Ethnicity, harm and crime:

A discussion paper

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Ethnicity, harm and crime presents data and analysis that raises questions about whether 'Black criminality' and 'Black on Black crime' is presently the locus of the most serious harm to Black people in the UK. The authors apply a social harm perspective to attempt to broaden the debate beyond 'crime' and highlight a range of other social harms.
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Ethnicity, harm and crime: a discussion paper

'What we are dealing with is not a general social disorder; but specific groups or people who for one reason or another, are deciding not to abide by the same code of conduct as the rest of us… The black community – the vast majority of whom in these communities are decent, law-abiding people horrified at what is happening – need to be mobilised in denunciation of this gang culture that is killing innocent young black kids. But we won't stop this by pretending it isn't young black kids doing it.'

(Tony Blair, 2007)

1.   INTRODUCTION

The problem

In 1983 the criminologist Bernard D. Headley published ''Black on black' crime: the myth and the reality' in the journal *Crime and Social Justice*. He highlighted the striking evidence of the disproportionate range of harms experienced by Black Americans, challenging the widely held assumption that 'Black on Black' street crime posed the greatest threat to the individual safety, well-being and security of Black Americans.

This discussion paper adapts Headley's original structure and argument, presenting data that raise similar questions about whether 'Black on Black crime' and in particular young black men are presently the locus of the most serious harm to Black people in the UK.

The argument set out in this paper is also informed by a 'social harm' perspective (Hillyard et al., 2004; Pemberton, 2007). This perspective seeks to broaden the object of analysis beyond 'crime' to a wider range of social harms. This involves the recognition that the kind of financial, health and state harms we examine in this paper are *socially* mediated. That is, they are in large part the product of political economic processes that determine that harms are concentrated among those experiencing socio-economic disadvantage. The experience of harm victimisation, in other words, is significantly influenced by social forces, rather than merely being the result of individual choice and responsibility, or the lack thereof.

The role of socio-economic processes acknowledged, it is also the case that Black and ethnic minority groups in the UK appear to experience greater disadvantage than White counterparts. In order to understand the processes at work here, we utilise the notion of the 'ethnic penalty' as a heuristic device to help understand the disadvantages which lead to an ethnic group faring less well than similarly placed 'majority' White people (Heath and McMahon, 1997; Heath, Ermisch and Gallie, 2005; Heath and Yu, 2005; Platt, 2007). While this penalty may be brought about by a range of factors, including direct and indirect discrimination, it would appear to permeate a wide area of social and economic experiences such as employment, health, education and punishment. The 'ethnic penalty' includes structural racism and day-to-day discrimination, where particular groups of people are identified as different and experience greater obstructions and barriers than the equivalent 'majority' White population. Such penalties are likely to be cumulative, occurring throughout the course of someone's life, widely manifested, and compounded by socio-economic deprivation and hardship.

In essence, therefore, this paper seeks to adapt Headley's original argument to a UK context, while drawing on more recent social harm and ethnic penalty perspectives. In structure the paper is divided into five sections. In addition to this introduction, section two examines the social and economic harms affecting Black and ethnic minority groups and section three covers state harms. These two sections follow, in rough outline, Headley's original structure. Section four returns to the question of crime in relation to Black and ethnic minority people, using the insights developed in sections two and three to place in context the current, rather narrow, policy preoccupation with certain 'crimes' affecting Black and minority ethnic populations: so-called 'Black on Black crime'.

Section five offers some outline conclusions on the implications for long-term policy making. To anticipate our main conclusion, we argue that policy and political descriptions of the 'crime problem' conflates 'Black' and 'poor' with criminality and reinforces imagery that equates 'young and Black' with 'criminal'. What is more, the apparent threat to social order posed by the actions of young Black men is given much greater weight than the serious, socially mediated harms faced by some ethnic minorities. The practical consequence of the current focus is a greater emphasis on crime and criminal justice solutions. This is not to say that crime victimisation is not an issue that affects, sometimes

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disproportionately, Black and ethnic minority people. Indeed, our point is that every early death or serious harm, whatever the source, is worthy of serious policy, political and social consideration. This means that any serious attempt to develop coherent policy responses to the harms affecting Black and ethnic minority people needs to consider a broad range of harms rather than merely fixating narrowly on the 'crime problem'. In our view, an approach that focuses largely on crime distorts and disguises the social harms that ethnic minorities face, focusing instead on the behaviours of young Black men and their 'decisions' to choose criminal paths or exclude themselves from 'normal society'. In this paper, we highlight the risks posed *by* society and the state *to* young Black men, arguing that, in some cases, significant harm is caused.

The politics of 'Black crime'

As shadow Home Secretary, Tony Blair was the architect of Labour's historic repositioning in the crime debate. Early in 1993 he unveiled the 'third way' formula of being 'tough on crime and tough on the causes of crime'. Within weeks of this initiative, two year old James Bulger was killed in Liverpool by two ten year olds. Commenting on this tragic event, Blair described it as 'like hammer blows against the sleeping conscience of the country' (White, 1993), the implication being that the events surrounding the death of James Bulger were both symbolic and symptomatic of a national state of affairs. In February 2007, following the fatal shooting of three non-White teenage boys, all aged under 17, in south London, Blair's approach differed radically. He was keen to combat Conservative claims that Britain was now a 'broken society', arguing, 'this is not a metaphor for the state of British society… it is a specific problem, in a specific criminal culture among specific groups of young people' (Woods, 2007).

Sections of the media amplified the view that specific communities and cultures are to blame. The Times portrayed 'armed police sent out in force on a mission to reclaim the badlands' (Tendler and Ford, 2007), suggesting imagery of a Black 'hinterland' where 'Black on Black crime' takes place. In its headline, the Independent portrayed the areas where the killings took place as 'a swamp' (The Independent, 2007). The Independent editorial noted that 'these latest shootings have fallen under the category of so-called 'Black-on-Black' crime' - and then moved on to a familiar argument - 'it is clear that there is a significant lack of positive role models for young Black boys. Black fathers often play too small a role in the lives of their children. There is also a shortage of Black male teachers.

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Gangsters and drug dealers often fill the void in the lives of impressionable and angry young men. This dynamic is reinforced by a popular culture that often irresponsibly glorifies criminality, violence and misogyny' (ibid, 2007).

Because many inner city areas have suffered a significant rise in homicide rates since the 1980s and are home to a disproportionate number of ethnic minority people, the policy debate has a latent 'racial logic'. Indeed, the government has developed specific strategies, such as Operation Trident, for dealing with 'Black on Black' gun crime. Operation Trident, irrespective of government intention, has become a 'signal' policy that has helped create the impression that 'Black on Black crime' is a special and pre-eminent problem and that, as Home Office minister Bob Ainsworth said, 'the black community has a problem. The levels of violence with the black community are quite extraordinary' (Walker, 2002).

In fact, the work of geographer Danny Dorling shows that the rise in murder rates in Britain between 1981 and 2000 was largely due to the increase in the murder of men of working age living in the poorest parts of the country. So, attempts to explain rising levels of violence in society – such as increased gun ownership, drug use or even 'Black on Black crime' – cannot account for this strong correlation between poverty and the risk of being murdered (Dorling, 2005).

In the last decade an average of 25 Black people were murdered with a gun annually (HAC, 2007). Any death in such circumstances is very traumatic, but as Bowling notes in written evidence to the Home Affairs Committee, 'Gun crime remains relatively rare' and citing Dorling and others, argues 'The social geography of robbery and homicide show these crimes are concentrated in poor communities'(HAC, 2007). Phillips and Bowling elaborate upon this point in 2007 Oxford Handbook of Criminology. Citing Home Office gun homicide data showing 'about one in three of both victims and suspects are Black people,' they argue that 'a sense of proportion is also important; the forms of crime in which black people figure prominently are rare and exist alongside other serious crime- such as burglary and city centre violence – in which people from all minority ethnic communities are only slightly over-represented, if at all' (Phillips and Bowling, 2007).

We would concur with this view and in particular the broader perspective that a focus on place and geography offers. The illegal drug trade does figure significantly in inner city gun

homicide as well as a being a source of other forms of harm. The Caribbean is a key route for the importation of illegal drugs; therefore, processes and systems of interception are likely to affect people of Caribbean origin disproportionately. So the gun crime associated with the drugs trade has a specific and particular character, but it is place rather than ethnicity that is a crucial factor.

More broadly, epidemiologist Richard Wilkinson (2005) draws attention to the striking correlation between measures of inequality and a range of harmful experiences such as violence, ill-health, anxiety, insecurity, trust and incivility. He notes: 'There have now been over fifty studies showing a clear tendency for violence to be more common in societies where income differences are larger.' Homicide is at one end of this continuum. At the other end are, for example, workplace or school bullying, neighbour intimidation and the issues of tolerance that are the product of contemporary life.

Both Dorling's and Wilkinson's work highlight the negative consequences of increasing inequality and polarisation – in both the domestic and global context. Their analysis suggests that human agency, whilst important, is fundamentally bounded by structural factors that influences human behaviour and experiences.

To begin to understand the contours of public discourse around 'Black criminality' and the development of interest in 'Black on Black crime' we explored a myriad of political speeches, government sources, media coverage and policy reports. The discussion of the recent gun- and knife-related deaths contained in the Home Affairs Committee report, *Young Black People and the Criminal Justice System* (HAC, 2007), and the Department for Communities and Local Government-funded report, *Reach: An Independent Report to Government on Raising the Aspirations and Attainment of Black Boys and Young Black Men* (Reach, 2007), provide good examples of the nature and shape of the debate.

While the HAC (2007) and Reach (2007) reports cover a variety of perspectives and recommendations, the media coverage and political commentary generally located the problem amongst the 'Black community' and expressed a need for something to be done about Black boys. Headlines such as 'Broken families fuelling Black crime', 'Boys brought up by mother suffer 'father hunger' and end up in gangs, say MPs' (Johnston, 2007) and the BBC website reporting 'Black community in crime 'crisis'' (BBC, 2007) were not untypical of the reportage that followed the publication of the Home Affairs Committee

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report. The more nuanced evidenced presented to the Committee that suggested economic and social factors rather than ethnicity as key explanatory variables, did not make the headlines.

In summary, it would appear that references to 'Black crime' and 'Black on Black crime' in contemporary debates mean, by implication, harmful, illegal acts of young Black men. Often referring to a range of phenomena, the tendency is for political commentators and the media to hone in on 'gangsta rap', gun and knife violence, and drugs. While commentators are often cautious in the language they use in identifying the locus of the 'problem', the common thread is that it is 'Black communities' which are experiencing a crisis of poor and single parenting, under-achievement at school, lack of aspirations and opportunities for young Black men, and a pervasive negative and harmful culture, resulting in deprivation, hardship and criminality.

Assumptions

It is not possible, in a paper of this length, to justify all, or indeed any, of our assumptions in any depth. However, we hope that by articulating them clearly at this point we can aid the reader in judging the value or validity of the discussion we wish to engage in.

First, we take seriously that the concern with so-called 'Black criminality' and 'Black on Black crime' has a long history. A key focus for contemporary criminal justice policy and practice is the criminality of young Black men in urban areas and in particular the idea that the problem is located within the 'Black community', as the quote from Tony Blair at the beginning of this paper indicates. A generation ago the concern was more with the perceived menace of Black urban youth. The riots in urban centres in the 1980s, for instance, were in part characterised by confrontations between young Black men and the police. The police were portrayed as containing a problem that threatened to spill over into the 'law-abiding', and white, neighbourhoods. A decade earlier the 'mugging' panic of the 1970s (Hall et al., 1978) condensed visceral fears of the white population under threat into the figure of the Black mugger. So if the earlier fears of the Black menace have been replaced in recent years with the current preoccupation about 'Black on Black crime', said to menace the 'Black community' itself, the association between criminality and ethnicity is not new. This means that concerns about crime and ethnicity have developed over time,

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and as a result of distinct historical processes. We explore the implications of this at various points in the paper, returning to it in section four.

Second, we assume that the association of crime with certain ethnic groups is the product of a deeply embedded racial logic. Britain's long history of colonialism and exploitation is, in our view, central to this. The implications for this paper of such an acknowledgement is to place in radical doubt a simplistic association of criminality with any particular ethnic group.

As Paul Gilroy argued, a quarter of a century ago:

> *'To present 'black crime' as a primarily cultural problem whether forged in the economic 'no man's land' between deprivation and restricted opportunity, or secured in a spurious social biology, is a capitulation to the weight of racist logic… The emphasis on black culture legitimates the idea that any black, all blacks, are somehow contaminated by the alien predisposition to crime which is produced in their distinctive cultures, specifically their family relations.'*
> (Gilroy, 1982)

Third, and following Worley (2005), we consider the use of the term 'community' when referring to certain groups identified as being racially or ethnically distinct as problematic. Worley suggests that 'talking about "community" negates using racialized language', arguing that 'it enables practitioners and policy actors to avoid 'naming' which communities they are referring to, even though the reference points are clear'. The often used term of 'community' is problematic because it implies a fixed, distinct and perhaps detached group, somehow separate from the rest of 'society', which becomes racialised when the adjective 'Black' is attached. Deployed widely, as it is today, the term 'community' has the effect of legitimising a focus on particular groups and so-called characteristics, seeking answers to 'problems' within the narrow confines of intracommunal interactions at the level of family, neighbourhood and street. What gets lost in such reasoning is any serious attempt to understand the social and economic nature of the problems that people face as members of wider society, affected by structural factors such as gender and class, rather than merely being manifestations of particular ethnic, or other, identities.

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Fourth, we acknowledge that 'race', 'ethnicity' and other terms for describing and conceptualising certain perceived and experienced cultural and other differences are complex, contested and problematic terms. Callinicos (1993) defines racism as existing 'where a group of people is discriminated on the basis of characteristics which are held to be inherent in them as a group… What is involved is a complex set of characteristics – for example, inferior intelligence, laziness, overactive sexuality in the case of the traditional Western stereotype of Africans – which are imputed to the oppressed group and which serve to justify their oppression'. He goes on to point out that 'racial differences are *invented:* that is, they emerge as part of a historically specific relationship of oppression in order to justify the existence of that relationship' (ibid). We would agree broadly with this view and also that of Mason (2003) who argues that 'race' should be understood as 'an outmoded relic of past scientific error, and at worst, a strategically manipulated ideological category'.

We also reject the notion that differences identified between 'racial' or ethnic groups across a range of social and economic fields are a product of innate qualities or biologically predetermined traits, or some kind of inherent cultural condition or setting. 'Racial' and 'ethnic' identities or categories must be located as part of broader material, social and historical processes, and understood in terms of the meanings society attaches to particular identities, physical attributes and beliefs. Moreover, the dimension of how people identify with and respond to the labels and identities accepted by or assigned to themselves and others is important. Nazroo (1999) suggests that 'crudely, ethnicity can be said to reflect self-identification with cultural traditions from which individuals can draw strength and meaning. Importantly, these cultural traditions are seen as historically located; that is, they are seen as occurring within particular contexts and as changing over time, place and person'.

In summary, different ethnicities, cultures and identities and the degrees of 'difference' between them are not, in our view, part of a naturally and predetermined biological process. For the purpose of this paper, we will use the terms 'young Black men' and, more generally, 'ethnic minority people', as used in policy discussion as an expression for non-white Black and ethnic minority people, whilst acknowledging the political and ideological nature of these categories.

Fifth, we have adopted a flexible and pragmatic approach to definitions related to 'socio-economic status', 'class location' or 'income deciles'. For some time now, across disciplines, there has been a robust debate in progress about which of these descriptors are, individually or in combination, the most helpful in understanding broad social processes and their impacts on different groups in society. Again, notwithstanding the critical importance of such debates, our view is that, for the purpose of this discussion paper, we report the findings in their own terms to try to present a clear narrative relevant to our focus.

Sixth, many of the wide variety of sources we reference express frustration with the limitations of the availability of specific ethnic minority data. For example, the recent Home Affairs Committee report *Young Black People and the Criminal Justice System* reported concern about eight key gaps in the data including 'The lack of Home Office data on victimisation by ethnicity' and 'The lack of data on the age and ethnicity of firearm offenders' (HAC, 2007). Data limitations are partly due to a lack of data and research – but it also relates to issues around 'ethnic categories' and different approaches to measuring ethnicity. Different sources, whether academic or governmental, use different categories of ethnicity. While we acknowledge the difficulties in using and defining ethnic categories, we have decided to report the findings in the terms used by the original authors rather than fit them into taxonomy of our own. This is done with the understanding that, in relation to ethnicity, 'categories create meaning' (Braun, 2006).

Finally, this paper is intended to stimulate debate about the most serious social harms faced by young Black men and ethnic minority people in the context of a political focus which often conflates 'ethnic minority' with 'Black' with 'poor' with 'criminality'. We would emphasise that the evidence assembled here is not the product of an exhaustive literature review. Nor does it attempt to replicate or supplant the many detailed and important contributions that have been made over the years on various aspects of the ethnicity debate. We also recognise that there are a number of omissions. For example, we do not explore to any depth the differences between and within ethnic categories. Nor do we consider issues relating to women, but we do not assume that women's experiences can simply be subsumed into those of men.

Ultimately, what we offer here is a stimulus for discussion, not the final word. We aim to

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open up and stimulate dialogue about the shape and direction of debate about young Black men and the over-emphasis on 'criminality' and criminal justice measures at a time when young Black men are experiencing a broad range of social harms which seem to gain comparatively less attention.

2.   ECONOMIC AND SOCIAL HARMS

In this section, we briefly explore some of the economic and social harms experienced by ethnic minority people in the UK. We look at poverty rates, education and unemployment as well as housing and environment, financial exclusion and finally, health.   Much of this data is well documented elsewhere. Our purpose in providing this data here is simply to present baseline figures as a stepping off point for discussion while acknowledging that in most cases further complexity appears under detailed examination.

Poverty

Table A shows poverty rates using income after housing costs. It shows dramatic disparities between ethnic groups with one consistent finding, that the White population has the lowest poverty rates of any other group, whether as children, working-age adults or pensioners.

Table A: Poverty rates by ethnic group, 2002-2003 to 2004-2005, calculated after housing costs (%)

Ethnic group	All individuals	Children	Working-age adults	Pensioners
White	19	25	17	19
Mixed	32	40	28	36
Indian	28	32	25	30
Pakistani or Bangladeshi	59	65	55	48
Black or Black British	38	46	35	27
– of which				
Black Caribbean	30	37	28	26
Black non-Caribbean	46	54	41	31
Chinese or Other	37	44	36	26
All	39	48	46	31

Notes: Figures have been calculated from three year rolling averages for the financial years 2002/03, 2003/04 and 2004/05, and relate to the whole of Britain. Ethnic group is measured at the level of the household and on the basis of the ethnicity of the household reference person. The poverty threshold is calculated as 60% of median equivalised income.
Source: Households Below Average Income data, from the *Family Sources Survey*

Source: Platt, 2007

Poverty and deprivation are even more acutely experienced by ethnic minority children, as illustrated in Table B. One in five children in poverty are from ethnic minority communities, and rates of poverty before housing costs among Black African, Pakistani and Bangladeshi children are more than double the rate among White children (Harker, 2006).

Table B: Child poverty rates and rates of poverty among children by ethnic group, 2002-2003 to 2004-2005, before and after housing costs (%)

	Child poverty rates		Households with children rates	
	Before housing costs	After housing costs	*Before housing costs*	After housing costs
White groups	*18*	25	*16*	24
Black Caribbean	*28*	37	*24*	37
Black African	*36*	56	*30*	51
Indian	*28*	32	*25*	29
Pakistani	*56*	60	*51*	56
Bangladeshi	*62*	74	*53*	66

Notes: Figures have been calculated from three-year rolling averages for the financial years 2002/03, 2003/04 and 2004/05, and relate to the whole of Britain. Proportions are based on population-weighted data. Ethnic group is measured at the level of the household and on the basis of the ethnicity of the household reference person. Those living in households where the reference person is of an ethnicity other than those illustrated – or of mixed ethnicity – have been excluded from this discussion due to small sample sizes for individual categories. The poverty threshold is calculated as 60% of median equivalised income.

*Source:* Households below Average Income data, DWP

Source: Platt, 2007

Primary and secondary education

Experiences and outcomes in education differ significantly between ethnic groups. Research indicates that while African Caribbean children tend to start off with high ability and show themselves to be capable pupils, as they get older, achievements deteriorate (Christian, 2005). This is further supported by research which indicates: 'At primary school, the achievement of African-Caribbean children is often higher at Key Stage 1 than other groups but attainment declines in relation to other groups so that, at Key Stage 4 (age 16), it is among the lowest' (Osler and Hill, 1999, cited in Wright et al., 2005). It is argued that this leads to a 'labelling' effect resulting in an increased likelihood of exclusion from the learning process (Christian, 2005).

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Of frequent concern is the disproportionately high rate of exclusions among children of African Caribbean background. For boys with African Caribbean heritage, research reveals that they 'are between four and 15 times more likely to be excluded than white boys, depending on locality (Sewell, 1997; DfEE, 2000a)' and 'African-Caribbean girls are four times more likely to be permanently excluded than white girls' (Osler et al., 2002, cited in Wright et al., 2005). A DfES commissioned study sets the rate of exclusion within an average secondary school for a 'Black Caribbean' pupil at 2.6 times more likely to be permanently excluded than another pupil and for 'Other Black' background, the figure is 2.2 (Parsons et al., 2004). While there are different ways of measuring exclusions, it is clear that inequalities persist in this particular area, as illustrated by the graph below.

Figure 1: Permanent exclusions from maintained schools by ethnicity, 2002-2003 to 2003-2004
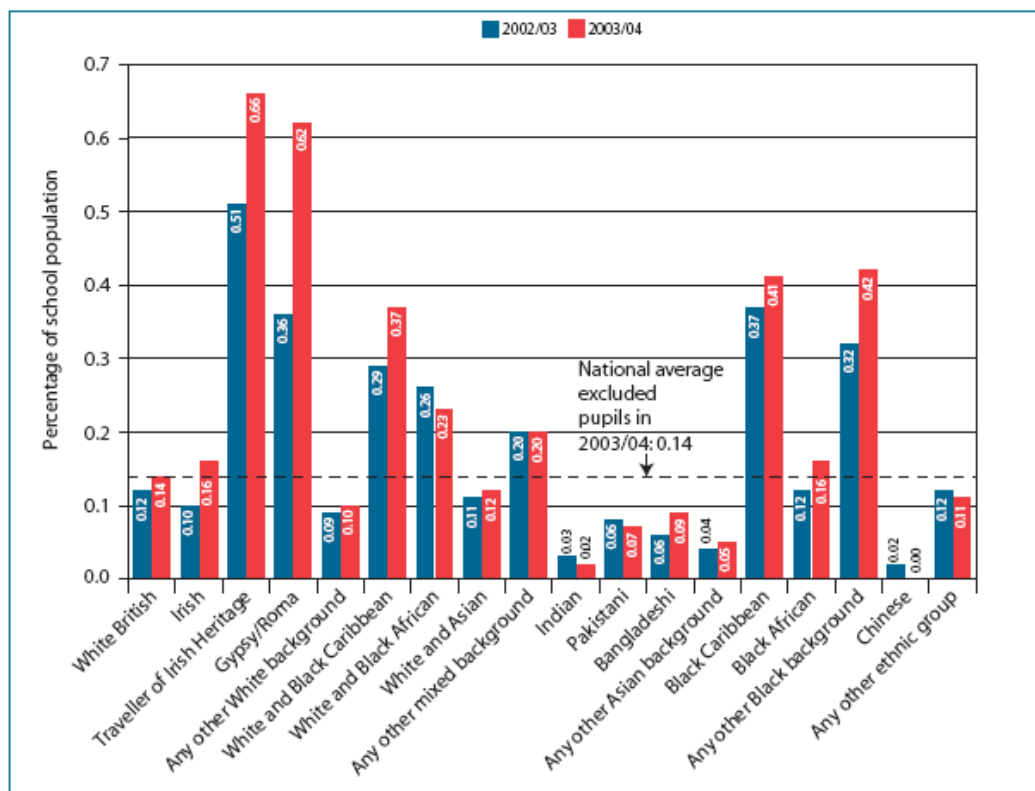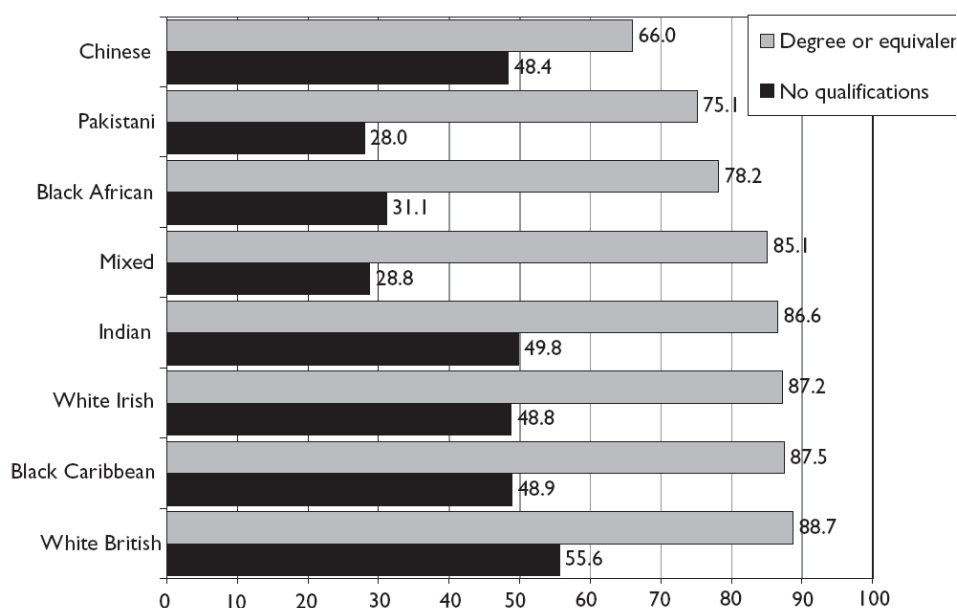

Source: DfES, 2006

Under-achievement at school and exclusions are related to issues of inequality, poverty and disadvantage. In addition to this, however, there may again be evidence of an 'ethnic penalty'. Researchers argue that the negative perceptions of young Black people are often reflected in the views and actions of teachers and may lead to more severe punishment

(Modood, 2003). Black Caribbean and Black African people say they expect to be treated in a more negative way by the education system and schools (Kitchen, Michaelson and Wood, 2006). Christian (2005) argues that there are consistent themes in British schooling such as fear and stereotyping, low expectations and teacher harassment of Black males. Christian (citing Majors et al., 2001) points out that 'the exclusions of Black males from schools is merely the tip of the iceberg when it comes to the negative experience encountered by them in Britain' and goes on to argue that 'we cannot divorce what happens in the broader society from what happens in the criminal justice system or the education system' (ibid).

Employment

This systemic discrimination in education is reproduced in the relationship between educational outcome and employment prospects. Figure 2 below shows differences in employment rates by qualification. While the differences between ethnic groups is clear for those with degree level qualifications, the poorer outcomes for ethnic minorities without qualifications, compared to White people, are noteworthy. Research into the New Deal for Young People showed that 25 per cent of ethnic minority people compared to 33 per cent of White people moved 'into sustained unsubsidised or subsidised employment' and that, despite being better qualified, a higher proportion of ethnic minority people go into education and training from the New Deal (COSN, 2001).

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Figure 2: Employment rates by highest qualification and ethnic group, 2004

Chinese: Degree or equivalent 66.0; No qualifications 48.4
Pakistani: Degree or equivalent 75.1; No qualifications 28.0
Black African: Degree or equivalent 78.2; No qualifications 31.1
Mixed: Degree or equivalent 85.1; No qualifications 28.8
Indian: Degree or equivalent 86.6; No qualifications 49.8
White Irish: Degree or equivalent 87.2; No qualifications 48.8
Black Caribbean: Degree or equivalent 87.5; No qualifications 48.9
White British: Degree or equivalent 88.7; No qualifications 55.6

Legend: Degree or equivalent; No qualifications

Source: Annual Population Survey, Office for National Statistics

Source: Platt, 2007

In analysing differences in employment rates, Platt (2007) puts forward the argument that while part of the explanation may be related to educational achievement, an 'ethnic penalty' remains. For example, Black Africans are not gaining employment outcomes in a manner which would be expected from the formal qualifications they hold. The Home Office's Citizenship Survey reported that 31 per cent of ethnic minority people who were currently employees or who had sought work over the last five years had been refused a job and 19 per cent had been treated unfairly at work, compared with 17 per cent and 9 per cent of White people. In the view of both Black and Asian respondents, 'race' was most often cited as the reason for job refusal or unfair treatment at work (Kitchen, Michaelson and Wood, 2006).

One of the leitmotifs of New Labour's social inclusion strategy has been to promote labour market participation as a route out of poverty. In the 2001 Cabinet Office Scoping Note entitled 'Improving labour market achievements for ethnic minorities in British society', evidence was presented from a range of academic and governmental sources of a wide variety of disadvantages that ethnic minorities experience (COSN, 2001). It highlighted how ethnic minority people disproportionately occupied low income places in the socio-economic structure of British society and that rates of non-White ethnic minority unemployment were more than double that of the White population. Table C below shows

the comparative unemployment rates between the final quarters of the six years following the publication of the Scoping Note.

Table C: Unemployment rate by ethnic group (%)

Last quarter	White	Asian or Asian British	Indian	Pakistani	Bangla-deshi	Black or Black British	Black Caribbean	Black African
2002	4.5	10.1	7.2	15.4	n/a	12.8	13.9	13.2
2003	4.3	10.8	8.4	13.1	18	11.4	11.6	11.7
2004	4.2	8.4	5.6	12.3	16.6	11.4	10.3	12.5
2005	4.5	9.7	6.4	14.3	18.7	12.9	12.2	13.2
2006	4.8	10	7.0	14.7	16.4	14.4	14.2	14.1
2007	4.5	9.4	6.3	13.3	14.4	12.4	11.6	13.2

Source: ONS, 2008b

For Black Caribbean and Black African people, unemployment rates tend to be 'hyper-cyclical', meaning that in recessions unemployment rises faster than for Whites and in periods of economic recovery it falls more rapidly, i.e. it is subject to high labour market insecurity and employment churn. Although there is a narrowing of inequalities for some ethnic minority groups, the table reflects a pattern which Mason describes as 'longstanding and dates back to the 1980s at least, although there are year on year variations' (Mason, 2003).

Housing and local environment

Table D shows that, over an eight-year period, the number of homeless households in priority need fell by slightly more than 8 per cent, from 102,430 to 93,980. Overall, the improvement in the White homeless household statistics has not been matched by ethnic minority households as a whole. African Caribbean people in particular seem to be making up an increasingly disproportionate number of the homeless. During the eight years covered by Table D the number of African Caribbean households appears to grow by over 40 per cent, from 7,050 to 9,960. Some of the rise in this figure is due to a change in the recording of ethnicity but this is unlikely to account for all of it. By 2006 the African

Caribbean percentage of the overall total is 10.6 per cent, despite making up around 2.2 per cent of the general population.

Table D – Homeless households in priority need accepted by local authorities by ethnicity (England)

	1997-1998		2005-2006	
Ethnicity	**Number**	**Percentage of total**	**Number**	**Percentage of total**
White	78,180	76.3	69,320	73.8
Ethnic origin not stated	7,070	6.9	4,640	4.9
Other ethnic origin	5,470	5.3	4,880	5.2
African Caribbean	7,050	6.9	9,960	10.6
Indian/Pakistani/Bangladeshi	4,690	4.6	5,190	5.5
Total	102,430		93,980	

Source: Communities and Local Government, National Statistics, Statistical Release: Statutory Homelessness, 3rd Quarter 2007, England, www.communities.gov.uk/news/housing/583953 (accessed 15/05/08).
Totals may not equal the sum of components because of rounding

Seventy per cent of all people from ethnic minority groups live in the 88 most deprived local authority districts, compared to 40 per cent of the general population (COSN, 2001) and 80% of Black African and Black Caribbean people live in Neighbourhood Fund Renewal areas (HAC, 2007). So it is no surprise that, overall, ethnic minority households are more than seven times more likely to live in overcrowded conditions than White households, that more than half of Bangladeshi children live in overcrowded conditions, or that every ethnic minority group has a higher percentage living in unfit dwellings, ranging from 9 per cent for Asian, 8 per cent for Black, compared to the White population rate of 3.5 per cent (Shelter, 2004). In addition, analysis of the 2001 census by Dorling et al. (2007) shows that, in the UK, more than half of the children living above the fourth floor were ethnic minority children and that 'children living on the fifth floor or above of a building were eight times as likely to be living in overcrowded conditions'. Shelter (2004) also notes

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that one factor that generates poor housing outcomes for ethnic minorities is 'direct and indirect discrimination within the housing and homelessness system'.

Environmental factors?

A paucity of research prevents proper examination of how environmental factors impact differently on ethnic minority people in the UK. There are some preliminary indications of an 'ethnic penalty' in relation to hazardous waste sites in the UK. In a study of 'major accident hazards' (places where local people could be seriously affected by a major accident involving hazardous substances), the preliminary analysis showed 'an *apparent* bias in the location of major accident hazard sites on ethnic grounds which merits further investigation', but cautioned about drawing too hasty a conclusion (Walker, Fairburn and Bickerstaff, 2001).

McLeod et al. (2000) argue that, with caveats for regional variations, policies aimed at tackling air pollution would have greatest impact on poorer districts and that 'environmental justice could be seen to be done, especially as districts with higher proportions of ethnic minorities would selectively benefit from legislation'. This finding is reinforced by the Birmingham air quality study by Brainard et al. (2002), which found a 'striking relationship' between the levels of carbon monoxide (CO) and nitrogen dioxcide (NO_2) emissions and poverty indicators and ethnicity. While, as in many other areas, the two factors are difficult to separate out, the authors note that there is 'strong evidence' to suggest that they operate in an independent manner.

Following a national ward-level analysis of NO_2, Mitchell and Dorling (2003) claim that the question of income level and NO_2 impact is not necessarily a simple one of the poor bearing the pollution costs of the rich; there are wealthy areas with fewer cars that suffer just as much NO_2. However, the group that suffers greatest from air pollution and the most environmental injustice from NO_2 is that of 'children of the poorest wards in Britain who live in areas of very low car ownership' (ibid.).

Researchers estimate that, following the introduction of the congestion charging zone in London, 'predicted benefits in the charging zone wards were 183 years of life per 100,000 population compared to 18 years among the remaining wards. In London overall, 1,888 years of life were gained. More deprived areas had higher air pollution concentrations –

these areas also experienced greater air pollution reductions and mortality benefits compared to the least deprived areas' (Tonne et al., 2008).

Given that the costs of such pollution can be so high, and that there is some evidence that they are borne excessively by the youngest in the poorest wards in Britain, further research is needed to assess whether or not ethnic minority groups suffer an 'ethnic penalty' from the effects of pollution and other environmental hazards.

Financial hazards

> *'It can be argued that the daily rip-offs that blacks and other low income groups experience at the hands of ghetto merchants represent an even greater economic and material threat than do 'street' property crimes.'*
> (Headley, 1983)

It is difficult to find data on the 'costs' of 'financial harm' to ethnic minority communities, despite the abundance of literature illustrating the socio-economic disadvantage and hardship experienced. The financial hazards faced are inextricably linked to problems associated with low incomes and access to basic utilities and goods.

Strelitz and Kober (2007) estimate that low income households are subject to extra costs of up to £1,000 per annum for basic goods and services – a sizeable proportion of annual income for low income families. This includes credit, insurance and other financial products, white goods and utilities. The National Consumer Council has highlighted the lack of access to these services and the disproportionate costs suffered by people on low incomes, describing services as 'absent, inappropriate and expensive' (Klein, Whyley and O'Reilly, 2004). The authors also emphasise how disadvantaged consumers, such as those on low incomes and, in particular, Black and ethnic minority groups, suffer restricted access to financial services.

Earlier research by the Financial Services Authority (2000) concluded that the relation between financial exclusion (access to financial services) and ethnicity vary between different ethnicities. The picture for Pakistanis and Bangladeshis is complex because of language, culture and religion all have an important part to play, but that, 'statistical modelling shows that low income is the main explanation for African Caribbeans being at,

or on the margins of financial exclusion. However, research into the experience of ethnic minority businesses for the British Bankers Association quoted by Atkinson (2006) suggests that some difficulties met by African Caribbeans 'cannot be explained in terms of lower educational or management qualifications' and admitted 'whilst we are unable to prove that discrimination exists, there is clear evidence of disadvantage…which cannot be satisfactorily explained in terms of other characteristics of the businesses or their owners.'

Health outcomes

Randhawa (2007) writes, 'There is a plethora of evidence highlighting that people from ethnic minority groups experience poorer health than the overall UK population', and that large scale surveys 'show that minority groups as a whole are more likely to report ill health, and that ill health among ethnic minority groups starts at a younger age than among the white British'. He cites, among other data, mid-1990s infant mortality rates of 8.4 per 1,000 for Caribbean and 10.1 for Pakistani children compared to the UK rate of 5.8 per 1,000 as measured by the mother's country of birth. The Department of Health's recently published *Review of the Health Inequalities Infant Mortality PSA Target* (DoH, 2007) shows that there does not seem to have been much movement in these rates despite a fall in the overall UK rate of 4.9 per 1,000 live births. It reports that 'in babies of mothers born in Pakistan [the infant mortality rate was] 10.2 per 1,000 live births in 2002–04, double the overall infant mortality rate… for all babies born in England and Wales. The infant mortality rate in babies of mothers born in the Caribbean was 8.3 per 1,000 live births in 2002–04, 63% higher than the national average'.

Nazroo (2003) suggests that in terms of both ill health and mortality rates there is a 'heterogenity of experience across minority groups' but that 'for most outcomes, Bangladeshi and Pakistanis report the poorest health, followed by Caribbean people and then Indian people, with Chinese and White people having the best health'. He also notes that there is evidence to suggest that inequalities in health between ethnicities increase with age, with relatively small differences in the early years becoming 'larger differences emerging from the mid-30s onwards'.

There may be a temptation to locate the source of these outcomes with causes that are associated within each ethnic minority category because of the differences in outcomes between them. There is evidence to suggest that this might, in general terms, be a

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mistake. Using findings from the 1999 *Health Survey for England and the UK Fourth National Survey of Ethnic Minorities*, Nazroo (in press) argues that 'differences in socio-economic position make a key contribution to ethnic inequalities in health'. When the impact of standard of living is accounted for, the inequality in health outcomes for ethnic minority groups is markedly reduced. However, what remains may still be thought of as an 'ethnic penalty' effect that requires explanation. Nazroo suggests an additional socio-economic effect because 'within each class group ethnic minority people had a smaller income than White people'.

It is possible that the ethnic health inequalities which remain after controlling for occupation and income status are simply an expression of additional economic inequalities between Whites and ethnic minorities who occupy the same occupational categories or income brackets. Even if this is the case, it is hard to conceive that such a systematic level of discrimination that leads to inequality within occupational groups and income levels does not itself produce adverse additional health effects. It might be worth considering whether the impact of sustained economic and social inequality as a result of discrimination should be considered as a source of psychosocial harm to ethnic minorities.

By psychosocial harm we mean an approach that 'emphasizes the subjective experiences and emotions that produce acute and chronic stress which, in turn, affect biology and, hence, physical and mental illness' (Marmot and Wilkinson, 2006). Research indicates that three of the most critical factors related to such psychosocial harms are the effect of high or low status, levels of social isolation and the influence of early emotional and social development (Wilkinson, 2005).

The Fourth National Survey of Ethnic Health finds that ethnic minorities have 'a sense of being a devalued member of a devalued low status group' and experience the stress of being a victim of racial harassment. The survey 'suggests a relationship between experiences of racial harassment, perceptions of racial discrimination and a range of health outcomes across different groups' which are independent of socio-economic effects (Nazroo, 2001).

The 2005 *Citizenship Survey* carried out on behalf of the Department for Communities and Local Government reports that 20 per cent of people from ethnic minority groups

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compared to 4 per cent of White people felt very worried about physical attack due to skin colour, ethnic origin or religion (Kitchen, Michaelson and Wood, 2006). Figure 3 shows both the different levels of fear between ethnic minority groups but also gives some indication of the level of psychosocial stress that many in the ethnic minority population face.

Figure 3: Percentage of respondents feeling very worried about being physically attacked due to their skin colour, ethnic origin or religion

Base: Combined sample (14,015)
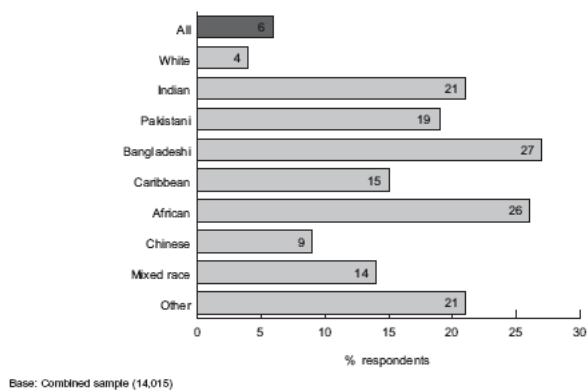
Source: Kitchen, Michaelson and Wood, 2006

Studies also report on the widespread experience of racial discrimination. One such study shows that one in five White people report being prejudiced against 'Afro-Caribbeans' and one in four being prejudiced against 'Asians'; '… qualitative investigations of experiences of racial harassment and discrimination in the UK have found for many people the experience of inter-personal racism are part of every day life… being made to feel different is routine and expected' (Nazroo, 2003).

Expressed fears about being attacked and concerns about discrimination reflect the decades long experience of racist violence. This experience only entered the public policy agenda because of long campaigns against such attacks led by Black and ethnic minority people. Partly as a result, from the early 1990's on, there was a dramatic rise in the police recording of racist incidents from less than 10,000 in 1993 to almost 50,000 in 2000. Rather than a sharp upturn in racist activity, this data, alongside other evidence cited by Bowling and Phillips (2002), revealed a pre-existing state of affairs. They argue 'We can now say with confidence that racist violence affects a considerable proportion of the ethnic minority communities on an enduring basis, that serious and mundane incidents are

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interwoven to create a threatening environment which undermines…personal safety and freedom of movement.' Such an experience produces the 'acute and chronic stress' that is the basis of psycho-social harm and as Bowling and Phillips (ibid) argue, 'fear of 'ordinary crime' among people from ethnic minority communities is fundamentally shaped by their *fear of racist victimization.'*

Irrespective of what policy prescriptions one might offer to meet such an enduring and threatening environment, it does not exist in isolation from but is integral to a pattern of disadvantage as evidenced by an ethnic penalty being present across a wide array of socio-economic fields and through the life course. Of course, one of the groups that feel the impact of this systemic pattern most keenly are precisely the young black men who are a central subject of the black criminality discourse and who appear in disproportionate numbers in the mental health and criminal justice systems.

3.   STATE HARM

This section will begin by reviewing briefly how ethnic minorities experience mental health service provision and then go on to look at disproportionate representation in the criminal justice system itself. This is not a definitive investigation of state practices, but offers an insight into areas where harm is inflicted within or by some state institutions.

Mental health

A briefing paper compiled for the Race Equality Foundation usefully draws together the research and data in this area and highlights the experiences of African and Caribbean men in mental health services, arguing that they currently suffer some of the greatest inequities (Keating, 2007). Detailing results from the *Count Me In 2006* census of mental health services, the briefing describes how African and Caribbean people had higher rates of referral from criminal justice agencies and experienced higher rates of control, restraint and detention in medium and high secure wards. The census also reports that Black service users were far more dissatisfied than other groups with the levels of care they received (ibid). Research has also identified that for many African Caribbean men there is a fear that engagement with mental health services could ultimately lead to their death (Keating and Robertson, 2004, in Keating, 2007).

The more recent *Count Me In 2007* census (Commission for Healthcare Audit and Inspection, 2007) highlights further higher rates of admission, detention under the Mental Health Act, seclusion (being locked in a room) and referrals from criminal justice agencies amongst ethnic minorities. For men and women, the rates of admission for ethnic minority people were more than three times higher than average (ibid). In the 'other Black' group, admission rates were ten times higher than average. For detentions under the Mental Health Act on admission, there was an increase from 39 per cent in 2005 to 43 per cent in 2007, with 'overall rates of detention higher than average among Black Caribbean, Black African, Other Black and White/Black Caribbean Mixed Groups'. Seclusions were also higher than average among 'Black Caribbean', 'Other Black men' and among 'Other White' in both genders. 'Black Caribbean', 'Black African' and 'White/Black Caribbean mixed' groups had higher than average rates of referrals from the criminal justice system at 56 per cent, 33 per cent and 33 per cent respectively (ibid).

As Keating (2007) explains, the 'big, black and dangerous' stereotype summarises how black men are often perceived, and when 'mad' is added into the equation there may be an inclination to reach for the more punitive and restrictive treatment methods.

Criminal justice

The criminal justice administrative data show that disproportionate numbers of Black and ethnic minority people – both male and female – are caught up in the criminal justice system. One third of all Black males are currently on the police DNA Database (Human Genetics Commission, 2008; BBC, 2008) and it is predicted that, soon, three-quarters of the young Black male population will be on it (HAC, 2007).

Compared to White people, Black people are six times as likely and Asian people are twice as likely to be stopped and searched by police (Home Office, 2006a). Once in contact with criminal justice agencies, Black people are three times more likely to be arrested and experience a lower use of cautioning relative to arrests compared to White people. In 2005, ethnic minority people, including foreign nationals, accounted for approximately 24 per cent of the male prison population and 28 per cent of the female prison population (ibid). For British nationals, the proportion of Black prisoners relative to the population was 7.1 per 1,000. Mixed ethnicity was 3.2 per 1,000 compared to 1.4 per 1,000 for White people (ibid). Between 1995 and 2003 the ethnic minority prison

population doubled from 8,797 to 17,775 (Home Office, 2006c) – this represented an increase in the ethnic minority proportion of the prison population from 17 per cent to 25 per cent during this period.

In 2004-2005, ten (or 9.4 per cent) of the 106 deaths recorded after contact with the police involved those from ethnic minorities, despite ethnic minorities making up only 7.9 per cent of the UK population (Home Office, 2006a; Teers and Bucke, 2005; ONS, 2008a). In 2006-2007, of the 82 deaths recorded during or following police contact, 9 per cent were 'Asian' or 'Asian British' and 11 per cent 'Black' or 'Black British' (Docking and Menin, 2007). Despite a decrease in deaths during this period, the proportion of ethnic minority people with fatal outcomes almost doubled, rising from 9.4 per cent to 20 per cent.

Debate tends to focus on whether inequalities in experiences of the criminal justice system are attributable to racial targeting and discrimination by criminal justice agencies, or whether they are simply a reflection of greater tendencies to commit 'crime'. Some argue that it is a mixture of the two – increased tendencies for 'criminal' behaviour along with greater monitoring and targeting by police and other agencies (for an outline, see: Bowling and Philips, 2002; and Webster, 2007). The Home Office's Research Directorate has struggled to find an answer, admitting in 2006 that:

> *'Data concerning ethnicity and crime needs to be treated with extreme caution because the data may be inaccurate or missing altogether (as many crimes may be unreported or the ethnicity of the perpetrator unknown). However, evidence suggests that the imbalance is not simply the result of people from ethnic minority groups committing a disproportionate number of crimes. There is not, as yet, sufficiently robust data and evidence from which to reach definite conclusions as to the cause, or causes, of the disproportionate representation of ethnic minority groups observed in the data described. What is clear from the data is that disproportionality continues to be a key issue meriting urgent investigation.'*
> *(Home Office, 2006b)*

Young Black people aged ten to 17 years old make up 6 per cent of people in the youth justice system, despite representing fewer than 3 per cent of all ten to 17 year olds in the general population (HAC, 2007). A study commissioned by the Youth Justice Board,

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examining a selection of cases from youth offending teams, explored the question of 'discrimination or difference?' (Feilzer and Hood, 2004). The researchers found that 'the chances of a black young male's custodial sentence at a Crown Court being 12 months or longer were 6.7 times those of a white male'. They also found that a 'mixed' parentage young male's chance of being prosecuted was 2.7 times that of a White young male with similar characteristics.

In their conclusions, they claim that there was a differential in-flow of cases between White and ethnic minority young people and that once in the system, in terms of outcomes for them, differences in treatment were observed – for example, the greater use of more punitive community penalties and longer supervision. Again, this might usefully be described here as another example of the 'ethnic penalty'.

As highlighted here in broad-brush terms, the evidence suggests that on a range of measures – from stop and search, charging, conviction, punishment, imprisonment and deaths in or following police custody – the outcomes seem to be far more punitive and even deadly for ethnic minority people.

4.   A PROBLEM OF 'BLACK CRIME'?

As we outlined at the start of this paper, our goal is, through a process of discussion, to test out the view that in order to understand the serious harms experienced by Black people, it is necessary to look beyond the narrow picture of 'Black on Black crime' or more specifically the activities of young Black men. Instead, we favour a perspective and public discussion that attempts to register a broader range of harms that ethnic minority people face.

In one sense, this would include registering, without prejudice, the harms enacted between Black people, just as it would be correct to register "White on White" harm. However, as Phillips and Bowling (2007) argue, 'Numerous critics have … pointed out that ethnicity and culture always come to the fore when Black and Asian people commit crime…a point which is re-enforced by the absurdity of describing football violence, child sex abuse, serial killing or corporate manslaughter as "white on white" crimes.' Phillips and Bowling express sympathy 'with those who eschew the whole enterprise of classifying crimes according to

skin colour of their perpetrators'. We would agree with this analysis and suggest that to focus debate on popular and racialised descriptions of crime and criminality and an emphasis on the role of criminal justice is problematic for a number of reasons.

First, while legal constructions of assault, theft and homicide should be given the attention any serious harm would warrant, current definitions of crime and the associated activities of the criminal justice system distort and disguise the true range of socially mediated harms. The scope and effects of the social and economic inequalities that Black and ethnic minority people experience, and experiences of state-inflicted harm, produce an ethnic penalty that extends far wider and much deeper than the homicides and robberies committed by young Black men.

So when thinking about what is harmful, criminal justice logic, based on orthodox definitions of crime, diverts attention away from what seems to us to be a far more serious and pervasive range of social harms faced by Black and ethnic minority people. Moreover, it is these harms that set the scene for racist victimisation. It is through understanding the prevalence and causes of such harms that greater gains can be made in terms of 'reducing harm', and thus puts into perspective the actions of the young Black men who are the focus of criminal justice.

Second, in its operations, the criminal justice system is partial and biased. When the Home Office's (2008b) violent crime reduction plan, *Saving Lives. Reducing Harm. Protecting the Public*, professes to be concerned with 'reducing harm', the harms disproportionately addressed are those based on contact harms, with an emphasis on street based harm focused on what are categorized as 'crime hot spots' – the type of harms that young Black men and boys tend to commit. This, in our view, offers a substantial part of the explanation for the disproportionate numbers of Black, mostly young, men in the system and contributes significantly to an amplification of the belief in a 'Black crime problem' with the implication that young Black men are specifically a more threatening and resource-intensive group within society.

Third, current debate obscures the risks that state institutions pose to ethnic minority people. As numerous reports from HM Chief Inspector of Prisons, the Social Exclusion Unit, the Office for the Deputy Prime Minister and the Home Office claim, people in prison,

under criminal justice supervision or coming to the attention of the police are often, in one way or another, in some kind of physical, emotional or financial distress. Beyond incarceration, we find many Black males subject to punitive interventions including school exclusions, high and disproportionate rates of stop and search and mental health interventions. It appears that ethnic minority people often experience an additional array of coercive, painful and harmful measures inflicted and exacerbated by state institutions in what is claimed to be an attempt to protect the individuals concerned and the wider community. Thus, rather than offer sanctuary or security, such interventions may be a source of significant individual and social harm.

Fourth, the utilisation of the 'social exclusion' paradigm further reinforces a racialised approach to tackling and understanding poverty, ethnicity and crime. The 'social exclusion' discourse purports to illustrate the importance of tackling 'crime' *in context* but usually only highlights the proximal issues thought significant for young Black men, such as an absence of male role models, school failure, poor employment prospects, and drug use. These and a mix of other categories are presented as 'community' or individual 'risk factors' that place experiences of harm in terms of individual or 'community' deficits. This reinforces the notion that the major source and cause of the harms experienced lie within poor 'Black communities', located within an algebraic combination of the rational choice of criminal individuals and constrained choices experienced in the context of disadvantage. It is then a relatively small step to making the assumption that there are proportionally more Black people in the criminal justice system because they are more subject to 'social exclusion' and therefore more likely to commit harmful acts.

In our view this approach should be rejected because the criminal justice system is partial in its focus in terms of what and whom it targets. The absence of any focus on the harmful behaviours of those with greater power in society or higher incomes is striking. In legislation, only *some* harmful events are defined as crimes and of those harmful events only a small proportion come to the attention of the criminal justice system (see, for example, Garside, 2006; Karstedt and Farrell, 2007; Tombs and Whyte, 2008 for the summary of this argument and other work on the prevalence of middle class crime and corporate violence). What the system does appear to achieve, for the most part, is to be an unsuitable container for a regular clientele who have a mixture of mental health, drug,

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educational and behavioural problems and are from low income backgrounds, i.e. those most vulnerable to capture because of the focus of the system.

Through the prism of 'Black on Black crime' and young Black men, social exclusion perspectives emphasise a racialised analysis that conceives of what is happening as a special problem, rather than as one problem among many for a deeply subordinated and highly harmed social group which actually bears strong similarities with all other groups subject to discrimination and exploitation, irrespective of the colour of their skin or cultural milieu.

In doing so, it fails to consider sufficiently the structural roots of problematic and harmful situations and that 'risk factors and resources are surface causes, the current intervening mechanisms. These may change but as long as the basic causes remain operative the modification of surface causes alone will only lead to the emergence of new intervening mechanisms to maintain the same outcome' (Williams, Lavizzo-Mourey and Warren, 1994).

Fifth, current approaches contract policy options to 'reducing crime' through a mixture of deterrence and punishment or attempting to change individuals and 'communities' through (often coercive) 'support' mechanisms. Public and voluntary services and agencies are increasingly encouraged to view and publicise their activities as *crime reduction* initiatives. In many cases, funding and political support is contingent on crime reduction claims. Haggerty (2008) sums up the process:

> *'… it is poignant to see the following programmes reduced to being elements of crime prevention initiatives: adult basic education, vocational training, drug treatment, improving the self-esteem of disadvantaged youths, homework instruction, academic tutoring, family planning, mentoring, after-school programming (including music lessons, sports, dance and scouts), job training for disadvantaged youths, litter and graffiti removal, midnight basketball, group counseling for students with alcoholic parents and so on. Many proponents of such programmes only started to appeal to the crime reduction potential of their initiatives when they found neo-conservatives were uninterested in arguments that the value*

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of such programmes lies in providing disadvantaged people with hope and the prospect of a meaningful existence.'
(Haggerty, 2008)

When viewing this through a broader 'social harm lens', it is possible to consider the socio-economic and historical forces at work and begin to understand the limited role that criminal justice can play. As Haggerty suggests, the challenge is to consider a wide range of social problems without relegating them simply to crime reduction objectives. Through an exploration of wider social harms we raise the question of whether the root causes can be fairly located within the 'Black community' and ask whether there are other factors that require investigation.

Ethnicity and social harm production

This discussion paper has illustrated a range of social harms disproportionately experienced by ethnic minority people in contemporary British society. They are 'social' because central to understanding the harms experienced is that they are neither natural nor inevitable and are largely preventable because they are mediated by forms of social organisation that produce 'injurious social relations' (Pemberton, 2007).

The abundant literature on the complicated relationship between ethnicity and inequality is difficult to explore in a short paper, but it is within this framework that the reality of differentiation, discrimination and inequality takes shape. A number of points emerge that help explain the depth of social harm that Black and ethnic minority people face across a broad range of indicators and which fundamentally undermine the claim that 'traditional crime', and more particularly 'Black criminality' or young Black men, are a particularly significant source of societal harm.

In general, 'it has been shown that within particular class groups ethnic minority people have lower incomes than White people; that among the unemployed ethnic minority people have been out of work for longer than Whites; and that some ethnic minority groups have poorer quality housing than Whites' (Nazroo, 1999). So there seem to be socially harmful outcomes for ethnic minority groups that are influenced by more than initial socio-economic position. The idea of an 'ethnic penalty' offers a general description of a broad range of 'social harms' that the ethnic minority population encounters.

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While the 'ethnic penalty' may also have an important additional effect on the social harms experienced, it is crucial not to lose sight of the overall impact of poverty and social inequality. The higher levels of poverty that Black and most ethnic minority groups experience, compared to the White population, frame the outcomes in terms of health, housing and employment. Despite the government's commitment to reducing child poverty, because of its acknowledged life-course effects, Magadi and Middleton's (2005) study of the continuing and persistent poverty of Britain's poorest children since 1997 identifies markers shared by ethnic minority children. If, as Williams (1990) suggests, there is an asymmetrical effect of poor early life experiences, such as low birth weight and poorer nutrition, they may be part of a cumulative process of social harm in the lives of Black and ethnic minority people that is a source of the unequal life-course experiences.

The socio-economic positioning of ethnic minority people within British society is not an accident but the historical product of a series of relationships between the colonial empire established by Britain from the seventeenth century onwards, and the place of the ethnic minorities who, as a result, came to live in its heartland. Davey Smith (2000) describes the post-second world war labour shortage that forced the government to organise immigration from the Indian sub-continent and the Caribbean to meet employer demand. The migrant workers had access only to the unpopular and unpleasant jobs with severely restricted training and promotion. Davey Smith suggests that 'the current form of socio-economic disadvantage faced by British ethnic minority communities, in an age when the 'reserve army of labour' is waiting to meet labour requirements that currently do not exist, can be understood only in the light of their history'.

Entering into the into the lowest income groups in British society has had a fundamental impact over several generations. A general lack of social mobility in the post-war period (Blanden and Machin, 2007), the increasing inequality in British society since the mid 1970s (Brewer et al., 2007) and employment discrimination in UK labour markets (Mason, 2003) have created a socio-economic context in which some ethnic minorities, in particular Caribbeans, Bangladeshis and Pakistanis, have suffered significant social harm. The combination of 'ethnic penalty', class location and socio-economic positioning structured by history is significant in terms of the impact of social harm, not just at the level of the individual but across a whole population's generational life course. It is may be in this

context that the idea of intergenerational cycles of disadvantage has some purchase and that these factors might explain intergenerational transference of poor outcomes, rather than purported 'Black' lifestyles, cultural differences or individual pathways based on 'risk factors' that are simply the representation of the social exclusion discourse with a Black 'spin'.

The economic exploitation of Black people and ethnic minorities through initial integration into the low-wage sector of the labour market created space for racialised explanations for what rapidly became an everyday lived reality – Black and other ethnic minority people tend to end up in the worst jobs and live in the poorest areas. The point here is that economic exploitation and racial discrimination are 'distinct social processes that, nevertheless, reinforce and reproduce one another in contemporary societies' (Oliver and Muntaner, 2005).

5. CONCLUSION: LOOKING THROUGH THE 'CARNIVAL MIRROR'

The US scholar, Jeffrey Reiman, has described criminal justice as a 'carnival mirror', reflecting a deceptive picture of reality:

> *'If criminal justice really gives us a carnival mirror image of 'crime' we are doubly deceived. First, we are led to believe that the criminal justice system is protecting us against the gravest threats to our well-being when in fact the system is protecting us against only some threats and not necessarily the gravest ones. We are deceived about how much protection we are receiving and thus left vulnerable. The second deception is just the other side of this one. If people believe that the carnival mirror is a true mirror – that is they believe the criminal justice system simply reacts to the gravest threats to their well-being – they come to believe that whatever is the target of the criminal justice system must be the greatest threat to their well-being.'*
> (Reiman, 2004)

In Reiman's idea of the 'carnival mirror', we find that 'crime' is considered to be the *real* and *important* issue for society, while inequalities in health, financial harms and economic hazards and state inflicted harms are seen as comparatively minor and almost inevitable.

Following Headley and Reiman, we have aimed to broaden the object of analysis beyond 'crime' to a wider range of social harms and stimulate discussion about how to 're-orientate populist debates on crime towards a wider, and more progressive, discussion of harm' (Pemberton, 2007) with regard to Black and ethnic minority people. Our aim has been to challenge popular conceptions about 'Black on Black crime', 'Black criminality' and Black young men as a special and pre-eminent source of social harm to ethnic minority people and society in general.

Finally, and at risk of over-simplification, we would like to reiterate what we are and are not saying. We are not saying that many acts currently defined as 'criminal' are not harmful, distressing or in need of policy attention – although we would stress that in our view the criminal justice processes are a thoroughly inadequate way of addressing these harms (Garside 2006). We are not saying that ethnic minority people are neither victims nor commissioners of acts often defined as 'crime'. Nor are we presumptuously seeking to foreclose a debate about what action Black and ethnic minority people should take to address the harms experienced. We seek to discuss what the nature and sources of the harms are while recognising the long history of Black and ethnic minority social and political advocacy in this field and the social advances made as a result.

What we are saying is that by focusing predominantly on many acts through the narrow framework of criminal justice, there is a tendency to place disproportionate emphasis on particular people – and, in recent times, young Black men. This deflects attention away from far more wide-ranging and pervasive harms, and that political and policy attention unfairly locates 'criminality' and harmfulness at the feet of ethnic minority people and in particular, young Black men.

By drawing attention to the range of harms outlined in this paper, we are not offering an explanation for why some people may commit acts – currently a preoccupation of the criminal justice system, politicians and the media – although this is a legitimate question for researchers to ask. This discussion paper instead attempts to challenge the myopic focus of a 'Black crime problem' and the criminal justice solutions associated with it. We would argue in favour of a perspective that relocates understanding harmful experiences

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outside the criminal justice arena, thus broadening the scope and reach of potential solutions.

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How much evidence do you need?

Danny Dorling

Racism permeates societies in ways that make it hard for most of us most of the time to recognise how omnipotent it is. Racism is also in the ether in a much wider sense than is usually recognised. Thinking that is racist in origin, in underlying argument, is used in much talk by affluent people when they try to justify why others are poor. Others are often assumed to be of different 'stock', not to have the supposedly inherent abilities of those in power. It is often suggested, if not that often directly, that many people are not well-off because they 'have not got what it takes'. In essence such an argument is no more or less racist than those arguments that people with darker skin pigments are somehow inferior to those with lighter skins.

Overt racism in 21st century British works on the basis of skin colour first and religion second. In the past religion ranked higher as a marker of who were to be discriminated against (Catholics, Jews and Huguenots for instance). The signs and labels change even though the underlying ways in which groups are stigmatized and devalued remain very similar over time. Racism occurs when it is suggested that some peoples are less valuable, less needed than others, have less of a right to be and to things than others. This is how it is put in reports of surveys by academics.

"The Fourth National Survey of Ethnic Health (Nazroo 2001) finds there is also 'a sense of being a devalued member of a devalued low status group' and the 'stress of being a victim of racial harassment.' and 'suggests a relationship between experiences of racial harassment, perceptions of racial discrimination and a range of health outcomes across different groups' which are independent of socio-economic effects." ((Roberts and McMahon 2008) page 42)

And how many people experience being victims of racial harassment?: "Over **a third** of minority groups reported experiencing overt racism in Britain in 2005 and at least five times as many racially motivated crimes occurred as were reported ."[1]

And how racist is the population at large?. That you can find in numerous surveys depending on what you think a racist attitude might be. You might think racism is more common amongst the working class, however **thirty percent** of the supposedly most influential movers and shakers of London surveyed in late 2007 said they would not vote for a London Major if the candidate were Muslim[2]

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[1] Lewis, M. and N. Newman (2007). Challenging Attitudes, Perceptions and Myths. Report for the Commission on Integration and Cohesion. London, The Commission on Integration and Cohesion. (page 6).
[2] Evening Standard. London. Tuesday 13 November: pp.8-9

And, when a senior police officer in the London Metropolitan Police Force complained of racist discrimination, is was repeatedly suggested in the press that because he was on a high salary he should not complain[3]. There is great ignorance.

On ignorance, education policy "itself remains unaddressed, as a source or carrier of racism…"[4] many more black pupils are excluded from schools due to "systematic, racial discrimination in the application of disciplinary and exclusions policy …[and in 2006 we learnt that] Black pupils were '**five times** less likely to be registered as 'gifted and talented'"[5]. Those who are most vocal and confident in their criticism show how on race New Labour's education policy has been assessed overall as being in its effect: "actively involved in the defence, legitimation and extension of White supremacy"[6]. This is through the choices that are being made over what is taught, how ideas of inherent difference are propagated, and whose version of history and geography, literature and science is presented in our national curriculum. But the wider face of racism in education is IQism – the idea that inherited 'talent' exists and hence diverges between different social groups including people grouped by race/ethnicities.

Ignorance was one of the five great social evils identified over 60 years ago. Another was "Want", and the most acute want in Britain tends to effect those which are most often the target of racists. In the year 2000 mothers labelled as asylum seekers had to beg if for their new born children they "ran out of milk … mid-week, having spent their single £25 [food] voucher…"[7]. In 1943 Winston Churchill had written that "…there is no finer investment for any community than putting milk into babies."[8]

Over a thousand refugees were recorded as having died or been killed due to government control on migration in just a three year period in the late 1990s. Two brothers from India tried to get to Britain holding on within the undercarriage of a plane. One survived. Just after the end of this three year period another two boys aged 15 and 16 were found dead in the landing gear of a plane that had arrived in Brussels from Mali. One had written a letter found on his body[9].

> *"Excellencies, gentlemen – members and those responsible in Europe, it is to your solidarity and generosity that we appeal for your help in Africa. If you see that we have sacrificed ourselves and lost our lives, it is because we suffer too much in Africa and need your help to struggle against poverty and war … Please excuse us very much for daring to write a letter."*

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[3] In the last few days of August 2008, on radio 4's "Today Program" (including on 1 Sept.)

[4] Ball, S. J. (2008). The Education Debate. Bristol, Policy Press. (page 172).

[5] Ibid. (page 173, quoting in turn from the Independent on Sunday's release of an unpublished Department for Education and Schools report in December 2006).

[6] Ibid. (page 172, quoting in turn David Gillborn from 2005)

[7] Hayter, T. (2004). Open Borders: The case against immigration controls. London, Pluto Press. (pages 108-109).

[8] Timmins, N. (2001). The Five Giants: A biography of the welfare state, new edition. London, HarperCollins. (page 47).

[9] (on page 103 of Hayter 2004 (see above)– also see pages 108-109 for how those who survive are then treated).

If it were white children dying in the undercarriage of a plane you would have heard of their stories, the letters, lives, wishes, hopes and fears.

The Labour government of the millennium introduced new laws in Britain to fine lorry drivers if stowaways were found in their vehicles, with no exceptions: "…the Conservatives asked if drivers would be fined if the asylum-seeker on board was a baby? They would. What if the baby had died en route? The police would have to investigate whether he or she had died in British territory before deciding if a fine was necessary."[10] As long as the baby is long dead you would not be fined for accidentally bringing it into the country, but by implication even if you were to kill the baby…

They were not thinking of a white baby when they said that. They were not thinking that much at all.

After Ignorance and Want, amongst the five evils next came Idleness. The years of life people suffer from being unemployed or underemployed can be estimated given data on their ethnicities, qualification, residents and occupation[11]. Years of life are lost from being more likely to be convicted to a prison sentence, or a longer sentence for committing a crime if you are black rather than white. In 1991 the census revealed that in crude terms a man was **twelve times** more likely to be in prison if he were black[12]. By "…2005, BME people accounted for approximately 24% of the male prison population and 28% of the female prison population (Home Office 2006a). Between 1995 and 2003 the numbers of BME prison doubled from 8,797 to 17,775 (Home Office 2006c). [When] The Home Office changed the recording method and began using new census categories." (Roberts and McMahon 2008).

The Fourth evil was disease. Most people in Britain who are too ill to work due to be ill health now suffer from mental illnesses rather than physical ones. It is worth again simply repeating the evidence: "The 2007 census (Commission for Healthcare Audit, 2007) further highlights higher rates of admission, detention under the Mental Health Act, seclusion (being locked in a room) and referrals from criminal justice agencies. For men and women, the rates of admission for BME groups were over three times higher than average (ibid). In the 'other Black' group, admission rates were **ten times** higher than average. For detentions under the Mental Health Act on admission, there was an increase from 39% in 2005 to 43% in 2007 with overall rates of detention higher than average among Black Caribbean, Black African, Other Black and White/Black Caribbean Mixed Groups. Seclusions were also higher than average among Black Caribbean, Other Black men and among Other white in both genders. Black Caribbean, Black African and White/Black Caribbean Mixed groups had higher than average rates by 56%, 33% and 33% respectively (ibid)." ((Roberts and McMahon 2008) page 33).

The fifth and final evil was squalor. Slums in Britain have almost all been cleared. Overcrowding for most has been rapidly declining – but by 1998-2006 – in the UK "…over an eight year period the number of statutory homeless household fell by slightly over 8%; yet, in the same period the number of non-white BME homeless

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[10] Cohen, N. (2004). Pretty Straight Guys. London, Faber and Faber (page 74).

[11] Simpson, L. … et al. (forthcoming) Local labour market profiles: jobs deficits, ethnic penalties and neighbourhood effects, Environment and Planning A.

[12] Dorling, D. (1995) A New Social Atlas of Britain, Chichester: Wiley.

households increased by 14.5%. There was a striking increase in the number of homeless African/Caribbean households of between 25% and 42%" ((Roberts and McMahon 2008) pages 17 and 18). The unequal distribution of squalor continues: "33% of Pakistanis and Bangladeshis living in unfit dwellings compared to 6% White" (ibid).

British society, like many other societies, is a very racist society. A society bound together partly though ideas of racial intolerance, of inherent inability, a society in which a majority of people are willing to accept or at least ignore gross inequalities based partly on the racist views of others (and their own). This racism is most obviously manifest in attitudes to people who try to flee here (as it was before for the Huguenots, Catholics and Jews). It is least overt in official talk about the inherent abilities of some groups over others. But once you accept racism of any kind, other kinds seep into the consciousness, become more acceptable.

From the senior police officer being paid in excess of £100,000 a year to the boy from Mali found dead with a letter in his pocket, to the class of poor mainly white school children written off because they supposedly come from the 'wrong stock', racism is a crime that causes both gross harm and which partly constructs ethnicity. The Huguenots, Jews and Catholics partly have their places in British ethnic history recorded because of the crimes committed against them that formed them as groups and had huge impact on their lives. Without such crime, without such discrimination, ethnicity and race fade and disappear.

Main Reference

Roberts, R. and W. McMahon (2008). Debating race, ethnicity, harm and crime. London, Centre for Crime and Justice Studies.

Response to: McMahon, W. and Roberts, R. (2008) *Ethnicity, harm and crime: a discussion paper*

From James Nazroo, Professor of Sociology, University of Manchester
October 2008

Introduction

The dominant and accepted approach to understanding the situation of ethnic minority people in the UK conveniently sees such groups as the cause of their own problems and, more generally, as disruptive to the stability of our society. This discussion paper represents an important corrective intervention in such debates and for this the authors and the Centre for Crime and Justice Studies should be congratulated. Below I highlight what I consider to be the key points of the document, add to them, and offer some suggestions for further consideration.

The three key points that emerge in the document are that:
1.   'Black on Black' crime and the policy focus on it need to be understood within the context of the wider, and much more significant, social harms experienced by Black people.
2.   'Black on Black' crime, and the greater representation of Black people as both perpetrators and victims of crime, can only be understood as a consequence of wider social inequalities, where ethnic minority groups experience (on average) greater economic hardship, discriminatory attitudes, and racist attacks (written, verbal and physical).
3.   Consequently, a narrow focus on 'Black pathology' (for example Black street culture, the Black family, or gang culture) misses the fundamental causes of the problems faced by ethnic minority people and acts to further racialise Black people.

State inflicted social harm, how significant is this?

Adopting a social harm perspective, the report sets out to highlight the risks that society and the state create for young Black men and the significant harm that results. The emphasis is rightly on the role of the state and state institutions. Two outcomes are worth emphasising and detailing further. First, most studies of admissions to psychiatric hospitals suggest that Black Caribbean people are between three and five times more likely to be admitted with a serious mental illness (McGovern and Cope 1987, Harrison *et al*. 1988, Cochrane and Bal 1989, Van Os *et al*. 1996). These rates are even higher for young men, and extraordinarily high for young Caribbean men who were born in the UK – one study suggests 18 times higher than average (Harrison *et al*. 1988, see also McGovern and Cope 1987). Findings from these studies cannot be understood in terms of a genetic, or cultural, risk associated with a general Caribbean identity, because rates of severe mental illness in the Caribbean are pretty average (Hickling 1991, Hickling and Rodgers-Johnson 1995, Bhugra *et al*. 1996). So, insofar as they represent real differences in risk, these high rates of hospital admission must reflect the negative impact of the UK social context on Caribbean people, particularly young men. And if the size of this difference is real, this negative impact surely requires immediate and serious consideration. We would also hope that once such harm has been inflicted, those most affected would receive high standards of care, but, as Professor Dinesh Bhugra, the

President of the Royal College of Psychiatrists has commented (Observer 2008, Bhugra 2008), this expectation is not fulfilled. It would not be unfair, despite the claims of some (Singh and Burns 2006), to suggest that mental health services aggravate, if anything, any pre-existing harm experienced by such patients (Fernando 2003).

The second example I consider here is the high rate of imprisonment faced by young Black men, and the long-term consequences for those who are imprisoned. This mirrors young Black men's increased rates for admission to hospital with a severe mental disorder. And there are great similarities in the pathways taken by young Black men into hospital and prison, which in both cases are adverse compared with others. So, as described in this report, in the criminal justice system young Black men are more likely to be stopped and searched, within a given context they appear to be more likely to be arrested, are less likely to be cautioned, more likely to be convicted and likely to receive a longer sentence. And in the mental health system, Black people are more likely than others to have been in contact with the police or forensic services prior to admission, are more likely to have been referred to these services by a stranger rather than by a relative or neighbour, are over-represented among patients compulsorily detained in psychiatric hospital, and this is despite studies in the UK showing the Black Caribbean patients are both less likely than white patients to display evidence of self-harm and no more likely to be aggressive to others prior to admission (Harrison *et al*. 1989, Rogers 1990, McKenzie *et al*. 1995, Davies *et al*. 1996, Audini and Lelliot 2002, Morgan *et al*. 2005a and 2005b, Sainsbury Centre for Mental Health 2006). Similarly, Black Caribbean patients with a diagnosis of psychosis remain in acute hospital care longer than white patients and have more frequent outpatient follow-up contacts, despite having fewer negative symptoms (Takei *et al*. 1998, Commander et al 2003). These differences in pathways into prison and psychiatric care suggest that young Black men may well be overrepresented in such institutions. So, it is perhaps not surprising that community based surveys of criminal activity and mental health, in contrast to studies of contacts with institutions, suggest that Black people are not more likely than white people to be involved in criminal activity or to have a serious mental illness. For example, the Offending Crime and Justice Survey shows that white people are 50% more likely than Black people to report that they have committed both an offence and a serious offence, are 20% more likely to report that they have engaged in anti-social behaviour, or to have taken an illegal drug, and twice as likely to report that they have taken a class A drug (Sharp and Budd 2005). For serious mental illness the contrast is equally stark. Compared with the three to five times greater risk of hospital admission, community surveys have suggested that the prevalence of psychotic symptoms is about twice as high for Black compared with white people (King *et al*. 2005) and that serious psychotic illness is about 75 per cent higher (Nazroo 1997). And this higher rate is not found for young men, nor for young men born in the UK.

This is not to suggest that Black people in prison have not committed crimes, nor that Black people in psychiatric hospitals do not have severe mental illnesses, even if in some circumstances this may be the case. Rather, this evidence suggests that Black people are more likely to experience adverse pathways into such institutions, are consequently more likely to be present in these institutions, and that the impact of this is to aggravate substantially any pre-existing inequality. The implication is that state institutions are not concerned to address the social inequalities that might underpin any increased risk of criminal activity or severe mental disorder, rather they manage the situation in a way that amplifies race/ethnic inequality.

How do we explain such inequalities?

Before we consider explanations for these social inequalities and why they might be aggravated by state institutions, it is worth considering what we mean by ethnicity, or race, in this context. Here I draw heavily on the work of Solomos (1998) who argues (I paraphrase here) that ethnic or race groups are discursive formations, calling into being a language through which apparent biological and cultural differences are accorded social significance, and by which these groups are named and explained. So the relative social location of ethnic groups is understood to be a consequence of biological and cultural differences, and such differences are generalised across all of those who are seen to be members the group. The names and explanations are reified, generalised and personalised. But then we need to understand why ethnic relations take the form they do. How do the categories and the boundaries between them come to be? And how are the meanings attached to these categories and the boundaries between them negotiated and resisted? Of course we can only understand this in relation to broad historically embedded social processes. I do not have the space to document these here, but it is worth asking why the contemporary consequences of these processes are not addressed more forcefully – who benefits from the status quo? To answer this we need to engage with an analysis of class as well as ethnicity/race, and for this analysis of class to be more than just a description of socioeconomic inequalities. We need to develop an understanding of how ethnic/race relations relate to, are configured by, and support class relations. And this requires an exploration of class inequalities more generally, the mechanisms that produce and maintain them, and their 'side effects'. For example, how has our society become one where 1.4 people per thousand is in prison – who benefits and why?

Rather than look more closely at such issues, this discussion paper makes use of the concept of an 'ethnic penalty' to explain social inequalities. This simply asserts that in a particular context some ethnic minority groups do worse on average than others. It is, in effect, a statistical description, assessing the size of an average difference compared with equivalent, or similarly placed, white people (the difficulty of estimating equivalence when circumstances can be radically different is rarely considered within the statistical models that are typically used to measure the extent of ethnic penalty). Such a statistical description, even when it is accurate, does not contain an explanation for the gap described as an ethnic penalty. We are left to hypothesise what the explanation is – racism (as suggested by the paper's authors), culture, or biology? The health literature is replete with examples of a resort to biological or cultural explanations in such circumstances. Importantly, an approach such as this simply statistically controls for observed socioeconomic differences, it fails to explain the relationship between ethnicity and social position. And it fails to engage with an analysis of the wider processes generating social and economic inequality and how ethnicity/race intersects with these. Answering these questions is not a straightforward process, nor uncontroversial, but our understanding cannot develop unless we are prepared to engage in this hard task.

What are the implications for policy?

Perhaps the important weakness of this report is its failure to spell out implications for policy. Although not explicitly stated, it is clear that the authors identify social inequality and the racialisation of that inequality as the fundamental driving mechanism of the social harm they describe. Such problems are resistant to serious, rather than pop, policy analysis, making it extremely difficult to develop recommendations for policy intervention that are both effective

and acceptable. Take the example of inequalities in health. Both of the Government inquiries into these (Townsend and Davidson 1982, Independent Inquiry into Inequalities in Health 1998), and numerous other investigations, have identified socioeconomic inequalities as the driver of health inequalities. But we have seen repeated failures over the past ten or so years for any serious policy development to address socioeconomic inequalities. The reasons for this are, perhaps, obvious, but also relate to a desire to have simple analyses of and simple solutions for complex social problems, of which the ways in which young Black men have been racialised in this country are an example.

So the challenge I offer – to develop serious and effective policy recommendations to complement this analysis – is nowhere near straightforward. But the momentum is there for this next step. The significance of the social harm experienced by these young men – the gross economic inequalities, restrictions to social mobility, removal of liberty, consequent illness and premature mortality and ultimately, in contemporary Government speak, the impact on well-being – is simply unacceptable. This discussion paper illustrates this with remarkable clarity.

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Ethnicity, Harm and Crime: A response to the discussion paper by Will McMahon and Rebecca Roberts.

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In this response I begin by considering three aspects of the paper that presented important considerations, that were suggestive and fruitful and which and stimulated me to reflect more widely: the question of 'community'; poor areas; and the emphasis on poverty. In the second part of the response, I outline some more specific observations and comments on the content of the paper and its scope. I conclude with some questions about the aims of the paper and its implications.

1. Points of reflection
What is meant by community?
The first aspect of this paper that drew my attention was in its opening epigraph, highlighting of specific uses of the term 'community'. The paper takes as its point of departure calls to community, which are employed when there is a perceived crisis of 'Black on Black' crime; calls which locate the 'problem' clearly within the 'Black community'. The paper points to the ways in which the term 'community' is used to encapsulate problems, to distance them from the majority, to make them 'other'. They thus become a responsibility not for mainstream services and institutions nor for general social conscience, but for self-regulation.

Calls to community also indicate the ways in which, by naming them, phenomena are apparently brought into existence, and become fixed reference points. It is the case that people's networks, connections, patterns of association are a source of increasing investigation and consideration: how they map onto identities and relate to life chances. These are all pertinent and interesting questions and show the ways in which different sorts of relationships and bases for relationships and sense of commonality can operate – and can operate simultaneously. But that in itself should lead to caution about how we speak about and allocate 'communities' and the assumptions that are made when communities are given fixed names and attributes.

Community can of course also be used to represent localities: collocations of individuals as well as aggregates of minority group members. Discussion of community cohesion, a major contemporary focus for policy, frequently emphasises how such physical communities are potentially fragile and fractured – they require the glue of cohesion – rather than being robust and self-contained. Community as groups with common characteristics and community as localities in which their very diversity may be the question deemed to be at issue, are competing representations; but they are frequently employed interchangeably by policy makers and by researchers, without sufficient scrutiny as to how they are being merged. A number of community studies employ 'community' to describe not only co-located individuals and families, but at the same time physical fabric and environment, and also idealised perceptions of a bygone age. In these studies, subjective perceptions of community, while important, need to be distinguished analytically from actual experience and history. Similarly, this paper prompts us to think about the extent to which the 'Black community' invoked by politicians is a subjective reality or summarises a range of experiences that result in relative disadvantage in aggregate, regardless of identification of subjective perception.

I extrapolate, then from this reflection, that we should be very careful about invoking community either as source of a phenomenon or as a solution. We would do better to stick to terms that can be clearly circumscribed and do not bring with them the normative weight associated with community.

Poor areas

As mentioned community is often regarded as meaning or as being coterminous with neighbourhood or area, which brings me to the second issue where, for me, the paper invited reflection. The paper spends some time pointing out how experiences which are attributed to the ethnicity of proponents can be understood instead as deriving from the poverty of areas: i.e. that it is place rather than ethnicity that is the crucial factor in understanding outcomes. This is an important point, but in emphasising it, it can be easy to forget that areas are made up of individuals and do not have properties of e.g. 'poverty' independent of that. We should not start to accord to areas an independent impact. Even discussion of 'neighbourhood effects' relate to the relative concentrations of people with particular characteristics and whether that can lead to 'tipping' effects. Moreover, there is the danger that focusing on areas rather than people can slip into a colour blind approach to issues and policy. While the authors are reasonably concerned not to attribute to 'ethnicity' (whatever that would mean) consequences that stem from poverty, if we stop paying attention to ethnicity at all in relation to distributions of disadvantage, then policy 'solutions' my leave marginalised groups behind. For example, we can see this concern in the comments of the recent National Audit Office report on increasing employment rates for ethnic minorities: moving to an area focus the report suggests has meant abandoning even some successful programmes which had a minority focus – and does not necessarily compensate for that loss. Focusing policy on areas may in fact divert resources away from the most disadvantaged people within areas.

Poverty

I welcomed the contribution of this paper in terms of its emphasis on poverty (and on diversity in that poverty). Poverty rates are both striking and, as the paper points out, can be associated with a range of other outcomes, either as a contributory factor (e.g. low birth weight, higher mortality) or as an effect (e.g. of lower pay and lack of access to the labour market). There is a lot we still do not know or understand about minorities poverty experience including the details of poverty distribution and duration and the role of such issues as take-up of benefit. The paper does well to prompt us to uncover in more detail the diversity of poverty experience across minority groups, both its causes, its features and its consequences. Moreover, a focus on poverty provides a means to consider disadvantage at a general level without ignoring unequal distributions across ethnic groups. For example, in my current research on child poverty and ethnicity I make the case that introducing a consideration of ethnicity into mainstream agendas, such as that on child poverty, provides an important means of giving weight to concerns with ethnic minority disadvantage and to recognising ethnicity within debates on disadvantage and within policy prescriptions without pathologising it or compartmentalising it for policy purposes.

2. Direct observations on the paper

In this second section I outline some concerns relating to some aspects of the coverage or terminology of the paper, or where I felt the discussion needed clarification. I outline the six main points where I thought some further thought, modification or resolution were needed.

First, 'harm'. Harm was initially introduced in the paper as experience of crimes, but then, in line with the overall intention of the paper was broadened out. This meant it was unclear what the criteria were for designating something a 'harm'. Additionally it was not clear if 'harm' was intended to reflect a process or an outcome – or both. It seemed to be used in both ways. Moreover, the identification of certain 'harms' left some doubt about whether they could always be considered harms or whether their designation as harms was context specific and was to do with minority group over-representation rather than the intrinsic nature of the processes involved.

Second, 'ethnic penalty' was used regularly in the paper, but again lacked precision. Is it being used, as I would expect, as a description of what we 'don't know' about differential outcomes, or is it being used to specify particular unjust conditions? Additionally, it seems to be used to indicate both causes of harms and the outcomes, the harms themselves.

Third, the paper starts with a consideration of young Black men and goes on to take in all minority ethnic groups and a range of very different outcomes or harms. I am, however, not convinced that it makes much sense to link the low birth weight child of a Pakistani born mother with the relatively harsh sentencing of a young Black Caribbean man. Both are important, but I'm not sure I grasped the connection, or that they can be accounted for in a similar framework.

Fourth, I was concerned by the invisibility of gender in this paper. It appeared to be perpetuating an ungendered consideration of ethnicity. A paper about (young) Black men is not about ethnic minority women. And even the focus on employment was highly gendered. Existing research has not only shed light on the ways that women are simultaneously seen as cultural containers, regarded as responsible for the misdeeds of their sons and yet not considered independently; but there are also considerations to be given to women in relation to their experience of specific harms, for example of violence against women. Similarly the discussion of under-attainment does not allow, for example, for concerns about Caribbean *girls'* levels of attainment relative to other groups of girls, and what might be done to improve them.

Fifth, I thought that there was a lack of attention paid to the experience of victims. The paper kicks off from a consideration of Black men as victims, but thereafter only considers their experience in the criminal justice system as perpetrators. The opening of the paper shows how locating responsibility for victimhood within the Black community can distance it and make it 'someone else's problem'. Surely there is a need to re-instate it as 'our problem'?

Finally, the claim that social mobility is decreasing is becoming treated as an accepted truth. However, it is neither an uncontested finding nor does it apply across ethnic groups. There is plenty of research which presents rather a different story for the population as a whole; and I was therefore concerned to see the decrease of social mobility simply being asserted here. Moreover, patterns of mobility are very different

when we look across ethnic groups. As my own research has shown, upward mobility is more common for most groups, though some groups do not seem to be able to achieve upward mobility in line with other groups or even with their levels of qualifications. The picture is therefore a mixed and a complex one. But it is not all negative.

3. Questions
In this third section of the response I briefly introduce some questions relating to the purpose and function of this paper, and therefore where it goes from here.

1. There are a range of different points made about the experience of ethnic minorities in this paper. Where do they lead? Is there an overarching story?

2. The paper starts from a criminal justice perspective. Is it, in the end, about the criminal justice system (and how we evaluate it) or is it simply using that as a point of departure to talk about wider experience? If so how are the boundaries of the discussion set?

3. A related point is: why these harms? Why not others such as (lack of) political representation?

4. The paper covers policy, discourse and delivery of services, and switches lightly from one to the other. These are very different domains. If it is seeking change, in which of these domains is its intervention primarily intended?

5. What is the role of discrimination in the outcomes outlined? Is the argument about 'race'? At one point the paper claims that 'race' is not what is at issue. But the rest of the paper tends to emphasise racial discrimination as an implied causal factor. Can this be sustained from the evidence? Is it the message that the paper intends to get across? And what are the implications if it is or isn't?

6. A related question is the extent to which the harms outlined are seen as intentional, perpetrated by particular agents. I was not clear where agency was located within the paper.

7. And what about under- as well as over-representation? In some cases minority groups are ill-served by lack of attention, and experience harms from neglect or lack of access (e.g. to services). But the paper concentrates on those areas where it is 'over-attention' that is the issue. What is the balance between recognition and adverse attention? Between invisibility and normalisation? Harms of commission rather than omission are the focus, but harms of omission can surely be just as important and deserve attention.

8. Finally, in relation to what the paper can conclude on the subject of harms, I wondered if there could be a way of weighing up harms. Whether it was possible to create some form of accounting method that would tell us about relative impact. For example, would it be possible to compare years of life lost (or 'wasted' and therefore effectively lost) through different sorts of harm?