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CRIMINAL JUSTICE BOARD

Criminal Justice System: working together for the public



Black and Minority Ethnic People's Confidence in the Criminal Justice System in West Yorkshire

Summary Report
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Foreword

In January 2004, West Yorkshire Criminal Justice Board was tasked by the Home Office to establish the level of Black and Minority Ethnic confidence in the Criminal Justice System at a local level, as one of six Local Criminal Justice Board areas with the highest Black and Minority Ethnic populations in England and Wales.

To achieve this West Yorkshire Criminal Justice Board commissioned the Centre for Criminology and Criminal Justice at the University of Hull to carry out comprehensive research, resulting in this report.

The Board welcomes the report as a challenging and positive opportunity. In particular, it provides a clear focus for the Board's Race Issues Group, who have managed the project.

The Board fully endorses the findings and recommendations contained within this report, which is the culmination of an intensive period of survey and fieldwork undertaken within West Yorkshire. This work has provided a valuable insight into the issues which impact upon Black and Minority Ethnic confidence in the Criminal Justice System.

The Report provides a sound basis for action to improve levels of confidence in the Criminal Justice System amongst the diverse communities of West Yorkshire and we are determined to use it to the full.



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Introduction

Since 1995, there has been a marked shift in public policy from an emphasis on reducing crime towards measures that are designed to reduce fear and boost public confidence in the criminal justice system. Since 2001 the Home Office in collaboration with the Department of Constitutional Affairs and the Attorney General's Office have initiated large-scale reforms of the criminal justice system. An Office of Criminal Justice Reform has been set up to drive policy change and Local Criminal Justice Boards (LCJBs) have been charged with delivering change at the local level. At the same time the Government's determination to take on board the recommendations of the Stephen Lawrence Enquiry in 1999 has fuelled the prioritisation of black and minority ethnic issues within this process of change.

In 2003, the Criminal Justice Confidence Unit issued a framework document setting out government policy for the improvement of confidence in the criminal justice system. The Framework Document also tasks Local Criminal Justice Boards to identify specific drivers of confidence and satisfaction in local areas and to implement improvements in five performance areas:

- Increasing victim and witness satisfaction in the local area
- Staff engagement
- Community engagement, including race issues
- Communications
- Increasing overall public confidence

LCJBs were asked to prepare short Delivery Plans setting out their intentions for action within the period December 2003 to March 2005. In West Yorkshire the Delivery Plan (W. Yorks Criminal Justice Board, 2004) sets out the local priorities within the issues raised in the national framework.

Research on Confidence

The primary national source of information on confidence and satisfaction with the criminal justice system is the British Crime Survey (BCS). Since the 1990's a suite of questions have been asked on both issues, and since 2001 the survey has been conducted annually with an increased sample size which permits basic statistics to be generated for local areas. These statistics are the basis for performance targets and whether they have been achieved at the local level.

Initially the BCS asked four questions about confidence in the criminal justice system, namely: how confident respondents are that the criminal justice system (a) respects the rights of and treats fairly people accused of committing a crime, (b) is effective in bringing people who commit crime to justice, (c) deals with cases promptly and efficiently and (d) meets the needs of victims. Later surveys included two additional questions, namely: how effective the criminal justice is in (a) reducing crime and (b) dealing with young people accused of crime. The BCS also asks respondents to rate how good a job they think criminal justice agencies are doing. In addition, more detailed questions are asked about satisfaction with how incidents were handled that the police came to know about.

Research has shown that there are distinct national and local influences of confidence (see for example, MORI 2001, cited in Page et al, 2004; Green et al, 2004; Pepper et al, 2004; Johnson et al, 2005). In local areas, levels of confidence are heavily influenced by views and perceptions of the police and by views regarding the local crime problem. BCS figures show that confidence in West Yorkshire echoes national trends. With regard to BMEs, the figures have shown that BME people generally have a little less confidence that the criminal justice system respects the rights and treats fairly people accused of committing a crime, but have more confidence in aspects of its effectiveness than do White people. BME people also believe that they receive worse treatment from criminal

justice agencies. This undermines BME confidence but mainly in terms of rights rather than effectiveness.

The main driver of confidence seems to be knowledge and this in turn is driven by local information interwoven with national crime stories. For BMEs it is important to recognise that views and attitudes vary widely between different groups. “One size will not fit all”. The two key messages in the task of raising confidence are to improve performance and quality of service delivery and to improve communication and engagement with local communities.

This report details the findings from a study of BME confidence in the criminal justice system in West Yorkshire. The aims of the research are: (a) to generate a better understanding of BME people’s confidence in the criminal justice system in West Yorkshire and (b) provide recommendations on how confidence in the system may be improved.

Methodology

The research adopted three strategies

1. A household survey conducted in seven local authority wards in West Yorkshire with the high proportions of BME groups. These are: Toller, Keighley Central, Park, Batley East, Chapel Allerton, Hyde Park and Woodhouse, and Wakefield East. The survey was carried out by postal questionnaire. The survey questionnaire included some of the questions used in the BCS to measure confidence and ratings of the criminal justice system. It also included questions from the Home Office Citizenship Survey on trust in public institutions.

In order to boost the sample of BME respondents, attempts were made to distribute the questionnaires at community groups during the setting up of and at the focus groups. By March 2005, 481 questionnaires had been returned completed, of which 47 were from community group respondents. The response rate for the postal survey was 15%. Details of the responses are shown at Appendix 1.

2. In depth interviews were conducted with representatives of West Yorkshire criminal justice agencies who are members of the West Yorkshire Race Issues Group (WYRIG). The interviews were in two stages. The first set of interviews was conducted during the scoping phase of the research. The aim was to collect information about (a) current issues impinging upon BME confidence in West Yorkshire (b) what the criminal justice agencies are doing in West Yorkshire to raise BME confidence and (c) community groups, individuals and organisations in the region that could be contacted for the purpose of the focus groups

3. Focus group sessions were staged in all the targeted seven wards. The groups were made up of BME residents in the local areas. A total of 16 focus groups were arranged for February and early March 2005. Two groups did not take place, one because the research team believed the independence of the discussions was going to be compromised, and the other because the participants failed to turn up. Two hundred and twenty-six (226) BME residents took part in the focus groups. Details of participants are at Appendix 2.

The BCS variables on drivers of confidence formed the framework of the analysis of the survey results and to some extent the responses of the participants in the focus groups. The research exercise produced both quantitative and qualitative data on local perceptions of confidence, ratings of and trust in the criminal justice system as a whole and in specific criminal justice agencies. Key confidence indicators from the survey are at Appendix 3.

Findings

1. The Surveys

Analysis of the data from the household postal survey and questionnaires handed out to community groups are presented in Chapter 4. Respondents to the household survey were made up of both white and BME residents whilst the respondents in the community groups were almost all BMEs.

The results of the surveys are reported in two parts (a) responses from all respondents (both household and community groups) and (b) differences in responses by ethnicity, gender, age and victimisation (household group).

All Respondents

Experience of Crime and the Criminal Justice System

Half the respondents to the postal survey thought that there is more crime in the area than two years ago. This was attributed to three main factors namely (a) prisoners being let off (b) too lenient sentences and (c) ineffective policing. Bad legal representation was mentioned less often. Other non-CJS contributing factors were also mentioned, such as drug misuse, poor parenting, poverty and social exclusion.

Half the respondents had been victims of crime and the majority reported this crime to the police. Of those who reported their victimisation, more than half were satisfied with police handling of their cases.

Only about 10% of the respondents had been stopped or searched by the police. About half of those who had had contact with the police as a suspect said that they were satisfied with their treatment.

Only 21 respondents had been in court as accused persons. Of these, 15 were offered legal representation and 11 were satisfied or very satisfied with that representation. However, only eight respondents were satisfied with the court handling of their cases.

Thirteen respondents had had contact with the Probation Service, of which nine were satisfied with the service that they got.

Only four of all the respondents have spent time in penal institutions.

Forty-six respondents have worked for various parts of the criminal justice system, the majority as jurors.

Confidence in the Criminal Justice System.

Confidence was assessed using the BCS variables mentioned above. Seventy per cent of respondents said that they were very or fairly confident that the CJS respects the rights of accused persons and treats them fairly. In contrast, lower percentages were recorded for being very or fairly confident that the CJS is effective in bringing criminals to justice (36%), deals with cases promptly and efficiently (34%), is efficient in meeting the needs of victims (29%) and is effective in reducing crime (27%). These proportions and pattern are similar to those found in the BCS 2002/03 data for West Yorkshire.

Performance Ratings of Criminal Justice Agencies.

As nationally, the police had the best ratings, with 55% of respondents regarding them as very or fairly good. The fewest good ratings were given to the prisons (25% very or fairly

good) and the youth justice system (24%). Defence solicitors had the highest number of 'excellent' ratings (5%) and a total of 40% of respondents rated them as very or fairly good. The CPS, the Crown Courts and Magistrates came in between with 31%, 34% and 33% very or fairly good respectively.

Trust

The respondents indicated greater trust in the health service and schools than in any of the agencies of the criminal justice system. Seventy-four percent of the respondents had a great deal or a fair amount of trust in the health service and 69% had a great deal or a fair amount of trust in schools. Amongst the criminal justice agencies, most trust was shown in the local (West Yorkshire) police (61%). Forty-three percent indicated a great deal or a fair amount of trust in local legal services. The lowest trust ratings were given to the local courts (39%) and the CPS (36%). The main reasons given for trust were that the agencies did their best in a difficult job, personal experience as a client and good service. Others included being helpful, reassuring, fair, caring, committed, dedicated, reliable and professional. When asked what would make a difference to their trust in the criminal justice agencies, 43% said harsher and more consistent penalties. Other changes suggested include more concern for victims (7%), accountability and transparency (6%) and increased staffing and resources (6%)

What is wrong with the Criminal Justice System?

The majority of the respondents said that there was something wrong with the Criminal Justice System. When asked what was wrong with the system, the most frequently mentioned response was that the system was too lenient. Other responses included; inefficiency, too many loopholes, lack of concern for victims and, by 12 respondents only, racial prejudice.

What should be done by the agencies to raise confidence?

The majority of the views expressed in this regard concerned the police. About two thirds of the respondents had no views concerning the other agencies. Of the 255 who gave their views as to what the police should do, the largest numbers mentioned more police on the beat or more visible policing. This view is similar to that expressed in the MORI survey where increased police presence was regarded as most important (Page et al, 2004). Other suggestions included improving the quality of policing and improving community relations. Racial issues were low in priority with only two respondents mentioning a greater diversity in officers.

Of the 74 respondents who expressed views about the CPS, the views expressed covered a wide variety of issues with almost a quarter of the responses categorised as ‘other’. There was some indication that respondents do not know what the CPS does. Three of the respondents simply replied “What do they do?” Of those that expressed an opinion about the CPS, harsher sentencing, prosecute more cases and faster and less bureaucracy were the most frequently mentioned suggestions for change. Greater diversity of staff and less racism were, as in the case of the police, low on the list of suggestions for improvement. Similarly with regard to defence lawyers, the number of respondents was few (63), the responses were varied and race related issues (diversity of officers) were low priorities.

Ninety-two respondents gave their views about the courts. The most frequently mentioned suggestions for change included giving stiffer sentences and being more representative of the communities they serve. Consistency and concern for victims were low on the list of priorities.

Respondents who gave their views on the probation service (56) thought that the service should be stricter with monitoring and should provide more information about what it does. More diversity of staff was also mentioned but was, as in the case of the other agencies, low in priority.

The largest proportion of the 76 respondents who gave their views on the Youth Justice System also thought that the system should be stricter with a smaller number mentioning more support to young people. It was also suggested that the Youth Justice System should provide more information about what it actually does.

Finally, 121 respondents gave their views on what the prisons should do to raise public confidence in what they do. The largest number of responses related to making the prisons harsher and reducing the ‘privileges’ given to prisoners. More rehabilitation, reducing overcrowding, reducing racism and the taking of drugs were some of the other suggestions made. However, it is questionable how much of what was said about prisons was based on experience or adequate knowledge, as only four of the respondents to the survey as a whole had had any experience of imprisonment.

BME Respondents: Age, Gender and Ethnicity Variables

The analysis of BME responses to the survey has been limited by the small number of responses. Conclusions have been possible only for the major groups of White, Pakistani and Indian with all other ethnicities being grouped as “Other ethnic group”.

Confidence in the Criminal Justice System:

There are no significant differences by age, gender, crime victimisation and ethnicity for confidence that the criminal justice system respects the rights of the accused and treats them fairly. However, victims and older respondents have less confidence than non victims and younger people that the criminal justice system is effective in bringing criminal to justice, meets the need of victims, deals with cases promptly and effectively and is effective in reducing crime. In terms of ethnicity, Indians and Pakistanis were more confident than the other ethnic groups that the criminal justice system is capable of achieving these four functions. There were no significant differences in all the five variables in terms of gender.

Ratings of Criminal Justice Agencies

There were no significant differences in ratings between ethnic groups, ages and gender, with regard to solicitors and the prisons

Victims and older people gave significantly lower ratings of the police whilst females gave higher ratings. There were no significant differences in the various ethnic groups' ratings of the police.

Indian respondents were most likely to rate the other agencies highly, with between 65% and 80% of Indian respondents rating the agencies as fairly good to excellent. White respondents were more likely to give low ratings.

Other BME groups' ratings of the agencies were generally lower than those of Indians, with Pakistanis giving the poorer ratings than "other ethnic groups". Exceptionally, "other ethnic groups" rated the probation service highly.

Trust

Women have more trust in the police as has been found in previous research (Green et al, 2004). However no significant relationships were found for age and ethnicity.

Indian (91%) and Pakistani (54%) respondents had a great deal or a fair amount of trust in the courts. This finding is similar to those in Green et al (2004).

There were no significant differences between ethnic groups in levels of trust in the CPS and the legal services.

Predictors of confidence

Further analysis using a logistic regression model sought to explain the relative importance of ethnicity, age, victimisation and gender in predicting confidence. Age, gender and victimisation alone contributed to the models for few of the confidence variables. However, being a victim tended to make lower ratings and trust in agencies likely. When interactions between the variables are considered some further limited patterns can be seen. Older victims showed less confidence, high ratings or trust. Being female seems to show the reverse, female victims tending to have more confidence, high ratings or trust.

Ethnicity was rather more important as a single predictor. Generally minority ethnic groups, particularly Indians, had more confidence than white people. Pakistanis were more likely than Whites to think that the criminal justice system is effective in bringing criminals to justice and that the criminal justice system meets the need of victims. Indians were far more likely than Whites to think that the criminal justice system is effective in bringing criminals to justice, deals with cases promptly and efficiently and is effective in reducing crime. Older Pakistanis were five times as likely as younger white respondents to think that the criminal justice system meets the needs of victims. However, victimisation seems to weaken trust where it would otherwise be high for the minority ethnic groups. Age seems to increase it for Pakistanis but not for other ethnic groups.

Whilst conclusions from the regression analysis must be seen as tentative, some interesting specific relationships have been revealed:

1. Indians are strongly more confident in three of the confidence variables.
2. Pakistani and “other ethnic group” female victims are particularly lacking in confidence that the criminal justice system is prompt and efficient.
3. Indians and “other ethnic groups” rate the probation service highly, except where “other ethnic groups” respondents are older.

4. Indians have trust in the courts.
5. “Other ethnic groups” have trust in the legal services.
6. Older Pakistanis have high levels of trust in the CPS

Variation of confidence by geographical area

Although the sample was too small for full statistical analysis of variation in confidence between the seven wards surveyed, a limited assessment was made of overall confidence levels by use of a scoring system. Confidence was lowest in Keighley Central and Wakefield East and highest in Toller and Chapel Allerton.

Efforts were made using GIS mapping techniques to find out whether or not the survey responses showed area variations in confidence within the wards. Mapping of police ratings revealed that many of the areas with low ratings are irrespective of ethnicity. In other words, in areas where there are low ratings, these came from both the White and BME residents of the area and some areas of predominately BME residents gave high ratings. This shows that there may be geographical determinants of confidence. Therefore, efforts to improve confidence, even in the so-called BME areas, must take this into account. The importance of area was also mentioned in the focus groups.

BME Views on the agencies and what they should do to improve confidence

BME respondents generally are more likely to say that the system is inconsistent or unfair, outdated or corrupt, not representative or too punitive and should tackle causes of offending.

Consistently more BME respondents than white said that they had no views on what the agencies should do to raise confidence. However, of those who expressed a view, some variations in terms of ethnicity existed.

In relation to the police, in addition to a general preference for more police presence, Pakistani and Indian respondents wanted better communication with the public. Some of the comments from Pakistani respondents included: *“the police should come into the community to raise awareness and gain the trust of locals”*, *“more contact with local people”*, *“the police should hold public workshops especially with local voluntary organisations”*, *“organise more events to make us feel they exist”* and *“the police need to be educated about Black and Asian communities”*. Indian respondents made similar comments such as *“the police should build a relationship with young and old especially Black and Asian people”*, *“speak to people and create an easy or friendly relation”*, and *“meet the public at meetings to discuss local policy problems”*. Several Bangladeshis and Pakistanis also suggested that more confidence would be achieved if the police cracked down on particular problems such as drugs and the gang culture and Pakistanis raised the issue of stops and searches although not so strongly as in the focus groups. Among the very few comments from Black respondents, one said that the police should *“stop harassing innocent citizens”*. This respondent also suggested *“training for policemen about cultural differences”*. One of the only four Chinese respondents said that the police should *“tell the public exactly what they are doing to reduce crime, connect with the public and local concerns”*.

Of the 18 BME respondents who gave views as to what the Crown Prosecution Service should do to raise confidence, three appealed for more information. One of them simply said *“what do they do exactly?”* Many evidently knew little as they referred to sentencing. Two Pakistanis referred to representativeness saying *“employ people from across the spectrum of our society”* and *“provide cross section of representation of the community”*. One Black respondent said the CPS should *“take more consideration of the family background of the plaintiff”*.

Seventeen BME respondents answered the question relating to defence solicitors. The responses were very varied but several appealed for more information. For example, an Indian said *“let us know they work”*. Other responses were based on a perception that

defence solicitors are motivated only by money. Honesty and fairness to victims were other suggestions for improvement.

Of the 24 BME respondents who expressed views about what Crown, County and Magistrates Courts should do, half called for tougher sentencing. Eight of these were Pakistanis. As with the other agencies, the need for more information was frequently mentioned. Four respondents referred to lack of representation in the courts of the diversity of the community and lack of understanding of different cultures. A respondent of mixed ethnicity said the courts consist of *“upper class people put in jobs; they have no knowledge of multi culture”*. A respondent of *“Other ethnic group”* said the courts should *“thoroughly understand the lifestyle/culture of those they deal with”*.

Sixteen BME respondents expressed comments about the Probation Service. Again several called for more information, a Pakistani respondent saying *“they need to promote themselves in public so people know about them”*. A Black respondent thought there should be a *“workshop about the service”*. Several referred to the work of the probation service calling for *“better monitoring of offenders”*, *“good follow up on prisoners released from custody”*, *“more contact with offenders”*, and *“more supervision and help for young offenders”*. Others thought the probation service should be *“more strict”* or *“more restrictive”*.

Twenty-five BME respondents gave their opinions as to what the youth justice system should do to raise confidence. As with the other agencies there were requests for more communication. An Indian respondent said youth justice should *“talk to people, get together and listen to their views, let us know how they work”*. A Pakistani thought they should *“hold public workshops”* and a Black respondent made a similar remark. Nine individuals thought that confidence can be raised if young offenders are treated more strictly. However there were others who thought that the same effect could be achieved if the Youth Justice System gave more support, education, employment and training to young offenders. A Pakistani said that *“there is nothing done for Asian youths”*.

The main view of the majority of the 37 BME people who gave opinions on the prisons was that confidence might be raised if the regimes in prisons were harsher. Some respondents expressed concerns about the treatment of prisoners. Their suggestions for change therefore related mainly to the improvement of prisoners' conditions, their treatment and rehabilitation. Seven respondents were concerned about racism in prison and one called for more BME prison staff. Some of the Pakistani comments on prisons included: *“Asian Muslim prisoners are treated badly”*, *“prison wardens should be aware of bullying and racism”*, *“prisons should look at racial hatred in prisons – staff and inmates”* and *“raise awareness of racial attacks”*.

In summary, many of the views expressed by BME respondents to the survey were similar those expressed in the NOP research (Confidence Unit, 2003). They included the importance of a police presence, local bottom up communication, the principle of just deserts for offending behaviour and the creation of opportunities for young people and adult offenders. Respondents emphasized the need for local knowledge, as similarly found by Johnson et al (2005), and of cultural awareness, particularly in regard to the police. In addition the lack of representation of BME groups in criminal justice agencies was raised but not seen as a priority in raising confidence, and there is a perception of poor treatment of BME people, particularly by the police and prison service.

2. The Interviews

The in-depth interviews with WRIG members provide valuable information, albeit official, about what the agencies considered to be the problems impinging on BME confidence and what the various agencies have done or doing to raise BME confidence in West Yorkshire

Factors impinging upon confidence

A variety of factors were given by the various agency representatives which they claimed have had implications for or still currently affecting BME confidence in the region. These factors include the impact on BME confidence of local and international events, such as the Bradford 'riots' and the terrorist incident of September 11 in the USA, and the fear of BNP activists. These events have dampened confidence in terms of perceptions of the effectiveness of the criminal justice system in protecting BMEs from racist attacks, of the fairness of the system towards BME defendants and the attitude of criminal justice agencies towards Muslims in particular.

More important were the views expressed that efforts to improve confidence, for example through participation, are being hindered by the attitude of the BME communities themselves. Suspicion and apathy or lack of interest were mentioned as major barriers. In addition, lack of willingness to take part in what the agencies are doing to raise confidence or to come forward to be magistrates or jurors was mentioned by some of the respondents as having led to a situation whereby criminal justice system is being perceived by BMEs as a 'White' organisation. This situation is believed to be made worse by the fact that BME magistrates are not actively involved in the activities of the magistrates' association. Whilst this was seen as not being helpful in bridging barriers, it was not clear in what activities of the magistrates' association BME members should be involved in order to raise confidence of the BME population.

However, a few of the respondents expressed concern that there was not in place an effective mechanism specifically for informing BMEs about the criminal justice system, and the services and help available to them within the system. This problem is believed to be compounded by language barriers and the significantly diverse nature of the ethnic population in West Yorkshire. The result is believed to be a general lack of knowledge by BME communities about what the criminal justice system does, the differences between the agencies and how the system can work for them.

The media was mentioned as not being helpful in promoting racial equality in the region. The part that the media has played in whipping up racial hatred, for example, through racially inflammatory documentaries, was criticised and condemned for the effect they have had on BME confidence, especially of BME young people and Muslims. Racism was mentioned as an issue but only by the representatives from the prison service.

Efforts to raise BME Confidence

A wide variety of activities were mentioned by the agency representatives, which they claimed were either specifically designed to raise confidence or may have the added value of improving confidence. These include:

1. The recruitment of (more) BMEs as workers in the various criminal justice agencies was the most frequently mentioned activity by all the agency representatives as a core activity engaged in by all criminal justice agencies in to raise confidence. These have included Careers Fairs and Open Days targeted specifically at recruitment from BME communities; specific agency efforts within the communities to recruit BME workers (for example, magistrates); the employment of BME staff via work placements schemes; the recruitment of more BME Police Community Support Officers (PCSOs) and individual efforts, for example, by Judge Kamil. It was clear that the majority of the agency representatives thought that proportionate representation of BMEs in their organisations is a positive way towards raising confidence. No evidence was provided to show where this had been the case.

2. Efforts to provide information and educate BME communities about the work of the agencies were mentioned. These efforts were mainly along the lines of the translation of legal documents into BME languages. In addition, the LCJB plans in the near future to produce regular newsletters to send out to community groups and key agencies about updates within the criminal justice system.

3. With regard to the agencies and their existing staff, it was mentioned that each of the agencies have, as required by the Race Relations (Amendment) Act 2000, a race equality policy and scheme, to ensure racial equality and fairness in recruitment and in the delivery of services. In addition, HMP Wealstun, like most prisons, has a Race Relations Management Team. More importantly, some of the agencies, for example the WYCPS, deliver race and religiously-aggravated crime training for their staff, or, as in the case of the Legal Services Commission, produced information to staff to guide them on how to deal with BME clients. The reasons given were to increase communication and understanding between the agencies and the BME communities

4. Dealing with racist and homophobic crimes. This is an area where the West Yorkshire Police have done a great deal of work. The need to deal effectively with racially and religiously motivated crimes as a means of raising BME confidence was mentioned by most of the interviewees. It was not clear from the interviews whether West Yorkshire had a specific problem and the measures being taken are in response to the problem or that these efforts are being made in order to comply with national directives. Nevertheless, the schemes that were mentioned are commendable. For example, the West Yorkshire Police have made efforts to increase opportunities of race or hate crime reporting by setting up independent hate incidents reporting centres in the five policing districts of the county. In addition, a 24-hour free phone service has been set up, also by the police, for the same purpose. The police representative reported that as from the 30th of June 2005, when the West Yorkshire Police joins the True Vision national initiative for reporting racist and homophobic crimes, the above-mentioned initiatives will be re-branded under True Vision. In addition, the True Vision initiative allows on-line reporting and self-reporting and the police are currently engaged in publicising the initiative in West Yorkshire as well as making the necessary arrangements for its implementation. The West Yorkshire Police also plans to have a Target Arrest Day when there would be a mass arrest of people wanted for racially aggravated and homophobic crimes in the region. These police efforts are geared towards improving confidence of

BMEs to come forward to report racially motivated crimes as well as sending a message out that racially motivated homophobic crimes will not be tolerated.

Representatives of Victims Support and WYCPS also mentioned the efforts that their agencies are making to support victims of racist and homophobic crimes in West Yorkshire.

5. The majority of the activities to raise confidence in the region fall under the remit of ‘community engagement’. Community engagement is seen by the government as central to local planning for confidence and satisfaction (Office of Criminal Justice Reform, 2005). Community engagement to raise confidence can take several forms. In West Yorkshire, the approaches adopted include informing people, researching needs, priorities and attitudes, community consultation, and involving communities in decision-making (see West Yorkshire Police Authority, 2005). The need to communicate with the communities was realised by all the agency representatives as essential to raising confidence. The community engagement structures include:

Community consultation panels include the Racial Minority Community Consultation Panel set up by WYRIG in accordance with the Race Relations (Amendments) Act, 2000, which requires criminal justice agencies to consult with community groups regarding their policies, practices and procedures;¹ community cohesions panels and minority liaison groups. The latter two are set up by the West Yorkshire Police.

Scrutiny Panels have been set up separately by the West Yorkshire Crown Prosecution Service (WYCPS) and the West Yorkshire Police. The WYCPS Scrutiny Panel is made up of agency representatives and an independent external facilitator. The panel looks at randomly selected finalised case files of racially and/or religiously aggravated and

¹ At the time of the publication of this report, members of the panel have been selected and undergoing an induction/ training.

homophobic crimes, in order to ensure consistency and fairness. The Police scrutiny panels look at on-going cases but unlike the WYCPS panels have community representatives as members. Both panels operate on the principles of promoting accountability and transparency, and, more importantly, raising public awareness of criminal justice decision making and improving confidence. It was mentioned that the police panels will soon be scrutinising police stop and search cases.

Other means of community engagement have included the funding of research to identify needs, priorities and attitudes and the staging of public meetings, conferences and seminars in order to raise awareness of race issues in the criminal justice system and provide information about what the agencies do, and diversity days to raise cultural awareness. An example of recent research includes a study by the West Yorkshire Police and the Children's Society into the region's young people's attitude towards the police. It was said that the findings of the research show a high level of confidence in the police amongst Asian youths generally, with the exception of Pakistani youths who had the lowest confidence compared with the other minority ethnic youths. The extent to which the findings of this research have informed police policy was not asked. With regards to public meetings and conferences, it appeared that there had been quite a few. The WYCPS, Kirklees REC and Judge Kamil have individually organised events that have attracted both local and national attention. A Race Issues Stakeholders Symposium is being planned by the LCJB to take place in late 2005, bringing together representatives of the communities, the criminal justice and voluntary sectors, to discuss race and diversity issues in the criminal justice system in West Yorkshire.

A recent development that could be classified as 'community engagement' is the effort by the West Yorkshire Police to reach-out to BME community audience via the radio. It was said that the West Yorkshire Police, in conjunction with the Bradford Community Safety, have recently secured 52 hours of live broadcast on each of two local radio stations (Sunrise Radio and MASTI), believed to be listened to mainly by members of Asian communities. The project involves a one-hour slot every week on each radio station,

when police officers from the force are available on air to discuss important policing issues that have bearing on BME communities and members of these communities have the opportunity to call in to ask the police questions on these issues.

The community consultation initiatives, on the whole, are commendable. The accounts given by the interviewees indicate commitment and dedication. What was not clear in the interviews was whether or not any consultation with communities took place before any of the structures or events were set up. The impression that came across was that the efforts were significantly agency-led. This, in itself, may not be seen as a criticism. In addition, it was not clear whether the meeting, conferences and seminars were fully public or whether there was a selected audience. Most importantly, the process for the selection of the consultation panels also appeared to be agency-led.

Coordination, monitoring and evaluation

Most of the interviewees recognised the need for the agencies to work as a team in the formulation and delivery of strategies. It came across in the interviews that some framework for collaborative work exists and some agencies do work on joint ventures, (for example, the race harassment projects). Membership of panels, as mentioned above, is also multi-agency (for example, the scrutiny panels). Other arrangements for partnership working include memberships of fellow agencies' executive committees. However, it was not very clear how much of the work being done is monitored or evaluated. The need to monitor and evaluate performance is important in order to determine the extent to which confidence has been improved. There was no mention by the interviewees of any evaluations done to assess the effectiveness of the initiatives. However, there are measures being put in place to monitor progress. For example, the West Yorkshire LCJB is currently developing a template to monitor the effectiveness of community engagement by the different criminal justice agencies. The Board is also developing a consultation strategy for criminal justice agencies in the region. It was also mentioned that the West Yorkshire CPS (WYCPS) has recently undertaken a stocktaking

of its community engagement activities, to evaluate the success of what is done so far and decide what needs to be done in order to move forward.

Similarly, in terms of the coordination of agency activities to raise confidence, the role of the Yorkshire LCJB provides an umbrella organisation for the coordination of policies and programmes designed to improve criminal justice provisions in the county. The role of WRIG as the sub-committee of the Board with the specific task of finding and implementing ways of increasing confidence in the criminal justice system amongst minority ethnic groups in the county, was mentioned, but very little was said by the agencies about the specific contributions of WRIG and how effective the group have been in raising confidence. However, it was revealed that a Diversity and Consultation Officer has recently been appointed for the LCJB with the specific task of coordinating the Board's race and diversity activities. The North East region of HM Court services (of which West Yorkshire Court services is now a part) is also in the process of appointing a Diversity Officer, possibly for the same purpose.

3. The Focus Groups

The focus groups produced qualitative data from the 226 BME participants who took part. Whilst the views expressed by these participants could, as in the surveys, be attributed to particular ethnic groups, it is better to see them as responses by 226 individuals. This, however, should not undermine the significance their responses. Unlike the surveys which included White respondents, the focus groups were made up exclusively of BME participants. The sessions provided opportunities for the participants to air specific concerns and to speak to CJS agency representatives in a non-hostile and non-confrontational situation. In the sessions, the participants identified factors that they felt have implications for BME confidence in West Yorkshire. These range from specific issues such as the attitudes of criminal justice practitioners to issues that are beyond the criminal justice system but are believed to nonetheless undermine trust and confidence in the system, such as the role of the media and the effects of local and international events

such as the Bradford and Leeds riots and the terrorist attack of September 11, in the USA. The groups also gave their views on what they thought the agencies could do to raise BME confidence

It could be said that confidence in the criminal justice system was generally low amongst the focus group participants, irrespective of ethnicity or gender. There were some variations in terms of age with younger participants being generally more vocal in their resentment of the system than the older participants. This was not the case amongst the Black (African-Caribbean) participants where the older generation participants were as vocal, if not more, in their resentment of the system, as their younger counterparts.

Unlike in the surveys, participants in the focus groups generally thought that the criminal justice system does not treat BME offenders fairly, in comparison to other offenders. This view was mentioned in relation to what participants, for example in the Toller and Batley focus groups, felt was unfair sentencing of the BME young people who took part in the Bradford and to a lesser extent, the Leeds 'riots'. Some of the participants believe that these incidents have further damped the trust of BMEs, especially South Asians, in the criminal justice system.

However, as in the surveys, the arguments presented in most of the focus groups indicate low confidence that the criminal justice system is effective in bringing criminals to justice, deals with cases promptly and efficiently, and is efficient in protecting or meeting the needs of victims.

Drivers of Confidence:

The most important factors identified in the focus groups as undermining or affecting BME confidence are racism or racial discrimination and inequality of treatment, also based on 'race'. The perception that racism is embedded within and amongst criminal justice practitioners and also affects their efficiency, formed much of the underlying

subtext of focus group discussions. The frequency with which racism was highlighted in the focus groups is proportionally greater than in the postal and community group surveys. The view that racism undermines confidence of BMEs also reflects findings from the Home Office Citizenship Survey (Green et al 2005).

Throughout the focus group discussions, repeated instances of personal and anecdotal experiences of racism were mentioned particularly in relation to police stop and search. Many of the participants claimed to have been stopped and searched by the police or knew someone who had been. In all but two of the focus groups, the view was that BMEs are disproportionately stopped and searched by the police compared with whites. Participants in Keighley and Leeds who said that they have had experiences of police stops believed that they were stopped because of their colour. The majority of participants who expressed this view were young men.

It was also expressed in some of the focus groups that area (residence) further increases the potential of being discriminated against, either as offenders or victims. Participants in the Chapel Town (Leeds) focus group in particular felt that they experience dual discrimination based not only on their colour but also on the stereotypical views of their area by criminal justice agencies. In this focus group, it was felt that even the courts discriminated on the basis on an individual's area.

The influence of local geographical identities on how one is treated also featured in the discussions of the others groups. Participants in all three of the focus groups in Wakefield felt that there was no point in calling the police when they had problems, because by asking for the postcode the police knew it is a South Asian area, and so would not come. Participants in the Wakefield and Batley focus groups and the East Asian participants in the Leeds (Hyde Park and Woodhouse) focus group cited examples of situations when they and other known BME residents were victims of crime and the police failed to respond to their calls for help. It is believed by East Asian participants that stereotypical

perceptions of them as foreign students affected the types of treatment that they received from the police when they asked for help as victims of crime. .

The role of the media in reinforcing negative stereotypes of BME areas, their cultures and religions, especially after the terrorist incident of September 11 in the USA, was mentioned in a majority of the groups. In the Keighley groups, participants referred to subsequent media misrepresentation of Muslims and said that criminal justice agencies did not do enough to dispel the negative stereotypes of BME youths and Muslims already being propagated by prejudicial media reporting. The view being expressed was that the media has made BME people more vulnerable to racism and subsequently more discrimination in the hands of criminal justice agencies.

Ratings

Rating of the criminal justice agencies related mainly to perceptions of efficiency. Most of the comments on efficiency, however, referred to the police. As in the surveys, the most negative comments came from participants who had been victims of crime. Comments included not being informed by the police about the progress of their cases beyond the allocation of a crime reference number and, more importantly, the delays experienced with regards to responding to calls by victims, attending the scene of crime, dealing with crimes or seeing a case through to completion. In more than two-thirds of the focus groups, it was said that such delays were exacerbated if the victim was of BME heritage, does not have a 'White' name or lives in a 'White' area. This view echoes findings from the British Crime Survey (Clancey et al 2001) showing that more Pakistani and Bangladeshi victims reported having to wait longer than other ethnic groups. Some of the participants felt that these delays are simply demonstrable of racism.

There are generational and ethnic differences in the ratings of the criminal justice system as a whole. Participants of older generations expressed views that the UK system is better than those in their countries of origin. In contrast, participants of Far Eastern origin

(mainly students in the Park and Woodhouse focus group) talked of disappointment in the UK criminal justice system which did not meet their expectations with regards to safety and security. Younger South Asian and Black participants (who are largely UK born) generally gave lower ratings of the criminal justice system. However, it was said in some of the groups that since the terrorist incident of September 11 in the USA, the ratings of the criminal justice system amongst Asian Muslims have decreased, irrespective of age.

Factors influencing confidence

In all the focus groups, lack of communication was mentioned as a major reason why confidence and rating of the criminal justice agencies by BMEs in West Yorkshire appear to be low. The effect of communication gap upon confidence is already supported in previous research (Mirrlees-Black, 2001). According to that study, those whose knowledge of crime and sentencing practices were poor were also those with the least confidence.

Many of the participants said that they did not know what the agencies do nationally, not to mention what they do locally. This was slightly different with regards to the police. Almost none of the 226 participants knew what the acronym “CPS” stands for, but understood later when it was explained to them during the group discussions. In spite of this, many participants doubted the independence of the CPS from the police. It was felt that the reliance placed on police evidence by the CPS meant that the discrimination that BMEs are perceived to be faced in the hands of the police will simply filter through to the CPS and affect the way that the agency handled BME cases.

Generally, there was very little discussion of the other criminal justice agencies other than the police. This is a reflection of the very limited contact that the participants have had with the criminal justice system, which for many, had not gone beyond experience of frontline policing. For example, there was a limited discussion of prisons because only a few of the participants have had experiences of imprisonment. Participants who have had

experience of the prisons spoke more about the attitudes and actions of prison staff as opposed to the prison system itself.

Where there was little knowledge of what the agencies do, the views were generally positive. This relates also to the comments made about the probation service. The participants, who made positive comments about the probation service, were, by and large, individuals who had never had any direct contact with the agency. The perceptions came mainly from third party knowledge such as the media. This situation concurs with Mirrlees-Black (2001) that the more contact people had with the criminal justice system the more they seemed to lack confidence.

As already revealed in the literature, the lack of knowledge about what the other agencies do led to an undue emphasis on the police. In every focus group, the police were referred to and used as the main frame of reference when discussing confidence, ratings and trust in the criminal justice system as a whole. As the primary point of contact, the lack of confidence or trust in the police and the low ratings given to the organisation in terms of its efficiency has led to similarly negative connotations being attached to most of the other agencies in the criminal process. The qualitative outcomes of the focus group appear to differ from Pepper *et al.*'s (2004) research which showed that around half of their sample thought the police do a good or excellent job. They differ also from those in the postal survey where 58% of all respondents thought that the police do a fairly good to excellent job, with the BME respondents generally giving higher ratings than their White counterparts.

One of the most consistent comments made in all the sessions was that the agencies (especially the police) have no real interest in the communities in which they work but only in achieving targets. Much of the discussion was underpinned by the view that the police are not there to help. However, it was clear in the discussions that participants were not implying that all police officers are racist or unhelpful. In the Batley, Park and Keighley focus groups, it was suggested that police officers who are known to the

communities to be doing a good job should be given recognition and publicity by the media. Some of the participants were prepared to name police officers that they knew in their communities to be doing a good job and promoting good relations.

There were conflicting opinions in the groups as to the benefits of having BME police officers. In the two Batley groups, it was felt that having more BME police officers would be a positive step. However, in the majority of the focus groups, participants were adamant that having (more) BME police officers would achieve nothing and may even make matters worse. It was felt that the pressure that would be put upon BME officers to be seen to be doing the right thing within the police force, the racism that they themselves would face and the lack of trust of members of BME communities would mean that they would not be able to do their job effectively. In addition, it was expressed by participants in the Toller, Wakefield and Leeds groups that BME police officers often go further than their White counterparts in mistreating members of the BME community in order to gain acceptance from their White colleagues. This view reinforces those expressed in the surveys where the diversity of the agencies was not seen as a priority in improving confidence.

What could be done to raise confidence?

1. As in the surveys, there was a strong feeling in the focus groups that increased police presence would make people feel more secure and improve confidence. This was in spite of the concerns expressed about police stop and search.
2. It was clear from the discussions in the majority of the groups that the disempowerment, frustration and mistrust felt by the participants could be dispelled through effective communications between the agencies and the communities “More information” was echoed in the majority of focus groups.

The need to provide more information about the roles and remits of the various criminal justice agencies is one way that participants thought communication might be improved. Not knowing “what they are doing” came up in the majority of the focus groups. Adequate knowledge about what the agencies do will enable the communities to locate their complaints at particular agencies rather than feeling that the system as a whole is wrong and failing

Similarly, it was mentioned that communication in terms of knowing “what’s going on” will help to disperse, for example, rumours about the incompetence of the agencies.

Another way suggested was that communication can be improved through dialogue - getting the agencies to listen to the views of the communities and “actually doing something rather than just listen”. As one 50 year old female Pakistani puts it:

“I have lived in this country for the last 30 years. This is the first time anyone has asked me what I think”

The suggestions regarding communication was geared towards developing a better understanding between the agencies and the communities and, more importantly, it was seen as a means through which BME communities could be empowered. Empowerment comes from knowledge and more importantly from being involved or being in a position to influence decisions themselves.

3. The most significant recommendation that came out of all the focus groups is the need for criminal justice agencies to behave in a fair and equitable manner. In addition, the participants requested for faster response to cases by the police, better community policing (amiable and non-confrontational), and consistent and tougher sentencing for criminals of all ethnic groups.

Conclusions

The agencies appear to be engaged in a variety of activities that they said are to raise BME confidence. However, the fact that confidence and trust in the criminal justice system and the ratings of the agencies by the sample of respondents in the surveys are generally low, and none of the 226 participants in the focus groups knew or have heard about any of these projects or activities, implies that what's being done is either not getting through, is ineffective, superficial, or the communication network is poor.

The call for more communication and information on how the agencies work, what they do and about "what's going on" permeates both the survey respondents' and focus group participants' requests for change. The claim to lack of information about what the agencies do or are doing means that knowledge about the criminal justice system is received from third party, possibly biased sources such as the media.

There are various local factors affecting BME confidence in West Yorkshire. It appears that BME confidence in the region has also been affected by national events. The apparent complex nature of the variables means that a more coherent approach to the issues is necessary. This study shows that the effect of local area is important and should be given some recognition in the planning of initiatives to raise confidence in the region.

Recommendations

1. There is a need for a more visible and effective coordination or monitoring of agency activities to raise confidence.
2. Efforts must be made to evaluate projects in order to assess their effectiveness in meeting confidence targets and goals. Key confidence indicators included at Appendix 3 may be of assistance in the evaluation process.

3. Community engagement needs to include devolving responsibility for decision-making to communities and supporting community-based responses and actions (WYPA, 2005). Empowerment is more likely to raise confidence than other 'lower' levels of engagement.
4. The diversified nature of the ethnic population in West Yorkshire should always be considered in the development of policies. 'One size doesn't fit all' Effectiveness will be improved by tailoring actions to specific groups and sub-groups.
5. The idea of diversity officers is appropriate but may prove ineffective if the incumbents are not adequately equipped to be able to energize others to act
6. In the light of the repeated calls for communication and information, it is desirable that the provision of information should be consistent and should be a mainstream activity. There is a need to continue dialogue with the communities and the different sub-groups within them.
7. The results of the surveys and focus groups show that area is as important as ethnicity when it comes to confidence. Efforts to improve confidence may yield better results if they are area based. It is obvious that the areas technically classified BME areas also include White residents. It is discriminatory for policies to target specific ethnic groups in an area and leave out other ethnic groups.
8. If efforts to improve confidence are to be initially targeted in two areas, of the surveyed wards, those with the least confidence overall are Keighley Central and Wakefield East (See chapter 4, Table 4.28). Since Keighley Central has a BME Census 2001 population of 42% (See chapter 3, Table 3.1), a focus here is likely to reach ethnic minority residents and achieve raised BME confidence. Wakefield East however has only 12% BME population. It might therefore be preferable for the second area targeted to be Park ward where 56% of the population is BME and respondents had below average confidence on more than half the issues.
9. Agencies need to ensure continuing progress in the elimination of discriminatory practices at all levels. The greater the progress the more important it becomes to

ensure that these achievements are seen and recognised by those to whom services are delivered.

Appendix 1 Survey Additional tables

Table 1 The wards targeted

Census ward	BME	Detail	New ward	BME	Detail
Toller	73%	Pakistani 62%	Toller	75%	64% Pakistani
Keighley North	28%	Pakistani 22%	Keighley Central	42%	33% Pakistani
St John's	37%	Pakistani 32%	Park	56%	54% Asian
Wakefield East	15%	Pakistani 12%	Wakefield East	12%	10% Pakistani
Batley East	42%	Indian 28% Pakistani 11%	Batley East	56%	16% Indian 31% Pakistani
Chapel Allerton	33%	Black Caribbean 11% Indian 5% Pakistani 6% Mixed 4% Other Black groups 3%	Chapel Allerton	31%	10% Black Caribbean 6% Pakistani 5% Indian 5% Mixed
University	26%	Mixed 5% Indian 3% Pakistani 4% Black Caribbean 4% Black African 3% Chinese 4% Other ethnic group 3%	Hyde Park & Woodhouse	25%	6% Pakistani 6% Black/Black British 4% Mixed 3% Chinese 3% Indian 2% Other ethnic group

Table 2 Response rates

	Postal Survey numbers	Postal Survey % Responses(n = 434)	Response Rate
Keighley Central	67	15	17
Toller	55	13	14
Batley East	70	16	18
Park	55	12	14
Hyde Park	40	9	10
Chapel Allerton	78	18	19
Wakefield East	67	15	17
Unknown	2	0.5	

Table 3 BME responses

New ward	BME % in population	BME % in responses	Difference
Toller	75	59	16
Keighley Central Park	42	20	22
Wakefield East	56	44	12
Batley East	12	16	-4
Chapel Allerton	56	24	22
Hyde Park & Woodhouse	31	43	-12
	25	16	9

Table 4 BME Groups

	% answering question.	
	Postal survey (n=401)	Community Groups (n= 35)
White	68	6
Mixed	1.5	
Indian	6	
Pakistani	18	17
Other Asian	2	9
Black	4	3
Other Ethnic Group	0.5	66

Appendix 2 Focus Groups Participants

Date	Ward	Agency Representative (Speaker)	Ethnicity of the Majority of Participants	Gender		Totals	Age Distribution			Totals
				M	F		Below 30	30+ - 50	Above 50	
04/02	Toller	Police	Pakistani/Bangladeshi	9	13	22	13	9	0	22
08/02	Wakefield	CPS	Pakistani	0	10	10	0	0	10	10
09/02	Toller	Probation	Pakistani	8	0	8	0	2	6	8
10/02	Toller	Police	Pakistani	0	24	24	19	5	0	24
15/02	Batley East	CPS	Pakistani/Indian	0	17	17	6	6	5	17
16/02	Hyde Park & Woodhouse	CPS	Chinese/Mixed	5	8	13	13	0	0	13
17/02	Wakefield	Probation	Pakistani	10	11	21	12	9	0	21
19/02	Batley East	CPS	Pakistani/Indian	10	0	10	0	7	3	10
20/02	Chapel Allerton	Probation	Black/Afro-Caribbean	2	4	6	0	3	3	6
23/02	Wakefield	None	Pakistani	17	0	17	0	10	7	17
24/02	Keighley Central	Police/CPS	Pakistani/Bangladeshi	21	0	21	21	0	0	21
25/02	Chapel Allerton	None	Black/Afro-Caribbean	12	17	29	6	16	7	29
26/02	Keighley Central	CPS	Pakistani/Bangladeshi	0	12	12	12	0	0	12
01/03	Park	Judiciary/CPS	Pakistani	16	0	16	2	10	4	16
Totals				110	116	226	104	77	45	226

Appendix 3 Key confidence indicators from the Survey

These indicators are derived from a small sample of respondents and therefore must be treated with caution. Many of the 434 who did respond either said that they had “no view” or implied this by their failure to answer some of the questions. This proportion with no view may in itself be regarded as an indicator of knowledge, interest and confidence.

Table 1 Confidence in the performance of the CJS

	Per cent of respondents who expressed a view very or fairly confident			Per cent respondents with no view
	White	BME	All respondents	
CJS is effective in bringing people who commit crime to justice	30	51	37	3
CJS meets the needs of victims of crime	21	47	29	4
CJS respects the rights of people accused of crime and treats them fairly	71	64	68	4
CJS deals with cases promptly and efficiently	29	46	35	4
CJS is effective in reducing crime	21	42	27	4

Table 2 Ratings of the CJS agencies

	Per cent of respondents who expressed a view rating the job that agencies do as fairly good to excellent			Per cent respondents with no view
	White	BME	All respondents	
Police	57	63	59	4
Crown Prosecution Service	34	51	39	18
Criminal Defence Solicitors	57	60	58	26
Crown and County Courts	42	63	49	28
Magistrates Courts	44	57	48	27
Probation Service	44	66	51	34
Youth Justice System	28	52	36	33
Prisons	33	36	34	23

Table 3 Trust in local CJS agencies

	Per cent of respondents who expressed a view with a great deal or fair amount of trust			Per cent respondents with no view
	White	BME	All respondents	
The local police	63	58	61	6
The local crown prosecution service	43	56	47	28
The local legal services	54	63	57	32
The local courts	46	61	51	31