

LEICESTERSHIRE POLICE

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DEPARTMENT: Criminal Justice.

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Subject: **Disproportionality in Custody** (updated to utilise Census 2021 data)

1. Purpose of the Report

The purpose of this report is to investigate whether there are any variations in the manner that persons are dealt with within Custody according to the ethnicity of the detainee.

2. Findings

During the period 1st September 2023 to 31st August 2024, 16,501 individuals were dealt with within one of the Custody Suites within Leicestershire (some on more than one occasion).

These have been examined according to their Self Defined Ethnicity

The elements of custody that have been examined are:

- Initial Arrest
- Use of Force in Custody
- Final Disposal
- Use of Bail
- Use of Released under Investigation
- Observation Levels
- Involvement of Health Service Professionals / L&D assessments
- Involvement of Appropriate Adults
- Length of Time spent in Custody.

The analysis of those initially arrested are a comparison to the total population of the Force area, the remainder are compared to the "Custody Population" with the exception of the use of Appropriate Adults where the comparison is to those detained who are deemed "vulnerable", either by way of a vulnerability type flag or by nature of their age (under 18).

Initial Arrest

The table below compares the demographics of the persons detained in custody to the population of the Force area, although some persons may be arrested on multiple occasions and would hence count on several occasions as detainees.

There is also a possibility that some of the detainees are not resident in Leicestershire but committed (or were suspected of having committed) offences and been arrested in Leicestershire.

People in Custody - Demographic comparison

		Period = 12m to Aug 2024				
	Census 2021 Pop	In Custody				Dispro Ratio
		Total	% of Pop	% of Arrestees	Significance	
All Arrivals	1,121,985	16,501				
White	812,992	10,826	72.5%	69.6%	Lower	Base
Mixed/multiple ethnic groups	30,185	606	2.7%	3.9%	No Significant Difference	1.5 x
Asian/Asian British	212,478	2,196	18.9%	14.1%	Lower	0.8 x
Black/African/Carib bean/Black British	37,231	1,480	3.3%	9.5%	Higher	3.0 x
Other ethnic group	29,099	455	2.6%	2.9%	No Significant Difference	1.2 x

Whilst the table shows numerical differences, the only significant differences when comparing persons of White ethnicity to those of other ethnicities is that persons of Asian ethnicity are less likely and those of black ethnicity are more likely to be arrested than would be expected given the proportion of the population that they represent.

For statistical context, the assessment of the ratios between the norm (which has been considered to be arrestees of White ethnicity) and arrestees of Black ethnicity actually equate to be somewhere between 2.0 x and 3.9 x, the figure in the table merely represents the midpoint of the actual calculation. This is because the numbers of persons involved is relatively small both in ethnicities being arrested and of people being arrested.

Use of Force in Custody Suite

There are no disproportionalities in the use of force in a custody suite comparing those of Non-White ethnicity to those of White ethnicity, although the latter are more likely to have force used upon them in the first place.

	In Custody	Period = 12m to Aug 2024				
		Force Used				Dispro Ratio
	Custody Pop.	Total UOF in Custody	% Arrestees	% UoF	Significance	
All Arrivals	16,501	2,395				
White	10,826	1,765	69.6%	73.7%	Higher	Base
Mixed/multiple ethnic groups	606	81	3.9%	3.4%	No Significant Difference	0.8 x
Asian/Asian British	2,196	173	14.1%	7.2%	No Significant Difference	0.5 x
Black/African/Carib bean/Black British	1,480	302	9.5%	12.6%	No Significant Difference	1.3 x
Other ethnic group	455	74	2.9%	3.1%	No Significant Difference	1.0 x

Final Disposal

The detentions of significantly more persons of White ethnicity result in a Positive outcome (Charge or Out of Court disposal type) than in other ethnicities. However, no other ethnicities have significantly different proportions when compared to persons of white ethnicity.

	In Custody	Period = 12m to Aug 2024				
		Positive Outcome				Dispro Ratio
	Custody Pop.	Total in Custody	% of Arrestees	% of PO	Significance	
All Arrivals	16,501	7,758				
White	10,826	5,360	69.6%	73.1%	Higher	Base
Mixed/multiple ethnic groups	606	292	3.9%	4.0%	No Significant Difference	1.0 x
Asian/Asian British	2,196	854	14.1%	11.6%	No Significant Difference	0.8 x
Black/African/Carib bean/Black British	1,480	659	9.5%	9.0%	No Significant Difference	0.9 x
Other ethnic group	455	170	2.9%	2.3%	No Significant Difference	0.8 x

This may be as a result of the nature of the criminal activity that these people are being arrested for as it is possible that positive outcomes are easier to achieve for some offence types than for others, particularly since the analysis considers “final disposals” and 20% of the instances being analysed are not finalised at the time of the analysis.

Use of Bail and/or Released under Investigation

There are no significant differences between demographics in the utilisation of Bail and RUI.

	In Custody	Period = 12m to Aug 2024				
		Bailed				Dispro Ratio
	Custody Pop.	Total in Custody	% of Arrestees	% Bailed	Significance	
All Arrivals	16,501	8,408				
White	10,826	5,411	69.6%	69.3%	No Significant Difference	Base
Mixed/multiple ethnic groups	606	315	3.9%	4.0%	No Significant Difference	1.0 x
Asian/Asian British	2,196	1,182	14.1%	14.9%	No Significant Difference	1.1 x
Black/African/Carib bean/Black British	1,480	781	9.5%	9.9%	No Significant Difference	1.1 x
Other ethnic group	455	232	2.9%	2.9%	No Significant Difference	1.0 x

	In Custody	Period = 12m to Aug 2024				Dispro Ratio
		RUI		% RUI		
	Custody Pop.	Total in Custody	% of Arrestees	% RUI	Significance	
All Arrivals	16,501	2,258				
White	10,826	1,448	69.6%	67.1%	No Significant Difference	Base
Mixed/multiple ethnic groups	606	103	3.9%	4.8%	No Significant Difference	1.3 x
Asian/Asian British	2,196	298	14.1%	13.8%	No Significant Difference	1.0 x
Black/African/Carib bean/Black British	1,480	238	9.5%	11.0%	No Significant Difference	1.2 x
Other ethnic group	455	71	2.9%	3.3%	No Significant Difference	1.2 x

Observation Levels

There are no particular differences between demographics in how Observation Levels in custody are applied, although persons of White ethnicity are slightly more likely to be placed at the higher levels than persons of other demographics.

Appendix 1 shows the data by ethnicity for each of the Observation Levels.

Health Service Professionals

More people of White ethnicity had the involvement of a Health Service Professional in Custody than would have been expected given the profile of persons booked into Custody in the first place. But there are no significant differences comparing people of other ethnicities with those of White ethnicities.

	In Custody	Period = 12m to Aug 2024				Dispro Ratio
		HSP Involved				
	Custody Pop.	Total in Custody	% of Arrestees	% HSP	Significance	
All Arrivals	16,501	8,882				
White	10,826	6,238	69.6%	74.2%	Higher	Base
Mixed/multiple ethnic groups	606	338	3.9%	4.0%	No Significant Difference	1.0 x
Asian/Asian British	2,196	972	14.1%	11.6%	No Significant Difference	0.8 x
Black/African/Carib bean/Black British	1,480	658	9.5%	7.8%	No Significant	0.8 x
Other ethnic group	455	202	2.9%	2.4%	No Significant Difference	0.8 x

Appropriate Adults

Whilst Appropriate Adults are utilised significantly proportionally less for persons of White ethnicity than for other demographics of persons flagged as vulnerable, there are no significant difference when persons of other ethnicities are compared to those of White ethnicity.

	Vulnerable	Period = 12m to Aug 2024				Dispro Ratio
		AA Utilised				
	Vulnerability in Custody	Number AA	% of Vuln	% AA	Significance	
All Arrivals	9,107	2,718				
White	6,708	1,873	77.5%	69.6%	Lower	Base
Mixed/multiple ethnic groups	364	140	4.2%	3.9%	No Significant Difference	1.4 x
Asian/Asian British	763	218	8.8%	14.1%	No Significant Difference	1.0 x
Black/African/Caribbean/Black British	608	254	7.0%	9.5%	No Significant Difference	1.5 x
Other ethnic group	216	74	2.5%	2.9%	No Significant Difference	1.2 x

Length of Detention

There are no significant differences by ethnicity in terms of length of time that detainees are held in custody.

Appendix 2 shows the comparisons by ethnicity by length of detention.

3. Conclusion

Notwithstanding numerical variations, there is little significant statistical evidence to suggest that persons are being dealt with differently whilst in detention as a result of any differing ethnicities.

Note: Arrestees can be on more than one level in a period in custody.

Appendix 1

Observation Levels

Observation Levels						
Level 1	In Custody	Period = 12m to Aug 2024				Dispro Ratio
		Level 1				
	Custody Pop.	Total in Custody	% of Arrestees	% Level 1	Significance	
All Arrivals	16,501	13,917				
White	10,826	8,919	69.6%	67.8%	Lower	Base
Mixed/multiple ethnic groups	606	516	3.9%	3.9%	No Significant Difference	1.0 x
Asian/Asian British	2,196	2,005	14.1%	15.2%	No Significant Difference	1.1 x
Black/African/Carib bean/Black British	1,480	1,303	9.5%	9.9%	No Significant Difference	1.1 x
Other ethnic group	455	412	2.9%	3.1%	No Significant Difference	1.1 x

Level 2	In Custody	Period = 12m to Aug 2024				Dispro Ratio
		Level 2				
	Custody Pop.	Total in Custody	% of Arrestees	% Level 2	Significance	
All Arrivals	16,501	612				
White	10,826	374	69.6%	67.0%	No Significant Difference	Base
Mixed/multiple ethnic groups	606	11	3.9%	2.0%	No Significant Difference	0.5 x
Asian/Asian British	2,196	109	14.1%	19.5%	No Significant Difference	1.4 x
Black/African/Carib bean/Black British	1,480	50	9.5%	9.0%	No Significant Difference	1.0 x
Other ethnic group	455	14	2.9%	2.5%	No Significant Difference	0.9 x

Level 3	In Custody	Period = 12m to Aug 2024				
		Level 3				Dispro Ratio
	Custody Pop.	Total in Custody	% of Arrestees	% Level 3	Significance	
All Arrivals	16,501	1,310				
White	10,826	953	69.6%	79.8%	Higher	Base
Mixed/multiple ethnic groups	606	46	3.9%	3.9%	No Significant Difference	0.9 x
Asian/Asian British	2,196	79	14.1%	6.6%	No Significant Difference	0.4 x
Black/African/Caribbean/Black British	1,480	89	9.5%	7.5%	No Significant Difference	0.7 x
Other ethnic group	455	27	2.9%	2.3%	No Significant Difference	0.7 x

Level 4	In Custody	Period = 12m to Aug 2024				
		Level 4				Dispro Ratio
	Custody Pop.	Total in Custody	% of Arrestees	% Level 4	Significance	
All Arrivals	16,501	435				
White	10,826	316	69.6%	77.1%	Higher	Base
Mixed/multiple ethnic groups	606	24	3.9%	5.9%	No Significant Difference	1.4 x
Asian/Asian British	2,196	31	14.1%	7.6%	No Significant Difference	0.5 x
Black/African/Caribbean/Black British	1,480	31	9.5%	7.6%	No Significant Difference	0.7 x
Other ethnic group	455	8	2.9%	2.0%	Lower	0.6 x

Appendix 2

Length of Detention

Less than 4 Hours	In Custody	Period = 12m to Aug 2024				
		< 4 Hrs				Dispro Ratio
	Custody Pop.	Total in Custody	% of Arrestees	% < 4 Hrs	Significance	
All Arrivals	16,501	1,525				
White	10,826	1,026	69.6%	72.4%	No Significant Difference	Base
Mixed/multiple ethnic groups	606	50	3.9%	3.5%	No Significant Difference	0.9 x
Asian/Asian British	2,196	187	14.1%	13.2%	No Significant Difference	0.9 x
Black/African/Carib bean/Black British	1,480	123	9.5%	8.7%	No Significant Difference	0.9 x
Other ethnic group	455	32	2.9%	2.3%	No Significant Difference	0.7 x

4 to 12 Hours	In Custody	Period = 12m to Aug 2024				
		4 to 12 Hrs				Dispro Ratio
	Custody Pop.	Total in Custody	% of Arrestees	% 4 to 12 Hrs	Significance	
All Arrivals	16,501	7,061				
White	10,826	4,601	69.6%	68.5%	No Significant Difference	Base
Mixed/multiple ethnic groups	606	256	3.9%	3.8%	No Significant Difference	1.0 x
Asian/Asian British	2,196	1,053	14.1%	15.7%	No Significant Difference	1.1 x
Black/African/Carib bean/Black British	1,480	628	9.5%	9.4%	No Significant Difference	1.0 x
Other ethnic group	455	175	2.9%	2.6%	No Significant Difference	0.9 x

12 to 24 Hours	In Custody	Period = 12m to Aug 2024				
		12 to 24 Hrs				Dispro Ratio
	Custody Pop.	Total in Time band	% of Arrestees	% 12 to 24 Hrs	Significance	
All Arrivals	16,501	6,197				
White	10,826	4,033	69.6%	69.2%	No Significant Difference	Base
Mixed/multiple ethnic groups	606	231	3.9%	4.0%	No Significant Difference	1.0 x
Asian/Asian British	2,196	803	14.1%	13.8%	No Significant Difference	1.0 x
Black/African/Caribbean/Black British	1,480	571	9.5%	9.8%	No Significant Difference	1.0 x
Other ethnic group	455	190	2.9%	3.3%	No Significant Difference	1.1 x

24 to 36 Hours	In Custody	Period = 12m to Aug 2024				
		24 to 36 Hrs				Dispro Ratio
	Custody Pop.	Total in Time band	% of Arrestees	% 24 to 36 Hrs	Significance	
All Arrivals	16,501	936				
White	10,826	627	69.6%	72.4%	No Significant Difference	Base
Mixed/multiple ethnic groups	606	36	3.9%	4.2%	No Significant Difference	1.0 x
Asian/Asian British	2,196	86	14.1%	9.9%	No Significant Difference	0.7 x
Black/African/Caribbean/Black British	1,480	85	9.5%	9.8%	No Significant Difference	1.0 x
Other ethnic group	455	32	2.9%	3.7%	No Significant Difference	1.2 x

Over 36 Hours	In Custody	Period = 12m to Aug 2024				
		>36 Hrs				Dispro Ratio
	Custody Pop.	Total in Time band	% of Arrestees	% > 36 Hrs	Significance	
All Arrivals	16,501	895				
White	10,826	612	69.6%	72.2%	No Significant Difference	Base
Mixed/multiple ethnic groups	606	40	3.9%	4.7%	No Significant Difference	1.2 x
Asian/Asian British	2,196	80	14.1%	9.4%	No Significant Difference	0.6 x
Black/African/Caribbean/Black British	1,480	86	9.5%	10.1%	No Significant Difference	1.0 x
Other ethnic group	455	30	2.9%	3.5%	No Significant Difference	1.2 x