

The equality and diversity criminology essay



**ASSIGN
BUSTER**

In order to approach this question one will begin to give a critical overview of what racism and institutional racism mean and the effects it has on societal fabrics. Furthermore instances of racist attacks in Great Britain that caused uproars and how governmental institutions were deemed to be racists from findings, and how to implement the recommendations given to combat institutional discrimination. In putting this situation into proper context, one has to cast their minds back to two significant events. The first event is the Brixton riots that occurred from the 10th till the 12th of April, 1981 and the second event is that of the racist murder of black teenager, Stephen Lawrence on the 22nd of April, 1993 on the streets of Eltham in London.

What led to the events of the Brixton riot? To give a brief overview, a young black man, Michael Bailey, who had been severely stabbed by some black youths, was being helped by the police. This young man thought he was being arrested and having been advised by three other young black guys who stood nearby, broke free from the policeman's grip. Two other policemen went after him, administered first aid and called for an ambulance. A group of young black men, grasped him from the police, put him in a car and drove him to the hospital before the ambulance arrived to assist him.[1]

Prior to this event, tension was mounting between the Metropolitan police and the black community in the Lambeth borough. There had been a lot of stop and searches after the birth of ' Operation Swamp 81', whereby officers were dressed in plain clothes and stopped and searched black youths in an attempt to reduce street robberies.[2]After the Michael Bailey incident, the

police continued with ' Operation Swamp 81' which angered the black community resulting in a full scale riot which ensued in Brixton.

On the 22nd of April, at 10: 30 pm, Stephen Lawrence, a black 18 year old youth was waiting at the bus stop with his friend Duwayne Brooks when in full frontal view of eyewitnesses was stabbed twice in the chest and killed in cold blood by five racist youths who were chanting: ' What, what, nigger?' The police refused to treat the case as a racist attack and inferred Duwayne Brooks, Stephen's friend who had a narrow escape from meeting his death a suspect.[3]

INTRODUCTION

In the context of the foregoing this essay will be divided into four parts. The first part will talk about racism as well as institutional racism and the effects it has on our society. The second part will bring up Lord Scarman and Sir William MacPherson's findings on Institutional Racism and the damnation he meted out to the Metropolitan Police after the botching up of the investigation into Stephen Lawrence's death. The third part will look into the government's responses and Sir MacPherson's recommendations on how to combat Institutional Racism. Finally, equality after Sir Macpherson. Have there been any achievements or is it a figment of our imagination?

PART ONE

This brings us to ask the questions, what is racism? What is institutional racism? This essay will therefore primarily define racism in contrast to what is defined as institutional racism. What is racism? As Sandra Fredman[4]puts it, ...'racism is not about objective characteristics , but about relationships of

domination and subordination, about hatred of the ' Other' in defence of ' Self', perpetrated and apparently legitimated through images of the ' Other' as inferior, abhorrent, even sub-human." To break it down in its simplest form, racism as explained in the Oxford English Dictionary is the belief that all members of each race possess certain characteristics, abilities, or qualities specific to that race and giving rise to the belief that certain races are better than others. It goes on further to describe racism as discrimination against or hostility towards other races.[5]

Why are people racists? Racism comes in various forms; white people against black people and vice versa, heterosexuals against gays and lesbians, and even within a country, tribe against tribe. In the Ashanti tribe of Ghana, to marry outside that tribe is frowned upon because the Ashanti tribe tends to believe they are more superior to the other tribes. It all boils down to the fact that the racist tends to feel more superior and better than the person who suffers at the hand of the racist person. Some findings claim it is fear, superiority complex as well as ignorance that bring about racism. Racism is not found in the genes but its existence within a community is passed on from generation onto generation. The effect of suffering from racist attacks is like that of being bullied. The fear of going out of the house or pretending to be ill in order not to meet the racist is one of the effects of racism. According to the Equality Act 2010, it is illegal to discriminate on the grounds of race, employment and in providing goods and services.[6]

PART TWO

The question now is what is Institutional racism? In trying to look at the definition of institutional racism, one will constantly encounter the problem

<https://assignbuster.com/the-equality-and-diversity-criminology-essay/>

of generality, acceptance, universality and exhaustiveness. The two concepts, racism and institutional racism cannot, from literature, have universality in terms of definition but for the purpose of this essay, one will concentrate on the views and findings of Lord Scarman and Sir William MacPherson's reports of the Brixton Riot Inquiry and the Stephen Lawrence Inquiry.

On the 14th of April two days after the Brixton Riots had ended, William Whitelaw, who was the Home Secretary at the time instructed Lord Scarman to hold an enquiry into the riots. Lord Scarman presented his findings to Parliament in November of 1981. There were factors that catapulted the Brixton riot. Social conditions the black community lived in then was abysmal in the Borough of Lambeth. There was overcrowding of families in properties. Even though over 12, 000 properties in the borough were deemed unfit to be habited, 8, 250 lacked one or more basic amenities and much of these were found in Brixton where the riot occurred.[7]

The main criticisms of the police during the inquiry was one of ' Racial Prejudice'. According to the inquiry, Lord Scarman, from evidence received believed the riots were provoked by harassment of black people by a racially prejudiced police force in the way it handled the stop and search scheme, called the ' sus laws'. Lord Scarman came up with recommendations as to how the police could police a multi cultural community. Recruitment of black people into the force was one of the recommendation as ethnic minorities were heavily under-represented. Black people serving in the Metropolitan Police on the 6th of October 1981 was 132, 0. 5 per cent of the total strength of the force.[8]

Training the police force was also recommended. Police were not adequately trained to police a multi-racial society. Reports received by Lord Scarman suggested the police were not adequately trained, and the time and resources devoted to training was insufficient. He was presented with two particularly powerful submissions on the need to strengthen police training from the Police Superintendent's Association of England and Wales and the Police Federation of England and Wales.[9] Lord Scarman's report fell short of branding the Metropolitan Police force institutionally racist.

Jack Straw, the then Home Secretary about ten years after the Brixton riots ordered a public inquiry to be led by Sir William Macpherson into the actions of the Metropolitan Police in the botched investigation of the murder of black teenager Stephen Lawrence's death. This move was instigated through the persistent efforts of Mr and Mrs Neville Lawrence, the parents of Stephen Lawrence. Sir William Macpherson uncovered a whole lot of anomalies, injustices and unacceptable procedures on the part of the Metropolitan Police during the investigations after the death of Stephen. This was when he condemned the Metropolitan Police and deemed the force as institutionally racist. In Sir Macpherson's report he reported:

' Lord Scarman, at page 135 of his Report relating to the Brixton disorders of 1981 said this:-

" The evidence which I have received, the effect of which I have outlined, leaves no doubt in my mind that racial disadvantage is a fact of current British life Urgent action is needed if it is not to become an endemic, ineradicable disease threatening the very survival of our society racial

disadvantage and its nasty associate racial discrimination, have not yet been eliminated. They poison minds and attitudes; they are, as long as they remain, and will continue to be a potent factor of unrest”.

It is a sad reflection upon the intervening years that in 1998-99 those extracted words have remained relevant throughout both parts of our Inquiry.’[10]

Lord Macpherson went on further to describe for the purposes of the inquiry, the concept of institutional racism as:

‘ The collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture, or ethnic origin. It can be seen or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and racist stereotyping which disadvantage minority ethnic people.’[11]

Sir Macpherson gave seventy recommendations in his report for society not to tolerate racism whatsoever. The report also proposed accountability, openness and restoration of confidence regarding the Metropolitan Police. The report also demanded that other public bodies including schools, the judicial system, civil service, the National Health Service would all have to make changes if the recommendations are implanted in full.[12]

PART THREE

Ten years after Sir Macpherson presented his findings in his report, the Home Affairs Committee, appointed by the House of Commons came

together on the 28th of April 2009 to consider how much progress had been made in tackling racism in the police force. The witnesses who gathered that day were Mrs Doreen Lawrence, Stephen Lawrence's mother; the Chair of the Metropolitan Black Police Association, Mr. Alfred John; the chair of the Equalities and Human Rights Commission, Trevor Phillips; Deputy Assistant Commissioner Rod Jarman of the Metropolitan Police; and the Association of Chief Police Officers' lead for race and diversity, Chief Constable Stephen Otter. Written evidence was also received from Duwayne Brooks, who was with Stephen the night he was murdered and the Home Office.[13]

These were key people who could make relevant to the inquiry ten years on. All witnesses present concurred apt progress had been made in tackling racial prejudice and discrimination since 1999. The Home Office reported to the committee that out of the seventy recommendations put forward by Sir Macpherson, sixty seven of them had been implemented fully or in part. Tribute was also given to senior officers for work undertaken to ensure greater awareness of race as an issue throughout the force. Mr Phillips, went on to explain the impact of the Macpherson Report on police leadership:

The use of the term "institutional racism" ... was absolutely critical in shaking police forces up and down the country out of their complacency. The consequence of that has been that police forces have paid a lot of attention; they have put a lot of resources in.[14]

Duwayne Brooks also highlighted the fact that the introduction of appropriately trained Family Liaison Officers as recommended by Sir Macpherson in his recommendation as an important area of progress. The

police made mention of this as a key factor to improving homicide detection rates. Chief Constable Otter argued that these improvements had resulted in increasing confidence levels in black communities, which now mirror confidence levels in white communities nationally.[15]

However, there is certain number of areas which was highlighted which indicates the police continue to fail ethnic minorities in relation to stop and search laws. In 1999, a black person was six times more likely to be stopped and searched under Section 1 of the Police and Criminal Evidence Act. In 2006/2007, it was seven times.[16]

Mrs Lawrence, during the Macpherson Inquiry, raised concerns about the way the police had treated her family during the investigation of Stephen's murder. While Family Liaison Officers have since been introduced to improve the relationship between the investigation team and victims' families, in her opinion these officers "are more there to collect information and evidence rather than communicate to the family how the investigation is happening" and black families continue to feel that they are treated differently from white families. She believed that at the root of this was the assumption by officers that black victims of violence are often involved in criminal activity themselves. In 2007/08, 28 per cent of people from ethnic minority communities felt that they would be treated worse by the police or another criminal justice agency because of their race.[17]

The area where slowest progress has been made and as acknowledged by the police force themselves is within the police workforce itself. Sir Macpherson recommended that policing plans should include targets for

recruitment, progression and retention of ethnic minority staff but by the end of 2008, twenty of the forty three forces in England and Wales had not reached their individual target and overall the percentage had only risen from around 2 per cent to 4. 1 per cent.[18]There has also been little change in numbers progressing up the ranks. There was only one black chief constable in Kent at the time of the committee's meeting but has now left the constabulary and working at the Crown Prosecution Service as Chief Inspector.[19]

Mr. Alfred John, the Chair of the Metropolitan Black Police Association, argued that staff discipline is still ' extremely disproportionate and extremely harsh towards visible minorities'. Officers from black and ethnic minority communities are more likely to have been dismissed or required to resign compared with their white counterparts by 8. 5 per cent to 1. 7 per cent. Mr. Trevor Phillips also emphasised that ' there are some parts of the police service..... particularly some of what people call the ' elite squads' which are essentially still largely white and male.[20]

Doctors and nurses are committing " institutional discrimination" against National Health Service patients with a learning disability, a report warned in January 2012. More than seventy disabled patients have died because of mistakes by hospital staff in the past decade, it was claimed. Mencap, a disability charity, described the findings in its report as damning, adding that as a result of " institutional discrimination in the National Health Service" people were needlessly dying. According to the charity, the deaths of the seventy four vulnerable patients were either caused or complicated by the

actions of hospital staff who failed to treat them properly, showed ignorance or indifference to their suffering.

The report said advice from the families of patients had been ignored, serious illnesses had not been diagnosed and basic nursing care was not carried out. “ These cases are a damning indictment of NHS care for people with a learning disability,” David Congdon, Mencap’s head of campaigns and policy told The Guardian newspaper. “ They confirm that too many parts of the health service still do not understand how to treat people with a learning disability and they are an appalling catalogue of neglect and indignity. As a result of institutional discrimination in the NHS, people with a learning disability are dying when their lives could be saved.”[21]

Organisations may trumpet their commitment to equality and diversity. But are they really facing up to and tackling subtle, insidious forms of discrimination, asks Blair McPherson. A National Health Service Trust is found to have racially discriminated against a former manager, who is awarded £1million. The organisation is characterised as institutionally racist. Despite the tribunal ruling the organisation remains defiant: “ We are not racist.” They are not alone in failing to recognise institutional racism. In much the same way senior managers in many organisations today claim that racism is not a problem . A young African-Caribbean woman submits a grievance against a manager because she was not shortlisted for a post. A quick investigation reveals that the individual did not meet the person specification for the post – specifically, she did not have management experience. So the decision not to shortlist was right. No, she says, I am complaining because that criterion was added by the manager once he

<https://assignbuster.com/the-equality-and-diversity-criminology-essay/>

realised I was interested in the post. Further investigation reveals that a working group set up to agree a job description and a person specification for this new post produced one that was accepted and did not include a requirement for a management qualification.[22]

The complainant knows this because she was a member of the working group. She also knows that the requirement for a management qualification was added by the manager who recruited for the post. She knows this because she asked Human Resources why the specification changed and who changed it. Human Resources confirm this and say the manager argued that the innovatory nature of the post meant it should be paid at a slightly higher level to attract existing managers. The person specification was changed to reflect this. The grievance was not upheld. However this was not the first time a member of staff had commented that this manager would never employ a black person as a manager. Within the black staff group this was just further evidence. Was he racist - and clever enough to get away with it? Black people are still under-represented in senior posts. A black manager is still likely to be described as aggressive when the same behaviour from a colleague is called assertive. Black staff are more likely to describe their manager as unsupportive, and in many organisations black staff are disproportionately subject to disciplinary action. Perhaps as a consequence, black staff have less faith in their organisation's disciplinary and grievance procedures.[23]

PART FOUR-CONCLUSION

Equality after the Macpherson Report; Is it an achievement or a mirage?

The Equality Act 2010, helps achieve equal opportunities at work, and in society. The Home Office's Think, Act, Report framework supports and encourages organisations to improve gender equality in their organisations. Despite progress over many years, the median gender pay gap (the difference between men's and women's average earnings) is still 20.2 per cent. This is partly because the vast majority of low-paid jobs, in areas such as secretarial work and childcare, are still done by women. But the evidence also suggests that, even when they are working in better-paid professions, women generally occupy less senior positions than men, and are less well-paid than their male peers for comparable jobs.[24]

Think, Act, Report provides a simple step-by-step framework to help companies think about gender equality in their workforces, on key issues such as recruitment, retention, promotion and pay. The initiative encourages companies to share their progress in promoting gender equality, and the framework suggests data that could be made public. But the government understands that companies will be in different situations, and many will not be in a position to publish data on everything. It is up to individual firms to decide what information they publish. Companies supporting the initiative range from those just starting to think about gender equality issues, to those with action plans and reporting mechanisms in place. What they share is simply a common desire to be more transparent about workforce issues and disseminate best practice.[25]

There is legislation in place (section 78, Equality Act 2010), which would force companies to report their gender pay gap. However, the government is not minded to commence these provisions. It believes that a voluntary, <https://assignbuster.com/the-equality-and-diversity-criminology-essay/>

business-led initiative will be better at driving the culture change we want to see on this issue, where reporting on a range of workforce information – not just the gender pay gap – becomes the norm. Think, Act, Report encourages companies to publish as much information as possible – including their gender pay gap, if they feel comfortable doing so – but it's a voluntary initiative, and it's for companies themselves to choose what they make public, and where.[26]

The government's equality strategy sets out our vision for a strong, modern and fair Britain. It is built on two principles of equality – equal treatment and equal opportunity. This means building a society where no one is held back because of who they are, or where they come from. The strategy sets out a new approach, not built on bureaucracy but aimed at changing culture and attitudes, tackling the causes of inequality and building a stronger fairer and more cohesive society where equality is for everyone and is everyone's responsibility. The government cannot and will not do this by dictating from the centre. Instead, our strategy sets out how we will work with business, local communities and citizens to promote good practice, transparency and accountability. The strategy sets out a new approach to delivering equality, moving away from the identity politics of the past and to an approach that recognises people's individuality. It explains a new role for government, promoting equality through transparency and behaviour change and working with businesses, the voluntary sector and wider civil society to create equal opportunities for everyone.[27]

Theresa May, Home Secretary and minister for women and equality:

‘ Equality underpins this coalition’s guiding principles of freedom, fairness and responsibility. But in the end, it will take all of us working together to build the strong, modern and fair Britain that we all want to see.’[28]

On 22 May 2012, the government published a progress report which describes how the new approach to equality, which is based on transparency, local accountability and reducing bureaucracy, is beginning to make a difference across the five key priority areas outlined in the equality strategy.[29]

The Home Office is working extremely in implementing policies and legislation which relate to sexual orientation and transgender equality. This includes the Civil Partnership Act 2004, Equality Act 2010 and equality policy for lesbian, gay, bisexual and transgender people. On 5 December 2011 the government removed the ban on civil partnership registrations taking place on religious premises, on a voluntary basis. This was done by implementing Section 202 of The Equality Act 2010. This means that religious organisations can voluntarily apply to have their religious premises approved to host civil partnership registrations. No religious organisation can be forced to do this, and the civil partnership registration itself has to remain entirely secular.[30]

To conclude, Sir William Macpherson’s report has been an achievement and not a mirage or an illusion, with regards to the Home Office’s action in the preceding paragraphs to achieving equality in the United Kingdom.