Government recognises the importance of ensuring that all members of the community perceive housing services to be fair and transparent, and intends to develop and roll out a national training programme for front line housing staff so that they have the right skills to address any perceptions of unfairness in the allocation of social housing.

- **Local doctors' surgeries**

Local doctors' surgeries were overwhelmingly perceived to be fair. Respondents believed that GP services were benevolent, that doctors were highly-trained professionals who only focused on each person's biomedical needs and who developed personal relationships with many of their patients. Most believed that the diverse ethnic profile of doctors guaranteed fair services. Only a small minority of respondents had directly experienced racial discrimination: they were almost all Asian patients who had been seen by Asian doctors. These experiences did not lead them to think that GP services in general were racist. Respondents noted no improvements in GP service because they had always considered them to be fair.

- **Local schools**

Perceptions of fairness in schools were driven by many factors: trust that admissions criteria were fair because they are clear and identical for everyone, the diverse ethnic profile of pupils, good management of racial incidents, a more multicultural approach to education, the provision of English as Additional Language (EAL) support for new migrants, and parental and community involvement in day-to-day activities and school governance. However, many still complained of poorly managed racial incidents, both in relation to themselves and to their children. In addition, Black respondents identified lower expectations of Black pupils (more in relation to the past) and greater number of exclusions and detentions of Black pupils (especially boys), as factors driving their perceptions of racial discrimination in schools. There was a near consensual view that local schools had become much fairer.

Recommendations:

- Schools should aim to improve the management of racial and religious incidents and the outcomes for Black pupils, especially boys. In addition, schools should promote better understanding of their existing fair practices. Possible ways of achieving these outcomes are given below.
- Central government and local education authorities could support local schools with the provision of "best practice" guidelines and with case studies of school practices that are effective in raising achievements for all minority ethnic pupils, in reducing school exclusion amongst minority ethnic pupils, and in promoting greater fairness in all aspects of school life.
- Zero-tolerance of bullying and harassment (based on race or religion) needs to be enforced and communicated to the entire school community.
- The recruitment of staff which reflect the ethnic profile of the local communities would be desirable, especially in areas of high minority ethnic population³³. It may be particularly important to recruit Black men as teachers, given the depth of concerns about young Black boys identified in this research and elsewhere.

- **The police service**

Perceptions of the police service were mixed: some saw it as a benevolent service offering protection to all citizens and fundamentally trusted it; others saw the police as an aggressive, repressive law-enforcement agency and fundamentally distrusted it. The drivers of perceptions of fairness were: the view that stop and searches were a necessary part of community policing, the positive personal experiences that victims of crime had had, and greater confidence due to the increased number of minority ethnic police and community support officers. The main driver of perceptions of racial discrimination was a basic distrust of the police. This was largely based on the historical relationship between the police and the Black community (for Black people), and on current counter-terrorism practices (for Muslim respondents). The Stephen Lawrence Inquiry significantly contributed to the view that the police force was racist. Stops and searches were also pivotal to the perceptions that minority ethnic people were treated unfairly by the police. Other drivers of perceptions of racial discrimination were deaths in custody (Christopher Alder being one high-profile case), the perception that the police was not committed to solving crime affecting minority ethnic communities, the fact that the police was not successfully retaining ethnic minority staff (Gurpal Viridi exemplifying this issue), and general concerns over lack of accountability in the police service. Black people were more likely to perceive that the police was fairer now than in the past; Asian people were more likely to perceive that the police was more racist now than in the past.

Because the police was often the only public service which respondents expected to discriminate against them, and because perceptions of fairness or discrimination in the police often impacted on perceptions of other CJS agencies, it is particularly important to improve this public service.

Recommendations:

- Recommendations for the police service encompass working to improve customer service, workforce diversity and communications. They also include suggestions on how to restore trust, involve and consult community members, and increase accountability.

Recommendations: (continued)

- Current efforts to improve the quality of customer service in the police service should continue. Police officers need to be seen to be professional and courteous. They need to be aware of how their behaviour during encounters with members of minority ethnic groups may be interpreted, given a background of fraught historical relations and basic distrust. The research found that personal experiences of the police service were important in shaping perceptions of fairness or discrimination in this service. Respondents who had had dealings with professional, courteous and sensitive police officers (mainly as victims of crime but also, to a lesser extent, during stops and searches) were inclined to think that the police service was fair. However, those who had personally or vicariously experienced unprofessional and aggressive treatment by police officers (usually in the context of stops and searches) were likely to think of the police as racist. The research also found that, despite perceived improvements amongst Black respondents, experiences of racial discrimination were thought to be ongoing and, amongst Asian respondents, to be getting worse. Race and diversity awareness training with police officers could be a tool to improve the quality of customer services, but there may be other mechanisms for achieving the same outcome.
- The drive to recruit more police officers and community support officers from minority ethnic backgrounds should continue. As with other public services, the presence of minority ethnic staff is interpreted as a sign that the police service does not discriminate. It is also important that the ethnic profile of the police service be diverse at all levels. To that effect, all instances of discrimination towards minority ethnic police staff (whether from colleagues or from the general public) should be dealt with severely and promptly, both to maximise retention and career progression, and to facilitate future recruitment.
- The disproportionate use of stops and searches amongst minority ethnic groups was the most important driver of perceptions of discrimination in the police service (and, by extension, an important driver of perceptions in the CJS as a whole)³⁴. This suggests that:
 - 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;
 - The rationale for stops and searches needs to be clarified, 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;

Recommendations: (continued)

- The reasons for the current disproportionality in stops and searches need to be better understood and, where appropriate, better communicated to target communities to assuage concerns that stops and searches may be based on racial stereotyping;
- Police officers involved in stops and searches need to treat ethnic minority people with respect and to be held accountable in cases of abuse of power, to help overcome the perceived lack of accountability in the police service;
- Experiences of stops and searches amongst ethnic minority people need to be systematically monitored to ensure that the policies in place to improve confidence in this power are indeed effective.
- Work to establish ongoing positive contacts with local minority ethnic communities outside law enforcement situations (eg going into schools to inform children about the various roles of the police, attending community events) should continue, since the research found that many respondents did not perceive the police as a benevolent force working to guarantee public safety. Positive exposure to the police outside law enforcement situations would challenge the community norms that lead to negative perceptions of the police and would help build trust.
- Engagement in community consultation should be further developed. Respondents who perceived the police to be discriminatory often felt that policing styles and priorities were out of line with what community members themselves wanted. Effective community consultation would help foster positive contact, create opportunities for two-way communications, increase accountability, and ensure that policing strategies are more responsive to community needs.
- All mechanisms to increase the accountability of the police should be explored:
- The police service needs to be seen to be willing to be held accountable for any racial discrimination that may occur as they discharge their functions. Respondents who expect discrimination from the police want to know that they will not be victimised for reporting discrimination and that their allegations of racial discrimination will be investigated thoroughly.
- Respondents also want to make sure that effective sanctions will be implemented against individual officers or police services that are found to discriminate.
- Respondents argue that targets, performance indicators, audits, public inquiries and other such tools to drive up performance and increase accountability have been extremely effective in improving the quality of the police service in general, and fairness in particular.

Recommendations: (continued)

- Respondents believe there is an important role for self-regulation but they also have greater confidence that independent external bodies will be able to hold the police service to account. Having said that, the Independent Police Complaints Commission (IPCC) had yet to establish its credibility amongst respondents who expected discrimination from the police.
- The police service needs to work particularly hard on restoring the trust of certain sections of the minority ethnic population. Black Caribbean people and young Muslim people (especially of Pakistani origins) were more likely to distrust the police. However, while the Black Caribbean community largely believed that the police had become less discriminatory towards them over the years, young Muslim people (especially of Pakistani origins) largely believed that the police had become more discriminatory towards all Muslims in recent years.

- **The Crown Prosecution Service**

Awareness, knowledge and experience of the CPS were largely confined to the Black Caribbean community. Lack of knowledge and experience, coupled with a basic trust in the Criminal Justice System, accounted for perceptions of fairness. The main drivers of perceptions of racial discrimination for them were: a basic distrust of the Criminal Justice System (largely driven by perceptions of racial discrimination in the police); the view that the CPS was not independent of the police (by failing to correct any bias in police charging decisions); the view that minority ethnic people got harsher sentences (based on the implicit assumptions that it was in the "public interest" to pursue them more vigorously, by devoting uneven efforts to gather evidence of crime depending on the victim or the perpetrator's ethnic background, and by allowing weak cases against ethnic minority defendants to go to trial); and the view that the CPS lacked transparency and accountability, as decisions were made behind "closed doors". Despite these concerns, respondents argued that the CPS had become much fairer.

Recommendations:

- Recommendations for the CPS include suggestions on how to improve communications and address the perceived lack of accountability.
- Given the impact of workforce diversity on perceptions of fairness, the success of the CPS at recruiting minority ethnic staff should be clearly communicated to target communities.
- Given the perceived lack of transparency in the CPS, it is important for the CPS to clearly communicate the reasons for its decisions.
- Perceived lack of accountability is a significant factor in shaping perceptions that the CPS is discriminatory. Some suggestions of ways of improving perceptions are:
 - ensuring that the inspection regime is seen as effective at assessing and improving the state of race relations in the CPS; any improvements in the inspection regime could be publicised, especially amongst target communities;
 - gathering and analysing “fit for purpose” data to inform the strategic priorities of the CPS in terms of inequalities and racial discrimination;
 - assessing the views and experiences of all staff including minority ethnic staff; any significant progress in actual fairness and in perceptions of fairness should be communicated, especially amongst target communities.
- The CPS should continue to undertake its annual equality impact assessments of charging decisions. It should also keep under active review its work to communicate its results to the widest possible audience.

- **The Courts**

There was considerable trust in the fairness of the courts. The main drivers of perceptions of fairness were: the independence of the judiciary from the legislative system; the openness and transparency of the judiciary as a whole (in some measure due to the scrutiny of the media); confidence in the fairness of law itself; the belief that decisions were based on evidence rather than personal opinion; the possibility of redress in case of unfair decisions; the perceived professionalism and competence of (Crown court) judges; and the presence of a representative jury in some cases. As with most other services, lack of experience of the courts and some positive personal experiences also contributed to expectations of fairness. The media promoted a basic understanding of the courts through portrayals of the legal system in “courtroom dramas” and other such programmes; they did not contribute to an understanding of *racial discrimination* in the courts. The main drivers of perceptions of discrimination were: a basic distrust of the Criminal Justice System (largely driven by perceptions of discrimination in the police); the view that minority ethnic people got harsher sentences; the perceptions that White (middle-aged and middle class) judges cannot be entirely free of racial discrimination; the lack of professionalism of magistrates; and, amongst Muslims, the view that anti-terrorism legislation was discriminatory.

Black people were more likely to perceive the courts to be fairer now than in the past; Asian people were more likely to perceive it to be more discriminatory now than in the past.

Recommendations:

- The drive to increase the diversity of judges so that they reflect better the communities they serve should be pursued³³.
- The effectiveness of current diversity awareness training amongst judges and magistrates should be assessed for its impact on service delivery and outcomes in relation to people from minority ethnic backgrounds³⁴.
- Juries were seen by respondents as a key safeguard for the fairness of the courts. Any proposals to change the jury system should give significant weight to this factor.
- Current efforts to monitor the impact of ethnicity on sentences should be stepped up, as evidence remains limited. Further research would also be required to identify the reasons for inequalities in outcomes and the possible role of discrimination in explaining them.
- While responsibility for the anti-terrorism legislation does not rest with the courts, Muslim respondents nevertheless expected that the courts would discriminate against them because of this legislation. The anti-terrorism legislation has been assessed for its potential discriminatory effects and for its impact on perceptions of discrimination more generally. However efforts are required to restore trust in the fairness of the legal system as a whole amongst Muslims (especially of Pakistani origins).

- **The prison service**

There was low confidence in the fairness of the prison service. The main reason why a few respondents expected to be treated fairly was that they perceived themselves as “law-abiding” citizens who would never go to prison and, therefore, would not experience racial discrimination personally. Some also felt that individual prison officers may be individually racist but that the service as a whole was not. The main drivers of perceptions of racial discrimination were the view that prisons are unfair and harsh environments in which things happen “behind closed doors”, and where

³⁴ Evidence of progress towards increasing the diversity of the judiciary is published in a number of ways:

- Records relating to the diversity of existing judicial office holders appear on the public website www.judiciary.gov.uk (updated monthly).
- The Judicial Appointments Commission publishes annual report and diversity statistics on the results of selection exercises resulting in the appointment of new judges on its website www.judicialappointments.gov.uk.
- The Lord Chancellor, The Lord Chief Justice and the Judicial Appointments Commissioner are publishing an annual joint tripartite report on the progress of their strategy to increase the diversity of the judiciary, starting in 2007.

In addition, a network of Diversity and Community Relations Judges is carrying out outreach work across the country, including visiting schools and local communities. The network was recently re-launched and work is currently in hand to produce a training guide for use by the judges to help them in this work.

³⁵ In early 2007, the Judicial Studies Board (which is responsible for the training of judges) carried out a review of all diversity training that it provides. It is currently considering the results and drawing up plans to implement appropriate recommendations from the review.

racism can go unnoticed and unpunished; the assumption that minority ethnic inmates would be verbally or physically abused by White prison officers; the fear that inmates could be killed by racist cellmates (a very powerful driver amongst Asians – mainly Pakistanis – based on the Zahid Mubarek case); and a lesser concern that minority ethnic people may have more limited access to parole. Black people were more likely to perceive the prison service to be fairer now than in the past; Asian people were more likely to perceive it to be more discriminatory now than in the past. Young Pakistani men were the most likely to believe that prisons would discriminate against them, even in the “medium” and “low” discrimination categories.

Recommendations:

- The research suggests that improvements could be made in the training of prison officers, the diversity of the workforce and communications. Some ways of achieving these improvements are suggested below.
- Race and diversity awareness training received by prison officers could be evaluated for its impact on service delivery in relation to minority ethnic prisoners.
- As with the police service, diversity of workforce is perceived as an indicator of fairness. The same recommendations – to recruit and promote more minority ethnic staff and to deal with discrimination against staff effectively – also apply to the prison service.
- Perceived lack of accountability is important in shaping perceptions that the prison service is discriminatory. Some ways of improving perceptions of accountability include improving and publicising inspection regimes, the gathering and analysing of data to inform strategic priorities in terms of equalities and discrimination, and the assessment of the views and experiences of minority ethnic prisoners.
- Other possible mechanisms of improving real and perceived accountability include:
 - the enhancement of awareness and confidence in complaints procedures so that fear of victimisation amongst those alleging discrimination is reduced and trust in adequate remedial action is increased; and
 - the monitoring, where there are sufficient numbers, of access to parole, use of discretionary powers and use of discipline, to ensure that minority ethnic people get fair treatment.
- Given the critical importance of the Zahid Mubarek case in shaping perceptions of the prison service amongst Asian people (especially of Pakistani origins), particular efforts may need to be invested in restoring the trust of the Pakistani community. Targeted communications with this group which publicise improvements to the prison service as a result of the Mubarek Inquiry would be useful. The fact that the prison service has accepted responsibility for addressing institutional religious intolerance, as well as institutional racism, could profitably be communicated.

- **The probation service**

Awareness, knowledge and experience of the probation service were extremely limited. This almost entirely accounted for expectations of fairness. Those who were familiar with the probation service tended to see it as a benevolent service, focused on rehabilitation rather than punishment. This was mainly the case amongst respondents who had been on probation themselves. The main driver of perceptions of racial discrimination was ill-informed assumptions that, as part of the Criminal Justice System, the probation service must be racist. The probation service was thought to have improved significantly. Its current approach to multi-agency partnerships to address the personal and logistical issues (such as substance misuse, child abuse, poor basic daily living skills, housing problems) that can contribute to a person's difficulties was the main reason accounting for improvements.

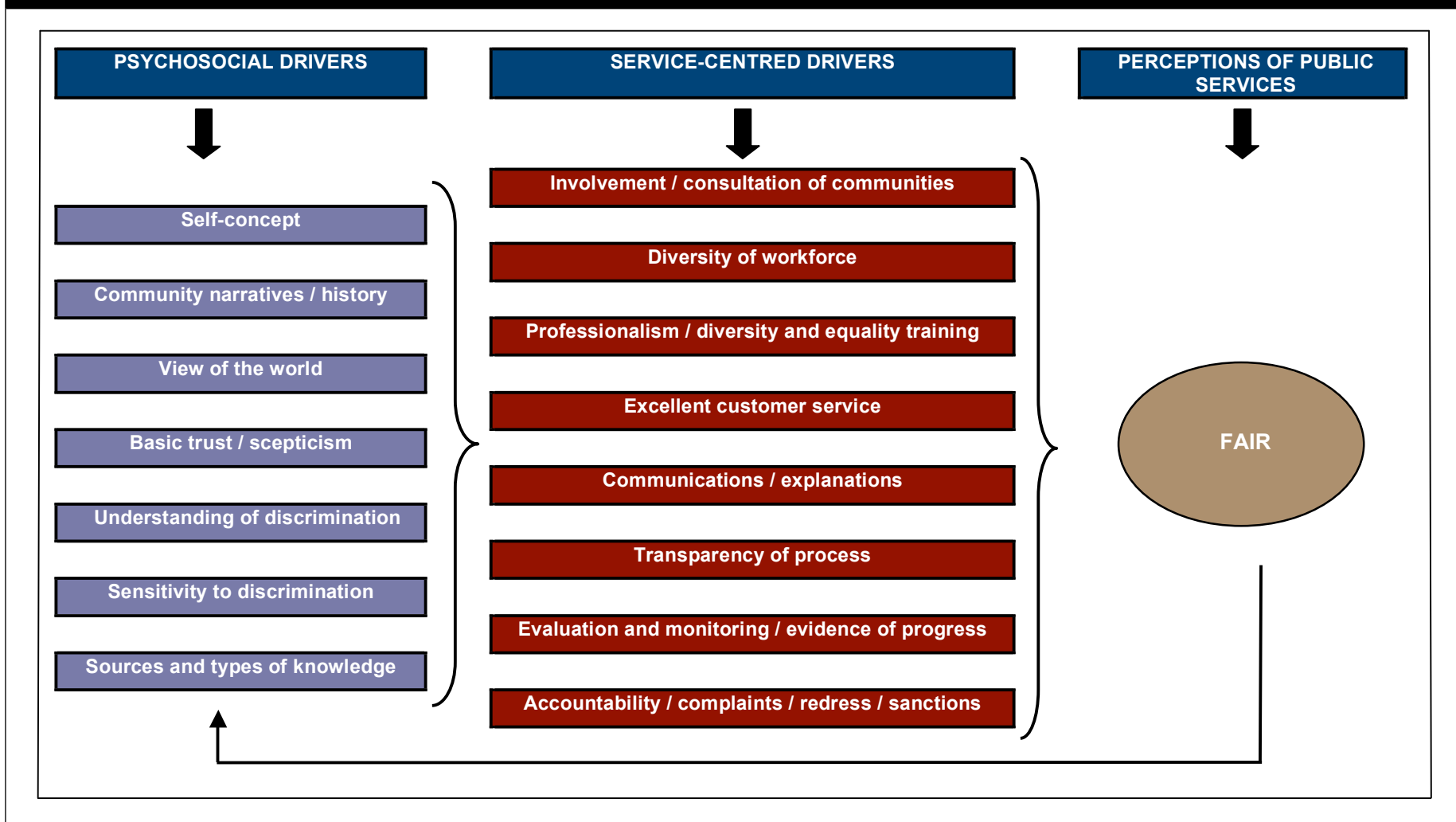
Recommendation:

- Given the perceptions of fairness and of widespread improvements both in the overall quality of service and in fairness specifically, the current approach to multi-agency partnerships to support people in probation through personal and logistical issues should be pursued.

Implementing the recommendations above will not entirely succeed in eradicating perceptions of racial discrimination in public services, because perceptions of public services are framed by psychosocial factors which are not readily amenable to change through policy. However, in the long-term, these recommendations will bring about positive change.

Figure 2 below sums up the joint impact of psychosocial and service-centred drivers on perceptions of fairness in public services. It shows how improvements in perceptions of fairness in public services can, over time, change people's self-concept, level of identification with community narratives, worldview, level of trust, understanding of racial discrimination, sensitivity to racial discrimination, and relation to different sources and types of knowledge.

Figure 2: Psychosocial and service-centred drivers of perceptions of fairness in public services



Appendix A

Research methods and fieldwork

Introduction

The research design was based on semi-structured face-to-face interviews together with a projective technique – vignettes of ambiguous scenarios – specifically designed to ascertain people's understanding and perceptions of racial discrimination. The rationale and procedures associated with each method are described below.

Research methods

- **Vignettes of ambiguous scenarios**

Individual face-to-face interviews began with three short vignettes representing situations that may or may not be perceived as racist by the research participants. The vignettes described scenarios, deliberately created to be ambiguous (Essed, 1991; Mellor *et al*, 2001), in which a Black or Asian person is in contact with the police, council housing services and the courts. These vignettes were used to reveal how research participants understand racial discrimination, their sensitivity to racial discrimination, the extent to which they identified with the people in the scenario, and the criteria they invoked in deciding whether an encounter with a public service is racist or not.

For each research participant, the first two scenarios were "ethnically matched" and the last one was "ethnically unmatched". This was done to determine whether respondents identified more closely with the protagonists in the vignettes when they shared a common ethnic background with them or whether they were sensitive to all forms of discrimination, regardless of the ethnicity of the person involved.

While the scenarios were not designed to tap into people's perceptions of the police, council housing services and the courts, it was clear that some respondents projected a wealth of experiences and views onto the specific scenarios as they sought to make sense of and explain the vignette scenarios. The vignettes powerfully revealed the "readiness" with which people interpret situations as racist or not, and the thinking processes which lead them to their conclusions.

The three scenarios were developed by ETHNOS, with input from members of the Steering Group (see below). The following scenarios were used:

“In a quiet neighbourhood, four young [Black or Asian] men are hurrying down a street. They come across two police officers who ask their names and what they are up to. The young men are acting nervously. Not satisfied with the young men’s replies, one officer asks them to turn out their pockets. The police officer tells them that they were asked to turn their pockets out because their behaviour was suspicious.”

“Two men, one [Black or Asian] and one White, appear in court over a burglary case. The two suspects were caught on the scene of the crime. The judge gives the [Black or Asian] man a sentence of eighteen months in prison and he gives the White man, thought to have played a more minor role in the burglary, a sentence of twelve months in prison.”

“A [Black or Asian] woman living in a council flat contacts her local council to report that racist graffiti have been drawn on her estate. The housing officer dealing with the complaint says that she is sorry about the graffiti but that the council does not have the money to remove the graffiti or to make any other improvements to the estate.”

After the presentation of each vignette, research participants were asked:

- what were their first impressions
- whether the service providers had acted in the right way
- whether there were “good reasons” that could explain the service providers’ actions
- whether they felt race or ethnicity had any part to play in the situation, and
- whether they thought the actions depicted in the scenarios had any consequences.

The order of presentation of the vignettes was systematically varied to avoid any biases linked to the order of presentation.

The vignettes generated excellent data from all categories of respondents, as they could be meaningfully discussed even by respondents without prior knowledge or experience of the services.

- **Semi-structured face-to-face interviews**

In essence, the remainder of the interview systematically explored each respondent’s:

- self-identity and the relevance of race, ethnicity or religion to their self-concept

- awareness, knowledge and experience of public services
- expectations of discrimination and/or fairness from public services
- reasons for their expectations of discrimination and/or fairness
- perceptions of discrimination and/or fairness in society and in the labour market, and
- recommendations for reducing discrimination.

To investigate people's views about each public service, a showcard listing the eight public services of interest was presented to respondents. They were then asked to identify from which of these services they expected to be discriminated against, and from which they expected to be treated fairly. Again, to reduce any bias linked to the order of presentation of the public services, two different showcards were produced, listing the services in reverse orders.

Depending on the number of services identified as either discriminatory or fair, interviewers then probed respondents to discuss in depth at least three services. Respondents who expected that no public service would discriminate against them were prompted to discuss either the police service or housing services. This is because there is much policy interest in these two services since, according to the Citizenship Survey, people who believe that only one service would treat them unfairly usually single out either the police or housing services as the one service from which they expect discrimination.

Data on the services discussed by each respondent were gathered through fieldwork sheets. On average, each respondent discussed 3.5 services, which is higher than initially planned. An overview of the services expected to be either fair or discriminatory (by level of expected discrimination and ethnicity) is given in Table 2 below.

The interview schedule was revised after the first ninety (90) interviews to prompt the respondents to give their opinion of some of the main recommendations suggested in these interviews. It was felt that there would be too little data on recommendations unless respondents were explicitly asked for their views. At the same, it was also felt that the views should emanate from the respondents themselves, rather than merely asking people their opinion of policies and initiatives made by policy experts.

Table 2: Services expected to be racist or fair, by level of discrimination and ethnicity

	High				Medium				Low				Total			
	Black		Asian		Black		Asian		Black		Asian		Fair	Racist	Fair	Total
	Racist	Fair	Racist	Fair	Racist	Fair	Racist	Fair	Racist	Fair	Racist	Fair				
Housing	1	5	3	3	7	4	3	8	2	8*	2	4*	18	32*	50*	
Local doctors' surgeries	0	11	4	9	1	11	2	7	1	8	0	11	8	57	65	
Schools	6	7	1	11	5	7	3	10	4	8	2	10	21	53	74	
Police	14	0	9	6	12	5	10	8	9	12*	3	10*	57	41*	98*	
CPS	10	2	2	2	4	2	3	0	0	2	1	1	20	9	29	
Courts	8	2	5	6	5	3	9	1	2	6	1	2	30	20	50	
Prison	7	0	8	0	5	2	8	0	1	3	5	1	34	6	40	
Probation	5	2	0	1	1	1	1	0	0	1	2	0	9	5	14	
	51	29	32	38	40	35	39	34	19	49	16	39	197	223	420	

* indicate that discussions of these services with "low discrimination" respondents may have been prompted and therefore cannot be readily compared with other services.

The figures in Table 2 show that those in the "high" discrimination category, especially those from Black backgrounds, discussed a wide range of public services and usually included components of the Criminal Justice System. Those in the "medium" and "low" discrimination categories tended to discuss the services that are not part of the Criminal Justice System, with the exception of the police. This imbalance in the services discussed must be borne in mind when analysing and interpreting the findings.

Pilot

The instruments of data collection (ie the interview schedule and the three vignette scenarios), the showcard of public services, the fieldwork sheet and the overall length of the interview were piloted with five research participants with different socio-demographic profiles. The pilot led to small changes to the instruments of data collection and to the fieldwork sheet, but it showed that the research generated valid data across all categories of respondents and in relation to all services.

Main fieldwork

The main fieldwork took place between April and June 2006. Interviews took place in the respondents' homes, to ensure that they would be at ease. Depending on people's knowledge and experiences of the services, the interviews lasted between 30 and 90 minutes, with the majority lasting around one hour. An incentive of £25 was given to participants as thanks for their support with the research.

Research team

The research team for this project comprised six researchers from a range of ethnic backgrounds and with specialist expertise in research with people from minority ethnic communities. The team held regular meetings to ensure that everyone had a common understanding and interpretation of the issues. This was particularly important during the analysis (see Appendix C).

Appendix B

Sampling and recruitment

Introduction

The research findings are based on 120 face-to-face interviews conducted with a sample of people who had already taken part in the 2005 Citizenship Survey³⁶ and had agreed to be recontacted for research purposes. This appendix documents how the sample was constructed and how research participants were recruited.

Sampling frame

Research participants met strict criteria. Based on their response to the Citizenship Survey, quotas were set for level of perceived discrimination from public services, ethnicity, age, gender, socio-economic group and area of residence. These variables were expected to impact on people's perceptions of public services for reasons that are detailed below.

It should be stressed that quota samples can only be used to provide understanding about, and illumination of, a set of issues. They cannot provide statistical evidence that can be generalised, in a statistical sense, to a broader population. However, it is expected that the issues which emerge through the analysis would be commonly found in the wider population whose experiences the sample seeks to reflect and capture.

- **Level of perceived discrimination by public services**

A key policy driver for the research was to bring measurable improvements in race equality and community cohesion across a range of performance indicators. One such performance indicator is the reduction in the percentage of people from minority ethnic backgrounds who expect that no public services will treat them worse than people of other races, as measured by their response to the following question in the Citizenship Survey:

³⁶ The Citizenship Survey is a nationally representative survey of 10,000 adults in England and Wales, including a minority ethnic boost of 5,000 adults.

“For each of the following services, I’d like you to imagine you are a member of the public using each service, and for you to tell me if you expect that they might treat you better than people of other races, worse than people of other races, or about the same. It doesn’t matter if you haven’t had any direct contact with the organisations. It’s just your opinions I’m after.”

Respondents were then presented a list of public services, including those covered by the PSA 10 (council housing departments/housing associations, local schools, local doctors’ surgeries, the police service, the prison service, the courts, the Crown Prosecution Service and the probation service).

For the current study, it was decided that people who identified that they expected to be discriminated against by three or more public services would be classified as “high discrimination”, those who identified that they expected to be discriminated against one or two public services would be classified as “medium discrimination”, and those who expected that no public service would discriminate against them would be classified as “low discrimination”³⁷. Quotas were then set in the sampling frame so that we would interview forty (40) people in each level of expected discrimination.

- **Ethnicity**

The sample included people from the main minority ethnic communities living in England and Wales (based on the 2001 Census):

- Black Caribbean
 - Black African
 - Black Other
- } “Black”
- Indian
 - Pakistani
 - Bangladeshi
 - Asian Other
- } “Asian”

It was decided from the outset that the analysis would only be conducted according to two superordinate categories: Black and Asian. This is because there would not be a sufficient number of respondents in each category to allow for a thorough analysis by specific ethnic group once responses were broken down by other variables (including age, sex, socio-economic group). However, when clear and significant patterns emerged in relation to specific ethnic communities (or sub-groups within), these are highlighted in the report.

³⁷ This classification is of course problematic in many ways. Chiefly, it takes account of the number of organisations expected to discriminate, but not of the intensity of the views or experiences discussed, and it operationalises “low” as in fact “no” discrimination. Despite these difficulties, it was felt that the classification would provide a useful frame to sample respondents and analyse their views. This expectation was largely substantiated by the analysis. In particular, we found that many of the “low” discrimination respondents were indeed “low” and not “no” discrimination because they did perceive some discrimination from some public services.

It should be stressed that ethnicity was not taken at face-value. Instead, in each interview, we explored in some depth the extent to which individual respondents actually identified (or not) with a particular ethnic group, nationality, religion.

- **Age**

Experiences and perceptions of racial discrimination by public services were expected to vary as a function of age. This is in part because the nature of the contact people have with services will be different according to their age, but also because perceptions change over the lifecycle. Moreover, in relation to minority ethnic communities, age can correlate with generation of migration, with length of time people spent in the UK, with ability to speak English and, as a result, with the knowledge and experiences people can be expected to have of the various public services. With these considerations in mind, the sample was split into two age groups: those aged under 35, and those aged 35 and above. Division into these two groups reflected the age distribution of the respondents in the available sample.

- **Sex**

Another key consideration was sex. Again, experiences and perceptions of racial discrimination by public services were expected to vary significantly as a function of sex. There is much evidence to suggest that experiences of the Criminal Justice System or the educational system, for instance, are very different for Black or Asian men and women. It was therefore important to explore systematically differences in the drivers of perceptions of discrimination by public services in terms of the respondents' sex.

- **Socio-economic group**

The research explored whether respondents' socio-economic status influenced perceptions of organisational discrimination. The Citizenship Survey measures socio-economic groups according to the National Statistics Socio-economic Classification (NS-SEC). Respondents in the sample were divided into two groups based on NS-SEC: the higher NS-SEC group were represented by higher managerial and lower managerial occupations, intermediate occupations and small employers and own account workers; the lower NS-SEC group comprised lower supervisory and technical occupations, semi-routine and routine occupations, those that had never worked and the long-term unemployed. Again, this division reflected the distribution of the respondents in the available sample.

- **Area of residence**

Government Office Region

England is divided into nine Government Office Regions (GORs), which are the primary classification for the presentation of regional statistics. The experiences of minority ethnic respondents were likely to vary regionally. For the sampling, the GORs were divided into four groups, three of which broadly followed locally arranged regional groupings used by the Government Offices for sharing good practice and experiences. However, because such a high proportion of the sample came from the London region, it comprised a separate group. The four regional groups were: (1) London, (2) East Midlands, West Midlands, South West and Wales, (3) North East, North West, and Yorkshire & Humberside, and (4) South East and East of England.

Concentration of minority ethnic population in the local authority

It was also assumed that the ethnic mix of an area might impact on minority ethnic people’s access to, contact with, and perceptions of public services – specifically, that people living in areas with a relatively high minority ethnic population would differ in their perceptions of public services from people living in areas with a low minority ethnic population. In order to explore whether such differences existed, ninety interviews were carried out with respondents living in areas of where the minority ethnic population exceeded the national average of 8 per cent and thirty interviews were carried out with respondents living in areas where the minority ethnic population was less 8 per cent . Respondents’ postcodes were used to identify which local authority they lived in, and the ethnic profile of their local authority at the time of the 2001 Census.

The achieved sample is represented in Table 1 below.

Table 1: Achieved sample													
Perceived Discrimination	High 40				Medium 40				Low 40				
Ethnicity	Black 20		Asian 20		Black 20		Asian 20		Black 20		Asian 20		
Age: Under 35	M 5	F 5	M 5	F 5	M 5	F 5	M 5	F 5	M 5	F 5	M 5	F 5	
Age: 35+	M 5	F 5	M 5	F 5	M 5	F 5	M 5	F 5	M 5	F 5	M 5	F 5	
NS-SEC: Higher	10		10		10		10		10		10		
NE-SEC: Lower	10		10		10		10		10		10		
Concentration: across sample	High minority ethnic population 90						Low minority ethnic population 30						
GORs: Across sample	London 40				East Midlands West Midlands South West Wales 30				North East North West Yorkshire & Humberside 25				South East East of England 25

Recruitment

ETHNOS was supplied with the contact details of all the people from minority ethnic backgrounds who had taken part in the Citizenship Survey and had agreed to be recontacted for research purposes (1,223 individuals).

People were then contacted by telephone and asked to complete a short recruitment questionnaire. The questionnaire established the respondents' willingness and availability to take part in the research, and confirmed their identity (in terms of gender, age, ethnicity and country of birth) and contact details (name, address and telephone number). It was also used to find out whether respondents had any preferences for the language in which the interview would be conducted and/or for the ethnicity and gender of the researcher who would interview them. Only seven people requested to be interviewed in languages other than English. No one expressed preferences for the ethnicity or gender of the researcher. However, since the research team allocated to this project included people from a range of ethnic backgrounds, many interviews were conducted by researchers from the same ethnic background as the interviewees.

Appendix C

Data analysis

All interviews were tape-recorded, translated (when relevant) and transcribed verbatim. The aim of the qualitative analysis was to identify the key themes that appear in the interviews, and to retrieve a sense of how these themes are structured and given coherence by the research participants.

To guarantee systematicity, the research team reviewed all the transcripts to identify top-line findings and develop a coding frame. N'Vivo, a software for computer-assisted analysis of interview data, was then used to explore the data. Each transcript was read and units of meaning (eg sentences, paragraphs) were allocated to relevant codes in the coding frame. The coding frame was refined and further developed in the process of coding, to be more responsive to the data. To ensure that specific units of meaning would be coded in the same way by different researchers, team meetings were held to clarify exactly how each code should be interpreted and what to do with ambiguous data. We also tried to ensure that the people who were coding an interview were different from those who had actually conducted the interview, with a view to maximizing the understanding each team member had of the entire data set. Finally, inter-coder reliability checks were carried out to ensure that any differences of interpretation for individual codes between researchers would be within acceptable boundaries. By the second round of checks, this was the case for each code.

To produce the report, responses were explored in relation to each code, in order to identify commonalities and differences in the key themes emerging in terms of the independent variables (eg ethnicity, gender, age, geographical area, socio-economic group, region, residential area, and level of expected discrimination), as determined in the Citizenship Survey.

Quotes were selected using a combination of factors – some quantitative (the frequency with which themes appear and how well they represent certain socio-demographic or psychological profiles) and some qualitative (the ways in which quotes illuminate themes, capture dominant opinions and/or divergent opinions, the strength of feeling they betray, and the significance they have from a policy perspective). The analytical process fundamentally relies on experience and expertise. Both guide how we weight up the relative importance of each issue, and how we search for structures that have explanatory power within the data.

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