

Racialized Policing & BME Communities as Structural Victims

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Evidence of Structural Victimisation

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Contemporary Challenges

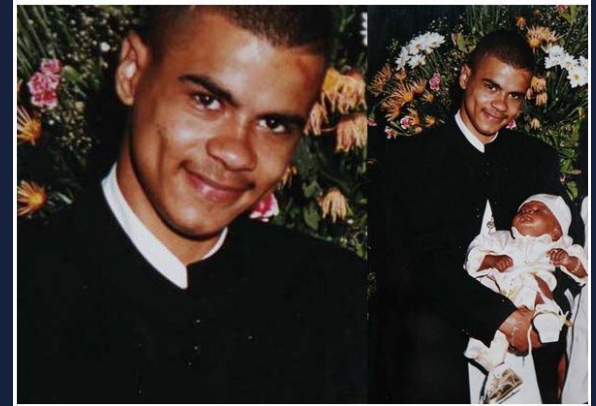
Accountability gaps, drivers of
change and academic debates

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Recommendations for Change

Evidence-based policy proposals
for real change

LIVED EXPERIENCE



Chris Kaba

Shot by Metropolitan Police, Sept 2022. Unarmed. 24 years old. Inquest jury returned unlawful killing verdict (2023).

Belly Mujinga

Transport worker who died of COVID-19 after being spat on. CPS initially declined to prosecute.

Mark Duggan

Fatal shooting (2011) sparked Tottenham riots. IPCC investigation criticised for failures of process and transparency.

“They didn't see a man. They saw a Black man. And that made all the difference.

Testimony, Macpherson Inquiry (1999). One of over 3,000 accounts submitted by BME individuals.

A Two-Part Theoretical Framework

Critical Race Theory - Institutional Racism

Macpherson (1999)

Defined as 'the collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture or ethnic origin.' Moves analysis away from individual prejudice towards systemic patterns embedded in culture, policy and practice.

Three-Dimensional Justice

Fraser (2008)

Justice requires redistribution (material resources), recognition (cultural respect and dignity) and representation (political voice and accountability). BME policing victims suffer deficits on all three dimensions. This framework helps structure our recommendations.

Macpherson (1999) & Windrush: Naming and Repeating Failure

Macpherson Report (1999)

- **70 recommendations** made for reform of Metropolitan Police and wider criminal justice system.
- **Rollock (2009)** found that 25 years later, institutional racism persists, with many recommendations only partially or symbolically put into practice.
- **Lammy Review (2017)**: David Lammy's independent review found BAME over-representation had **worsened** since Macpherson. BAME youth custody rose from 25% to 41% (2006–2016). Cost to taxpayer: £309m/year.

Windrush Scandal (2018–present)

- **The Windrush scandal** revealed that the Home Office, the institution responsible for policing governance, wrongfully detained, deported, or threatened with deportation hundreds of British citizens from Caribbean Commonwealth countries.
- **Shilliam (2018)** argues Windrush demonstrates that racialised exclusion is not a failure of the system but a feature, built into immigration enforcement practices that police are required to implement via the Hostile Environment.
- **Wilding (2021)**: *police were deployed as immigration enforcers, entrenching community distrust and extending victimisation beyond the criminal justice encounter into citizenship itself.*

The Lammy Review (2017): Eighteen Years After Macpherson, Nothing Had Improved

“

Young Black people are now nine times more likely to be in youth custody than young White people. I expected to find the youth justice system laser-focused on this issue. Instead, I found large parts of the system indifferent to issues of race.

David Lammy, The Lammy Review (2017)

Lammy Review (2017): 35 recommendations. BAME disproportionality costing taxpayer £309m/year. Principle: 'explain or reform': every institution must either justify any racial disparity with evidence or change its practice.

BAME Youth Custody

Rose from 25% to 41% of youth custody population (2006–2016), despite overall youth offending falling.

Trust Deficit

BAME defendants are more likely to plead not guilty, not because of guilt, but because of distrust of magistrates' courts. This reflects a deep systemic accountability failure.

Racial Profiling Confirmed

Lammy himself was stopped and searched. Stop & search disproportionality persisted 18 years after Macpherson's findings.

Sewell Rebuttal (2021)

Lammy: 'Tired of the endless debate about whether structural racism exists with little desire to address it.' Directly challenged the Sewell Report's findings.

Stop & Search: Racialised Surveillance



Bowling & Phillips (2007):

- Stop and search acts as a form of racialised social control
- Black people are often treated as permanently suspicious
- Differences in stop rates are not explained by higher offending

Waddington et al. (2004):

- Looked at the “available population” (people actually on the street)
- Racial disparities still remained after this was considered
- Suggests bias in police decisions
- Indicates stop and search is not purely based on evidence

7×

Black people stopped under s.60 per White person
(Home Office, Police Powers and Procedures,
2022/23)

69%

of stops lead to
no further action

27%

of all s.60 stops involved Black people
Black people make up 3.5% of the population

↑34%

Rise in s.60 use
2020–2023

“Having been stopped and searched in a hoodie before myself, I know that distrust of Black men in hoodies is endemic in the UK.”

David Lammy, Secretary of State for Justice (2024)

Use of Force: Escalation & Racial Disparity

8x

Black people more likely to have force used against them (NPCC Use of Force data 2021/22)

3.6x

Higher rate of Taser use on Black individuals

87%

of Taser deployments on mental health calls involve restraint

Theoretical Analysis

Reiner (2010) identifies the 'police property' concept: certain groups are treated as legitimate targets for aggressive policing, with minimal accountability. BME communities, particularly young Black men, have historically occupied this position.

Intersectionality matters here: Black individuals with mental health conditions face compounded risk. Research by Adebowale (2013) found systemic failures in police response to mental health crises in BME communities, with force disproportionately used rather than de-escalation.

Fraser's recognition deficit: *The repeated application of disproportionate force signals institutional non-recognition of Black humanity and dignity.*

Deaths in Custody: The Extreme Endpoint

163

Deaths in or following police custody

2013–2023 (Source: INQUEST / IOPC Annual Reports)

0

Police officers convicted of murder following death in custody (UK)

3×

BME individuals over-represented in restraint-related deaths

18yrs

Average wait for inquest resolution in complex cases

Pattern of Cases & Accountability Failure

1993

Stephen Lawrence

Murder case (not custody), but the defining case that established the concept of institutional racism in UK policing.

1999

Roger Sylvester

Died following restraint by 8 officers. Inquest returned unlawful killing verdict, later overturned on appeal.

2011

Mark Duggan

Shot dead in 2011. Inquest returned a lawful killing verdict. Led to widespread community protest.

2022

Chris Kaba

Shot dead while unarmed. Inquest in 2023 returned an unlawful killing verdict.

Post-George Floyd & BLM UK: Has Anything Changed?

Sep 2017

Lammy Review published 35 recommendations. BAME youth custody at 41%. Lammy: 'Not only has nothing improved, it has worsened.'

May 2020

George Floyd killed by Minneapolis Police Global protests. BLM UK demonstrations in 20+ UK cities.

Mar 2021

Sewell Report published: no institutional racism found Lammy: 'Tired of the endless debate about whether structural racism exists with little desire to address it.'

2021-23

Metropolitan Police placed in special measures Baroness Casey Review (2023): deeply racist, misogynistic, homophobic culture identified.

Sep 2023

Chris Kaba inquest: unlawful killing verdict First such verdict in over a decade. Officer charged with murder.

The Accountability Gap: Why Reform Keeps Failing

IOPC Structural Limitations

- The Independent Office for Police Conduct (IOPC) was created to replace the discredited IPCC.
- But critics including INQUEST (2023) argue it remains insufficiently independent, staffed by former police officers, chronically under-resourced, and subject to pressure from policing interests.
- Average investigation times exceed 3 years.

Police, Crime, Sentencing & Courts Act 2022

- The PCSC Act dramatically expanded police powers to restrict protest, widely seen as a response to BLM demonstrations.
- Liberty and Amnesty International argue it represents the criminalisation of the primary means through which BME communities have historically sought to achieve change.

Reform vs. Abolition Debate

- Academic criminology is divided. Ben Bowling and Coretta Phillips advocate reform within the existing framework.
- Abolitionists like Angela Davis and, in UK scholarship, Nadine El-Enany, argue policing institutions cannot be reformed because their function is the racialised management of populations.
- This is the defining contemporary debate.

Contemporary Academic Debates in Criminology

Is institutional racism the right frame?

Murji & Solomos (2015) argue the term has been absorbed into bureaucratic equality frameworks without challenging underlying power structures. Phillips (2011) defends it as still analytically necessary.

Can body-worn cameras deliver accountability?

Ariel et al. (2016) found BWC reduced use of force complaints, but Demir et al. (2020) found officers retain discretion over activation, limiting accountability potential. Technology cannot substitute for institutional culture change.

Does the 'police property' concept still hold?

Lee (1981) introduced the concept; Reiner (2010) updated it. Contemporary scholars (Hallsworth, 2013) argue it has evolved, now intersecting with counter-terrorism frameworks that target Muslim communities alongside Black communities.

What does justice for BME victims actually require?

Spalek (2008) argues victims require truth, acknowledgement, material redress, and structural prevention. Fraser's framework maps onto all four, but current accountability systems deliver none of them adequately.

Fraser's Justice Framework Applied to Policing Reform

REDISTRIBUTION

Who bears the costs of racialised policing?

BME families bear enormous financial burdens through inquest costs, legal representation, lost income, and psychological harm. The state bears minimal cost for its institutional failures.

RECOGNITION

Whose humanity is recognised?

Stop and search, use of force, and deaths in custody data all show that Black lives are given less institutional worth. Reforms must explicitly address dignity and non-discrimination, not just process.

REPRESENTATION

Who has voice in accountability?

BME communities and bereaved families are systematically excluded from meaningful participation in oversight bodies, IOPC processes, and policy reform. Structural inclusion is required, not consultation.

Evidence-Based Recommendations for Change

01

Replace IOPC with a Fully Independent Oversight Body

Staffed independently of policing interests. Statutory power to compel evidence. Guaranteed legal representation for bereaved families. (Redistribution + Representation)

02

Mandatory Real-Time Publication of Race Disaggregated Use of Force Data

All forces to publish use of force data by ethnicity, monthly. Data linked to officer identifiers to enable accountability. (Redistribution + Recognition)

03

Community Accountability Boards with Statutory Powers

BME community representatives with formal investigatory authority, not advisory status. Modelled on Police and Crime Commissioner model but with genuine community accountability. (Representation)

04

Suspend Section 60 Powers Pending Independent Review

S.60 no-suspicion stop and search cannot be justified by the current evidence. Suspension pending an independent review of necessity and proportionality. (Recognition + Redistribution)

05

Statutory Duty of Candour for Police Officers regarding Custody Deaths

Based on the model recommended in the Hillsborough and Infected Blood inquiries: a legal duty for officers to give full accounts in custody death investigations. (Representation + Redistribution)

Expected Outcomes and What the Evidence Says

O1

Reduced Racial Disparity in Stop and Search

Evidence: Bradford et al. (2017) found that procedural fairness in police encounters significantly increases community trust and cooperation. Suspending S.60 and reforming PACE would reduce disparity ratios within 2-3 years if monitored with real-time data.

O2

Increased Accountability for Deaths in Custody

Evidence: The Hillsborough Independent Panel demonstrated that structural transparency requirements produce real accountability. A duty of candour combined with genuinely independent oversight would reduce the average 18-year wait for inquest resolution (INQUEST, 2023).

O3

Improved BME Community Trust in Policing

Evidence: Myhill and Bradford (2012) show that perceived fairness and voice are stronger predictors of legitimacy than crime rates. Community accountability boards with real power, not advisory status, would shift this perception over time. New Zealand's iwi liaison model offers comparative evidence.

What the Evidence Says Is Needed to Achieve Change

O4

Rollock (2009), Lammy (2017) and Casey (2023) converge on three conditions:
(1) political will to name institutional racism, not just individual prejudice
(2) mandatory, measurable targets with independent oversight
(3) genuine co-production with BME communities, not tokenistic consultation.

Barriers to Change and How to Overcome Them

O5

Key barriers: institutional resistance (Casey, 2023), legislative rollback (PCSC Act 2022), and reform fatigue after 25 years of stalled Macpherson recommendations. Overcoming them requires statutory enforcement rather than voluntary compliance, sustained civic pressure, and international benchmarking.

Anticipating Objections

"The Sewell Report found no institutional racism."

The Sewell Report was widely rejected by criminologists (Warmington & Bhattacharyya, 2021) and contradicted by the Casey Review (2023), which explicitly identified institutional racism in the Metropolitan Police. Government-commissioned reports are not beyond critique.

"Reform is too slow. We need abolition."

The abolition debate is serious and must be taken seriously. But in practical policy terms, transitional reforms that reduce harm while structural change develops are compatible with longer-term transformative goals. Fraser's framework supports both.

"Individual officers are not all racist."

This is true and irrelevant. Macpherson's concept of institutional racism is precisely defined to capture systemic outcomes that persist regardless of individual intent. The data does not require individuals to be racist for the institution to produce racist outcomes.

CONCLUSION

Structural Victims Require Structural Solutions

The evidence is unambiguous: BME communities in England and Wales are structurally produced victims of racialised policing. Stop and search, use of force, deaths in custody, and Windrush are not isolated failures. They are the consistent outputs of an institution that has never fully confronted Macpherson's diagnosis.

Reform has repeatedly substituted procedure for transformation. Our recommendations, grounded in Fraser's three-dimensional justice framework, demand redistribution of costs, recognition of dignity, and genuine representation in accountability. Anything less is policy displacement.

"They didn't see a man. They saw a Black man." That testimony was given in 1998. The data presented today asks us to consider: what has changed? And what must?

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