

Ethnicity and Justice Research and Data Priorities - Survey for Academics / Researchers - Results

January 2022

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Key Points Summary

- This survey asking academics / researchers about their experience of, and priorities around, research and data on ethnicity and justice received 21 responses.
- The number of responses is small and therefore percentages presented in the report should be treated with caution.

Section 1: Experience of research around ethnicity and justice and any plans for future research

- The majority of respondents had conducted previous or current research around ethnicity and justice and around half hoped to carry out such research in future.
- The most commonly cited topics for previous, current or future research were: experience of crime and feelings of safety; and police
- And the least commonly cited were: post-prison activities and processes, with no respondents selecting this; and civil justice; and non-custodial sentences.
- 20 respondents provided details of their previous, current or future research projects – these will be summarised in a separate document
- Obstacles described included: issues with ethnicity data (lack of existing data, small population size and “coarse” categorisations); participation in research and how questions were asked; and issues with the research process more broadly (lack of funding, gatekeepers restricting access)
- Suggested solutions to these obstacles included: giving more priority and funding to this area; increasing the availability of ethnicity data; and building relationships and trust with minority ethnic communities

Section 2 – Research Priorities

- Police and experience of crime and feelings of safety were identified as the top priorities for further research around ethnicity and justice. Around half of respondents mentioned prevention and early intervention activities and the Courts as priorities.
- A lack of existing research in a Scottish context was cited as a reason why a topic was a priority, as was the need to understand and challenge any bias or prejudice faced by minority ethnic communities in the Criminal Justice System

Section 3 – Data Priorities

- The majority of respondents had used ethnicity data from Justice Organisations/ The Scottish Government in their research
- There were high levels of dissatisfaction with the data’s ability to answer their research questions

- Respondents had faced a variety of barriers, most commonly low population coverage and not being aware of what data exists
- Two thirds of respondents thought there were key areas or specific research questions where better ethnicity data from Justice Organisations was required
- Three quarters of respondents thought that having access to improved ethnicity data would have a positive impact on their ability to answer priority research questions.
- There were very high, nearly universal levels of support for allowing people to self-report their ethnicity, including ethnicity as a mandatory data collection item and publishing statistics that include ethnicity information.
- Over half of respondents thought it was important to use a standard classification for ethnicity, such as the Census Classification, although some respondents expressed dissatisfaction with the census classification.

Introduction

This survey was carried out on behalf of the Cross Justice Working Group on Race Data and Evidence, in order to inform the development of their future research plan and data development plan. The aim of this survey was to ask academics and researchers based in Scotland about their priorities around research and data on ethnicity and justice, and to find out about any upcoming research they have planned, or would like to do around these issues in Scotland. A separate piece of engagement work is being carried out with community groups and organisations to seek their views.

The survey was designed by analysts within Justice Analytical Services at the Scottish Government, with input from academics at the Scottish Centre for Crime and Justice Research (SCCJR) and the Scottish Institute for Policing Research (SIPR).

The survey was live for 6 weeks, from Tuesday 6 April to Monday 17 May. A link to the online survey was distributed via the following mailing lists/networks:

- Scottish Centre for Crime and Justice Research (SCCJR)
- Scottish Institute for Policing Research (SIPR)
- Centre for Research on Racism, Ethnicity and Nationalism (CRRN)
- Community Justice Scotland Academic Advisory Group
- Edinburgh Race Equality Network (EREN)
- RACE.ED

A more targeted approach of emailing the survey link to an additional 37 academics who had published papers captured in an earlier research audit for the working group was also taken and the survey deadline was extended from 27 April to 17 May in a bid to boost response numbers.

In total 21 responses were received. Quantitative findings should be treated with caution, they represent the views of those who responded to the survey and cannot be said to be representative of academics / researchers working in this area more generally.

Who responded

This survey was targeted at researchers /academics based in Scotland. Table 1 shows of the 21 responses received, over three quarters (76%) were from academics / researchers based at a Scottish Institution, 5% were from academics / researchers not at a Scottish Institution and around a fifth (19%), selected “other”. “Other” responses included third sector organisations, a data user and a diplomat.

Table 1: Responses received

| Role when responding to survey | Percent |
|---|---------|
| Academic/researcher based at a Scottish Institution | 76% |
| Academic/researcher not at a Scottish Institution | 5% |
| Other, please specify | 19% |
| N | 21 |

Section 1: Experience of research around ethnicity and justice and any plans for future research

Respondents were asked about their experience of research around ethnicity and justice. Table 2 shows that the majority of respondents said they had done previous research (62%) and were currently undertaking research in this area (62%). Just over half (52%) said that they hoped to undertake such research in the near future, and only 5% said that they had not been involved in any such research.

Table 2: Experience of research around ethnicity and justice

| Experience of research around ethnicity and justice | Percent |
|---|---------|
| Previous research | 62% |
| Current/ongoing research | 62% |
| Hope to undertake such research in the near future | 52% |
| Have not been involved in such research | 5% |
| Other, please specify | 0% |
| N | 21 |

Respondents were asked to provide a brief outline of their previous, current, or future research and were asked to indicate which topic areas it fitted under from a list of topics from the research audit (Table 3). The topic most commonly researched was “experience of crime and feelings of safety”, with over three-quarters (78%) of respondents who answered this question saying that their research related to this. “Police” was the next most commonly researched topic area with over half (61%) selecting this. Around one fifth (22%) said their research related to “courts”.

Topics that were the least likely to be selected as research topics were “post-prison activities and processes” with no respondents selecting this and “civil justice” and “non-custodial sentences” (6% each).

Around one fifth (22%) said their research related to “other” topics, which included topics such as youth crime and experiences of victims and witnesses.

Table 3: Previous, current or future research topics

| Topic | Percent |
|---|---------|
| Experience of crime and feelings of safety (e.g. minority ethnic communities experiences of crime, feelings of safety, types of crime experienced etc.) | 78% |
| Police (e.g. minority ethnic communities interactions and experiences with the police, direct measures issued by police, arrests, stop and search, diversity within the police, institutional racism etc.) | 61% |
| Courts (e.g. levels of jurisdiction, plea, proceeds to trial or resolved before trial, bail and remand, Fiscal direct measures, access to Legal Aid, juries, appeals, diversity within the Courts Service, | 22% |

| Topic | Percent |
|---|---------|
| experience of racism within the courts service, language barriers etc.) | |
| Other, please specify | 22% |
| Prevention and early intervention activities (e.g. for those at risk of offending or who have offended, to prevent them entering the criminal justice system etc.) | 11% |
| Custodial sentences (e.g. factors influencing likelihood of receiving a custodial sentence, experience of prison, diversity of workforce, experience of racism etc.) | 11% |
| Re-offending, re-imprisonment (e.g. what works to reduce re-offending, factors influencing likelihood of re-offending or re-imprisonment etc.) | 11% |
| Non-custodial sentences (e.g. community payback order; deferred sentence, compensation order, fine; or admonishment, factors influencing likelihood of receiving a non-custodial sentence, breaches and outcomes of breaches, how compliance is supported, diversity of workforce, experience of racism etc.) | 6% |
| Civil justice (e.g. relating to the pre-court process; remedies, alternative dispute resolution, Family Law, Tribunals, access to legal representation and Legal Aid etc.) | 6% |
| Post-Prison activities and processes (e.g. release, licencing / parole conditions, support, rehabilitation of offenders, diversity of workforce, experience of racism etc.) | 0% |
| N | 18 |

Nearly all respondents, 20 out of 21, provided information about their previous, current, or future projects. A detailed description of these projects is included as a separate “mapping” report.

Sixteen respondents provided their contact details and gave consent to be contacted in future to provide further information about the projects they described.

Obstacles to carrying out research around ethnicity and justice

Fifteen respondents spoke about obstacles they had faced, or were aware of in relation to carrying out research around ethnicity and justice. The majority of the comments received related to issues with data, others focussed on participation in research and how questions were asked, and others referred to issues with the research process more broadly.

Obstacles relating to data

The most commonly listed obstacle was the lack of existing data, research and knowledge to build on. This lack of available data included specific comments relating to a lack of accessible prison statistics broken down by key demographics; a lack of individual level justice data for research; and that it can be hard to identify “good” data sets.

“The primary issue in drafting the chapter was a lack of available data, and the absence of research evidence. Much that would be routine in other jurisdictions is simply not routinely collected or collated in Scotland”
– Academic/researcher based at a Scottish Institution

Other data-related obstacles highlighted included the small population size of minority ethnic communities within the Scottish population in general and specifically within responses to national population surveys such as the Scottish Crime and Justice Survey (SCJS), resulting in large confidence intervals, and making it hard to draw robust conclusion.

“Difficult to conduct reliable and non-disclosive analysis at anything other than highly aggregated level (e.g. white versus non-white, or white, black, Asian and other).”

– Academic/researcher based at a Scottish Institution

The small population size also fed into another of the obstacles mentioned, which was the “coarse” categorisations of ethnicity data and the inability to disaggregate into more nuanced categories.

Another obstacle mentioned relating to data was that ethnicity population data is out of date as it is based on 10 year old census data, and there is a lack of alternative population data sources.

Obstacles relating to participation in research and how questions are asked

Some respondents cited obstacles relating to participation in research, with reference to both the additional barriers minority ethnic communities might face in participating, and also a “nervousness” from white participants who don’t know much about the topic of race. It was mentioned that some members of minority ethnic communities might feel “resentful” being asked questions relating to their country of origin.

“It is more vital than ever for marginalised communities to take part in research and share their experiences, however there are obstacles due to those communities having been excluded previously. There should be a focus on building trust and confidence in research findings and how they will be used to actually affect change.”

- Academic/researcher not at a Scottish Institution

Additional obstacles mentioned in relation to how questions are asked, included issues relating to the “head of household” answering the questions in surveys, and the ethnicity categories which are used in surveys.

Obstacles relating to the research process

A lack of funding to carry out research was mentioned, as were issues with gatekeepers who made it harder to access participants or data. One respondent mentioned the impact that COVID 19 had had on research access. Language issues were also mentioned as a potential barrier.

Suggested solutions to overcome obstacles

There were suggestions that more priority and funding needed to be given to issues around ethnicity and justice research in order to drive this agenda forward.

Suggestions for actions which could increase the priority given to ethnicity and justice research included: the setting up of a national group to look at the various aspects of ethnicity and justice research in Scotland; a programme of work which aims to bring together different sources of data and build an accurate and up-to-date profile of minority ethnic communities; more funding; and more engagement around race across disciplines.

“Scotland has historically not 'seen' race as a significant issue ... so data on racialised differences in policing, crime, safety, and prosecution etc. have not been routinised... Dedicated attention, funding and a coalition of the willing seem like a good start.“

– Academic/researcher based at a Scottish Institution

The most commonly suggested solution to the obstacles mentioned was a call to increase the availability of ethnicity data. This included requests for: more detailed data sets to be made public; for data to be available in a way that allows for data linkage with administrative data; for the SG to continue its work improving the accessibility of prison statistics; for the quality of ethnicity data to be improved, and include migration status; and to encourage organisations to publish demographic data.

There were also suggestions related to overcoming the issue of small minority ethnic sample sizes in the SCJS, such as including a minority ethnic boost, and exploring other potential options such as modelling based on combining responses from both the SCJS and the Crime Survey in England and Wales to provide a larger minority ethnic sample.

The importance of building relationships and trust with minority ethnic communities, co-producing research, and making the voices of those with lived experience central was highlighted. As was the need to ensure research is carried out in a way which is safe, culturally appropriate, and mindful of the barriers or emotional burden participants might face, and how to minimise these. It was suggested that language and cultural support might be required, as well as training for interviewers on how to ask questions.

“Centre the voices of people with lived experience: empower and fund organisations that are Black and minority ethnic led to lead and shape this work.”

– Academic /researcher not at a Scottish Institution

The respondent who said that the ethnicity classifications used was an obstacle suggested that this could be overcome by asking respondents to describe their ethnicity in their own words. The respondent who said that the impact of COVID had been an obstacle in terms of research access suggested that time and strategies for recovery were required.

Section 2 – Research Priorities

This part of the survey aimed to find out what academics / researchers thought the priorities for further research around ethnicity and justice are, more generally, rather than focussing specifically on work they have done, are doing, or are planning.

Respondents were asked to select areas they thought were priorities from a list of topics, taken from the research audit, and asked why they considered these areas to be priorities. They were also able to write in more specific topic areas or research questions they thought were priorities.

Table 4: Topics considered to be a priority for further research

| Topic | Percent |
|---|---------|
| Police (e.g. minority ethnic communities interactions and experiences with the police, direct measures issued by police, arrests, stop and search, diversity within the police, institutional racism etc.) | 86% |
| Experience of crime and feelings of safety (e.g. minority ethnic communities experiences of crime, feelings of safety, types of crime experienced etc.) | 76% |
| Prevention and early intervention activities (e.g. for those at risk of offending or who have offended, to prevent them entering the criminal justice system etc.) | 48% |
| Courts (e.g. levels of jurisdiction, plea, proceeds to trial or resolved before trial, bail and remand, Fiscal direct measures, access to Legal Aid, juries, appeals, diversity within the Courts Service, experience of racism within the courts service, language barriers etc.) | 48% |
| Custodial sentences (e.g. factors influencing likelihood of receiving a custodial sentence, experience of prison, diversity of workforce, experience of racism etc.) | 43% |
| Civil justice (e.g. relating to the pre-court process; remedies, alternative dispute resolution, Family Law, Tribunals, access to legal representation and Legal Aid etc.) | 33% |
| Re-offending, re-imprisonment (e.g. what works to reduce re-offending, factors influencing likelihood of re-offending or re-imprisonment etc.) | 24% |
| Non-custodial sentences (e.g. community payback order; deferred sentence, compensation order, fine; or admonishment, factors influencing likelihood of receiving a non-custodial sentence, breaches and outcomes of breaches, how compliance is supported, diversity of workforce, experience of racism etc.) | 19% |
| Post–Prison activities and processes (e.g. release, licencing / parole conditions, support, rehabilitation of offenders, diversity of workforce, experience of racism etc.) | 10% |
| Other, please specify | 0% |
| N | 21 |

“Police” and “experience of crime and feelings of safety” were the two topics most likely to be selected as priorities for further research (86% and 76% respectively). Just under a half (48%) of respondents selected “prevention and early intervention activities”, and “courts” as priority areas. One third of respondents selected “civil

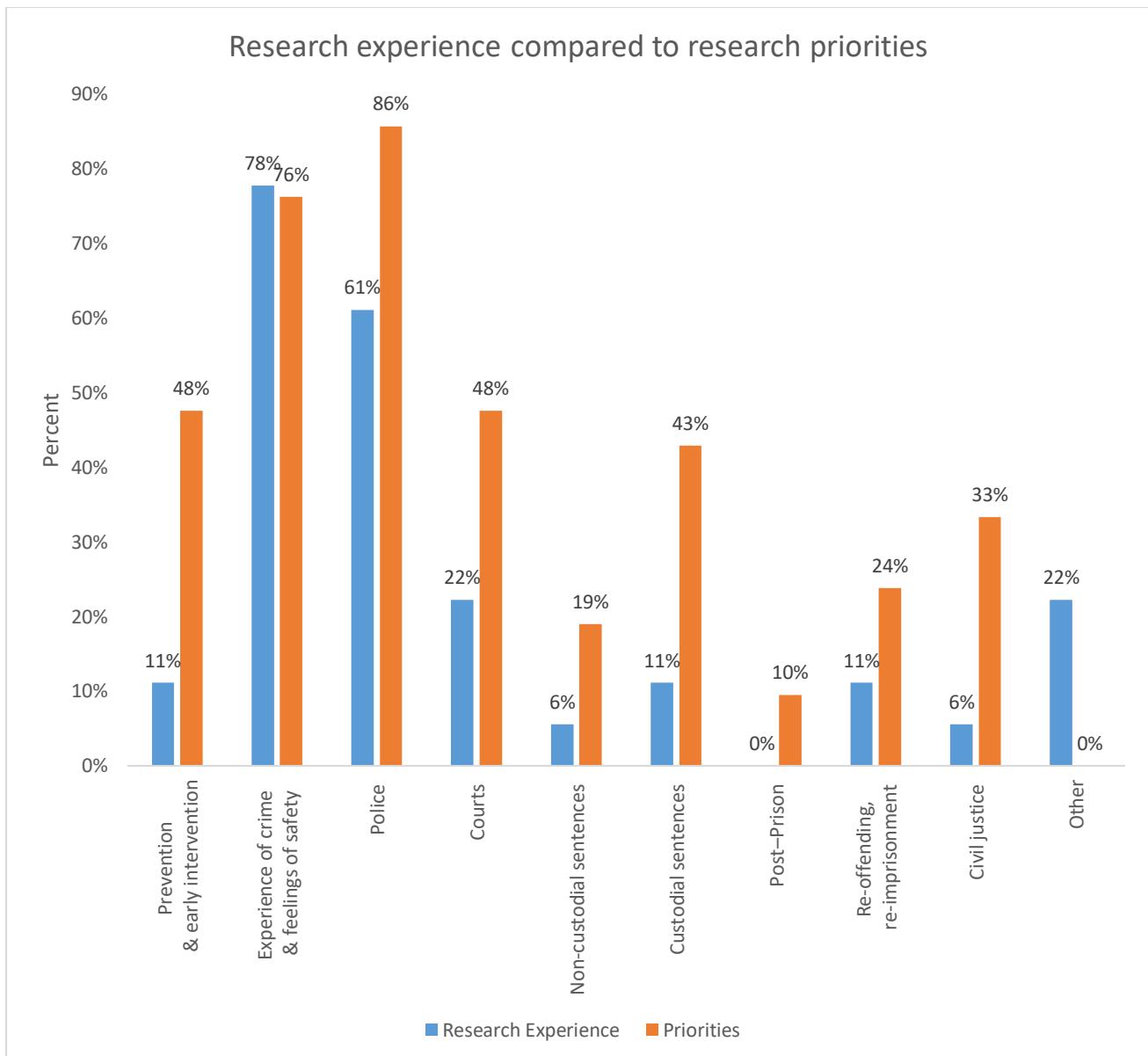
justice" as a priority area and the least likely topic to be cited as a priority was "post prison activities and processes" (10%).

How do these compare to the areas selected in section 1?

"Police" and "experience of crime and feelings of safety" were the top two selected options both for research experience in that area and as a future priority. As chart 1, below, shows, a similar proportion of respondents thought "experience of crime and feelings of safety" was a priority for further research as had experience of research (past, current, future plans) in that area, with 78% indicating research experience in that area and 76% classing it as a priority for further research.

However for all other topics, a higher proportion of respondents were likely to class a topic as a priority, than the proportion of respondents with research experience in that area. This might be indicative of the lack of research being undertaken in particular areas. Police was classed as the top priority for further research (86%) and was the second top area for research experience (61%).

Nearly half of respondents (48%) considered prevention and early intervention activities a priority area for further research, compared to 11% who had research experience in that area. Courts was also considered a priority area by nearly half (48%) of respondents, compared to 22% who had research experience in that area. One third (33%) considered civil justice to be a priority area, and only 6% had research experience in civil justice. Ten percent of respondents thought post prison activities and processes was a priority area, but none of the respondents mentioned research experience in that area.



Sub-topics and specific research questions seen as a priority

Fourteen respondents provided information on sub topics or specific questions around ethnicity and justice which they think are a priority for further research.

Some respondents mentioned interactions with the justice system including the police, and whether those from minority ethnic communities are treated differently from others.

"I have ticked a number of boxes in the question above because there is such a lack of research that there are now many priorities right across the justice landscape, starting with policing and all the way through to prisons. We need to understand more about how offenders are dealt with at different stages of the justice system and whether those from BAME backgrounds are treated differently to others."

- Academic/researcher based at a Scottish Institution

There was an interest in how those from minority ethnic groups experienced the police, both when reporting a crime and when they are suspects. Other areas mentioned in relation to the police include: stop and search; responses to missing people from minority ethnic communities, retention of minority ethnic police officers, and whether Police Scotland has an inclusive workplace culture.

Domestic abuse was highlighted, both in terms of better understanding how to tackle domestic abuse and honour related abuse within minority ethnic communities without demonising an entire culture, and access to justice being a barrier for minority ethnic women who experience domestic abuse.

The impact of custodial sentences on families from minority communities was highlighted as an area where there was a lack of research. It was suggested that more research is required on offending and victimisation, and how this varies by demographic characteristics.

There was also a call for exploring statistical correlations and whether they can be explained by explanatory correlations other than race, such as high levels of multiple deprivation. It was suggested that commodity approaches should be used to understand and repair for global and local connections to slavery. The importance of changing attitudes to racialisation and racism through universal early intervention and early prevention activities with young children in schools was also highlighted here.

Why respondents considered these areas to be a priority

Commonly, respondents considered topics to be a priority because research on that particular topic within a Scottish context does not exist, or is limited. This ranged from respondents saying that they had ticked lots of boxes because of the “complete dearth of Scottish-based research on pretty much all of those topics” to respondents highlighting topics of particular interest to themselves where they considered there to be a lack of research. This included topics such as: missing people from minority ethnic communities; minority ethnic families of prisoners; minority ethnic people’s experience of the criminal justice system, and trends in victimisation and offending.

In saying why a topic was a priority, a number of respondents highlighted that it was important to understand and challenge any unconscious bias, prejudice or stereotyping that minority ethnic communities (including white minority communities) might face in the criminal justice system, and to better understand if and how minority ethnic communities experience the criminal justice system differently from other groups.

Some respondents mentioned that further research into priority areas would benefit minority ethnic communities. For example through identifying barriers faced by minority ethnic women in abusive relationships. And through developing the knowledge base around what is helpful for minority ethnic communities in a particular situation. For example one respondent spoke of research with minority ethnic families of those in prison:

"This would be beneficial because "doing family things" whilst a person is in prison supports family relationships, but we do not know what "family things" are wanted by families from minority groups"

- Academic/researcher based at a Scottish Institution

It was also mentioned that carrying out research with minority ethnic communities is a priority, because it demonstrates that their opinions are valued and can help build trusting relationships.

Amongst respondents who selected "prevention and early intervention" as a priority area, it was mentioned that prevention is "key", and also that the attitudes of the majority need to be challenged in order to affect change.

Amongst those who selected "police" as a priority area, one respondent was keen for research into the police's enforcement of Covid regulations and how this was experienced by different groups, saying this was a "pressing current issue". Another respondent felt that more research was required around recruitment and retention and inclusive working practices at Police Scotland, citing findings from several reports and wanting to find out what progress had been made.

The respondent who wanted more exploration of statistical correlations thought that this could help to develop policies to better deal with underlying causes. The respondent who suggested taking a commodity approach to better understand Scotland's links to slavery did so because they felt that this approach helps to build an understanding of a shared history without attributing blame and "finger pointing".

Section 3 – Data Priorities

This section asked respondents for their views about the ethnicity data collected by Justice Organisations across the public sector in Scotland, and how it is currently used in academic research.

Use of ethnicity data in research

The majority of respondents had used ethnicity data from Justice Organisations/ The Scottish Government in their research. Table 5, below, shows that using published data (57%) was more common than using a raw data extract (14%). Over a quarter (29%) indicated that they hadn't used ethnicity data because it either wasn't available or did not meet their needs. Around one fifth (19%) indicated that they hadn't used ethnicity data as their research was qualitative and 5% said ethnicity data wasn't a priority area for their research.

Table 5: Q5 a).In your research, have you ever used ethnicity data from Justice Organisations / Scottish Government?

| Used data? | Percent |
|---|---------|
| Yes – raw data extract | 14% |
| Yes – published data | 57% |
| No – not a priority area for my research | 5% |
| No – data wasn't available or the available data does not meet my needs | 29% |
| No – my research is qualitative | 19% |
| Don't know | 0% |
| N | 21 |

Satisfaction with ethnicity data and issues and barriers

Table 6, below, shows that of the 12 respondents who had used ethnicity data from Justice Organisations / The Scottish Government, two thirds (67%) were dissatisfied with the data's ability to answer their research questions (50% fairly dissatisfied and 17% very dissatisfied), compared to only 17% who said they were fairly satisfied.

Table 6: Q5 b) If yes, how satisfied were you with the data's ability to answer your research questions?

| How Satisfied | Percent |
|------------------------------------|---------|
| Very satisfied | 0% |
| Fairly satisfied | 17% |
| Neither satisfied nor dissatisfied | 17% |
| Fairly dissatisfied | 50% |
| Very dissatisfied | 17% |
| Don't know | 0% |
| N | 12 |

Respondents were then asked if they had faced any issues or barriers when using or attempting to use ethnicity data.

All of the respondents who answered this question and had attempted to access data, indicated that they had faced some sort of issue or barrier in relation to the ethnicity data. The most commonly cited issue was low population coverage (33%), followed by not being aware of what data exists (28%). Around one fifth (22%) of respondents identified a high proportion of “unknown” values, the use of non-standardised classifications, and ethnicity not-being self-Identified as issues they had experienced with ethnicity data. Just under one fifth of respondents (17%) said they had had issues getting access to the data. Other issues that respondents mentioned included inconsistent coding over time; only some data being publicly available; the small numbers of people from minority ethnic communities included in national sample surveys, such as the Scottish Crime and Justice Survey (SCJS); small numbers meaning it is often impossible to disaggregate data beyond white and non-white and therefore missing out on any differences between minority ethnic groups; and a lack of data linkage in administrative data.

Table 7: Q5 c) . Have you experienced any issues or barriers when using/attempting to use ethnicity data from Scottish Justice Organisations, (please select all that apply)

| Answer | Percent |
|--|---------|
| Yes – low population coverage (e.g. where the ethnicity field was non-mandatory) | 33% |
| Yes – not aware of what data exists | 28% |
| Yes - high proportion of ‘unknown’ values | 22% |
| Yes- non-standardised classification systems used | 22% |
| Yes – ethnicity was not self-identified so unsuitable | 22% |
| Not applicable – have not attempted to access data | 22% |
| Yes – issues getting access to data | 17% |
| Other, please specify | 11% |
| No – did not experience any issues or barriers | 0% |
| N | 18 |

Potential impacts of improved ethnicity data

Respondents were asked to consider how they might use ethnicity data, if there were improvements in its quality, completeness and availability. Respondents were asked how likely they would be to do certain things if improved ethnicity data was available.

Tables 8-11, below and chart 2, show an appetite amongst respondents to use improved ethnicity data in various ways. However, 60% of respondents also said that they were likely to continue using ethnicity data in the same way as they currently do now. This might indicate that some are already using existing ethnicity data in the ways that they would be likely to use improved ethnicity data.

Chart 2, below combines respondents who said they were “very likely” or fairly likely to something. The vast majority of respondents (89%) said that they would be likely to use published official statistics on ethnicity data, provided at an aggregate level,

as a starting point to identify areas of interest for further research. 71% said that they would be likely to apply to obtain a data extract including ethnicity data, in relation to a specific project. 60% indicated that they were likely to continue to use ethnicity data in the same way as they currently do, and 38% said they were likely to link newly available ethnicity data to previous research projects.

For the questions on using aggregate data as a starting point (Table 8) and applying for a data extract (Table 9), only a low proportion of respondents, or no respondents, said that they were “not likely” to do this, (0% and 6% respectively) with “not applicable” more frequently selected than “not likely” in these questions.

Around a fifth of respondents said they were “not likely” to link newly available ethnicity data to previous research (19%) (Table 10) and “not likely” to continue to use ethnicity data in the same way as they currently do (20%) (Table 11).

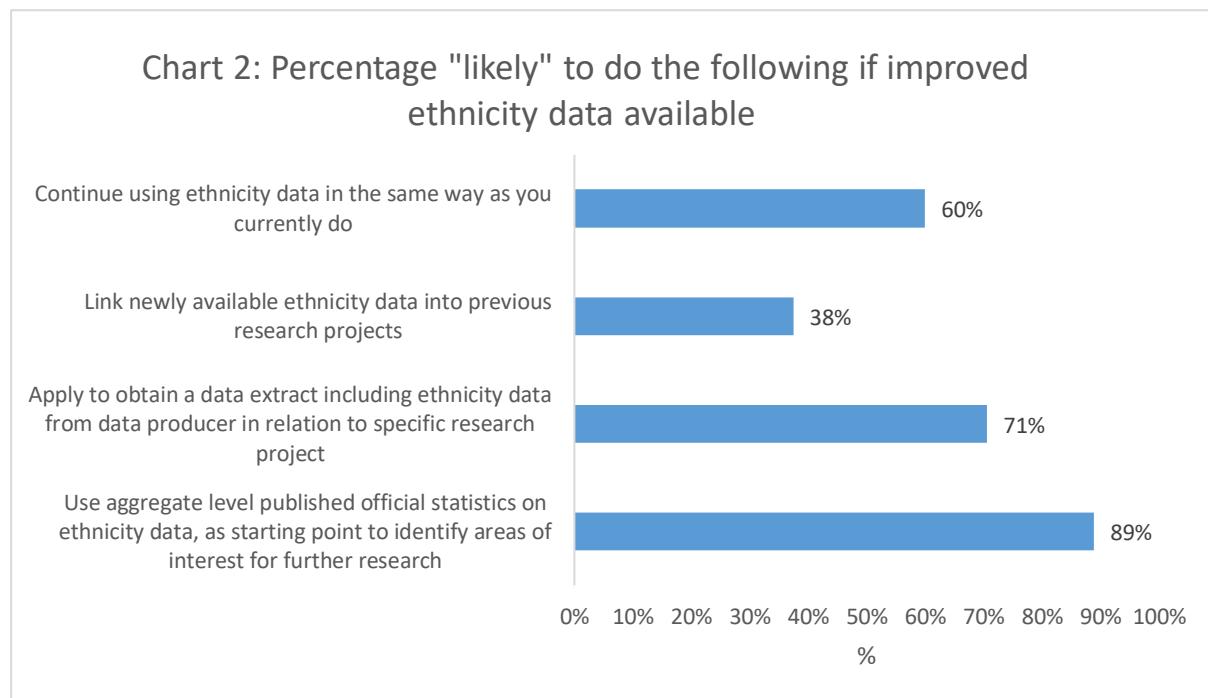


Table 8: How likely to: Use published official statistics on ethnicity data, provided at an aggregate level, as a starting point to identify areas of interest for further research?

| How likely | Percent |
|-------------------------------|---------|
| Very likely | 56% |
| Quite likely | 33% |
| Neither likely nor not likely | 0% |
| Not very likely | 0% |
| Not at all likely | 0% |
| Not applicable | 11% |
| N | 18 |

Table 9: How likely to: Apply to obtain a data extract including ethnicity data from the data producer in relation to a specific research project?

| How Likely | Percent |
|-------------------------------|---------|
| Very likely | 29% |
| Quite likely | 41% |
| Neither likely nor not likely | 12% |
| Not very likely | 6% |
| Not at all likely | 0% |
| Not applicable | 12% |
| N | 17 |

Table 10: How likely to: Link newly available ethnicity data into previous research projects?

| How likely | Percent |
|-------------------------------|---------|
| Very likely | 19% |
| Quite likely | 19% |
| Neither likely nor not likely | 19% |
| Not very likely | 19% |
| Not at all likely | 0% |
| Not applicable | 25% |
| N | 16 |

Table 11: How likely to: Continue using ethnicity data in the same way as you currently do?

| How likely | Percent |
|-------------------------------|---------|
| Very likely | 40% |
| Quite likely | 20% |
| Neither likely nor not likely | 0% |
| Not very likely | 20% |
| Not at all likely | 0% |
| Not applicable | 20% |
| N | 15 |

Respondents were then asked if there was anything else that they would be likely to do if improved ethnicity data was available from Justice Organisations. Nine respondents answered this question. Some said what they would be likely to do with improved data, whilst others used this opportunity to indicate what they would like to happen in order to improve data.

Respondents said that with improved data, they would be likely to: compare statistics with other countries, such as England, Wales, Northern Ireland and the USA; be able to draw stronger conclusions about patterns regarding criminal justice responses and ethnicity, something hampered by high levels of “ethnicity not known” being recorded; publish and disseminate findings to use for learning and to influence policy; and to identify communities requiring support.

Request for what respondents would like to see more of in terms of improvements in data included: more access to and more transparency with data from Justice

Organisations; more data on children and young people; and data disaggregated beyond “white” and “non-white” categories.

There was also a call for more reports that draw together information on what is known. There was praise for the recent JAS report “A Study into the Characteristics of Police Recorded Hate Crime in Scotland”, and requests for more reports like this.

Two thirds of respondents (67%) said that they felt there were key areas or specific research questions where they felt they needed better ethnicity data from Justice Organisations in order to answer those questions (Table 12).

Table 12: Q7. a) Are there any key areas or specific research questions where you feel better ethnicity data is required from Justice Organisations to help you or other researchers answer those questions?

| Answer | Percent |
|------------|---------|
| Yes | 67% |
| No | 5% |
| Don't know | 29% |
| N | 21 |

Fourteen respondents went on to provide further details about what they considered these key areas or specific research questions were.

Responses ranged from quite general: that better data was needed in all areas; that it would be good to have the current state of knowledge clearly laid out in a publication; and broad areas such as “health, education and welfare”, to more specific topics and questions, as outlined in Table 13 below.

Table 13: Topic areas and questions where better data is needed

| Topic area | Questions/ areas of interest within that topic, where specified |
|-------------------------------------|--|
| Interaction with the Justice System | <p>“Are those from BAME communities more likely to be subject to justice system contact and, if so, how does this vary across different stages of the justice system (from policing to prison)?”</p> <p>“Estimates of differential rates at all decision points across the criminal justice process”</p> <p>“Understanding experiences, identifying barriers, and whether any discrimination in the system, identifying better responses and services etc.)”</p> |
| Hate crime, racism, and prejudice | <p>“Consistently available data on victim and perpetrator ethnicity would be highly useful in terms of looking at questions around prejudice in Scotland, targeting, motivations, etc. (and also data on religion - racially motivated and religiously motivated hate crime can be highly interlinked).”</p> <p>“More disaggregated data in relation to BME reports of racism and how they have been handled by the police”</p> |

| Topic area | Questions/ areas of interest within that topic, where specified |
|---|---|
| Stop and search | <p>“Historical statistics on Stop and Search under reserved legislation (e.g. Terrorist Act 2000) listed by nation and area as well as ethnicity.”</p> <p>“Key areas - stop and search and experiences of crime and feelings of safety.”</p> |
| Victimisation | <p>“Analysing trends in victimization by ethnicity is limited to using coarse categories in available data.”</p> <p>“Are those from BAME communities more at risk of being victims of crime, or subject to greater exposure to crime as a result of where they lived, their social and economic circumstances, or other factors?”</p> |
| Offending | “Are those from BAME communities more or less likely to be involved different forms of offending and, if so, in what ways and what factors might explain these differences?” |
| Missing people | “Data around the ethnicities of people going missing.” |
| Domestic abuse victims with no recourse to public funds | “Police Scotland in relation to domestic abuse victims/no recourse to public funds i.e. unique circumstances of women from a minority ethnic background” |
| Scottish Crime and Justice Survey and other population surveys. | |
| Link between causal factors and ethnicity investigated | |
| Experience of crime and feelings of safety | |

The need for ethnicity data of victims, perpetrators and others, such as people who go missing was flagged up by respondents, as was the need for this data to be disaggregated to a more granular level. Data reported by nation and area, historical data, and data which takes account of intersectionalities such as religion and no recourse to public funds linked to immigration status, was also requested.

Three quarters (76%) of respondents thought that having access to improved ethnicity data would have a positive impact on their ability to answer priority research questions, nearly half (48%) thought it would have a big positive impact. No respondents said that it would have “no impact” or a negative impact, although 14% indicated this wasn’t applicable to them and 10% said they didn’t know (Table 14).

Table 14: Q8. Do you think that having access to improved ethnicity data from Justice Organisations would have any impact on your ability to answer priority research questions?

| Name | Percent |
|----------------------------|---------|
| Yes, big positive impact | 48% |
| Yes, small positive Impact | 29% |
| No impact | 0% |
| Negative impact | 0% |
| Not applicable | 14% |
| Don't know | 10% |
| N | 21 |

Recording and reporting ethnicity statistics within Justice Organisations

Respondents were asked for their opinions on how important they thought it was for Justice Organisations to do certain things in the recording and reporting of ethnicity statistics.

There were very high, nearly universal levels of support for allowing people to self-report their ethnicity, including ethnicity as a mandatory data collection item and publishing statistics that include ethnicity information, with over 90% of respondents classing these as important. Over half of respondents (60%) thought it was important to use a standard classification for ethnicity, such as the Census Classification (Chart 3).

Nearly all (95%) of respondents thought it was important to allow people to self-report their ethnicity – that is how the individual identifies, rather than reported by how an officer or other professional perceives the person's ethnicity, with 81% saying it was very important (Table 16). No respondents said that this wasn't important.

A similarly high proportion (91%) of respondents thought that it was important to include ethnicity as a mandatory data collection item when collecting personal information from service users or members of the public, 62% thought it was very important, and no respondents said that it wasn't important. Having ethnicity as a mandatory data collection item includes the option for respondents to choose not to disclose their ethnicity (Table 15). 91% of respondents also thought that it was important for Justice Organisations to publish statistics which include ethnicity information, with 57% classing this as very important. Again, no respondents said that this wasn't important (Table 17).

A lower proportion, but still over half (60%) of respondents thought that a standard classification system such as the Census classification should be used when collecting ethnicity data (Table 18). Almost a third (30%) of respondents classed it as very important. Another almost third (30%) of respondents said that they didn't know. A small proportion of respondents considered this to be neither important or not important, and not very important (5% each). Although the majority classed this as

important, it did not have the same level of near universal support as the other items asked about in this question, and attitudes were slightly more ambivalent towards it.

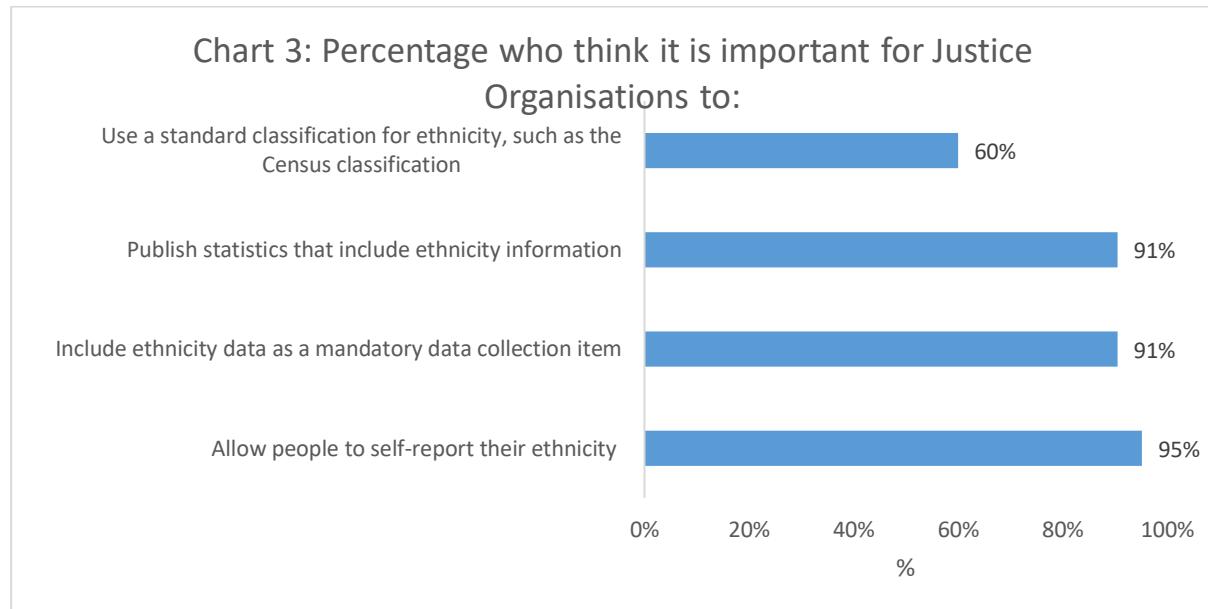


Table 15: How important is it: For Justice Organisations to include ethnicity data as a mandatory data collection item, when collecting personal information from service users or members of the public they interact with. This would include the option for individuals to choose not to disclose their ethnicity.

| How important | Percent |
|------------------------------------|---------|
| Very important | 62% |
| Important | 29% |
| Neither important or not important | 0% |
| Not very important | 0% |
| Not at all important | 0% |
| Don't know | 10% |
| N | 21 |

Table 16: Q9. How important is it: For Justice Organisations to allow people to self-report their ethnicity (i.e. how the individual identifies, rather than reported by how an officer or other professional perceives the person's ethnicity)

| How important | Percent |
|------------------------------------|---------|
| Very important | 81% |
| Important | 14% |
| Neither important or not important | 0% |
| Not very important | 0% |
| Not at all important | 0% |
| Don't know | 5% |
| N | 21 |

Table 17: How important is it: For Justice Organisations to publish statistics that include ethnicity information

| How important | Percent |
|------------------------------------|---------|
| Very important | 57% |
| Important | 33% |
| Neither important or not important | 0% |
| Not very important | 0% |
| Not at all important | 0% |
| Don't know | 10% |
| N | 21 |

Table 18: Q9. How important is it: For Justice Organisations to use a standard classification for ethnicity, such as the Census classification

| How important | Percent |
|------------------------------------|---------|
| Very important | 30% |
| Important | 30% |
| Neither important or not important | 5% |
| Not very important | 5% |
| Not at all important | 0% |
| Don't know | 30% |
| N | 20 |

Five respondents took the opportunity to provide explanations for their answers or additional comments at question 10. Three of these responses expressed concerns around the use of the census classification as a standard classification system for ethnicity data. It was commented that within the census classifications some categories were based on skin colour and others on nationality, that the mixed category “does not represent anything accurately”, that some categories such as “Asian” cover multiple countries, whilst there is a lot of differentiation amongst the White British category, and that there is no distinction between recent migrants and those who are long settled.

Another respondent cautioned that “publishing ethnicity data can also have a negative impact on communities and be used negatively”. Whilst another respondent emphasised that ethnicity data needs to be “valid, complete and consistently collected in order to be useful” and highlighted the importance of being able to understand the impact of the criminal justice system on people of different ethnic backgrounds and address inequality.



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