

# THAMES VALLEY POLICE *Journal*

Sharing Thames Valley Police research and practice



VOL. 07 | Summer 2022

# WELCOME

Welcome to edition 7 of the TVP Journal. The journal has been running for four years now and with each edition I am delighted at the thought and care our officers and staff take in sharing their policing research, not only with colleagues across the force, but also with our communities as we continue to make this open access.

With this edition we say goodbye to Rob France who helped develop the journal with me back in 2018. Rob has moved to Hampshire Police on promotion to Assistant Chief Constable, and we thank him for his support over the years and wish him well in the new role.

Newly taking on the joint editor role is Superintendent Lee Barnham. Lee has worked on Journal content since edition one and I look forward to his welcome at the start of edition 8! Also joining our small team is Detective Inspector Krista Thompson who is our new content lead. This is her first foray into the journal and I hope you enjoy the result!

This edition has some fabulous articles as always, with very relevant critiques on practical policing ethics, predicting knife crime, female genital mutilation, misogyny as a hate crime, the under - representation in promotion processes of black and minority ethnic officers and last but not least victim satisfaction. A wide variety of topics which will no doubt be of interest whatever your rank or role.

If you are conducting research in Thames Valley Police, either for your own academic qualification, or in conjunction with academics as part of your professional work, or wish to share a piece of problem solving activity or a literature review you have conducted in order to improve operational policing, then we would be delighted to hear from you.

Contributions are read all over the world, from America to Australia, Iceland to Dubai, and the concept grows too, with a national version now in circulation called 'Going Equipped' a publication by the College of Policing based on the success of the journal! TVP's innovation and reach really does impact policing in the widest sense, and that is all down to those who write for us – so thank you!



Chief Superintendent Katy Barrow-Grint  
Joint Editor of the Thames Valley Police Journal



# EDITORS



## Chief Superintendent Katy Barrow-Grint

Katy joined Thames Valley Police in 2000 having studied Sociology at the London School of Economics. She has worked in a variety of role and ranks including uniform patrol, CID, neighbourhood policing, child abuse investigation, surveillance and strategic development. At Superintendent rank Katy has been head of Criminal Justice for Thames Valley Police and the Head of Specialist Operations, running covert policing for the force and in September 2021 she was promoted to Chief Superintendent. Her current portfolio includes local policing in Oxfordshire, as well as thematic areas of force business including the Violence Against Women & Girls portfolio, Neighbourhood Policing, Citizens in Policing, and Mental Health.

Katy completed her Masters in Police Leadership and Management at Warwick Business School in 2015. She has a keen academic interest in domestic abuse, and published an academic journal article on domestic abuse attrition rates <sup>1</sup> following her Masters research, and recently published a book chapter on domestic abuse in 'An Introduction to Professional Policing' <sup>2</sup>. She has recently written a book with colleagues titled [Policing Domestic Abuse – Risk, Policy & Practice](#) to be published by Routledge in November 2022.

Katy is keen to develop the Force's understanding and learning from the academic work being completed by officers and staff, and as a result, instigated the 'TVP Journal' <sup>3</sup> which is a fantastic gateway to recognise the academic work of officers and staff. Following the success of the TVP Journal Katy was asked to be the Editor in Chief of the College of Policing Publication 'Going Equipped' <sup>4</sup>. Katy also leads on @WeCops <sup>5</sup> a twitter debate forum on current police issues in the UK.

You can contact Katy by email: [katy.barrow-grint@thamesvalley.pnn.police.uk](mailto:katy.barrow-grint@thamesvalley.pnn.police.uk) or follow her on Twitter: @ktbg1



## Superintendent Lee Barnham

Lee joined Thames Valley Police in 2004 having worked first as a Research Officer in the Cabinet Office and then as a Quantitative Researcher at NatCen (Britain's largest independent social research organisation).

Lee has worked in a number of uniform and detective roles throughout his police career. He specialised in the investigation of domestic abuse, led the Berkshire response to Child Sexual Exploitation and was involved in the implementation of the six Multi-Agency Safeguarding Hubs (MASH) across Berkshire. As a Detective Chief Inspector Lee worked in the Policing Strategy Unit where he led on the development of policy and practice for serious crime and protecting vulnerable people.

Lee holds a degree in Sociology from the University of Surrey where he undertook an industrial placement year working as an analyst with the Metropolitan Police Service. Lee also has a Masters degree in Applied Criminology and Police Management from the University of Cambridge where he was awarded the Victor Lissack prize and Sir Ricahrd Mayne award for outstanding academic achievement.

Lee has been involved with the TVP Journal since it was launched in 2018.

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<sup>1</sup> [Attrition Rates in Domestic Abuse: Time for a Change? An Application of Temporal Sequencing Theory | Policing: A Journal of Policy and Practice | Oxford Academic \(oup.com\)](#)

<sup>2</sup> [Introduction to Professional Policing: Examining the Evidence Base - 1 \(routledge.com\)](#)

<sup>3</sup> [TVP Journal | Thames Valley Police](#)

<sup>4</sup> [Going equipped – highlighting your experiences | College of Policing](#)

<sup>5</sup> [www.WeCops.org](http://www.WeCops.org)

# THIS JOURNAL

## Articles appearing in the Thames Valley Police Journal

The purpose of the Thames Valley Police Journal is to ensure the diverse range of academic work undertaken within the organisation is captured and shared to inform the evidence based development of policy and practice. It is also intended that the Thames Valley Police Journal will support the development of discussion about a variety of policing issues which are not necessarily related to formal pieces of academic work.

There are three levels of submission to the Thames Valley Police Journal:

- (1) Full article emanating from academically rigorous work undertaken as part of a formal qualification.
- (2) Research/practice note which is not completed as part of a formal qualification, but is of high quality and evidence based. This could include papers from those seeking to undertake future academic work, but who have not yet gained a qualification.
- (3) Comment/discussion piece relating to evidence-based policing but that does not increase the evidence base per se. This could include sharing experiences of trying to implement a practice locally and what was learnt from the experience.

## Criteria for the inclusion of articles in the Thames Valley Police Journal

It is important that whilst the articles in this journal support evidence based policing the content cannot compromise operational activity or undermine the public trust and confidence in Thames Valley Police.

In order to determine this, the following criteria will be considered and articles will not be included where they:

- Contain information capable of identifying victims in any circumstances. This goes further than data protection legislation as it also covers individuals who are deceased.
- Disclose information about an ongoing investigation, covert tactics or affect proceedings undertaken by any other public body.
- Deter victims or witnesses having the confidence to speak to the police.

In addition any information published must:

- Comply with legal requirements, court restrictions and media law.
- Be subject to Parliamentary Privilege.

Further consideration must be given to the impact that may be caused by those affected by reading previously unknown detail about the case.

## Process for reviewing articles

Each article is reviewed by one internal peer reviewer and the editorial team prior to publication. In order to ensure the criteria for inclusion are met, the editorial team will also seek specialist advice from other departments where necessary. Where recommendations are made articles are sent to the Head(s) of Department for the business area for consideration against the wider evidence base and any limitations of the research.

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# Practical Policing Ethics

## Author(s):

Detective Chief Superintendent Colin Paine  
Dr Hannah Maslen

## Affiliations:

Thames Valley Police

[Colin.Paine@thamesvalley.police.uk](mailto:Colin.Paine@thamesvalley.police.uk)

Everyone recognises that ethics is critical to policing, but too often this can become lip service. Talk of ethics is often limited to the theoretical level of general principles or via oblique references to the Code of Ethics. However, consideration of policing ethics needs to go far beyond this and become a matter of reviewing how we respond to genuine situations in a way that recognises the subtleties, nuances and complexity of the real world. For example, when is it appropriate to use tactical contact with the rider of a motorbike who is not wearing a helmet given that officers will have fractions of a second to make a decision that may be life changing<sup>6</sup>? Or should the police use algorithms to try to predict who may engage in criminality, but risk profiling and criminalising some section of the community in the process<sup>7</sup>?

As a service we have shied away from taking the talk of ethics into the real world of practical policing. By staying in the safe arena of 'principles' and 'standards' we have avoided the hard work of applying these to the most challenging operational decisions those on the frontline have to face. In doing so we have let them down. Officers are being asked to make high stakes decisions with little or

“As a service we have shied away from taking the talk of ethics into the real world of practical policing.”

no serious thinking about how ethical principles play out in practice happening in the background - this simply cannot be right. For example, Superintendents are often asked to review those detained under the legislative provisions whilst awaiting use of the drug toilet. Allowing a detainee to be released from custody would result in them evading justice and lead to the proliferation of drug swallowing or plugging, but at the same time every extra hour that a person is detained there is an increased risk of life threatening illness<sup>8</sup>. How should a Superintendent go about making decisions in these situations? The principles encoded in the Code of Ethics are a good starting point, but they often do not tell us what to do in specific situations, especially when they conflict – precisely what leads to a ‘dilemma’.

These sorts of ethical issues are not necessarily arising because of a failure in policy, guidance or Authorised Professional Practice (APP). Sometimes novel situations present entirely new problems. For example, technological developments have led to new challenges for policing, such as should the police insist on downloading victims' mobile phones in sexual assault cases (in what is sometimes called a ‘digital strip search’) or does this unduly violate their privacy and cause unjustifiable distress?

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<sup>6</sup> [Moped crime: New rules to protect police pursuit drivers - BBC News](#)

<sup>7</sup> [Police officers raise concerns about 'biased' AI data - BBC News](#)

<sup>8</sup> [Drug suspect on toilet strike for 37 days 'could die' - BBC News](#)

Another example is the increasing sophistication of facial recognition technology and the conflict between individual liberty and security<sup>9</sup>.

Too often talk of ethics is relegated to the level of discussing officer naughtiness, or misconduct. Ensuring that policing operates with the highest standards of professional behaviour is critical, but reducing ethics to this alone is a mistake. Nor is talk of professional ethics about an individual's personal morality, but rather it is about recognising the genuinely difficult practical

“Sometimes even good officers will disagree about what is the most ethical course of action”

situations officers may find themselves in. It is easy to argue that ethics is simply a matter of recruiting good officers with good character; after all, good officers will tend to make good decisions as the excellent book *Character and Cops* (Delattre 2002) argues. However, sometimes even good officers will disagree about what is the most ethical course of action. Consider this, two equally upstanding officers with good intentions may disagree about when it is right to arrest a domestic abuse perpetrator against the wishes of the victim. What should we do then?

An easy response is that simply following the national decision model (NDM)<sup>10</sup> allows for the most ethical decision making, but this is not always the case. The NDM is valuable, particularly for operational situations where risk needs to be managed, but it does not direct us on how competing interests are to be weighed or traded off against each other. Nor can practical ethics be reduced to overly simple requirements to just follow the law. Sometimes the law is ambiguous or allows a range of different responses. Arguably, sometimes the law is inadequate and perhaps in some cases the most ethical action might be to push at the boundaries of legal compliance. An interesting example of this that we considered recently is whether the police should return a weapon to someone that they are lawfully entitled to, if there is a risk that they will then go on and use it to cause harm?

Medicine is far ahead of policing in regards to practical ethics<sup>11</sup>. For years those in the medical professions have considered how to balance the goods and harms involved in various medical procedures. Questions around when to withdraw treatment to dying patients, for example, have been carefully explored (James 2014). Policing remains too far behind. Sometimes officers need to choose between two courses of action that might both seem equally bad (“damned if you do or damned if you don’t”); for example, the enforcement of the Covid legislation often left officers in a difficult position<sup>12</sup>. Practical ethics involves the rejection of easy answers, or a glib resort to subjective intuition. Instead, it involves the careful identification of the values the service aspires to, the underlying principles and the goods and harms involved in each case. These are then carefully assessed, de-conflicted and weighed, resulting in a more thoughtful and justifiable way forward.

In response to these challenges Thames Valley Police has adopted a new approach. The force recently appointed Dr Hannah Maslen, a professional ethicist from the Oxford

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<sup>9</sup> ['Let police fight crime with facial recognition' plea - BBC News](#)

<sup>10</sup> [National Decision Model \(college.police.uk\)](#)

<sup>11</sup> [Medical Ethics - The Four Pillars Explained - The Medic Portal](#)

<sup>12</sup> [Police officers have been left damned if they do, damned if they don't during Coronavirus crisis \(polfed.org\)](#)

Uehiro Centre for Practical Ethics, and have begun identifying real world policing issues that affect the frontline. These issues are then prioritised and those that are the most prevalent and high stakes go on to be subject to detailed 'ethics in action' forums. These forums allow a range of stakeholders and practitioners to consider the issues in depth, avoiding easy answers (although striving for clarity), and instead exploring the range of competing considerations in each case. Through this kind of exploration it is possible to begin to provide guidance as to the way ahead, or perhaps at least to close off some clearly false answers. A recent example was a forum into the issue of 'when, if ever, is it appropriate for a police officer to have a relationship with a member of the public they have met through the course of their duties?' 'when is it permissible for officers to engage in off duty protest?', and 'how can the force measure performance ethically without creating perverse incentives?'.

So how does a practical ethics approach work? We recently used a practical ethics approach to construct a framework for decision-making around [whether to pursue investigation of non-recent child sexual exploitation cases](#), where these have not been brought to the police by the victim. There are some cases where the ethical thing to do is not obvious. For example, if the victim has significant mental health vulnerabilities, and the suspect is incarcerated for another offence or deceased, it might risk too much harm to the victim to pursue a potentially unwanted investigation. In other circumstances, if intelligence suggests the suspect is still a threat it is likely to be unethical not to investigate. Although practical ethics cannot provide definitive answers in *all* cases, it can help close off some options. In identifying the considerations at play, and how high the stakes are in a particular case, a Senior Investigating Officer (SIO) can be more confident that they are making an ethical decision. For example, the framework rules out the possibility of not investigating when the threat posed by the suspect is thought to be high. It also provides the grounds to explain why there are some investigations that it would be less ethical to pursue (Maslen and Paine 2019).

The service has come a long way since the introduction of the Code of Ethics in 2014 and there is no doubt that it has made colossal steps forward in its consideration of standards, behaviours and matters of integrity. The service can be rightly proud of what has been achieved and frankly the behaviour of those in policing has never been better. However, there remains a substantial chasm across policing in regards to practical ethics. There remains too little serious consideration of those operational issues. It is incumbent on us all to do the difficult work and get into the weeds of the most challenging issues to identify what is the most practically ethical course of action.



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# Predicting Knife Crime: An Individual and Network-Based Approach

## Author(s):

DCI Lewis Prescott-Mayling

[Prescott-mayling.lewis@thamesvalley.police.uk](mailto:Prescott-mayling.lewis@thamesvalley.police.uk)

## Affiliations:

Thames Valley Police, Violence Reduction Unit

MSt University of Cambridge  
PhD Candidate University College London

## Abstract

*Purpose:* Can future knife crime perpetrators be predicted using administrative information already known to the police at the time of a reported crime with machine learning?

*Data:* Thames Valley Police's reported crime, recorded between 29<sup>th</sup> April 2014 and 14<sup>th</sup> June 2019, totalling over 54,000 unique crimes, involving over 26,000 unique perpetrators.

*Methods:* Feature (or predictor) variables were created from data available at the point of a reported crime. Feature variables were created about the perpetrator, both about them as an individual and their co-offending network. Example individual-based feature variables include: 'total number of times they have been a perpetrator of violent crime', or 'recency of latest knife crime perpetration' recorded in days. Using social network methodology additional network-based feature variables regarding co-offenders of the perpetrator were generated. Such feature variables include count of 'previous knife crime perpetration' of co-offenders. A random forest model was generated to predict if a perpetrator in any reported crime would commit a knife crime within 1-year. There were over 64,700 events generating a prediction, 7% of which contain a perpetrator who does commit a knife crime within 1-year.

*Findings:* The model correctly identified half of all perpetrators who do commit a knife crime within 1-year. However, of all those predicted to commit a knife crime, just 1 in 5 actually do.

*Conclusions:* An individual's co-offender network having a history of 'violence', 'drug trafficking' and 'knife crime' increases the likelihood of the individual committing knife crime. However, individual-based features, such as 'age of onset of perpetration' and a history of 'missing person reports', are more important predictors.

## Introduction

Knife crime has life-changing and even fatal consequences. In 2018 the government's *Serious Violence Strategy* was launched in order to address rising violence and knife crime (Home Office, 2018). In the year ending March 2020 there were over 50,000 recorded knife crimes in England and Wales (Office for National Statistics, 2020). Understandably it remains a focus of the Home Office's policy to create Violence Reduction Units (Home Office, 2020) and the recently launched "*Beating Crime Plan*" (Home Office, 2021a).

## Literature Review

The levels of knife crime have been described as an 'epidemic' (Lister, 2020). Epidemics of disease, such as COVID-19, are based on connections. Diseases spread

via connections, hence public health advice about minimising social contact. There is a growing body of research on criminal social networks (Bichler, 2019) and a re-emergence of epidemiological criminology (Potter and Akers, 2010). This approach identifies risk factors for criminal behaviour at individual, group/peer, environmental and societal levels and such an approach is supported by *The Serious Violence Strategy 2018*. Research has also shown that violence begets violence and it diffuses across networks much like a disease (Fagan et al., 2007).

### **Network-based approaches**

Several studies have analysed the spread of violence in social networks using police administrative data. They have shown the closer individuals are within a network to violent events, such as a close associate being shot, the increased likelihood of them becoming involved in violence themselves (Papachristos, et al., 2012, Papachristos, et al., 2013). Most of these studies are on gang and gun violence and not UK based. However, Campana and Giovannetti (2020) have studied knife crime in Merseyside. They found individual-based feature variables, such as previous involvement with weapons or violence, were useful in predicting future violence. They also found association with violent and knife-flagged co-offenders increased the odds of the individual being involved in violence themselves. In another UK study, Brennan (2018) found that combined characteristics, such as 'drug use', 'gender', 'violent behaviour' and 'deviant peers', can be useful in identifying weapon carrying. More recently, Villadsen and Fitzsimons (2021) found peer behaviours did influence individual's likelihood of carrying or using weapons.

A challenge for such approaches is that the entire network is not known in police data, clearly not everyone's associates can be established in such a way. In some network-based studies this is overcome by interviewing subjects, however this is not possible at scale in criminal networks. To overcome this, networks are often based on co-offending i.e. being recorded as an offender in a common event, such as a recorded crime. They also often take a static view of the network. Creating the network from available historic data, as Green et al. (2017) rationalise, co-offending typically takes place between people with strong pre-existing social ties. From this, we can assume that individuals linked in a police record, already knew each other before the date the linking record was created, and still associate subsequently. The challenge for operationalising such an approach is that if a prediction of future crime perpetration is made using a variable of, for example, 'having an associate who has previously committed a knife-crime', then co-offenders identified in records created *after the date of the prediction*, cannot be used. Whilst it may be true that the relationship existed before it was recorded, predictions cannot use data that does not yet exist.

A similar problem exists with creating individual-based feature variables. In the Campana and Giovannetti (2020) study they split the data into two periods, using data from the first period to predict behaviour in the second later period. This is useful for research, but would not work in an operational application. Campana and Giovannetti (2020) recognise this limitation suggesting 'moving time windows' for generating predictive features i.e. using data from the year before the date of each prediction. This study looks to address these limitations by only generating individual and network-based features that are known at the time the prediction is made. The hypothesis being that future knife crime perpetration can be predicted using machine learning.

Machine learning includes many techniques used to understand the relationship between some outcome (i.e. dependent variable) and one or more feature variables (Berk, 2019). Such approaches have been shown to outperform professional judgements. For example, a meta-analysis of domestic abuse risk assessments found

that statistical models outperformed practitioner judgements (van der Put et al., 2019). One machine learning algorithm is random forests, which have been used to predict future criminal behaviour (Berk, et al., 2005, Berk, et al., 2016, Oswald, et al., 2018).

Random forests use decision trees to identify relationships that can then be applied when making predictions. To take a simple example relevant to this research, if individuals under the age of 21, who have previously committed violence and associate with drug traffickers, commonly commit knife crimes, we can use this knowledge to make a prediction. We may predict that *all perpetrators with that profile will commit knife crime*. This is a two-step process where we have identified a relationship between *feature variables* (i.e. age) and used it to make a prediction of a *dependent variable* (i.e. knife crime perpetration). The prediction is categorical and binary, i.e. knife crime will be committed or it will not be. There are three decision trees. Firstly, on age (i.e. under 21 or not?), secondly on previous offending (i.e. have they previously committed violence?) and finally their network (i.e. do they have an associate who has committed drug trafficking?). Each step can be thought of as splitting the data like a tree branch. In this example, there are only three splits but decision trees can have many more. Forests can be created with huge numbers of decision trees. This is more accurate than a single tree.

Using our two-class classification prediction of committing knife crime or not, a prediction is either positive (i.e. yes, they will) or negative (i.e. no, they will not). Using historic data we can see if that prediction was correct. If a prediction is correct, then it is said to be ‘true’. If not it is ‘false’. Table 1 provides some useful definitions for the remainder of the article. The aim of this research is to identify as many ‘true positives’ and ‘true negatives’ as possible using individual and network-based features. This could support efforts to reduce crimes that have fatal consequences.

Table 1. Summary of definitions

Prediction	Dependent Variable (outcome)	Description	Explanation
<b>Will</b> commit knife crime	<b>Commits</b> knife crime	True Positive	Number of <b>correctly</b> identified knife crime perpetrators
<b>Will</b> commit knife crime	<b>Does not</b> commit knife crime	False Positive	Number of individuals <b>incorrectly</b> identified as knife crime perpetrators
<b>Will not</b> commit knife crime	<b>Does not</b> commit knife crime	True Negative	Number of <b>correctly</b> identified individuals who <b>do not</b> commit knife crime
<b>Will not</b> commit knife crime	<b>Commits</b> knife crime	False Negative	Number of knife crime perpetrators <b>incorrectly</b> identified as <b>not</b> going to commit a knife crime



## Methodology

### Data

The data contained all recorded crimes taking place in a single urban area of Thames Valley Police occurring on or after 1st April 2014 and on or before 24th June 2020 from the Niche Records Management System (Niche). Local 'qualifiers', 'warnings' and 'flags' were extracted, i.e. did the crime involve a 'bladed article' or does the perpetrator have a 'violent' flag. Only individuals recorded as the 'perpetrator' (see following definition) and 'victim' were included. For all the unique individuals identified their arrest and missing person reports were also extracted, along with the risk assessment answers recorded during their custody detention procedures.

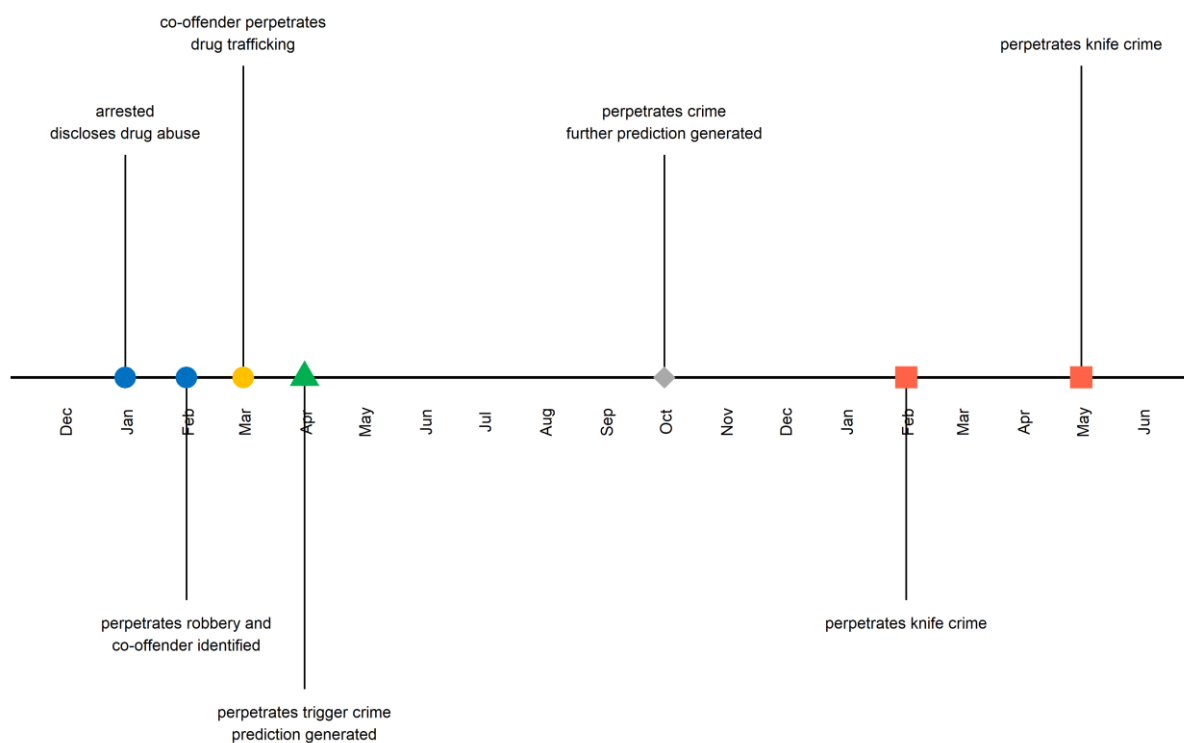
'Perpetrator' was defined as any of the following roles that can be selected in Niche: 'suspect', 'arrested', 'charged', 'cautioned' and 'summonsed'. Therefore, *alleged* perpetrator is more accurate as they need not be convicted by a court. Neither must they have been charged or formally cautioned. However, at some point they were a 'suspect' in the investigation. The role of 'aggrieved' was used to identify victims.

### Dependent variable

Every recorded crime, where at least one perpetrator was recorded, can be considered as the 'trigger event' for a prediction. The prediction is whether each perpetrator would come to be a perpetrator of a knife crime within 1-year of the trigger event. Therefore, at least one knife crime being recorded against the perpetrator within 1-year is the dependent variable. It should be noted that knife crime in this study is defined as *any* crime where either the 'bladed article' qualifier or the local qualifier for 'knife crime' was checked. This is not the same as the Home Office's 'Annual Data Return' definition which excludes some offence classifications (see Home Office, 2017). Using crimes no more recent than 14<sup>th</sup> June 2019 ensured a full 1-year outcome period for all predictions. The download was completed on 24<sup>th</sup> June 2020, so 10 days of data was removed to account for some late recording.

Figure 1 is an example timeline. In April a crime occurs which we will use as the trigger event. If the prediction is positive, it is a true positive, as within 1-year a knife crime is perpetrated (i.e. in the following February). A further knife crime occurs in the following May, but this is not within 1-year of the April trigger event. We will return to figure 1 later.

Figure 1. Example timeline of events that create feature variables, trigger prediction and dependent variable



## Feature variables

Feature variables were created from only the data that would have been known at the time of the crime that triggers the prediction i.e. the information had the same or an earlier recorded date-time on Niche. The crime triggering a prediction had to have taken place on or after 14<sup>th</sup> June 2016 this allowed for at least 2-years of Niche data preceding this event to be used to create the feature variables. This consisted of 54,686 trigger crimes involving 26,111 unique perpetrators. As crimes can contain multiple individuals as perpetrators, and a prediction is made about each of them, there were 64,790 unique trigger events. Of these 4,504 (7%) relate to a perpetrator who is, within 1-year, recorded as a perpetrator in a knife crime.

## Individual-based features

Individual-based features were created as they would be at the time of each trigger event and included; 'age of perpetrator', 'total number of previous arrests' or 'age when first recorded as a perpetrator'. A count of the positive answers of previous custody detention risk assessment questions was also generated such as, 'self-disclosed mental health need' or 'drug abuse'. In figure 1 the trigger event in April would have the following individual-feature variables: a count of one for previous arrests (i.e. January) which includes a positive feature of 'drug abuse' from the risk assessment and a count of one previous perpetration for robbery (i.e. in February).

## Trigger crime-based features

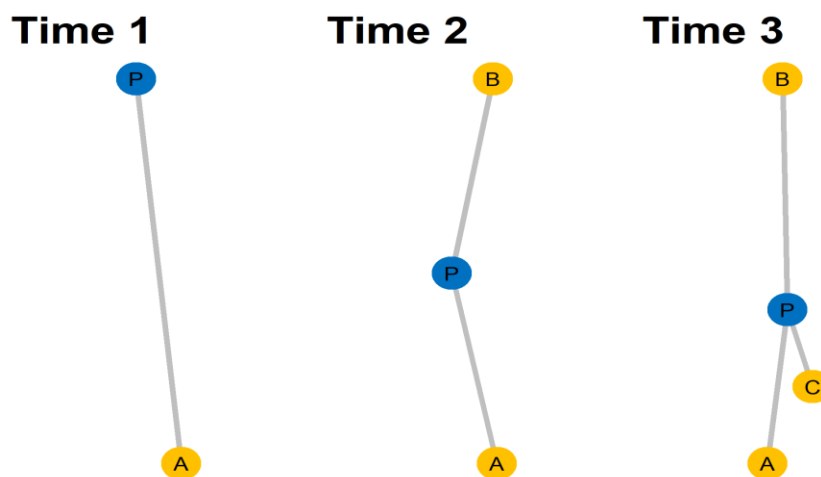
The crime group of the trigger event was created as a feature using Home Office classifications, i.e. 'drug trafficking' or 'violence against a person' (see Home Office, 2021b), along with if the trigger event is a knife crime.

## Network-based features

Any co-offenders in the trigger crime were used to create network-based features i.e. 'does the *current* co-offender have a history of knife crime?' All crimes recorded as taking place prior to the trigger event were used to identify all previous co-offenders to create further features i.e. 'do any *previous* co-offenders have a history of knife crime?' In figure 1 the robbery in February identified a co-offender, who perpetrates drug

trafficking in March, therefore these would become network-based features in the April prediction. Figure 2 shows the evolution of a network where 'P' represents the perpetrator and the yellow circles their associates. At time 1, they have one co-offender 'A'. At time 2 they are linked to a further co-offender 'B' and time 3 to an additional co-offender 'C'. The network therefore evolves but once a co-offender link is established it is never removed. Therefore, at time 1 'P's network-based variables are generated by 'A's behaviour only. However, at time 3 the network-variables are from 'A', 'B' and 'C' collectively. The network-based variables also evolve as the co-offenders behaviour changes. For example should 'A' have no previous knife crime perpetration at time 1 it follows that P has no network-based variables that relate to knife crime. However, should 'A' commit a knife crime between time 1 and time 2, at time 2, 'P' would have a network-based variable regarding previous knife crime.

Figure 2. Example evolution of perpetrator 'P's co-offending network



### Features not used

Gender and ethnicity were not used. These features are understandably sensitive and considered unlikely to be acceptable in an ethical model.

In total 49 feature variables were generated for the random forest model.

### Model Building

#### *Training and validation*

Data was randomly split, with 70 percent of the data used to generate a training set and the remaining 30 percent used as a validation set. Critically, the data was split at the unique individual *perpetrator level*, not on the *crime level*. Splitting at the unique perpetrator level meant that no person was contained in both the training and validation sets, making the validation set truly 'unseen' data to the algorithm. This increases the reliability of the results. As the data contained 26,111 unique perpetrators the split resulted in 18,277 and 7,834 individuals in the training and validation datasets respectively. All the trigger events associated with these individuals were then allocated to their respective training and validation datasets resulting in 44,437 training and 20,353 validation trigger crime events.

#### *Random Forest*

The statistical computing language R version 4.0.2 (R Core Team, 2018) and RStudio version 1.3.1073 was used along with the "randomForest" package (Liaw and Wiener, 2002). Whilst the performance of a random forest (RF) model can be assessed against the out-of-bag observations (a retained random sample of training data not used to grow the trees), model performance against the validation set is reported. A model was created with all 49 feature variables.

### Weighting errors

Clearly, failing to identify a knife crime perpetrator could carry significant consequences. Whereas allocating a response to an individual falsely identified as a future knife crime perpetrator has resource, policy and ethical implications, but may not be considered as harmful an error. The model's performance can be adjusted by weighting these errors. An unweighted model maximises overall classification performance, and could achieve very good performance by simply predicting everyone to *not* be a future knife perpetrator given the event is so rare. The RF model was tuned by weighting errors to ensure false negatives were more costly than false positives (see table 1 for definitions). Weighting is achieved with down-sampling (Kuhn and Johnson, 2013). In this case all of the training data cases which were true positives were selected ( $n = 2,958$ ) and 2,000 true negatives were randomly selected as the input training data.

## Results

### Confusion matrix

A RF model's performance can be assessed using a confusion matrix. A confusion matrix cross-tabulates the models predicted outcome (columns) to the actual observed outcome (rows). Observed true means the perpetrator did commit a knife crime within 1-year and observed false means they did not. Table 2 shows all trigger events in the validation set ( $n = 20,353$ ) and respective error rates (i.e. classification and prediction error).

Table 2. Random forest model performance – count of trigger events

		Predicted		Classification Error
		False	True	
Observed	False	14,512	4,295	0.228
	True	743	803	0.480
	Prediction Error	0.049	0.842	

There are four error values, two *classification* and two *prediction*. Prediction error is the percentage of those predicted in each category that are *incorrect*. Classification errors relate to how often the model incorrectly classifies the observed outcome i.e. how often does the model incorrectly classify individuals who actually do commit knife crime? An error value of 1.0 would mean in 100 percent of cases the model is *incorrect*. A value of 0 would mean the model is never wrong. To explain this further, if the model predicted everyone *will* commit a knife crime the classification error for those who actually *do* commit knife crime would be 0 as we have correctly identified all of them. However, the prediction error would be very high.

Arguably, the classification error for the true positive class (i.e. predicted to commit a knife crime and they do) is the most critical value, which is 0.48. This means that of all perpetrators who do commit a future knife crime, the model correctly identifies 48 percent. Perhaps the second most important error is the prediction error for the true positive class, which is 0.84. This means of all the perpetrators the model predicted will commit a knife crime, 84 percent *do not do so*. Of all those predicted to not commit a knife crime, the model is incorrect under 5 percent of the time (i.e. 0.049). Therefore, the model performs particularly well in identifying those who will *not* commit a knife crime.



As individual perpetrators appear in multiple trigger events, over time, they will have multiple predictions made about them. We can therefore identify the number of unique individuals predicted in each category, rather than the overall number of predictions made by the model. This is shown in table 3 and better reflects potential caseload.

Table 3. Count of unique perpetrators

		Predicted	
		False	True
Observed	False	7,483	1,331
	True	226	177

There are 1,331 individuals the model predicts will commit a knife crime, but they did not within 1-year. However, we can examine how many of these individuals do still become a knife crime perpetrator at some point after 1-year. If we imagined in figure 1 the knife crime in February did not occur, there would not be a knife crime perpetrated within 1-year of the April trigger, but there is a knife crime perpetrated in May (i.e. 13 months after the trigger crime). There are 638 individuals who this applies to, a significant proportion. It could be argued that, whilst the model was incorrect as the crime does not occur within 1-year, they do commit a knife crime at some point. Therefore, they are removed as an error in table 4.

We can also calculate of those predicted not to commit a knife crime within 1-year but do ( $n = 226$ ), how many had a further trigger crime with an *accurate prediction* (i.e. true positive) *before they actually did perpetrate a knife crime*? To illustrate this, in figure 1 if the trigger event in April generates a prediction of 'false' (i.e. they will not commit knife crime), this is an error as a knife crime occurs in February. However, if the October offence generates a further prediction of 'true', which is correct, we have an accurate prediction before the knife crime occurs the following February. There are 85 individuals who fall into this category. Table 4 is adjusted by removing these individuals from the category totals.

Table 4. Random forest model performance adjusted

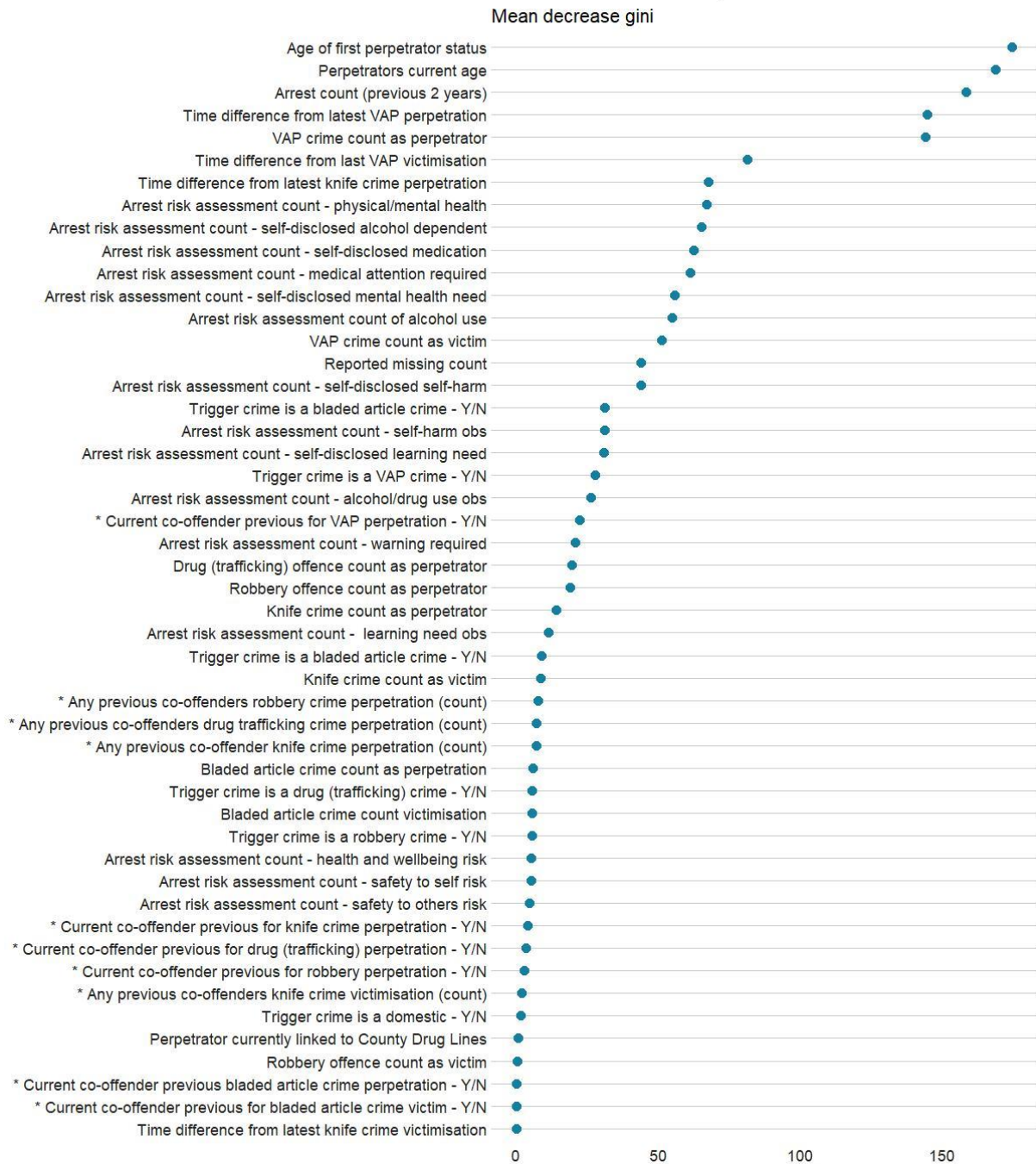
		Predicted		Classification Error
		False	True	
Observed	False	7,483	693	0.084
	True	141	177	0.443
Prediction Error		0.018	0.797	

### *Feature variable importance*

We can calculate which variables were important predictors to assess if the network-variables added value. The significance of a feature to accuracy was calculated by leveraging Gini Importance. This is used to determine the nodes (or decision splits) of the individual decision trees that generate the greatest mean decrease in impurity if removed from the model. The higher the decrease the greater the importance of the variable to model's accuracy. Figure 3 plots all 49 feature variables in order of decreasing importance.

Figure 3. Feature variables by decreasing importance

## Feature variable importance



The variables marked with an asterisk in figure 3 relate to network-based feature variables and those without are individual-based. ‘VAP’ is shorthand for ‘violence against a person’ as per the Home Office crime classifications (Home Office, 2021b). The most important network-based feature is whether the current co-offender has a history of ‘violence against a person’ which is a binary yes or no (i.e. Y/N). This is the 22<sup>nd</sup> most important feature.

## Discussion

### *Do co-offender networks matter?*

This study has addressed some of the limitations of previous studies by generating feature variables from only data known at the time a prediction is made. The study shows that both individual-based and network-based features matter, supporting previous studies. Network-based features, particularly the current co-offender having a

history of 'violence against a person', or a previous co-offender perpetration a 'robbery', 'drug trafficking' or 'knife crime perpetration' do add predictive value. The fact features regarding co-offenders behaviour added predictive value to their associate's behaviour, supports previous studies, such as Maksimovic and Dimitrijevic's (2020) meta-analysis showing peer violence significantly influences an individual's violent behaviour. It also supports previous network-based studies as mentioned in the literature review. This study's findings support *social control*, *social learning* and *subcultural change* theories that contend certain behaviours are learnt and become normal, or even necessary, within certain groups (Bandura, 1977, Cohen, 1972, Decker, 1996). However, in general, individual-based features were more important.

Individual-based features, such as 'age of first being recorded as a perpetrator' and 'current age' are the most important features (supporting research of Hawkins et al., 2009). Features such as 'counts of arrests in previous 2-years' (i.e. total number of arrests), 'counts of previous violence against a person perpetration' and 'how recently the individual was recorded as a perpetrator in a violent crime' (i.e. violence against the person), were the next most important features. How recent the individual has been a perpetrator in a knife crime previously is also important as is violence victimisation. This supports previous explanations for weapon carrying being that someone expects to be a victim of violence (Brennan, 2018). It also suggests the recency of these events are useful in identifying more risky individuals, violence may beget violence. Answers to custody detention risk assessments were also useful. Such features have not been used in previous studies. Information such as self-disclosing 'alcohol dependence', supports Villadsen and Fitzsimons (2021) who found binge drinking and drug misuse at a young age were predictors of knife carrying. The number of times the individual was recorded as a 'missing person' was useful, perhaps indicating other vulnerabilities, such as being exploited. However, it is of note that the individual-based feature of 'being currently linked to county drug lines' (where illegal drugs are transported and supplied, often by children or vulnerable people) is not important. This could be due to an incomplete picture of county drug line membership.

#### *Next steps?*

It should be noted the force does not employ algorithms currently, or any process to specifically predict knife crime perpetration, although there are processes to manage violent offenders and those linked to knife offences. In terms of operational demand, the model generates 3 or 4 positive predictions per week. The urban area of this study is one of 12 police command areas. Whilst this study has demonstrated an algorithm can predict future knife perpetration the crucial question is how useful is it in helping to prevent this lethal crime?

Before we discuss this, we must remember the police *have* to make decisions regarding future risk and therefore make predictions, with or without algorithms. In addition, true positives are very rare events.

There were 26,088 unique perpetrators in the data who never commit a knife crime. Only 996 individuals do, representing less than 3 percent of the perpetrator population. So whilst rare, we would all like knife crime to be rarer and the model was able to correctly identify 56 percent of those who do commit knife crime (table 4). Given the rarity, this could be viewed favourably. However, 80 percent of individuals predicted to commit a knife crime do not do so, a significant false positive rate. Any error rate creates moral challenges, but particularly when 4 out of 5 of those predicted to, do not commit a knife crime. Therefore any action must be supportive not punitive. Yet, it should also be noted that crime perpetrators and victim overlap, as Brennan (2018) states, to consider them as mutually exclusive is naive. If successful supportive interventions were introduced it is likely to reduce victimisation too. Such intervention should be

contextual and may not be resource prohibitive. Intensive coaching or multiagency safeguarding may be reserved for the individuals with complex needs, whilst others may benefit from low cost educational intervention. Either way, any intervention must be carefully implemented and tested to measure its effectiveness. Before any model is used there are ethical considerations regarding input data that requires careful and open consideration. Programmes such as READI Chicago have early positive findings using a similar approach (READI Chicago, 2021). With the right action resulting from a prediction, it is possible such an algorithm would be useful in reducing knife crime.

### *Limitations*

Clearly there are inaccuracies in 'ground truth', i.e. an unknown number of knife crimes go unreported to the police, which cause issues with prediction accuracy. The crime classifications of 'possession of a bladed article' and 'possession of an offensive weapon' were not specifically included in the outcome variable (unless either of the qualifiers as explained were checked). A case could be made that all possession of weapon offences should be within the outcome variable, not just knives. A further study may also consider if the false positive group commit *any* serious violent criminality for example a serious assault.

Another limitation is the data does not contain information on time at liberty. A number of trigger events where the perpetrator was charged would have resulted in a remand in custody, either by the police or courts, and custodial sentences. Therefore, a proportion of false positive errors will relate to imprisoned individuals with little or no opportunity to commit the knife crime within 1-year. The example of excluding false positive cases where a knife crime was not committed within 1-year, but is committed at a later stage, is not a fair assessment of the model. The outcome period should remain fixed and performance assessed accordingly. Further studies should consider differing outcome periods, for example 2-years, and report these results. Finally, a proportion of individuals in the study will be contained within caseloads of existing risk management process, for example Multiagency Public Protection Arrangements or Integrated Offender Management schemes. Further study should measure the number of individuals who were predicted to commit knife crime who were not under any form of risk management.

## **Conclusion**

Understanding the likelihood of future behaviour or events, and their consequences, are central to the police's mission and Peelian principles of preventing crime. Statistical models, generated on individual-based and network-based information, are useful to understand the likelihood of knife crime perpetration. A better understanding of those more likely to commit knife crime creates greater intervention opportunities to reduce the consequences of this devastating crime type.



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# Female Genital Mutilation in the UK: Milton Keynes as a Specialist Case Study of the Professional Community

## Author:

Anastasia Towers

## Affiliations:

University of Edinburgh

## Foreword:

### DCI Mark Carolan (FGM Force Lead, Thames Valley Police)

“Female Genital Mutilation (FGM) is child abuse. The prevalence of this crime is challenging to measure but is likely to be more common than professionals are aware of. We welcome this research into FGM and particularly welcome its cross-agency methodology, which is relatively unique in comparison with our previous journal articles. This research provides a useful summary of the theory, literature and challenges in ending FGM. Our policing missing is to protect children from abuse and end violence against women and girls. In order to achieve this we must challenge social norms to make our society safer. This research helps us to understand the complexity of the challenge and what we can do to achieve our aims.”

## Abstract

Female Genital Mutilation (FGM)<sup>13</sup> is a violation of human rights. It reinforces gender inequalities and provides no health benefits (NHS, 2019). FGM continues to prevail in the UK in practising communities. Legislation in the UK towards FGM is strong but does this support the professional community in challenging the practice of FGM? This report In this research three members of the Thames Valley Police were interviewed to gain understanding into the professional police response to FGM practice in the UK. Alongside the police, local professionals from MASH (Multi-Agency Safeguarding Hub), the NHS, national and local charities (MK Act and 28 Too Many), and Public Health were interviewed

The study set out to analyse whether a deep understanding of social norms can influence long-term behavioural change. Milton Keynes is the case study for this research, where the professional community utilise a multi-agency approach to safeguard women and girls at risk of FGM. This allowed for a comprehensive study of established theories of social norms and rights-based approaches, which seek to empower individuals and challenge engrained cultural norms. Challenging FGM legislation should be to improve professional practice and provide greater support to women and girls in the UK who are at risk of FGM or have experienced FGM in their lifetime.

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<sup>13</sup> FGM is the formal acronym used throughout this paper. FGM/C may be used in some quotes where the C represents ‘cutting’. This is more of an informal term and because of the formality of this paper, is not used in standard prose.

## Introduction

### *FGM and the Law*

FGM is defined by the NHS as ‘a procedure where the female genitals are deliberately cut, injured or change, but there’s no medical reason for this to be done.’ (NHS Online, 2019). FGM is illegal in the UK. In 1985, the UK introduced the Prohibition of Female Circumcision Act. Ever since then, UK law has strengthened the legislation around FGM. This process has recently culminated in the Serious Crime Act of 2015, where it became mandatory for all health, social care and education professionals to report to the police all instances of suspected FGM occurring in girls under the age of 18 (Gov.uk, 2020). Even with the tightening of the legislation, there has only been one successful prosecution, in 2019 (UK Parliament, 2020). In 2014, City University London and Equality Now published a report<sup>14</sup> which suggested estimates of 137,000 women and girls affected by FGM (and born in countries where it is practised) for England and Wales, with 200 million women and girls having undergone FGM worldwide (Forward UK, 2021). Evidence may suggest that FGM cases are decreasing (NHS, 2021): yet, this is debateable based upon the lack of available data and prosecutions, and thus, can be easily contested.<sup>15</sup> This data can be challenged as it is based upon historically inaccurate extrapolations of suspected FGM cases that have been calculated from the percentage of diasporic communities and the percentage of prevalence in the country of origin (Vogt et al., 2017; Farina and Ortensi, 2014).

There are academic concerns surrounding the true figures of FGM in the UK (Farina and Ortensi, 2014) and there are not enough reports (made to professionals/collected by the NHS) to justify and affirm prevalence within practising communities. To estimate prevalence, some studies suggest adopting the prevalence in a host country and extrapolating that figure by the number of women and girls present from that country of origin present in the UK. However, concerns surrounding selective migration and acculturation may not support the prevalence and lead to false assumptions (Vogt et al., 2017).

If the law were effective in reducing FGM, there would have been more successful prosecutions, thus suggesting the current UK policy approach to FGM may be ineffective. With the requirement of professionals as established by the mandatory reporting of the Serious Crime Act of 2015 to support women and girls at risk, it is important to consider the most effective ways of doing so. This also includes challenging when evidence may suggest strengthening legislation may not be the most effective way of supporting women and girls at risk. This report will focus on the response of the police, specifically Thames Valley Police as the three members of the police force who were interviewed within the primary research of this dissertation.

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<sup>14</sup> Supported by the Home Office and Trust for London

<sup>15</sup> For this reason, I decided not to include the NHS Enhanced Dataset in the final dissertation submission, this is because the evidence given in the dataset was not strong enough to either support or deny the literature studied. Also, the NHS issues a warning based upon Covid-19 related impacts to health services and data collection.



## Literature Review

This review will focus on two key themes to allow for an in-depth analysis of the wider body of literature. Social norms and a focus on ethical challenges that may arise with professional intervention to FGM. This includes ethical relativism and the impact of mandatory reporting. This aims to demonstrate the most impacted professionals within the public sector with a specific focus on the service police may be able to have, while supporting women and girls at risk of FGM in practising communities.

### *Social Norms: A Convincing Approach to Behavioural Change*

Social norms in relation to sexuality in diasporic communities are the focus of this study. Social norms can be broadly defined as 'behavioural rules supported by mutual empirical and normative expectations and conditional preferences' (Bicchieri, 2017, p. 67). Social norms govern collective behaviour and allow for the continuation of practices that can in the instance of FGM be damaging. FGM continues because of social norms that govern sexual behaviour within diasporic communities.

Cristina Bicchieri is a key theorist in the field of norms and advocate of behavioural change to influence the reduction of harmful practices. Bicchieri emphasises that 'mapping the reference network is an essential part of understanding social norms and how to change them, because the norm has to change within the reference network' (Bicchieri, 2017, p. 52). In this study the reference network is the community where FGM is prevalent.

Rose Barrett et al. studied the REPLACE project, 'the first action research intervention aimed at tackling FGM in the EU' (Barrett et al., 2020, p. 13). Their study emphasises how individuals form social groups, which have a large collective impact on individual behaviours, and as such, the social norms of the group – referred to by Bicchieri (2017) as the reference network – can be transformed into positive outcomes and behaviours.

Where FGM is recognised as a social norm and collective behaviour that is practised by individuals, it can be suggested that behaviour can be transformed, thus leading to a reduction in FGM. When there is a reduction in FGM, there is progression towards gender equality. The study demonstrated 'that norms can be challenged by collective individual actions. When enough individuals change the social norm a tipping point is reached, and the social norm begins to weaken and be transformed' (Ibid., pp. 13-14). The outcomes of the study by Barrett et al. (2020) are supported by a study conducted by Farina and Ortensi (2014) whereby 'the active involvement of religious and community leaders is likely to bring results by sustaining the active "critical mass" inside each community' Ibid., p. 132). The critical mass is the level at which change begins to take place, when enough members of a social group move away from practising a behaviour. This is when social norms begin to weaken and change within the reference network.

In 2005, Alan Berkowitz published *An Overview of the Social Norms Approach*. This study is well established within the dominant theories of norms. Berkowitz expanded on the theory of pluralistic ignorance established by Toch and Klofas (1984). 'Pluralistic ignorance describes the incorrectly perceived attitudes of peers and community members that are different from their own' (Berkowitz, 2005, p. 193). The outcome can lead to practising behaviours to assimilate with the misconceived norm and rationalisation for the behaviour. Berkowitz suggests that 'interventions to correct misperceptions by revealing the actual, healthier norm will have a beneficial effect on most individuals' (Berkowitz, 2005, p. 194). To further strengthen his study Berkowitz establishes challenges to social norm theory, two crucial ones being salience and replicability. Salience is the difference between homogenous and heterogenous

communities. Within homogenous communities, individuals may 'react positively' (Ibid., p. 211), while in heterogenous communities, individuals may not identify with broad attempts to change normative behaviour. An example of this is 'most of us', which may be used in communications messaging. 'Thus, which messages are salient to which groups is an important consideration in social norm campaigns' (Ibid., p. 211). Replicability explores the challenge of recreating a social norm campaign in different communities when the core messages may need to be adapted.

Berkowitz's theory of social norms is supported by Evans et al. (2019, p. 2), who emphasise that:

FGM continues to persist one generation to the next because it is based on social normative beliefs about how individuals in the community should behave (injunctive norms, beliefs about what should be) and what most people in the community actually do (descriptive norms, empirical beliefs).

Rawat (2017, p. 143) recognises the importance of social norms whereby:

community norms are often seen to be more important than the legal restrictions or laws against FGM, thus stalling the progress of the various national and international agencies working to improve women and girls' health and rights.

It is true that the impact of professionals may be limited where the influence of the reference network is more powerful than legislation; where community engagement is utilised, there may be more effective implementation, which is catalysed by normative behavioural change.

#### *Leaders in Communities: Agents of Change and Influence*

Joanne R. Smith and Winnifred R. Louis (2008, p. 648) explain the basic premise of the social identity approach, which:

is that belonging to a social group, such as a nationality or a sporting team, provides members with a definition of who one is and a description and prescription of what being a group member involves. Social identities are associated with distinctive group behaviours – behaviours that are depersonalised and regulated by context-specific group norms.

Neville et al. (2021) utilise the social identity approach for leadership as explored by Smith and Louis (2008), where leaders:

gain and maintain influence by shaping social norms: clarifying group members' understanding of what the group does (or does not) stand for, and defining core values, ideals and behaviours. Leaders can do this because they are seen to be representative (or prototypical) of the group ('they are one of us'): they are seen to embody the attributes that characterise a group and make it distinct from other groups.

(Neville et al, 2021, p. 4)

This highlights how influential leaders can be in transforming social norms. They are agents of change. Rogo et al. (2007, p. 36) refer to World Bank campaigns that have addressed FGM:

Developing public awareness campaign materials for schools (all levels), community groups and community leaders adapted to the cultural context is crucial to obtain the desired impact of eradicating the practice.

(Rogo et al., 2007, p. 36)

They also emphasise that different members of the community, as identified through local knowledge of the communities, have different levels of influence.

*Multiculturalism and Ethical Relativism: The Effectiveness of Legislation with a Focus on The Serious Crime Act of 2015*

Susan Moller Okin (1999) explores in her book *Is multiculturalism always good for women?* whether there are fundamental conflicts between our commitment to gender equality and our desire to respect cultural boundaries. Yael Tamir reflects on Okin's work by drawing:

attention to inherent tensions between group rights and women's rights. She points to the fact that establishing group rights which enable minority cultures to preserve themselves may not be in the best interest of the girls and women of these cultures.

(Tamir, 1999, p. 47)

This is strikingly evident with FGM. Within the diasporic communities that practise FGM, the desire to preserve traditional culture does not promote women's rights or gender equality. FGM is a harmful practice which continues the 'norms of masculinity and femininity that perpetuate gender inequality [and] constrain all people in their ability to live fulfilling, healthy and safe lives' (Zuccala and Horton, 2018, p. 2582). Thus, 'FGM forces us to reconsider whether we really believe in multiculturalism, and whether we are really willing to accept the autonomous choices that are made by patients from very different cultures' (Harris, 2011, pp. 96-97). Although Harris challenges FGM as a cultural practice and questions cultural autonomy when FGM is practised it is important to emphasise the focus of this argument is only being considered in the perseverance of a harmful practice. The broad statement challenging multiculturalism requires further study and is outside of the scope of this study. Through ethical relativism one would 'have to accept the practice of FGM as legitimate and ethical within the context of a particular culture. To a relativist, FGM would be ethical for a person in a culture that practices FGM but would not be ethical for a person in another culture' (Harris 2011, p. 97). This premise of ethical relativism conflicts with both the legislation in the UK and the right to bodily integrity as a basic human right and cannot be supported to reduce the practice of FGM. This leads to the conclusion that when a practice is harmful, irrespective of culture or religion, it should be challenged to preserve reproductive and bodily rights.

## **Methodology**

### *Research Questions*

This research highlights that the best way to tackle FGM is through a deep understanding of social norms. Taking this argument, the analysis of the case study of Milton Keynes fits within a body of literature that suggests social norms are more effective in changing collective behaviour within communities than legislation alone (Barrett et al., 2020). The existing literature suggests normative approaches and development practices that engage with social norms may be effective in changing community behaviours than legislation (Rawat, 2017). This could have a potential impact on training professionals to respond to FGM in local communities. The originality of this study highlights the importance of addressing a harmful practice within the UK. Therefore, the overarching research question that guides this research project is:

**Are Social Norms Relevant to Effectively Influence FGM Policy and Interventions in the UK?**

The study asks the following sub-questions:

1. If yes, what kind of social norms and policies should we consider?
2. How does FGM differ in different diasporic communities and locations in the UK, using Milton Keynes as a case study?
3. How does the UK's policy approach rooted in legal and medical discourse impact the effectiveness of FGM professional practice?

#### *Primary Research Method: Interviews with Public Sector Specialists*

From responses and initial discussions with public sector specialists either via email or telephone, eight participants were selected as appropriate: three from Thames Valley Police, two from charity organisations (MK Act and 28 Too Many) and one was a NHS specialist safeguarding nurse for looked after children. The two final participants represent the local authority of this case study (Milton Keynes) and represent Public Health and the Multi-Agency Safeguarding Hub (MASH). These professionals took part in this research project to support the understanding of FGM in Milton Keynes with a view to provide a deeper understanding of public practice. The variety of professionals allowed for comparison of interviews and findings. This variety enabled an understanding of key themes, areas of concern and learn more about the effectiveness of UK policy and ask if a deeper understanding of social norms may be more successful in reducing FGM. Thames Valley Police Violence Reduction Unit was specifically included because of their approach towards multi-agency working and specific knowledge of FGM. Multi-agency working was evaluated within this study based upon the existing literature that supports social norms as the effective approach to remove FGM as a collective behaviour.

Individual interviews took place in June 2021 at a time convenient for the participant and were later transcribed to use as evidence and analyse as the primary research method of this research project. This allowed for an in-depth qualitative analysis between sectors to firstly evaluate professional practice when responding to FGM and specifically in the context of the case study of Milton Keynes. Then to determine how the UK's approach rooted in legal and medical discourse impacts the effectiveness of FGM policy in the UK. Given the sensitivity of the topic, a thorough ethics review was conducted, and this study was approved by the School of Social and Political Science at The University of Edinburgh. This included all data from the primary research (interviews) being deleted after the submission of the dissertation.

#### *Secondary Data Collection and Research Limitations*

This study was originally going to be complemented with secondary quantitative data. The NHS Enhanced Dataset (NHS Digital, 2020) is a quarterly dataset published on NHS Digital and records information captured by the NHS when FGM survivors<sup>16</sup> use health services. However, the quality of this data was weak and not suitable for inclusion in this study. There are two main reasons for this: the sample of data from the NHS is not large enough to be representative of the sample population (case study) and there are concerns over mandatory reporting from professionals interviewed. Although the mandatory reporting is to Thames Valley Police, this echoes concerns from the low numbers that women may not want their details recorded and health professionals may not be reporting the figures. This relates to the academic concerns surrounding the true figures of FGM prevalence in the UK (Farina and Ortensi, 2014), given the low quality of available data to support professional practice. FGM data is collected locally (in Milton Keynes) through the FGM screening tool (MK Together, 2021) available to all practitioners to submit to the Bedford, Luton, and Milton Keynes

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<sup>16</sup> FGM survivor is used as a term in this dissertation/ summary of findings as professionals used it throughout the interviews, to adhere to professionalism.

CCG (BLMK CCG). The data is then risk assessed by a strategic operational group comprised of professionals, that can support women and girls at risk.

## Results

### *The Effectiveness of the Professional Response*

As a harmful practice that causes long-term mental, physical and sexual health problems, no woman or child should experience FGM, and legislation must uphold the human right of bodily integrity. However, as the practice is carried out in certain communities in the UK, we must acknowledge the risk of stigmatising such communities where the policies do not support the reduction of the practice. This is where this policy must be critically challenged: is the Serious Crime Act of 2015 an effective UK policy in reducing FGM?

Perhaps not. As Plugge et al. evaluate:

the duty on health professionals to report FGM was singled out as particularly counterproductive. Participating communities felt that it was having a profound effect on the way they viewed their interactions with GPs. Confidentiality could no longer be guaranteed, undermining an important feature of the doctor–patient relationship, and this was likely to deter people from seeking help.

(Plugge et al., 2019, p. 264)

An expert group meeting to discuss harmful practices against women from the United Nations Division for the Advancement of Women and the United Nations Economic Commission for Africa stated that during:

the process of implementing the law, a number of actors play a role at various levels: health professionals who report cases, police officers and prosecutors who investigate cases, and judges and lawyers in the court room. In some cases, the attitudes of these actors might obstruct an effective implementation of the law, e.g. the fear of being labelled as a racist or the respect for other cultures that might lead to not reporting cases to the authorities.

(United Nations, 2009)

This is a possible explanation as to why few FGM cases have been reported in the UK. For professionals in the UK, confidence to both report and confidence to challenge FGM as a cultural practice may be a barrier to effective implementation of the law (Interviewee, Thames Valley Police, 2021). This also suggests that although the law has been strengthened over time, it is not addressing the root cause of the failure of the implementation, which may reside with developing the training of professionals to recognise and challenge FGM through more effective strategies built upon influencing positive normative change within communities.

### *Social Norms*

I think norms based is always better in terms of talking to people about social norms and getting them to understand that they do it because people think they ought to do it rather than they necessarily want to do it.

(Interviewee of Charity 28 Too Many, 2021)

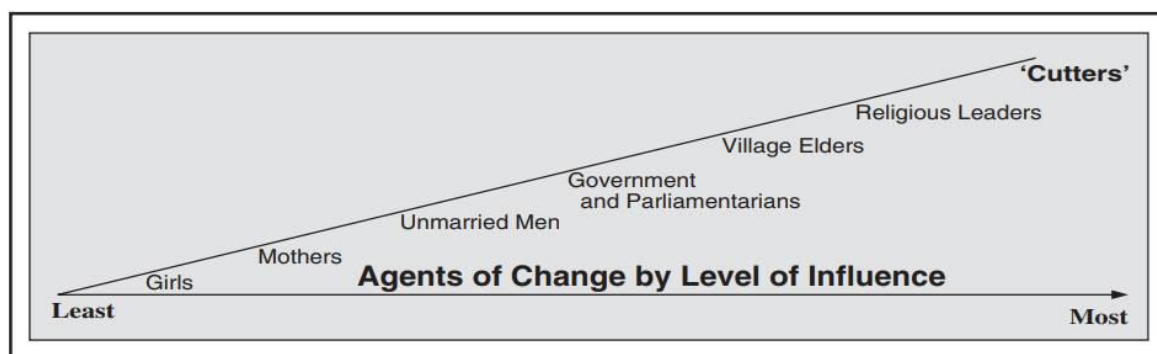
This study began from preliminary research which suggested professional practice was rooted in a legal and medical discourse which was ineffective at reducing FGM in the UK (Berg et al., 2010).. However, from interviewing a range of professionals from across the public sector who all had professional experience with FGM, the preliminary

research findings were challenged. Evidence from the interviews suggested when social norms were utilised to influence long-term community change may be more effective than legislation alone. Several professionals articulated how they were adopting this approach already:

We work with, um, community leaders, that, that we trust that are critical friends of the police. We have an IAG<sup>17</sup>, which is a special board of community leaders in Milton Keynes that help advise us on community matters as well.

(Specialist Community Police Officer, 2021)

Utilising critical friends of the police consolidates both local knowledge and The Social Identity Approach (Agents of Change) as established Joanne R. Smith and Winnifred R. Louis (2008). Neville et al. (2021) suggests that leaders within a group define the group’s ideals and norms. They are seen to embody the attributes that characterise a group and make it distinct from other groups’ (Neville et al. 2021, p. 4). If community leaders embody the groups ideals, which may reflect core social norms the community follow, when the community leader engages with (in this case) a specialist community police officer there may be an opportunity to create a shared dialogue on those ideals. This shared dialogue can transform community behaviour where the norm is damaging for women and girls at risk, utilising social norms as a method to move away from a harmful practice, led by leaders of the group who represent the communities norms.



**Figure 1.** (Rogo et al., 2007, p. 38)

A specialist nurse who took part in this research suggested that elders are influential, reinforcing the theory of agents of change. As identified in the literature review by Evans et al. (2019), the continuation of FGM is influenced by the injunctive and descriptive norms that persist through generations, and as such, support the comments from the specialist nurse:

It’s largely the elders. I think that’s where that fallacy comes from, isn’t it, because it is a part of that, but there’s also a new section to it, so it is the elders I think it that engrains it. And it is passed down through generations.

(Specialist Safeguarding Nurse for LAC, 2021)

This is reinforced by a senior member of local charity MK Act where the targeting of community leaders to suggest that FGM is a harmful practice is a similar approach to the critical friends of the police:

I think it’s about educating, coming alongside communities, encouraging them, um, making it not a taboo subject. I think probably targeting, they were really

<sup>17</sup> Independent Advisory Group



good, Be Bold at targeting community leaders and finding a community leader that would say it was wrong, um, which sort of influenced other people.

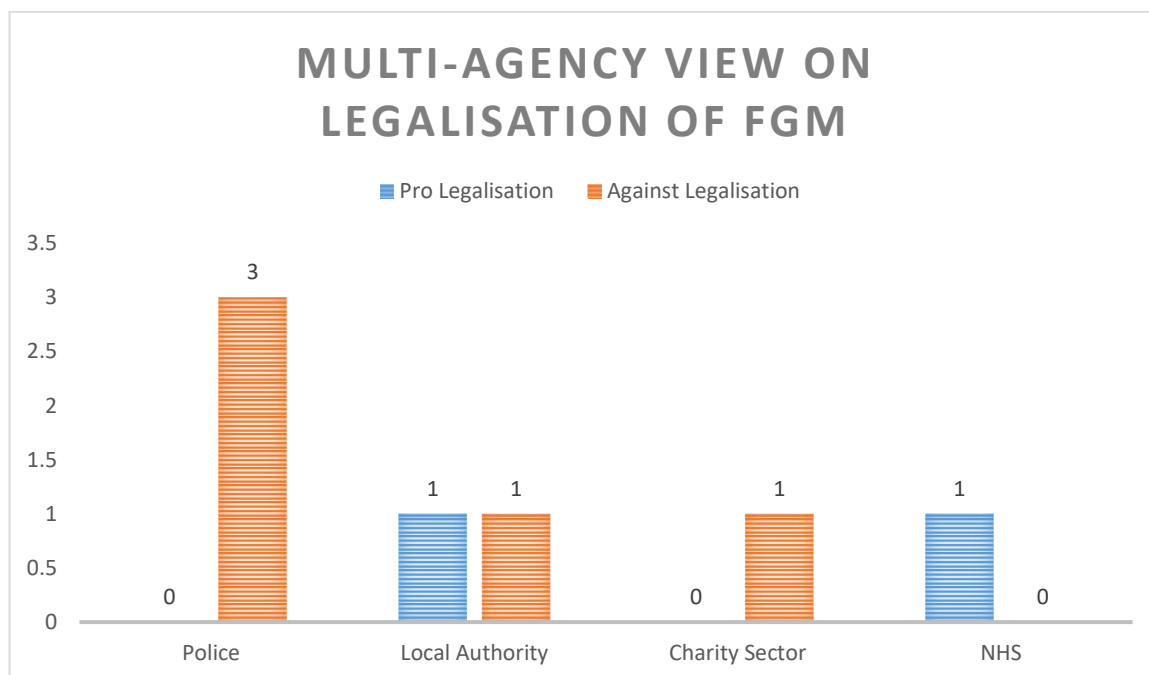
(Senior Member of Local Charity, 2021)

The senior member of MK Act interviewed for this research, aligns their thoughts with the literature from Farina and Ortensi (2014). When a 'critical mass' is reached, this influences a tipping point, which is more powerful when there is the 'active involvement of community and religious leaders' (Farina and Ortensi, 2014, p. 132). Both the study from Farina and Ortensi (2014) and the interviews conducted in this research project concur with the REPLACE European study conducted by Barrett et al. (2020), where a 'a tipping point is reached, and the social norm begins to weaken and be transformed' (Barrett et al., 2020, pp. 13-14).

### *Ethical Relativism in Practice: Legalisation - An Example of Multi-Agency Disagreement and the Potential Risks*

All professionals were asked in the individual interviews if the medicalisation of FGM would be of benefit to both professionals and the women and girls at risk. This explores how the law may not be the most effective tool in supporting women and girls at risk and the potential issues which may arise. Upon initial thought one would expect those professionals who are striving towards a goal of supporting women and girls would not differ in their thoughts on this and would disagree. However, this thought is challenged by the evidence given below in Figure 2.

Figure 2. Views of agencies concerning legislation of FGM



There is a clear divide (5:2) between against and pro legalisation of FGM in a medical setting.

Thames Valley Police were unanimous in their objection to legalising FGM for medical purposes, as shown in Figure 2. FGM is illegal, and it would be expected that a legal body would uphold the legislation. There were, however, internal questions raised that show there is a recognition that the way FGM is conducted leads to harm:

The adverse outcomes from it are too great to ever justify, but then you've obviously started a train of thought in my mind that's then actually is that because of the way it's done. It's not done by a professional. But still, still my feeling would

be we are still talking about children, and we are still often talking about children and often talking about people that can't consent.

(Senior Thames Valley Police Officer, 2021)

It should be challenged. Yeah, to consider it cultural behaviour is correct, well it is behaviour, um, but its, um, criminal and its child abuse.

(Interviewee, Thames Valley Police, 2021)

Ethical relativism, as identified in the literature review, is a theory that ethics are relevant to specific cultures. Although this theory is contested within the argument that ethics and rights are universal and, as such, would condemn FGM in any culture, in some instances, cases of ethical relativism were identified in the research:

I just think would it not be better to have, if it's their cultural thing, would it not be better to have someone that's qualified, and the girl female goes under anaesthetic. They can have it done properly, and it's not just done by some random, do you know what I mean? The experience is different. Maybe, maybe it's something we should consider. I don't know. I don't know. I'm a bit, um... maybe I'm challenging too much, but I don't know.

(Public Health Principal, 2021)

This response reflects the respect for other cultural practices from a professional. This is complex as it is not necessarily supporting FGM but rather the basic premise of ethical relativism that professionals should be respectful of cultural practice. This supports the premise of ethical relativism, as explained by Harris (2011), whereby we would:

have to accept the practice of FGM as legitimate and ethical within the context of a particular culture. To a relativist, FGM would be ethical for a person in a culture that practices FGM but would not be ethical for a person in another culture.

(Harris, 2011, p. 97)

The clear challenge presented by professionals on approach to the law leads to entirely different thoughts and norms as to how, as professionals, they should be approaching FGM prevalence. This develops the risk of girls not being referred to the necessary services and a breakdown of communication between agencies. In the UK, it is important to both uphold the law and support women and girls at risk through education and awareness.

## **Recommendations, Limitations, and Further Research**

### *Policy and Practice Recommendations*

The Home Office offers free FGM training including 'Female Genital Mutilation: Recognising and Preventing FGM' (Gov.uk, 2014). This would be beneficial for anyone who has a mandatory duty to report instances of FGM to the police. It would support further learning and development, and support professionals in understanding the complex nature of FGM and why it takes place. If there is a mandatory duty to report, there should be support for professionals with the correct resources. This may improve confidence and create a dialogue of shared understanding between practitioners.

To contextualise data quality within the case study of Milton Keynes, FGM is prevalent within the Somali community. Within Somalia, FGM (typically Type 3)<sup>18</sup> is conducted when the girl is much younger than in Kenya, where the practice is normally conducted at the beginning of puberty (Interviewee of Charity 28 Too Many, 2021). Evidence of prevalence is needed to demonstrate the need for funding and resources to be allocated to support professionals, which is not supported within the NHS Enhanced dataset, but is within the NHS Screening Tool (MK Together, 2021). For example, targeted intervention in areas where Type 3 is prominent would encourage nursery and primary school interventions because of the young age when FGM is typically practised, while creating informative and educational training for professionals.

#### *Concerns for Policing Generally*

I think we first have to understand that this is an act that happened because of care and love for that person, also the fear of shame perhaps in the wider community, but, but many a time it's that, that families and caregivers believe that this is the very best for the young person, um, or baby or child and that if they were to be, um, a member of the community that stood up and that said 'I'm not going to do it that' there would be, um, great consequences from the wider community and even the extended family.

(Specialist Community Police Officer, 2021)

This quote from a specialist community police officer highlights the complexities of FGM, and how because of the reasoning and values associated with the practice the difficulty that professionals including the police may face in reducing the prevalence of FGM in the UK. FGM continues because those who practice may believe it is in the best interest for that individual. This allows for the questioning of how effective strengthening legislation may be in dealing with the sensitive nature of the practice, particularly when FGM often involves close family relations.

#### *Limitations of Study*

The main limitation to this study is the absence of FGM survivors included in a review of the findings of this research. The focus of this study was to improve professional practice by evaluating current practice and identifying possible areas of improvement stemming from the research of the utilisation of social norms to influence long-term behavioural change. Rather than a focus on a legal and medical discourse. However, including a review of the key findings of this dissertation would have allowed for a critical reflection of the primary research established through the interviews.

#### *The Importance of the Findings and Suggestions for Further Research*

The findings from this research affirms the importance of high-quality data and understanding the type of FGM practised in local communities. While addressing an important gap in the FGM literature regarding the impact of mandatory reporting on the patient – doctor relationship. There is a risk amongst practitioners of assuming, without substantial evidence, that FGM may have been completed based on statistics that may be out of date or where the data quality may be of a low standard. The risk of low-quality data and assumptions can impact trust of patients towards their practitioners. 'This directly contributed to participants' loss of trust in their health providers and sense of exclusion from wider society' (Karlsen et al., 2020, p. 5). 'Although the potential to alienate communities has been noted elsewhere, the potential adverse effects relating

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<sup>18</sup> Type 3 is also known as infibulation; this is the narrowing of the vaginal opening through the creation of a covering seal. The seal is formed by cutting and repositioning the labia minora or labia majora, sometimes through stitching, with or without removal of the clitoral prepuce/clitoral hood and glans (Type 1 FGM) (WHO, 2020).

to the doctor–patient relationship have not been reported elsewhere’ (Plugge et al., 2019, p. 265). This study documents this concern from a registered NHS professional, and this is something that must be considered in the wider context.

I think we sometimes use that as an excuse not to challenge because professionals are frightened to challenge. Because they might be thought that they might be called racist or not understanding or disrupting a relationship between, you know, that you might be building a relationship with a patient, in some sense. I think we hide behind it, but we shouldn’t, and I think it should be challenged.

(Specialist Safeguarding Nurse for LAC, 2021)

This suggests a concern of damaging the patient – health professional relationship and the potential impact this may have. The investigation into the impact of FGM and the behaviour of health professionals and patient relationships should be explored, as this may have an impact on data quality and the expectation related to mandatory reporting introduced as part of the Serious Crime Act of 2015.

## **Conclusion**

What this research has emphasised is that both professionals and the public are agents of change in transforming norms. Community change is important, more so possibly than just engaging with individuals in changing their behaviour (Farina and Ortensi, 2014). There are levels of influence and targeting the most influential in the community may deliver more change (Rogo et al., 2007). Through a deeper understanding of social norms, multi-agency approaches can be developed which may begin to see a reduction in FGM in the UK while improving policies to support professional practice.

The initiatives that have been introduced in the local area of Milton Keynes are effective. The Sewing Group, RSE for excluded young people and critical friends of the police (explored fully in dissertation submission) are all examples of where initiative has been taken through the recognition that FGM is a national issue requiring social change that must be taken at a community level through targeted intervention. These examples demonstrate ways education and multi-agency working can influence social norms, which are recognised as important in influencing behavioural change and FGM policy.

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# An Investigation into Misogyny as a Hate Crime Category

## Author(s):

Kelsey Brett

## Affiliations:

Dissertation submission to the University of Surrey for Degree of Bachelor of Science in Criminology (2021)

Supervised by Prof. Jon Garland

Professor of Criminology at University of Surrey

## Abstract

Existing literature regarding misogyny centres upon its prevalence and violence against women and girls (VAWG), yet identifies it is yet to be legislated against in England. This article aims to explore if misogyny should be legislated against, and suitability of the hate crime framework, through victim experience and opinions. Utilising anecdotes from semi-structured interviews with a sample of fifteen women, this research identified misogyny/VAWG as demonstrated via actualised or attempted microaggressions, harassment and exclusion; most commonly in public spaces and work. This study established strong support for legislating against misogyny, and highlighted themes of normalisation, escalation, and lack of current legislation as factors that reduce participant ability to recognise or respond appropriately to victimisation. Participants viewed employing the hate crime framework to tackle misogyny/VAWG as suitable, favouring language that highlights female victimisation.

*Key words: Misogyny, sexism, hate crime, VAWG.*

## Introduction

In 2016, Nottinghamshire Police piloted misogyny as a hate crime (Blair, 2021; Mullany & Trickett, 2018) which initiated reviews (LIPP, 2021; Martin, 2020) by the Law Commission (2020) that suggests harassment and abuse based upon gender or sex should be protected by hate crime law (LIPP, 2021). During the review and this research, the UK witnessed the tragic death of Sarah Everard who was abducted from the streets of London by a male Metropolitan police officer who days prior, committed indecent exposure (BBC News, 2021; Hawley, 2021). Every act of misogyny/VAWG reminds females of the dangers they are not adequately protected thus, entrapping them in fear (Gravett, 2021). Resultantly, the status of misogyny must be raised because regardless of how it materialises, all misogyny/VAWG is connected and never trivial (Bates, 2013; Martin, 2020) thus, crimes and victims should be treated as such (Talora, 2021).

### *Hate Crime*

Hate crime is differentiated from general crime, and defined, due to prejudicial victim selection based the victim's group affiliation (Craig, 2002; Gerstenfeld, 2004) therefore; hate crime is the criminalisation of physical and verbal demonstrations of prejudiced attitudes (Baron & Bryne, 1994). Sheffield's (1995, p.438) definition is appropriate for this research because it underlines discrimination as a result of a "culture which allocates rights, privileges and prestige according to biological or social characteristics", whilst highlighting serial and legitimised underpinnings.

The degree of discrimination is contingent on individuals and the intensity of their prejudice, for which Allport (1954) illustrates via a five-point scale highlighting themes of avoidance, active verbal discrimination, escalation, physical attack and extermination (Allport, 1954; Mullany & Trickett, 2018). Alternatively, discrimination can be conceptualised as microaggressions and macroaggressions as demonstrated by Levchak (2018) who dissected experiences using themes like intensity of aggression being slight, verbal, or physical; covert or overt, victim-perpetrator relationship and victim-response (Tatum, 2013). Moreover, Sue *et al.* (2007) proposed microaggression theory to further sort covert incidents into microassaults, microinsults and microinvalidations. Microinsults and microinvalidations are covert in nature, often being indirect and “unintentional” however, microassaults are blatant and intended (Levchak, 2018, p.23; Nadal, 2008). Similarly, to Levchak (2018), this investigation classifies microassaults as macroaggressions.

In England and Wales, the police are obliged to record any hate-related incident in addition to crimes (College of Policing, 2021; Hall, 2013; Citizens Advice, 2021). Despite this, the way hate crime is conceptualised and defined consequently affects how it is counted and responded to (Jacobs & Potter, 1998). The method of counting them therefore cannot represent the “true extent or nature of hate crime victimisation” (Hall, 2013 p.64), especially when compounded with its severe under-reporting (Christmann, 2016; Equality & Human Rights Commission, 2016; Hardy & Chakraborti, 2014; HO, 2019a).

In England and Wales, rather than creating new offences, hate crimes adapt existing criminal legislation, accounting for the aggravated factors and protected characteristics (CPS, 2017; Hall, 2013; Law Commission, 2020; Victim Support, 2021):

- Race
- Religion
- Sexual orientation
- Disability
- Transgender

Hate crime legislation explicitly recognises these identity groups as requiring extra legal protection although it is acknowledged that there are selected others who also suffer targeted victimisation but are not legislated for (Hall, 2013). A by-product of this is a victim hierarchy however; this is unavoidable because if hate crime were all-inclusive, its meaning would be lost (Hall, 2013; Law Commission, 2014).

#### *Assessment of misogyny/VAWG using Law Commission hate crime criteria*

Misogyny is characterised by “the hatred of women” and their “values”, affecting their human rights and participation in society throughout their lifetime (CHASE, 2013; UN Women, 2020). Evidence VAWG is rife in England and Wales recently came to the fore following Sarah Everard’s death, in an outpouring from grieving women sharing their personal experiences of misogynistic victimisation (Gravett, 2021; Hawley, 2021; Smith-Spark, 2021). While the UK Government claim to be fully committed to working with a preventative approach to combat misogyny after signing the Istanbul Convention in 2012, full compliance and ratification is incomplete in 2021 (Council of Europe, 2011; HO, 2017; Scott, 2021). In 2016, Nottinghamshire became the first British Police Service to recognise and record misogynistic hate crime, defined as “incidents against women that are motivated by an attitude of a man towards a woman and includes behaviour targeted towards a woman by men simply because they are women” (Mullany & Trickett, 2020, p.251).

#### *Demonstrable need*

It is widely acknowledged that VAWG aligns with prejudiced sexist societal ideas held to systematically subordinate women and reinforce male ideology (Gold, 2014; Law Commission, 2020). Misogyny/VAWG has become so internalised within British society that it routinely “affects [...] nearly every woman”, daily, (Women & Equalities Committee, 2018, p.14) even so, the social climate accepts the harms of misogyny, overlooking instead of addressing them (BBC News, 2020).

In the UK, women and girls are disproportionately victimised through domestic abuse, sexual harassment, trafficking/exploitation, stalking and more (HO, 2021; Law Commission, 2020). Additionally females are at inflated risk of serious injury or death (HO, 2019b; Pope, 2020; Women’s Aid, 2020); The Femicide Census is dominated by intimate partner femicide committed by males (Long *et al.*, 2020). Additionally, women and girls are excessively publicly harassed on and offline including threatened or actualised verbal, physical and sexual violence (Amnesty International, 2020; Fix the Glitch, 2017; Mason-Bish & Zempi, 2019). Furthermore, research suggests that being female adds intersectionality to someone’s identity, increasing likelihood of victimisation (Bowling, 1999; Hall, 2013; Law Commission, 2020; Mason-Bish & Zempi, 2019, Tell MAMA, 2017). Consequently, almost every woman and girl feels the repercussions of a society that normalises misogyny/VAWG and its prevalence (Law Commission, 2020; Mullany & Trickett, 2018); thus, demonstrable need “very convincingly satisfied” (Law Commission Review, 2020, p.250).

#### *Additional harm*

Iganski (2001) argued hate crimes causes increased direct harm to the primary victim hence, increased punitiveness towards a perpetrator is justified. Primary victims are at increased risk of suffering long lasting impacts and mental wellbeing deterioration (Chandan *et al.*, 2019). Secondary victimisation occurs as hate incidents and crimes are symbolic, offences are relevant to the whole identifiable group (Hall, 2013; Hodge, 2011; Martin, 2020; Perry, 2014; Walters & Tumath, 2014).

Mental health deterioration is markedly linked to street and online harassment, so commonplace to the degree of a public health issue (Amnesty International, 2020; Chandan *et al.*, 2019; DelGreco & Christensen, 2020; Richman *et al.*, 1999). Emotional and psychological harms often translate into behavioural responses to reduce chances of re-victimisation (Barnes & Ephross, 1994; DelGreco & Christensen, 2020; Hollaback, 2015; Iganski & Lagou, 2014; McDevitt *et al.*, 2001; Patterson *et al.*, 2018). This evidences that misogyny/VAWG violates victims’ human rights, limiting enjoyment of entitled freedoms, altering how they make rational decisions (Council of Europe, 2011; Fix the Glitch, 2017; UN General Assembly, 1993; Women & Equalities Committee, 2018); and impeding equal participation in society (Hollaback, 2015; Safe Lives, 2018; St Mungo’s, 2014; The Student Room & Revolt Sexual Assault, 2018; UN Women 2016). Moreover, misogynistic targeting causes wider societal harms by intensifying existing tensions and divisions between groups thus decreasing social cohesion, in turn undermining the principle of equality in terms of social, political, cultural, and economic life (Law Commission, 2020; Pope, 2020). Thus supports that gender-based targeted crimes “cause enhanced levels of harm” to primary and secondary victims, as well as wider society (Law Commission, 2020, p.252).

#### *Suitability*

Making misogyny a hate crime category to the legislative framework brings implications linked to the aforementioned victim hierarchy, for example LGBT stakeholders questioned whether raising the profile of misogyny-based offences may undermine same-sex offences (Law Commission, 2020). Other key implications regard the potential disruption to “the understandings of VAWG as inherently misogynistic”,

causing “harm to survivors of VAWG” (Law Commission, 2020, p.257-258). The Fawcett Society (cited in Law Commission, 2020) made a case for all male perpetrated sexual and domestic abuse offences against women to be realised as inherently misogynistic (Miller, 1994), but to do so, the jury would require proof of these contexts which could cast some offences as “non-misogynistic” if insufficient evidence is provided (Law Commission, 2020). Hence, the Fawcett Society consider it “inappropriate and potentially damaging” to apply to a gender-based, sexual, or domestic abuse scenario as it may unintentionally reinforce ideas similar to rape myths (Law Commission, 2020). Gender-based hate crime suggests misogyny is underpinned by the ideology of males asserting control, power, having privilege over, and feeling entitlement to women (CEDAW, 1992; Chaudhury *et al.*, 2017). The challenge lies within translating gender-based hate crime tests into practices for criminal trials and ensuring the jury have a solid understanding of the ideological arguments to assess offences (Lewis, 2006; Renzetti, 2019). Even if these challenges were reconciled, proving misogynistic motivations is extremely difficult due to the normalisation of misogyny/VAWG (Ellison, 2005; Gaffney, 1997; Mullany & Trickett, 2018; Topping, 2021; Walters & Tumath, 2014). Although misogyny does not currently satisfy this criterion, due to the strength of the first two, this does not mean it cannot be satisfied. (Law Commission review, 2020).

### *Assessment of legislation language*

The intent of legislating is to show a zero-tolerance attitude regarding the endemic negative attitudes towards females (HC Deb, 7 March 2018) however, framing this legislation will be important, and bear implications for the entire framework (Law Commission, 2020; Mullany & Trickett, 2020). Legislation framing raises questions of appropriateness, while using neutral terms provide a degree of equality and inclusivity; they fail to recognise the disproportionate victimisation of women (Law Commission, 2020). The Equality Act 2010, and the Domestic Abuse Bill (amendment 84) use “sex” when discussing characteristics that motivate prejudiced crimes due to the established link of VAWG to female biology and physicality (Law Commission, 2020). Using “gender” enables the policy to be inclusive of socially constructed gender, therefore would capture a greater “range of victim experience” (Law Commission, 2020, p.277; Lord Bracadale, 2018). The Law Commission (2020, p.274) advocated for female-focussed language on the basis that women “clearly satisfy” the criteria required by the framework based on “sex or gender... Men do not” (BBC News, 2018; Butler, 2019; HC Deb, 7 March 2018; Woodcock, 2020). Although, misogyny hate crime was perceived as too academic and elite when introduced by Nottinghamshire Police (Mullany & Trickett, 2018) and lacks consistency with existing identity characteristic and neutrally framed categories (Law Commission, 2020).

## **Methodology**

Research question:

How appropriate is the hate crime framework for dealing with misogyny in the UK?

Aim:

To explore whether misogyny should be included in legislation as a hate crime victim category through an investigation of victim experience and views.

## Objectives:

- To assess the nature, forms and themes of misogynistic abuse and harassment
- To understand the factors that might encourage victims to report incidents of misogyny, or deal with them privately
- To gauge victims' views on if there should be a new hate crime law to combat the abuse and harassment of women, and if so, whether it should be based around gender, sex, or misogyny.

Interviews were conducted via MS Teams, which allowed the researcher and participant to see each other, assisting rapport building through non-verbal active listening (Hesse-Biber, 2007; Levchak, 2018). An inductive, compassionate line of questioning was designed to feel participant led and ensure all information was volunteered. Furthermore, the legal suitability of hate crime framing and the implications were touched upon but not thoroughly discussed, as it is a rare field of expertise. An interview guide provided structure (David & Sutton, 2004; Bridges *et al.*, 2008) while allowing for a logical progression of knowledge (Leech, 2002) and flexibility in the question order and wording to suit each participant (Berg, 1989; McIntosh & Morse, 2015). This allowed the research to capitalise on the information, with sensitivity to context, while conveying commitment, rigour, impact, and importance in a transparent, coherent manner (Bryman, 2016). The interview structure began on a theoretical level to conceptualise misogyny, moving to general then specific personal experiences, finishing by discussing the impacts, implications, and legislative framing (Smith, Todd & Waldman, 2009). In line with feminist methods, this ended the interviews on a positive note to emphasize future hope, strength, and survival (Burgess-Proctor, 2015; Campbell *et al.*, 2010; Ellsberg & Heise, 2005).

## *Sample*

An advert was posted on social media that outlined the research project with instructions for those interested to contact the researcher. This created a combined strategy comprising of opportunistic and snowball sampling (Bryman, 2016; DelGreco & Christensen, 2020; Palinkas *et al.*, 2013) also influenced by criterion sampling because interviewees had to be female, aged 18 (minimum) and wanting to contribute their experiences and opinions (Patton, 1990; Palys, 2008). The snowball technique was dishearteningly effective because all participants either recommended another potential participant, or included anecdotes from other women and girls close to them.

This sample had an age range from 20 to 54, averaging 28-years-old, with the majority in full time work. Similarities in age, ethnicity and sexual orientation helped participant-researcher rapport due to ability to empathise and relate to one another (Given, 2008), however this sample be improved in terms of diversity and intersectionality.

## *Ethical Issues*

The main ethical considerations for this project centred on anonymity, consent, and welfare (Bryman, 2016) which were managed by gaining ethical clearance from the University of Surrey Ethics Committee. This was achieved by creating detailed documentation to prove relevant processes were in place, participants would receive all necessary information to understand what they were consenting to. To ensure anonymity, participants are referenced as numbers, for example, P01 is participant 1 and a data management plan was implemented (Bryman, 2016).

A key consideration is the need to avoid harm due to the sensitivity of the topic and potentially triggering nature of recounting misogynistic victimisation (Burgess-Proctor, 2015). For this reason, the Law Commission's (2020) criteria of additional harm was included minimally in the interview guide, allowing the participants to only volunteer information without pressure to disclose. A Participant Information Sheet (PIS) was

provided to reduce the risk of harm to each interviewee and ensure that participation was rationally decided upon after being fully informed. Moreover, to minimise the risk of secondary trauma or re-victimisation via recalling sensitive and emotional experiences (Burgess-Proctor, 2015; Campbell *et al.*, 2010; Shorey, Cornelius & Bell, 2011), this included a list of contactable resources offering extra support, as well as non-emergency police contact details for interviewees to report incidents if they wished to. The consent form included an additional self-declaration statement to filter out vulnerable individuals (ESRC, 2021). Additionally, the researcher remained mindful and reflective, offering neutral responses to avoid feelings of high emotion or judgement for participants or myself (Craig, Corden & Thornton, 2000; Pio & Singh, 2016). Although relevant, because of raw exposure to participant experiences (Pio & Singh, 2016), researcher welfare was not deemed a risk. As the researcher is a woman with her own experiences and lead researcher who has undertaken a full literature review, the researcher had established a preparedness for any possible response from participants (Fenge *et al.*, 2019).

### *Analysis*

Interviews were processed by transcription, coding and thematic analysis methods (Gibbs, 2007; Bryman, 2016). Data was classified using deductive and inductive codes, informed by literature yet allowing unexpected codes to emerge (Smith, Todd & Waldman, 2009). This study deductively drew upon Levchak's (2018) work on microaggressions and macroaggression, along with intensity scales (Allport, 1954) to provide a broad structure for initially categorising experiences with inductive codes including nature, environment, and escalation to supplement them, adding detail and context. To maintain objectivity and reduce interpretive bias the researcher actively managed personal ontological positions and axiology (Smith, Todd & Waldman, 2009) and once finalised, double-checked the trustworthiness of themes through a reflexive quality check (Smith, Todd & Waldman, 2009).

When writing up the findings the researcher also considered and prepared a stance regarding what language to use. The term 'survivor' is important to feminist research as it recognises female autonomy however; the most applicable term in this research is 'victim' (Gupta, 2014) because misogyny is a social process involving repeated victimisation of the oppressed group (Bowling, 1999; Hall, 2013). Women have not yet survived misogyny in the UK as a collective, thus using the term 'victim' acts as a reminder of the hold that the system has over women (Gupta, 2014).

## **Results**

### *Misogynistic abuse*

This section assesses the misogynistic abuse revealed by interview participants in terms of interacting elements such as environment, intensity, nature, and type. The dominating environment that demonstrates misogyny is the workplace, however these materialise in opposing, industry-dependant ways (TUC, 2016). Key sub themes of attempted or actualised abuse are microaggressive, harassing and exclusionary misogyny with the most popular interpretation by participants as objectifying, either sexually or judgmentally, mostly perpetrated by strangers or acquaintances (Levchak, 2018). The following findings mirror and reinforce examples collected by the Everyday Sexism Project (Bates, 2013).

### *Microaggressions*

When defining misogyny, participants stressed generalised microaggressions and loosely alluded to macroaggressive misogyny, which was more vastly drawn upon while providing specific examples (Levchak, 2018). Participants aligned with Myers' (2013) definition by understanding misogyny as the automatic and actively practiced individual or societal discrimination due to being a girl or woman that can happen anywhere, any time; but questioned whether modern-day misogyny is specifically due to "*hatred towards women*" (P09).

Broadly conceptualising misogyny as being detrimentally "*treated differently just because you're a woman*" (P14) while supporting Piggott's (2004) understanding by linking to personal experience using specific language like "mansplaining" (P08) (Weaver, 2021), "belittling" (P11) and "unwanted extra attention" (P12).

Microaggressive behaviour was emphasised in the participants' general conceptualisations of misogyny rather than recalling specific events because the "impact and venom" (Levchak, 2018, p42) of these acts are often ignored, described by participants as being brushed off (Agarwal, 2019). Although the true extent of hate crime victimisation and misogyny is hidden due to under-reporting (the so-called dark figure) (Christmann, 2016; Hall, 2013; HO, 2019a), this study suggests misogynistic microaggressions are prevalent in all environments, impactful in volume and less independently memorable (Hall, 2013; Sue *et al.*, 2007). Macroaggressions on the other hand, tend to be distinct with impactful cues (Levchak, 2018); this lends explanation as to why they were reported 5-6 times more often as isolated incidents than microaggressions in this study. Furthermore, while verbal abuse occurred most frequently, at over double the rate of slights and physical incidents, the majority of verbal abuse was identified in tandem with other forms of intensity, which further contributes to difficulty deciphering between instances.

### *Harassment*

Misogynistic harassment was most commonly described as sexual in nature, having a verbal and/or physical intensity that hinders and impacts victims in almost all environments, namely working in the hospitality industry, in public arenas or streets, and the night-time economy (Hollaback, 2015; Safe Lives, 2018; St Mungo's, 2014). Harassment is mostly objectifying, in either a sexual or critical manner, differing in intensity per environment. Generally, street harassment consists of slights and audible incidents while women in pubs and clubs endure physically harassing behaviour, both are spontaneous with few pre-cursors. Hospitality staff reported a mixture of experiences including verbal and physical assaults varying in intensity and nature.

Participants noticed the impact of COVID-19 on misogynistic victimisation, this is particularly relevant to street harassment as, due to the closure of gyms, participants exercised in the street by walking and running more, thus reported greater exposure to public misogynistic harassment. This supports the assertion made by UN Women UK (2021) that the vast majority of women suffer street harassment, particularly those aged 18-24 (Topping, 2021). Typically, these reported incidents remained non-physical in the form of being blown kisses, leered or waved at, which often preceded or followed being audibly beeped, whistled and heckled thus drawing "*unwanted extra attention*" (P12). The street harassment is overt (Levchak, 2018) and actively practiced (Allport, 1954) by strangers, describing the deliberate "*pointed*" (P01) manner of this abuse. In some ways, this harassment mimics hate crimes based on sexual orientation due to being set in public and perpetrated by unknown male(s) (Hall, 2013; Herek, Cogan & Gillis, 2002).



The reported night-time economy and hospitality work-based harassment pre-dated COVID-19 due to the industry closures during the pandemic. Hospitality staff reported a significant proportion of the overall physical abuse uncovered during this investigation. These victims detailed the repeated verbal and physical harassment perpetrated by managers, co-workers, and customers as being industry-wide common “*knowledge*” (P13) but rarely acted upon. Female hospitality staff reported harassment as objectifying (Szymanski, Moffitt, L. & Carr, 2011) with sexual or judgemental connotations, describing being bombarded with passing comments and questions from men whilst trying to carry out their job, as well as being told to “*put more make-up on*” (P14) to look “*professional*” (P04). Make-up has no bearing on an individual’s capability to carry out duties, but comments were justified by insinuating that applying more make-up would increase male customers’ enjoyment of the service, thus illustrating the objectification of women, and specifically female hospitality workers (Szymanski, Moffitt, L. & Carr, 2011). Dehumanising experiences beyond this were described by P10 as being spoken “*at*” (Bates, 2013) and being referred to as pet names, or “*she/her*”, while male colleagues were spoken “*to*”, referred to by name. Moreover, physical abuse is often experienced in relation to the functional elements of labour that require physical bending, reaching, and close proximity to colleagues, and when taking or serving orders with customers.

Similar incidents, often recounted as physically “*grabbing*” (P02) women’s waist or bum and being sexually motivated, are also commonplace in pubs and clubs. The night-time economy differs from other environments though; participants describe these as out of the blue and having fewer pre-cursors to the incident such as staring or verbal cues and escalating to higher intensities immediately or quickly.

These harassing behaviours demonstrate that in any given environment women are subject to male entitlement and assertions of control and power through VAWG, demonstrating misogyny (CEDAW, 1992; Chaudhury *et al.*, 2017).

### *Exclusion*

Misogyny also manifests via exclusion (Hall, 2013; Perry, 2001) which became apparent when deductively coding participant experiences using the Allport (1954) scale, stipulating “*avoidance*” as the second degree of discrimination. This theme is particularly apparent in the leisure and STEM (science, technology, engineering, mathematics) industries. The dynamic of this discrimination exposed “*male privilege*” (P05) (CEDAW, 1992; Chaudhury *et al.*, 2017) in modern society through a mixture of microaggressive behaviour including microinsults and microinvalidations (Nadal, 2008; Sue *et al.*, 2007) as well as macroaggressive, verbal but not physical conduct (Levchak, 2018). Women described explicit verbal abuse intending to “*belittle*” (P05) as well as invalidate female presence, making them feel like they “*don’t belong or have a right*” (P05) to attend environments such as gym free-weight areas and hardware shops. Women studying and working within the STEM industry exposed microaggressive, macroaggressive, and industry-wide examples of misogyny. Male-dominant environments were described as uncomfortable, due to not only gender imbalances (Kwan, 2018; Makarova, Aeschlimann & Herzog, 2019; WEF, 2017) but also continual verbal degradation intentionally and unintentionally through microinsults (Nadal, 2008; Sue *et al.*, 2007).

Misogynistic inequality means women are required to “*demonstrate above and beyond far more*” (P08) and prove themselves to do “*better work*” (P03) than their male counterparts to be allowed the same career progression opportunities. This type of misogyny is a particularly important example of the inequality women are posed with, which directly affects economic life (Hollaback, 2015; Law Commission, 2020; Pope, 2020) and reinforces misogynistic societal norms.

### *Legislation Impact*

Participants unanimously agreed legislating against misogyny would aid victims' ability to better identify and respond to victimisation individually and societally. Without first identifying one's victimisation and classifying it as such, a victim is unable to respond to misogynistic incidents, either personally or formally. An issue with misogyny being societal and systemic (Gold, 2014; Law Commission, 2020) is the degree to which misogynistic abuse is normalised, as identified by literature (Ellison, 2005; Gaffney, 1997; Law Commission, 2020; Walters & Tumath, 2014) and confirmed by participants' input.

Particularly relevant to this point, P03 made contact some weeks after the interview during the online uproar caused by the Sarah Everard murder (Hawley, 2021; Smith-Spark, 2021), speaking about incidents that did not "*pop into [her] head during the interview*" because "*guys being creeps*" is normal in the UK (Women & Equalities Committee, 2018). Participants understand misogyny in line with Bowling's (1999) explanation as an ongoing process with the belief that lack of legal acknowledgement facilitates the normalisation of VAWG, thus misogyny (Bates, 2013; Ellison, 2005; Gaffney, 1997; Hall, 2013; Martin, 2020; Topping, 2021; Walters & Tumath, 2014). This provides context and perspective to how and why the incidents referred to as "*low-level misogyny*" (P10) or "*minor*" (P13) act as a warning and trigger to women. Interviewees described their own awareness and experiences of escalated violent behaviour, which they fear due to the known victimisation of others within the same identity group (Law Commission, 2020). Despite experiences of misogynistic discrimination and abuse, some participants believed themselves fortunate having not experienced more intense abuse or for a period of respite where they have received less abuse than usual. This reflects how pervasive and internalised VAWG is to society, whereby women expect victimisation to the extent that when not being victimised, they feel grateful.

Normalisation and lack of awareness of misogyny have led to generations of women and girls who either, cannot recognise their misogynistic victimisation (Bates, 2013) or, when they do, they feel stuck in a "*no-win situation*" (P07), namely regarding street harassment. Previous research has suggested perpetrators justify this behaviour by framing street harassment as "*support*" (P07), suggesting it be taken as a compliment, which does not match women and girls' lived experiences who, although feeling victimised, struggle to identify and classify it as such (Tannenbaum, 2012). Almost every interviewee pinpointed lack of legal acknowledgement of misogyny as a contributing factor to self-doubt and illegitimacy of victimisation. Furthermore, participants spoke about the current law only intervening or being taken seriously once women have suffered serious trauma or death, leaving the community feeling unprotected, unsafe while sustaining "*rape culture*" (P02) (Bates, 2013; Law Commission, 2020; Martin, 2020).

This supports the proposed inclusion of misogyny as a hate crime to ensure misogyny-based aggravated incidents, as well as crimes, are recorded by police (College of Policing, 2021; Hall, 2013; Citizens Advice, 2021). Participants clearly demonstrated evidence of the prima facie test required at the reporting stage, believing the motivation behind their misogynistic victimisation counts as an aggravating factor (Hall, 2013; Sentencing Council, 2021).

In the current climate, many participants feel unsafe and unprotected by the law with regard to misogyny. Women attempt to cope by controlling their appearance via using clothing as a pro-active, preventive mechanism against victimisation (Hollaback, 2015; DelGreco & Christensen, 2020; Patterson *et al.*, 2018; Solnit, 2021). This damaging narrative displaces the responsibility onto the victim to avoid discrimination, making preventing discrimination the responsibility of the victim rather than the perpetrator

(Levchak, 2018; Tatum, 2013). This demonstrates a human rights breach in continued censorship and limiting of women and girls' entitled freedoms (Council of Europe, 2011; Solnit, 2021; UN General Assembly, 1993) as participants explained how their rational decision-making process has been altered by the damage created through living in fear of misogyny/VAWG (Council of Europe, 2011; Fix the Glitch, 2017; Solnit, 2021; UN General Assembly, 1993; Women & Equalities Committee, 2018). Participants often exemplified this through purposely-planning outfits to avoid harassment although; this is not fail-proof, as despite participants' efforts, many still reported instances of victimisation.

Legislating to protect against misogyny in the UK gained an overall positive response of hope and empowerment from participants who believed it would change victims' approach and response to misogyny, giving them more faith in the system (Topping, 2021). Many participants explained the current narrative as being focused on invalidating the victim's emotional response whereby perpetrators literally have a get out of jail free card by claiming it is just a joke or the victim is overreacting (Tannenbaum, 2012; Topping, 2021). The interviewees proposed legislation against misogyny would dismantle the grey area that enables this type of abuse to continue. This conceptualised the process of legislating against misogyny as making it tangible, enabling those targeted to feel more capable and confident in personally identifying and challenging misogyny in action. This would be important, especially for sexually motivated and escalating incidents, which often result in persistence from the perpetrator until formal or male intervention takes place. Interviewees emphasised the empowerment and confidence legislating against misogyny would bring, enabling victims to identify and defend themselves and report incidents.

Participants suggested the legislation would have a profound impact on individual incidents immediately upon implementation, and although it may take some time, it is likely to signify the start of a societal shift. While some participants were sceptical that legislating against misogyny will benefit male dominant environments instantly, they did indicate improvements in awareness, education, and legislation may help remedy the issue. In explaining this, participants drew parallels to existing hate crime categories such as homophobia and racism. This signals perceived similarities between these types of victimisation and suggest updating the hate crime framework to include misogyny would be appropriate to begin working these prejudices out of society (Law Commission, 2020). They noted, while still present in society, the implementation of racism and homophobia as protected characteristics raised awareness and signalled a marked societal shift in attitude and tolerance.

### *Legislation language*

Framings including sex, gender, misogyny, and female-based hate crime (HC Deb, 7 March 2018; Law Commission, 2020) were discussed, weighing the benefits, limitations, and comparing them to choose the most fitting. In agreement with recommendations to use language that accentuates the disproportionate victimisation and discrimination suffered due to female identity (BBC News, 2018; Butler, 2019; HC Deb, 7 March 2018; Law Commission, 2020; Mullany & Trickett, 2020; Woodcock, 2020), the most supported terminology of this study was misogyny. Participants' recognised misogyny is a less publicly known phrase, therefore while sounding more formal than alternatives; it requires clear definition, explanation, and educational support to ensure success (Mullany & Trickett, 2018, 2020).

Despite being the preference, the suitability of 'misogyny' raises issues about consistency with the other neutrally framed and identity-based hate crime strands (Law Commission, 2020). Framing legislation as 'female-based' remedies the issue of public understanding and transforms it into being identity characteristic-based. Although these

positive elements were appreciated, along with its inclusivity of the wider community identifying as female, this framing created concern of sounding less sophisticated which may impact how seriously it is taken as well as potentially being problematic for victims who do not “*identify with those pronouns*” (P05). Furthermore, some interviewees questioned the clarity of this framing, proposing that some people may incorrectly interpret it as “*females performing the hate crime*”. Hate crime categories are researched and discussed in terms of their victimology (Bowling, 1999; Hall 2013; Perry, 2003); therefore increasing public understanding of hate crime legislation would remedy this concern and reduce this particular confusion.

When discussing phrases such as sex and gender, participants were empathetic toward men and the LGBTQ+ community. In spite of the current use of ‘sex’ in the Equality Act (2010) and Domestic Abuse Bill (amendment 84), this was considered unclear due to connotations of “*sexual activity rather than sex as a biological definitive*” (P04). Gender was the preferred framing of the male-inclusive options as it is a social construct and more inclusive. Despite this, both raised confusion due to phrasing overlaps with existing hate crime strands (Law Commission, 2020; Lord Bracadale, 2018). Examples given included gender seeming unclear, as it is already associated with the transgender category; also, sex as potentially confused with sexuality and sexual orientation. Despite inclusive framings being considered somewhat beneficial, they were widely considered as having “*too many connotations*” (P08) as the terminology felt disconnected or side-tracked from the fundamental aim of this legislation. All participants expressed their concern lies with the success of the legislation and protection of women and girls than its particular framing.

On one hand, some interviewees emphasised their concern with remaining “*feminist*”, concerned with equality (P13), and unassuming of male victimisation stating, “*men might experience this too*” (P13). On the other, participants also demonstrated awareness that the inclusivity of men would be justified purely as a formality to satisfy neutrality because men cannot evidence demonstrable need or additional harm (Butler, 2019; HC Deb, 7 March 2018; Law Commission, 2020; Woodcock, 2020). Furthermore, despite wanting to remain as politically correct as possible, many participants feared that to cast female and male victimisation in the same light and under the same legislation, might belittle women and girls further. Participants do not condone misandry, but do believe the inclusion of men would be counter-intuitive as it would create an inbuilt mechanism to “*quiet*” or “*shut women down for reporting [misogyny]*” (P13). In sum, proceeding with misogyny-based framing would be most preferable and relevant to the aim of the legislation, but if in order to allow progression we must include men, so be it, although this may bring repercussions for the whole framework.

## Conclusion

Existing literature, particularly the Law Commission’s (2020) review of hate crime laws, provides evidence misogyny should be legislated against using the hate crime framework. Sarah Everard’s murder which coincided with this review and research only strengthens the argument that immediate legal reform to protect women and girls is necessary as the existing measures are evidently not effective (Bates, 2013; Hawley, 2021; Martin, 2020; Smith-Spark, 2021).

This research concurs with these statements; exposing misogynistic victimisation underpinned with a variety of connotations, perpetrated though different degrees of intensity (Allport, 1954) and can be categorised using themes of harassment and exclusion. Misogyny mirrors hate crime as a process (Bowling, 1999), highlighted by

participants' identification of microaggressions while conceptualising and defining misogyny, yet being less likely to relate to them as isolated incidents. Key themes of normalisation (Ellison, 2005; Gaffney, 1997; Mullany & Trickett, 2018; Walters & Tumath, 2014), escalation (Mullany & Trickett, 2018), and lack of legal support were cited as a reasons for being unable to correctly categorise experiences, feel legitimate as a victim or respond. Resultantly, participants often pro-actively modify their own behaviour to avoid misogynistic victimisation (Hollaback, 2015; DelGreco & Christensen, 2020; Patterson *et al.*, 2018).

In exploring misogynistic victimisation and viewpoints, this study supports claims for demonstrable need and suitability of legislation framing. Additionally, this research is evidence that victims support the implementation of legislation against misogyny in the UK as a hate crime category. Potential effects of said legislation described by participants included increased ability and confidence to identify and respond to misogyny through personal and formal reporting behaviour. The framing of legislation passed to protect women within hate crime should be done so using language emphasising the female gender and disproportionate disadvantage they experience (Law Commission, 2020), using 'misogyny'. Women acknowledge that men do not meet the criteria for requiring extra protection from hate crime laws (Butler, 2019; HC Deb, 7 March 2018; Law Commission, 2020; Woodcock, 2020) but state that if including men by using inclusive language to maintain legislative consistency, they would agree to this providing it is not to the detriment of women being able to speak up or come forward.

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# **A Slippery ladder? An exploration into the under-representation of Black, Asian and Minority Ethnic (BAME) police officers within the promoted ranks of Thames Valley Police (TVP)**

## **Author(s):**

Praveen Liyanage

[Prav.liyanage@thamesvalley.pnn.police.uk](mailto:Prav.liyanage@thamesvalley.pnn.police.uk)

## **Affiliations:**

Domestic Abuse Investigation Unit,  
Thames Valley Police.

Master's candidate, University of  
Portsmouth.

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fulfilment of the requirements of the  
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## **Abstract**

The representation of Black, Asian & Minority Ethnic (BAME) police officers has been a topic of discussion for well over forty years. However, it did not gain any significance or importance until the Brixton Riots of 1981, where disparities in how ethnic minority communities were treated by the police came to the fore.

BAME police officer representation has been significantly low across the country, 6.9% of a total of 123,171 police officers nationally; with differing levels of representation across the 43 police forces across England and Wales (Home Office, 2019; Office for National Statistics, 2019b).

Thames Valley Police's (TVP) total BAME police officer representation has never significantly increased over 5% in its history, and bar an anomaly between 2007, and 2008, where there was an increase of 50% in BAME Sergeants; representation in the promoted ranks has hardly deviated in the last decade, currently standing at 3.7% (Home Office, 2019; Office for National Statistics, 2019b).

This research paper critically analysed academic and professional literature, existing statistical data, and primary data collected from current serving officers who responded to an online survey and face-to-face interviews, in an attempt to try and identify if there were any barriers to progression. This analysis identified that at a national level there have been improvements in BAME officer representation over the last two decades; however, representation at senior ranks was still extremely low, with only 4% of BAME officers at Chief Inspector and above rank and 8% at Constable rank (Home Office, 2019). The research identified that a significant number of current serving BAME officers felt that they had to work 'twice as hard' as their non-BAME colleagues, that a 'Black Glass Ceiling' existed, and that 'Institutional Racism' was still prevalent in the police service.

It was also acknowledged that Recruitment, Retention and Progression are intrinsically linked, and that long-term success would be achievable if a holistic approach was taken on all three subject areas.

## Introduction

The critical importance of having a diverse police service has been discussed for over five decades. The subject gains the spotlight whenever there are significant events in society that bring to the fore the disparities in treatment or perceived treatment by the police towards various BAME (Black, Asian and Minority Ethnic) communities in contemporary multi-ethnic Britain. Momentum gained during, and shortly after these events, soon wanes; with the subject of BAME representation within the police service taking the backburner as the topics of performance and budgets take precedence.

The tragic death of George Floyd in Minneapolis on the 25th May 2020 hit the heart of the BAME community worldwide and sparked protests across the globe, highlighting the differences in treatment provided by the police towards ethnic minority communities and white communities. This study commenced long before the recent events and upsurge of 'Black Lives Matter' demonstrations. There have however, been a number of significant events in Britain such as the Brixton Riots of 1981, the murder of Stephen Lawrence in 1993 and the police shooting of Mark Duggan in 2011 that previously brought the under-representation of BAME officers in the police service to public attention.

This research seeks to understand the reasons why there is an under-representation of BAME police officers in the promoted ranks of Thames Valley Police (TVP). This currently stands at 35 (3.7%) of a total of 943 (Office for National Statistics, 2019b); critically analysing both quantitative and qualitative data obtained, together with the academic and professional studies that have been completed before.

### The Research Question

Why are there so few Black, Asian and Minority Ethnic Officers in the promoted ranks of Thames Valley Police?

### Aim

To critically explore the under-representation of BAME officers in the promoted ranks of TVP.

### Objectives

1. To critically review literature relating to BAME representation in the police service and the importance of a diverse Police Service.
2. To evaluate the current BAME representation in the promoted ranks of TVP.
3. To conduct primary research and critically explore the experiences of BAME police officers in relation to promotion processes.
4. To identify and critically discuss barriers to progression for BAME officers in TVP.

### *Diversity & its relevance to policing in Britain*

#### *Modern Policing*

London's Metropolitan Police Service (MPS) formed in 1829 can be considered as the birth of modern policing in Britain as it is known today. Introduced by Sir Robert Peel, his vision was to create a service that differentiated itself from the military and focused



on preventing crime ("Origins of the Metropolitan Police", 2009; Newburn, 2013, pp.25-28).

The values that Sir Robert Peel introduced are known as the 'Peelian Principles', defining how an 'ethical' police service should operate (College of Policing, 2014, p. 5). This philosophy is commonly known as 'policing by consent' (Home Office, 2012), described as "*Consent policing, a public institution entrusted with a peacekeeping mandate on behalf of the community.*" Braiden (1994, p. 311). Of the nine principles created, two signify the importance of having a police service that is representative of the public it serves:

- Police must secure the willing co-operation of the public in voluntary observance of the law to be able to secure and maintain the respect of the public.
- Police, at all times, should maintain a relationship with the public that gives reality to the historic tradition that the police are the public and the public are the police; the police being only members of the public who are paid to give full-time attention to duties which are incumbent on every citizen in the interests of community welfare and existence.

Sir Robert Peel would never have envisioned how ethnically diverse society in Britain would become when he penned the principles, however, they still stand true today as they did in 1829. They emphasise the importance of the police working with the public, for the public, in a non-prejudicial way for a common goal of maintaining social order. If the majority of the public do not trust or value the work of the police, society could break down, leading to serious disorder on the streets of Britain. This has been demonstrated in the past with examples of rioting that took place in Brixton in 1981 and 1985, Broadwater Farm in 1985 and London in 2011. All of the mentioned riots can be attributed to a breakdown in the relationship between the local communities and the police; the communities feeling oppressed, and treated in an unjust, disproportionate manner (Scarman, 1986; "Policeman Killed", 2008; "Riots in Brixton", 2008; "Mark Duggan", 2015).

### *Census details*

The last UK census took place in 2011. The statistics are now considered outdated however, they can indicate the levels of ethnicity in the UK. Details show that 87% of the population are White and 13% being of Black, Asian, Mixed or Other ethnic groups (Office for National Statistics, 2016; Cabinet Office, 2019).

### *The Racial Riots in Britain*

Community unrest and racial tensions are not a new phenomenon, in fact it can be expected that there will always be an underlying tension and bias between people from different races when living in a multicultural society. Wong (2013, cited by Parks, 2015, p.8) suggests that racial stereotypes are more prevalent than people realise or are willing to admit, they are wide reaching and can be found in the institutional structures of society such as prisons, schools and employment.

There have been a number of riots in Britain in the 20th and 21st Century that can be considered as 'race riots,' '*a riot caused by racial dissensions or hatreds*' (Merriam-Webster, n.d.).

The Brixton Disorders took place between the 10th and 12th April, 1981. A view that was forcefully expressed to Lord Scarman who conducted the review into the disorders was that the local community had been subjected to, "*oppressive policing over a period*

*of years, and in particular the harassment of young blacks on the streets of Brixton"* Scarman (1986, p. 14).

The 2011, riots started in Tottenham, London, and sparked copycat riots in some other major cities of Britain as a result of the fatal police shooting of Mark Duggan on the 4th August 2011 (Department for Communities and Local Government, 2013, p. 5). On the 6th August a peaceful protest turned to violence outside Tottenham police station as crowds of demonstrators demanded answers as to circumstances of the shooting of Duggan ("Mark Duggan", 2015). Rioting took place over the course of five days, resulting in a total estimated cost of £370 million when all damages and emergency services costs were accounted for (Her Majesty's Inspectorate of Constabulary, 2011, p.13).

The cause for the riots cannot solely be attributed to the police, there were many socio-economic factors that contributed to the sense of dissatisfaction within the communities involved, including; social housing, education, unemployment and high levels of crime (Department for Communities and Local Government, 2013, p. 15).

A common factor that can be observed from all of the disturbances discussed is that the tipping point in all of them appeared to be the communities' dissatisfaction with the police. Evidence suggests that community confidence in the police is vital to ensuring community cohesion.

#### *The Murder of Stephen Lawrence*

Stephen Lawrence was murdered in an unprovoked racially motivated attack on the 22nd April 1993. The police were heavily criticised for their initial response and investigation into the murder, resulting in the then Home Secretary Jack Straw announcing a Judicial Inquiry in 1997 which was to be led by Sir William Macpherson (Macpherson, 1999). The Macpherson report found that the police investigation was "*was marred by a combination of professional incompetence, institutional racism and a failure of leadership by senior officers*" (Macpherson, 1999, para. 46.1). The inquiry focussed on the actions and inactions of the MPS and concluded that "*institutional racism affects the MPS and police services elsewhere*"; making 70 recommendations aimed at "the elimination of racist prejudice and disadvantage and the demonstration of fairness in all aspects of policing" (Macpherson, 1999, para. 46.27; 47.2). The recurring theme of the importance of the public having confidence in the police was brought to the fore again in Recommendation 47.1) "*To increase trust and confidence in policing amongst minority ethnic communities*" (Macpherson, 1999, para. 47.1).

#### *Institutional Racism*

The term 'Institutional Racism' was first brought to public attention by Lord Scarman in his Inquiry into the Brixton Disorders, 10-12 April, 1981. In describing his view of institutional racism in British society, Scarman (1986, p. 28) stated that he rejected that society knowingly discriminated black people, however, if there was unwitting discriminatory behaviour it needed to be considered and rectified if proven. Scarman did not believe that the police service itself was '*Institutionally Racist*' in its practices or policies, nor within its senior ranks, but did acknowledge that racist attitudes may exist in a small minority of lower ranking officers; becoming apparent when conducting their day to day policing duties, stating "*Racial prejudice does manifest itself occasionally in the behaviour of a few officers on the streets*" (Scarman, 1986, p.105).

Macpherson (1999, para. 6.34), was more critical about the police stating that he believed the police service was Institutionally Racist, defining it as:

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

Macpherson (1999) suggested that it was not overt racism that disadvantaged ethnic minorities, but in fact policies, processes, and attitudes that may unintentionally put them at a disadvantage. Some may suggest that the previous two references are outdated being over twenty years old, and that the police service has advanced considerably since the publication of both reports. However, in 2018 Chief Constable Gareth Wilson who was the lead on diversity for the National Police Chiefs Council (NPCC) told the Guardian newspaper that 'Institutional Racism' was still very much prevalent in the police service and that police forces had been *"too slow to eliminate prejudice from the workforce and change the way officers treat the communities they serve"*, and that a new diversity initiative was to be introduced making Chief Officers directly accountable for improving diversity (Dodd, 2018). These relatively recent comments from a senior police officer would suggest that 'Institutional Racism' has not fully been eradicated from the police service as yet. Souhami (2011, p.16) quotes *"Institutional racism is pervasive, subjective and intangible, while its origins and manifestations are difficult to locate. Even those who feel themselves subject to it find it difficult to describe"*.

#### *BAME Representation*

BAME representation has significantly increased in contemporary Britain however, there have been woefully low numbers of BAME officers that have attained the rank of Chief Constable or the MPS equivalent of Assistant Commissioner. In fact there has only ever been one Black Chief Constable, Mr Michael Fuller QPM who served between 1975 and 2010, appointed as Chief Constable of Kent Constabulary between 2004 and 2010 until his retirement (Justice Committee, 2010). Interviewed in 2019 after his retirement, Fuller is quoted as saying *"...we're talking nine years and there still haven't been any other black chief constables appointed."* (Brown, 2019). Fuller's comments raise a very important question, is there a "black glass ceiling", "unconscious or conscious bias" or are there other factors at play?

The gravitas of BAME recruitment and its importance in social cohesion was signified by the publication of the Scarman Report in 1981. Within the report Lord Scarman (Scarman, 1986, p. 122) discussed the recruitment of BAME officers within the police service stating:

*"There is widespread agreement that the composition of our police forces must reflect the make-up of the society they serve. In one important respect at least, it does not do so: in the police, as in other important areas of society, the ethnic minorities are very significantly under-represented."*

Scarman (1986) continued by stating that a police service that failed to be representative of the communities that it served would never truly be able to secure the full support of all its sections, he urged the Home Office to look at ways to improve ethnic minority recruitment stating that *"vigorous efforts"* were required to recruit more Black people into the police service (Scarman, 1986, p. 199). The sentiment of Lord Scarman was echoed by Sir William Macpherson in his report into the murder of Stephen Lawrence published in 1999. In that report Macpherson made recommendations aimed at improving the *"Openness, Accountability and the restoration of confidence"* in the police service (Macpherson, 1999, Chapter 47). Three

recommendations specifically addressed the topic of Recruitment and Retention. These discussed the importance of introducing targets for the recruitment, retention and progression of minority ethnic staff, the facilitation of development programmes for ethnic minority recruits and that Her Majesty's Inspectorate of Constabulary (HMIC) regularly report on the progress of the police service on these matters (Macpherson, 1999, Chapter 47).

There have been numerous academic studies that have researched the topic of BAME representation and progression in the police service. Some studies were completed in the late 1990's and early 2000's (Bland, Mundy, Russell, & Tuffin, 1999; Cashmore, 2001; Cashmore, 2002), and may be considered out of date. Despite this, it is useful to note some of the key findings from these studies in order to establish if progress has been made almost two decades later. More recent studies (Todak, Huff, & James, 2018) revisit these areas of discussion and bring with them further findings.

An early study found that ethnic minority officers progressed through the promotion process slower than their white colleagues, it highlighted the career differences between ethnic minority officers and their white colleagues in recruitment, retention, promotion and selection for specialist posts, concluding that due to these differences, institutional racism had played its part in defining their careers (Bland et al., 1999). Their research found that ethnic minority officers' career progression appeared to be "*blocked*" at basic supervisory level or at lower management levels (Bland et al., 1999, p. 1), which may suggest no improvement in twenty years, based on the comment of Tola Munro, President of The National Black Police Association (House of Commons Home Affairs Committee, 2019, p. 21) who stated "*Even when we do join the service, there is a feeling that we are kept at that level*".

The under-representation of BAME officers in the promoted ranks can partly be attributed to the fact that there is a low representation of BAME officers in the police service as a whole. Cashmore's (2001, p. 643) study into the experiences of ethnic minority officers in Britain stated that the default position that the police service reverted to when defending the low representation of BAME officers was that it was the fault of the BAME community itself; blaming Asian families for discouraging their young from joining, and African Caribbean youths from feeling enormous peer pressure not to join '*the enemy*'. His view was that this argument was not plausible following the release of the Macpherson Report. Cashmore (2002, p. 338) found that ethnic minority officers acknowledged that difficulties existed when trying to increase representation within the police service, but believed that "*tangible changes could be effected by enhancing the opportunities available to serving officers from ethnic minority backgrounds*", which was reiterated by Rowe (2012, p.40) who identified that if a substantial amount of BAME officers were recruited, and were in positions of power, they may then be in a position to influence culture, policies and procedures that could bring about meaningful change. A study of similar disparities in ethnic representation within the police service in USA established that over half of black police officers reported that white officers were more likely to be given better assignments and promotions than their minority colleagues (Todak et al., 2018, p. 493). These are perceptions and feelings, which sometimes cannot be proven, Souhami (2011, p. 13) described discrimination as "*subjective and intangible*", where staff felt strongly that they had been subjected to discrimination, but had difficulty in articulating instances where they had been subjected to it.

#### *Current Police Workforce Figures*

The Home Office statistical publication 11/19 titled 'Police Workforce, England and Wales, 31 March 2019 second edition' (Home Office, 2019) has published ethnicity

data for police officers as at 31st March 2019. This states that there were 8,329 BAME police officers in the 43 forces in England and Wales, an increase of 478 (6%) compared to 2018. Of the officers that self-defined their ethnicity, BAME officers represented 6.9%, a 0.3 increase over the previous year (Home Office, 2019). The document highlights that there was a gradual upward trend in the proportion of BAME officers since 2010; however, this is significantly lower than the BAME population, which is recorded at 14% (Home Office, 2019, Figure 6.1).

**Figure 6.1:** Proportion of police officers who are BME, as at 31 March 2010 to 31 March 2019, England and Wales<sup>1,2</sup>



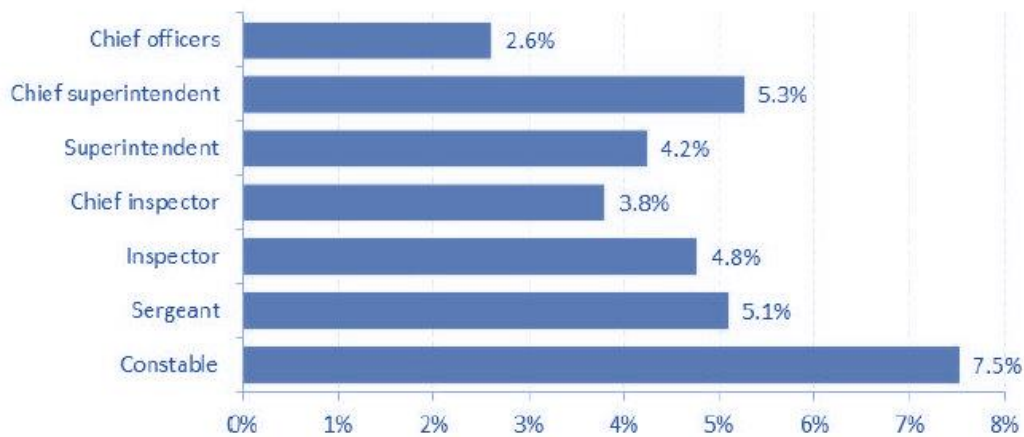
Source: Home Office, [Ethnicity Open Data Table](#)

**Notes:**

1. Excludes those who did not state their ethnicity.
2. Excludes British Transport Police.

It was of significant notice that there was an under-representation in the senior ranks of Chief Inspector and above, where only 4% were at the rank of Chief Inspector and above, whereas 8% were at Constable level (Home Office, 2019, Figure 6.2).

Figure 6.2: Proportion of police officers who are BME, by rank, as at 31 March 2019, England and Wales<sup>1</sup>



Source: Home Office, [table D1](#)

**Notes:**

1. Excludes those who did not state their ethnicity.

### *BAME Recruitment*

Recruitment, retention and progression are inter-related, policies in one area can affect the other two (Van Ewijk, 2011). The progression of BAME officers cannot be addressed if there are insufficient candidates of suitable calibre available to move through the ranks.

Efforts to recruit BAME officers are not recent initiatives; in 1967 the Home Office sent out circulars to all police forces urging them to appoint liaison officers that could encourage people from 'immigrant communities' as they recognised the importance that the police had in 'promoting good race relations' (Rowe, 2012, p. 23).

In July 2019, the Home Office announced that Prime Minister Boris Johnson's pledge of an uplift of 20,000 police officers would commence from September 2019 (Home Office, 2019b). This is an opportune time to address the lack of representation of BAME officers in the federated ranks of the police service. The College of Policing have recognised this and Chief Constable Mike Cunnigham, CEO of the College stated that they would seek to extend diversity across the service during this recruitment campaign ("20,000 Officers", 2019). Individual police forces are conducting their own recruitment campaigns, however there is also a Government webpage that is dedicated to recruitment; it explains different avenues into policing and also directs viewers to police forces that are recruiting around the country (HM Government, 2020).

The Policing Vision 2025 was published in 2016, by the National Police Chiefs Council (NPCC). It highlights the importance of linking communities with the police, referring it as *"the bedrock of British Policing"* (National Police Chiefs Council, 2016, p. 3). The document recognises the importance of the police service being more representative and how this will bring new skills to the service, *"By 2025 policing will be a profession with a more representative workforce that will align the right skills, powers and experience to meet challenging requirements"* (National Police Chiefs Council, 2016, p. 8). The vision is a step in right direction, and is a positive indicator that increased representation is on the government's agenda. However, it falls short in that increased representation is not specifically listed as an item that Police and Crime Commissioners are held accountable to, which could result in a disparate result across the country.

Despite robust legislation being in place safeguarding society from discrimination, including a Positive Action provision introduced in the Equality Act 2010, aimed at addressing under-representation; there is still a distinct lack of BAME officer representation in the police service across England and Wales, particularly in senior positions. This is concerning as there have been concerted efforts at increasing BAME representation in the police service over the last five decades. In 2015, Home Secretary Theresa May (2015) said:

*"if police forces do not truly represent the people they serve, if they are not made up of men and women of all backgrounds, if they do not properly reflect the communities where local officers police, then we cannot truly say the police are the public, and the public are the police."*

#### *Thames Valley Police (TVP)*

TVP is the largest non-metropolitan police force in England and Wales, encompassing the counties of Berkshire, Buckinghamshire and Oxfordshire; covering over 2,200 square miles and serving a diverse population of over 2.4 million people (Clark, 2019; "About Thames", 2020). The geographical area has an above average representation of BAME communities, 15% spread over a combination of rural and urban areas ("More About", 2016) when compared to the national figure of 13%, based on the 2011 Census figures (Office for National Statistics, 2016; "Ethnicity Facts", 2019). Despite having such a diverse population, TVP's police officer BAME representation has consistently remained at 5% for the last decade, 219 as at 31st October 2019, of a total of 4,362 (Home Office, 2019) corroborated by TVP internal data, 2019.

#### *Thames Valley Police Workforce*

Analysis of the Police Workforce Open Data Ethnicity Tables compiled by the Office for National Statistics recorded between 2007 and 2019 shows a significant increase of BAME Sergeants in TVP between 2007 and 2008 (Office for National Statistics, 2019b). The increase was from 16 to 24, an increase of 50%, the likes of which have not been seen since. Since that time the figure for BAME Sergeants has fluctuated slightly, averaging at 26 between 2008 and 2019. Figures for the rank of Inspector and above have remained far more consistent; never entering double digits, with the highest ever recorded at 9 in 2009. BAME inspectors have gradually declined the following years, with 4 being recorded for 2019. BAME representation in the more senior ranks has been consistently low from 2007, with the highest ever recorded number of Chief Inspectors being 3 between 2013 and 2015 and then dropping to 2, the level at where it stands at 2019. The figures for Superintendents, Chief Superintendents and Chief Officers are predictably low, never exceeding 2 for Superintendents and Chief Superintendents, currently standing at 1 and 2 respectively. The total number of BAME officers at Chief Inspector rank and above currently stands at 5%, a slight increase above the national figure (Office for National Statistics, 2019b). 2008 - 2010 saw the first and only BAME Assistant Chief Constable in the history of TVP.

Figure 1: - Office Of National Statistics: Police Ethnicity Data Tables 2019



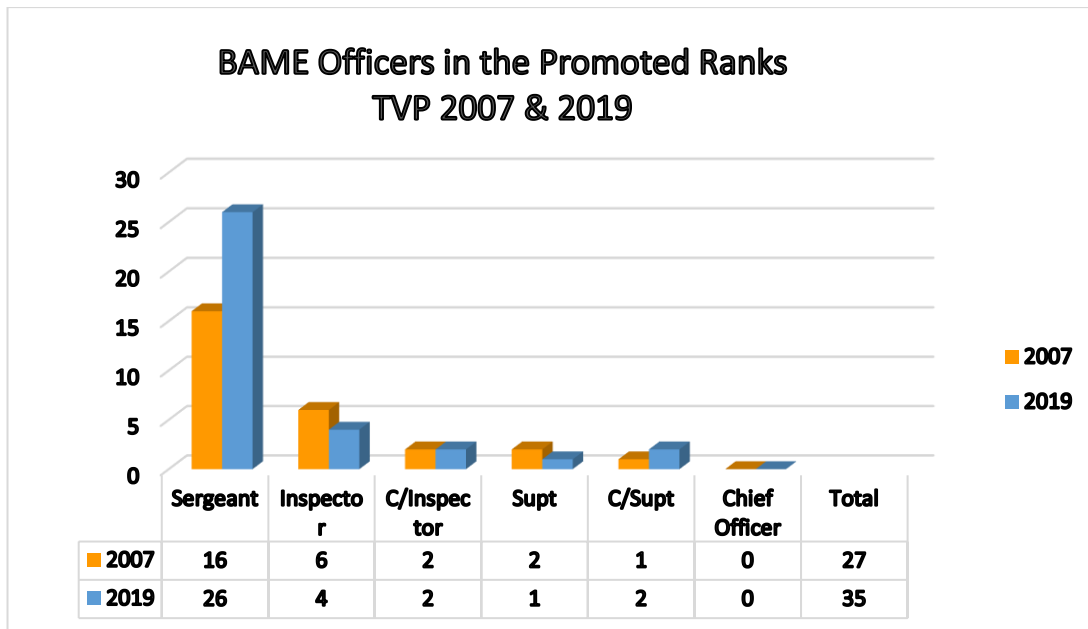


Figure 1 (above) shows the BAME representation in the promoted ranks of TVP for the years of 2007 and 2019. In 2007 there were 27 police officers in the promoted ranks of TVP which increased to 35 in 2019. At first instance this appears to be a positive step forward, but this increase is due to the anomaly between 2007 and 2008 where the 50% increase in Sergeants occurred. When analysing the data for the last decade [2009 - 2019 Figure 2 below] a more concerning trend is seen. The 2009 figures show a total of 39 police officers in the promoted ranks, however the 2019 figures of 35 show that there has been a reduction of 4 officers which is a 10% decrease.

Figure 2: Office Of National Statistics: Police Ethnicity Data Tables 2019

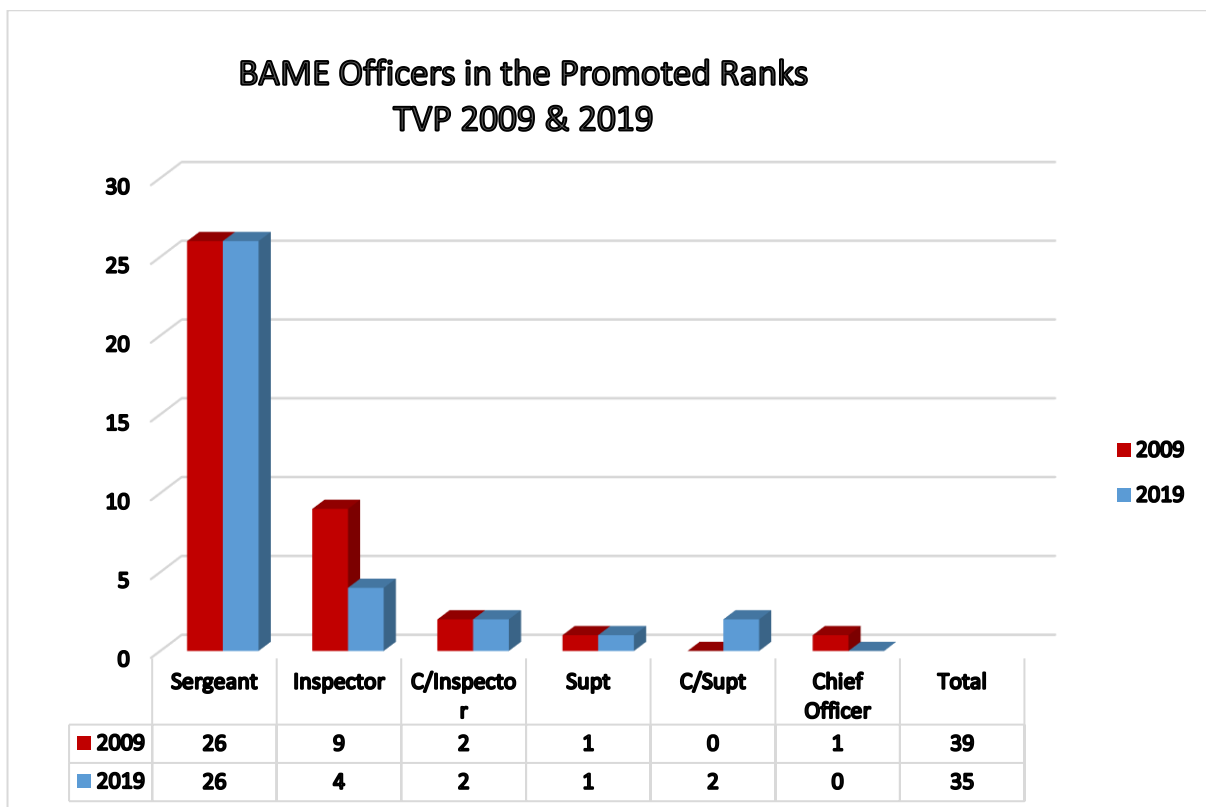
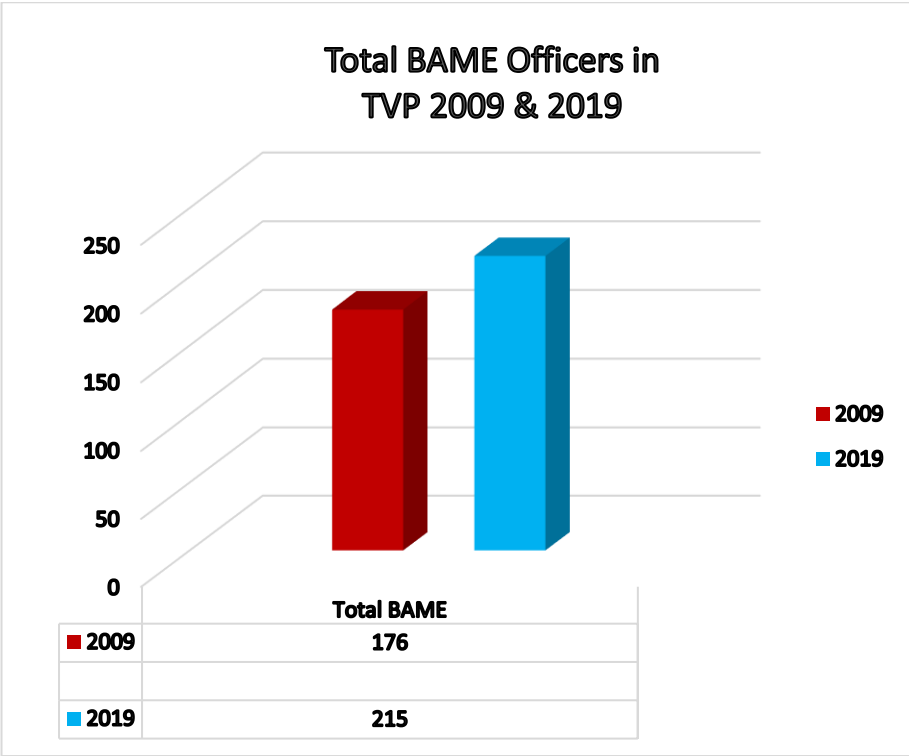


Figure 3 shows the total number of BAME officers in the force in 2009, which including Constables was 176, that increased to 215 in 2019, a 22% increase in BAME representation (Office for National Statistics, 2019b). The 22% increase in BAME representation is positive, yet this increase in trend should theoretically and ideally demonstrate a proportionate increase in BAME representation in the promoted ranks. This data will now be compared to the data of White officers in order to critically assess the differences.

Figure 3: Office Of National Statistics: Police Ethnicity Data Tables 2019



In 2009, there were a total of 4,052 officers that were White, this reduced to 3,993 in 2019, a reduction of 59 officers which represents a 1.5% decrease. The number of White officers in the promoted ranks in 2009 were 869. There was an increase of 39 White officers in the promoted ranks in 2019, a total of 908, which represents a 4.5% increase.

Analysing this data brings about a valid question: Q1

**If BAME officer representation across all ranks increased by 22% from 2009 to 2019, why did BAME representation in the promoted ranks reduce by 10%?**

This is a valid question as comparable data relating to White officers reveals that White officer representation across all ranks reduced by 1.5% from 2009 to 2019, yet White officer representation in the promoted ranks increased by 4.5%.

### *TVP BAME Officer Leavers*

Table 1: TVP BAME Leavers (Internal Data, 2020)

BAME officers	Year						Grand Total
	2015	2016	2017	2018	2019	2020	
Reason for leaving							
Career Break - no return	0	0	4	0	0	0	4
Death	0	0	1	0	0	0	1
Dismissal	0	0	1	1	1	1	4
Medical Retirement	1	1	1	0	0	0	3
Normal Retirement	8	4	4	4	6	4	30
<b>Resignation</b>	<b>6</b>	<b>2</b>	<b>4</b>	<b>4</b>	<b>6</b>	<b>3</b>	<b>25</b>
<b>Transfer</b>	<b>3</b>	<b>0</b>	<b>5</b>	<b>7</b>	<b>6</b>	<b>2</b>	<b>23</b>
Undisclosed	1	2	0	0	0	0	3
<b>Grand Total</b>	<b>19</b>	<b>9</b>	<b>20</b>	<b>16</b>	<b>19</b>	<b>10</b>	<b>93</b>

Table 1 shows the internal data held relating to BAME leavers between 2015 and the first quarter of 2020. It records a total of 93 BAME officers leaving the force, a significant number considering the low representation the force has. When analysing the data, it is apparent that there is a significant factor that is out of the Force's control, namely Normal Retirement. A total of 30 BAME officers retired over the time period specified however, there are two factors that are concerning. Resignations over the period totalled 25 and Transfers totalled 23. 2018 saw 11 officers leave due to Transfer or Resignation, with 2019 seeing 12. These are areas that warrant immediate attention or any positive action initiatives may prove futile.

### *Research*

In a study by Bland et al., (1999) it was found that on average, officers felt ready for promotion and applied to sit for the first step of promotion after four years (Constable to Sergeant). Based on this finding an analysis has been completed based on the total number of Constables in TVP in 2015, (Office for National Statistics, 2019b) with the TVP internally held data relating to the number of applicants for Sergeant in 2019. The data shows that there were a total of 3,483 Constables in 2015, of which 181 were BAME. The 2019, Constable to Sergeant promotion process saw only 3 BAME applicants apply for promotion to Sergeant. This was the lowest level of BAME applicants for the five-year period, which had peaked in 2017, where 13 BAME Constables applied for promotion with only 4 being successful.

When critically analysing the data above, and the subsequent question arising from it, the comments by Janet Hills and Tola Munro mentioned previously and the findings by Bland et al., (1999, p.1; House of Commons Home Affairs Committee, 2019. p. 21) appear to be cogent concerns, proving to be statistically true with over 83% of the 2019 BAME figures being at Constable level.

It appears that there may have been improvements to these figures if the findings and recommendations from some of the earlier academic studies had been acted upon; such as the ones Cashmore (2002, p338) highlighted, where BAME officers said that "tangible changes" could be made to the issue of under-representation if opportunities such as "accelerated promotion" or "fast tracking" schemes were put in place for BAME officers.

## **Methodology**

Statistics relating to BAME officer representation were provided by the organisation along with details relating to promotions over the previous five years. These figures were cross referenced with those from the Office for National Statistics. (2019b) to ensure accuracy and consistency.

### *Research Design*

When considering how best to approach this research, it was established that both quantitative and qualitative data would be required for critical analysis. In order to analyse both quantitative and qualitative data, a multi-strategy design was chosen. The 'Sequential exploratory design' was deemed most suited to this particular dissertation as it is a method that analyses the qualitative data followed by an analysis of the quantitative data, priority is afforded to the qualitative data and the findings integrated during the interpretation phase; this design is used when exploring a phenomenon (Robson, 2011, p. 165).

The quantitative data collection was primarily from open sources, data available from the Office of National Statistics and then cross-referenced with internal data held by the force. Additional quantitative data was partially obtained through an online questionnaire that had a combination of fixed response (Yes / No) questions and summated rating questions also known as 'Likert' questions that require the participant to agree or disagree with the question on a scale between 'Agree Strongly to Disagree Strongly' (Robson, 2011, p.303-306). The online questionnaire was an anonymous exercise where participants were invited to take part by a Business Partner from the People's Directorate, who was the Lead Advisor for Diversity within the organisation. An email inviting participation was sent to all police officers that had self-identified as

BAME. Two emails were sent out and these were supported by the Deputy Chief Constable, the lead Chief Officer allocated to the diversity strand of 'Race' (Equality and Human Rights Commission, 2019). The emails contained links to the online survey and researcher details, informing participants that they could contact the researcher directly in order to arrange a mutually convenient date and time to take part in the one to one interviews.

### *Ethical Considerations*

Participant confidentiality was identified to be of paramount importance. A detailed ethics application was submitted to the University of Portsmouth's Ethics Committee. This was in accordance with the University's Ethics Policy, the British Society of Criminology Statement of Ethics 2015 and the concordat to support research integrity.

The online surveys were anonymous and participants for the voluntary interviews were provided with a number of means in which to contact the researcher without using TVP systems. All findings in the research have been fully anonymised with participants coded as per University guidelines.

### *Interviews*

The interviews took place at police premises with the consent of the participants. Alternative venues were offered but they all felt comfortable to conduct them at local stations. The interviews were structured with set questions which the participants were allowed to view prior to the interviews taking place. A detailed Participation Information Sheet and a Consent Form were presented to the participants which were signed prior to the interviews commencing. Interviews were digitally recorded in an audio only format with freedom allowed to deviate from the questions to facilitate natural conversation. The interviews were transcribed and then provided to the interviewees to review. The data was then used after the interviewees confirmed accuracy of the transcript. On average the interviews lasted around 30 minutes, although one did take significantly longer due to the participant having a number of experiences they wanted to share.

### *Participants*

The online surveys were open to all the BAME officers that had self-defined their ethnicity to TVP. As at 31/10/2019 there were 219 officers that had self-defined as BAME. An invitation to participate in the online survey was sent out on 06/01/2020 with the survey closing at 23:59 on 31/01/2020. During the 26-day period, there were a total of 62 responses, a 28% response rate. Academic studies have shown that lower response rates are not a threat to the validity of a study and that there is no direct correlation between response rate and validity (Morton, Bandara, Robinson, & Atatoa Carr, 2012; Wahlberg & Poom, 2015). Visser PS, Krosnick JA, Marquette J, Curtin M. Mail (1996, cited by Morton et al., 2012, p. 107) suggests that studies with lower response rates, some as low as 20%, are able to generate more accurate results than some yielding 60% - 70% responses. In a study by Holbrook A, Krosnick J, Pfent A (2007, cited by Morton et al., 2012, p.107) it was found that studies with a lower response rate were only marginally less accurate than those with a far higher response rate. Another consideration taken into account when viewing the response rate are the concerns raised by Wunsch et al., (2016) where the fear of being subject to disciplinary proceedings outweighs any reassurances made with regards to the anonymity provided by the researcher.

The face-to-face interviews were with BAME police officers that ranged the federated ranks between Police Constable and Chief Superintendent. It was not practicable to

interview all the willing participants due to the restrictions in place due to the Covid-19 pandemic.

## Results

The software package used to complete the online survey was called Online Surveys (formerly known as Bristol Online Surveys), a GDPR and ISO compliant package used by many academic researchers.

The online survey data is presented with a combination of Descriptive and Inferential analysis. The data was exported from Online Surveys to IBM SPSS where the data was used to perform T-tests for a number of hypotheses created from the online questionnaire. The T-tests show if there was a statistically significant difference in the mean scores between respondents that answered Yes or No to a particular question, when compared to the responses on another question asked in the survey.

There were some responses that will be highlighted to demonstrate areas where BAME officer perceptions were extremely positive, conversely, there were some concerning responses that need discussion in order to move forward in a positive direction.

Question 2 asked if the respondents had considered applying for promotion. 50% of the responses stated that they had considered applying for promotion; however, the very next question (Q3) asked if they had applied. Of these responses only 37% had actually gone on to apply. Varying hypotheses can be applied as to why this have been so, personal circumstances, lateral promotion and confidence issues could be attributed to this, however responses to further questions in the survey could indicate why this was the case.

Question 4 asked if the applicants had been supported by their Local Policing Area for promotion. 54% had been supported and 46% had not. With the relatively low numbers of BAME officers in the force, and with even fewer in the promoted ranks, this is an area that requires more focussed attention to increase support for BAME applicants.

Question 5 asked if those that had applied under previous promotion processes that included an interview stage had been successful. 46% had been successful and 54% had not. A concerning factor to consider was the next question (Q6) which asked those applicants if they had received feedback that they considered would be useful for a future application. 42% did not feel that they did. This was an area where further support and guidance could have resulted in improved results for future applications. Poor feedback could potentially deter an individual from any further applications.

Questions 7 and 11 had positive results where 74% of respondents felt that their line managers supported their career ambitions and 59% did not feel disadvantaged in their career due to their ethnicity. Although this is reassuring, 25% did feel disadvantaged in their career due to their ethnicity. In order to promote the police service as a career of choice to BAME applicants, further work is required to try and change the negative perceptions held by those that believed that they were disadvantaged due to their career.

Questions 18 and 21 asked if the respondents felt that it was important to have BAME officers in senior ranks and if Positive Action Initiatives should be maximised in order

to increase BAME representation in the promoted ranks. These two questions generated responses of 84% and 74% respectively, in agreement.

Question 19 asked if the respondents felt that a 'Black Glass Ceiling' existed, explaining that it was a metaphor representing an invisible barrier that made it extremely difficult for a certain demographic (in this case BAME) from rising beyond a certain level. It is important to note that 48% of respondents agreed that there was, whilst 26% disagreed and 26% neither agreed nor disagreed.

Question 20 felt that BAME officers had to work at least 'twice as hard' as other officers to prove their worth or be recognised. 46% agreed that they did with 28% disagreeing and 26% neither agreeing nor disagreeing.

Question 23 asked the respondents if they felt that Institutional Racism still existed in the police service. 48% agreed that it did, with 37% disagreeing and 15% neither agreeing nor disagreeing.

The survey was then opened for respondents' own comments. These have been categorised into three themes of either Positive, Negative or Advisory. 42% of the participants took the opportunity to write additional comments. Of these responses, 27% were displayed positive experiences of the police service, 42% were negative experiences and 31% were advisory comments.

Positive experiences included thoughts that there had been significant improvements in policing since the 1970's, stating that police culture was much more tolerant and understanding towards the needs of BAME staff. That barriers to progression were no longer in existence and that BAME officers be encouraged to apply for more specialist departments in order to increase diversity. A comment was made that there was an existence of both supportive and non-supportive line managers, and that it depended on the department or team that the individual was working on. This respondent went on to suggest that there was a fear to talk about race and that representation of BAME officers at higher ranks would alleviate these issues. A number of respondents had nothing other than praise for TVP.

Negative experiences suggested that racism still existed at a personal level and that some BAME officers still had to deal with these issues in current times. One comment suggested that the toxic racist binary within society was mirrored by individuals within the police service. This respondent stated that in their opinion the xenophobic, anti-immigrant sentiment which was also directed to the British born BAME community that increased during the Brexit campaign was voiced by some officers and staff, and that none of this casual racism was addressed, stating that the lack of leadership on this was evident. One respondent felt that BAME officers had to work twice as hard as their colleagues and that any BAME officers that get promoted are perceived by their colleagues as to have got it to "make up numbers" and not on their merits. Another felt that there had been no progress on the recruitment, retention and progression of BAME officers in the last thirty years and that the current workforce was not representative of the community. It was suggested that it was not an equal playing field and that they would not encourage their family or friends to choose a policing career. This respondent also felt that BAME officers had to work much harder than their colleagues in order to "prove their worth". Another respondent felt that there was a serious lack of BAME representation and that they struggled to relate to their non-BAME peers. A concerning comment was made where the individual felt that the force did not value its BAME staff and "*pretended to care*" by talking about increasing representation, yet was struggling to retain the BAME staff it already had. This respondent felt that the Senior



Management Team where they worked "*blatantly discriminated BAME staff*", promoting non-BAME staff in favour of BAME staff as "*their face fits*", and nothing was done about it.

The advisory comments were made in relation to increasing BAME representation. Some consisted of suggestions of strong recruiting campaigns over a prolonged period of years, targeting recruitment fairs and other community events. It was suggested that young people aged between 15 and 20 should be approached to understand what their views on a policing career were in order to try and alleviate any barriers to entry. It was felt that increased representation would bring about a natural progression of BAME officers through the ranks. Another comment was for BAME officers being involved in assessment and interview panels to bring about more diverse thinking in selection processes of potential and current BAME staff.

#### *One to One Interviews*

The interviews consisted of lower ranking officers (Constable - Inspector) and higher ranking officers (Chief Inspector and above).

The theme of the responses were Positive, Negative or Advisory. Participants had a combination of extremely positive and negative experiences.

## **Conclusion**

The inferential data analysis suggested that there was no statistical difference between the questions tested in the hypotheses put forward. It should be noted that the group sizes were small which can result in non-significant results due to insufficient power (Pallant, 2016), this suggests that results may have been different if more data had been available for the software to analyse. The 'Sequential exploratory design' (Robson, 2011) chosen for this research took into account quantitative data but afforded emphasis to the qualitative data; perceptions, feelings and experiences made by respondents. Three broad themes were established from the online survey and interview, positive, negative and advisory. For the online surveys there were many positive responses, however three questions relating to perceptions of a BAME Glass Ceiling, BAME Officers having to work twice as hard as their non-BAME counterparts and the perception that Institutional Racism still existed in the police service generated high response rates of agreement. These questions relate to 'Organisational Justice' (the extent to which employees perceive workplace procedures, interactions and outcomes to be fair in nature), perceptions of injustice can result in dissatisfied staff leaving, reducing their work effort, filing grievances and have a reduced sense of loyalty (Baldwin, 2006).

The numerical data relating to BAME officer representation cannot be disputed; there has been very little fluctuation of BAME officer representation in the promoted ranks over the last decade. Reassuringly, the last five years have seen positive steps being taken by the force to address this disparity. However, successes will only be measurable in forthcoming years, and if steps are not taken to stem the loss of BAME officers due to resignations and transfers, it could be an uphill struggle that may never succeed. The analysis of the data showed a combination of positive and negative experiences, the positive experiences were reassuring to see, however there were a number of negative experiences and perceptions that not only indicated a sense of Organisation Injustice, but possibly discrimination. The recommendations that follow will endeavour to try and address these concerns in order that they not be replicated in the future.

This study commenced in 2018, and since that time there have been some significant and positive changes in policies and procedures with regards to the recruitment, retention and progression of BAME officers in the force. Positive Action initiatives in the Acting Policy, and increased diversity awareness in the Professional Standards Department and Vetting Department are reassuring advancements that demonstrate a commitment to positive change. The author has previously advocated the benefits of a team dedicated to BAME recruitment such as the newly formed 'Positive Action & Engagement Team', a sentiment which was echoed by some of the survey and interview participants.

The recommendations made in this study may possibly assist further progression of BAME officers in TVP and further reinforce its reputation as a leading, forward thinking police force in the UK; it should however be noted that Recruitment, Retention and Progression are intrinsically linked, something identified as a "Research Gap" by (Van Ewijk, 2011, p. 78). This study concentrated on the 'Progression' of BAME officers, had all three topics been included it would have either been considerably larger or very diluted.

With fracture lines now widening in society over the disparity in BAME representation across all aspects of life, it is time for the National Police Chiefs Council and the government to seriously consider taking bold and brave decisions such as those made by Lord Patten with the Patten Reforms of Northern Ireland (A New Beginning, 1999); possibly even removing the requirement for senior BAME officers to pass the Police National Assessment Centre (PNAC), an alternative method could be that they are allowed to attend the Strategic Command Course with the support of their Chief Constable. These are difficult conversations that need to take place if BAME representation in the upper echelons of the police service is an agenda that is more than merely lip service.

*".....black officers never realise their potential, because the hurdles they must overcome grinds them down and saps away their energy"*  
("Racism Won't Change", 2020).

## **Recommendations**

1: Re-launch the BAME Tracker programme.

Both 1st and 2nd Line Managers to be accountable to the development of their BAME staff, with quarterly meetings recorded in the Performance Development Reviews (PDR). The LPA Commander / Head of OCU ultimately responsible for the development of all their BAME staff with reports fed into the Chief's Diversity Board.

The BAME Tracker initiative was a well-intentioned programme that had considerable potential. Its demise was the apparent lack of buy-in from non-BAME senior leaders who either failed to identify and meet their BAME staff, or delegated the meetings to their subordinates, thereby demonstrating a lack of value or commitment to the programme. Further failures arose when having had those initial meetings, no positive action took place, which gave the perception that the senior leaders were completing the exercise due to a sense of obligation with no real commitment to the programme.

2: The Positive Action statement within the Acting Policy be monitored for compliance.

The Acting Policy discusses Positive Action in detail. LPA Commanders and Heads of OCU to be held accountable for promoting the Positive Action statement within the policy and to report back to the Chief's Diversity Board with actions they have taken to promote BAME progression within their respective areas.

3: All BAME promotion applications not supported at a local level to be re-assessed at HQ by an independent panel.

Any discrepancies or anomalies found by the re-assessing panel should result in the original assessing panel being questioned and held accountable, justifying their decision-making process.

Denying BAME officers the opportunity to appeal a decision is a policy that falls under Macpherson's definition of Institutional Racism, likewise, failure to investigate further is an injustice to them. Previous Chapters discussed how BAME officers perceived that in certain circumstances their opportunities were blocked, sometimes with unconscious bias and on some occasions with. BAME officers that apply for promotion are minimal in the overall promotion application process. This is a measure that is justifiable and not financially infeasible.

4: Identify opportunities where BAME officers can be exposed to Senior Officer strategic thinking.

Public Order loggist roles are not widespread within TVP, they are however widely used in other forces. This is a role that exposes officers to senior officers' strategic thinking. BAME officers could be considered to perform the role of a loggist if a centrally held register was available.

The role of Staff Officer is another position that exposes officers to strategic decision making. As a positive action initiative, it would be beneficial if these roles were offered to BAME officers for first refusal.

Project work is another area where officers can develop their skills and be afforded exposure to strategic meetings. Strategic projects could be advertised to BAME officers, thereby allowing them additional opportunities to develop their skills.

5: Inspectors and above to be allowed the flexibility to move departments in order to further develop their skills.

It has already been discussed that there is even lower representation with BAME representation at Chief Inspector and above ranks. Allowing Inspectors and above to move departments on short term secondments or development opportunities will allow them to increase their competencies and widen their skills portfolio. This will equip them to perform at a higher level at subsequent promotion processes. This could also be extended to all BAME officers.

6: Re-introduce LPA / OCU Diversity Boards.

LPA Commanders to Chair quarterly diversity boards. LPA Single Points Of Contact to be appointed for each strand of diversity, emulating the Chief's Diversity Board at a local level. The benefits of this will be to rejuvenate the importance of diversity. Quarterly meetings will allow the LPA Commander / Head of OCU to be up to date with local issues and recapitulate discussions around diversity. Currently there is an

inconsistent approach across the Force. BAME officer progression is dependent on where they are posted and very much reliant upon how much cynosure the topic receives by the LPA Commander / Head of OCU. Oxford has been noted as an LPA that stands out for the programme developed by the LPA Commander who has pushed for increased diverse representation.

7: All Line Managers to be provided with further education and training regarding the importance of Diversity.

Blockages to BAME progression appear to be at LPA / OCU level. Further education and training will demonstrate how increased diversity not only provides confidence in the local community but benefits the organisation by changing the internal thought processes,

"if you always do what you've always done, you'll always get what you've always got" (Ford, n.d.).

This training cannot be delivered by training officers or electronic online training packages. Key decision makers at LPA / OCU level are predominantly non-BAME, this poses the question of how much commitment from them really exists. Officers will only accept and embrace this thinking if a senior officer discusses this with them. It is recommended that a Chief Officer deliver these inputs at appropriate conferences. This could minimise the possibility of an 'implementation gap' where officers consciously decide to ignore instructions made by those more senior to them (Parsons, Kautt, & Coupe, 2011)

8: Increased Mentoring.

Mentoring is already provided as part of specialist development programmes. This could be further enhanced by encouraging leaders to mentor BAME officers in their respective departments and police areas.

9: Encourage BAME officers to invest in further education and professional qualifications.

Academic and professional qualifications can equip BAME officers with the skills and confidence to apply for more senior roles. The significance of this cannot be underestimated. As the police service seeks to further professionalise, the benefits are two-fold; they not only equip officers to succeed, they can also instil confidence within BAME communities. Some BAME communities place great significance on academic achievement. The requirement of higher level academic and professional qualifications in senior roles could encourage further BAME applicants to choose a career in policing, as it could be perceived to be on par with other leading professions which BAME communities traditionally steer toward.

**Editors note:**

Much work to address race disparities within policing has taken place, however disparities, discrimination and bias still exist within the service. Nationally, we know that:

- Policing lags behind almost every part of the public service as an employer of choice by Black people, with just [1.3% of police officers are Black, compared to 3.5% of the wider population](#).
- Black people have [significantly lower than average rates of confidence in their police force](#), 64 per cent compared with an average of 74 per cent. Among Black Caribbean people the rate is 54 per cent. This is echoed in the Government's [Inclusive Britain Report](#).
- Our powers are disproportionately applied to Black communities. Latest national data shows that [Black people are almost nine times more likely to be stopped and searched than White people](#).
- Black officers and staff leave policing earlier in their careers than their White colleagues.

The recently published [national Race Action Plan, from the National Police Chiefs' Council \(NPCC\) and the College of Policing](#), sets out the commitment of Chief Constables across England and Wales to become an anti-racist police service, to explain or reform race disparities that policing cannot currently fully explain and to improve the trust and confidence of Black communities. It acknowledges that past attempts have not got us where we want to be and policing needs to ensure that this time the service make real progress and long-lasting changes.

Thames Valley Police welcome the national Race Action Plan and remains committed to improving the trust and confidence of its black and ethnically diverse communities and its own work force. The service it provides to its communities across Berkshire, Buckinghamshire and Oxfordshire and the environment it create for its people must be actively anti-racist, anti-discriminatory and inclusive for all.

Much work has been done already to realise this and the force is more inclusive, more diverse and more reflective of its communities than it has ever been, this includes:

- Strategic oversight from the Diversity and Inclusion Board which monitors progress it is making in delivering an inclusive environment for all its people and provision of an equitable service for all.
- Demonstrable commitment to engaging with and listening to the views, concerns and issues of those who live, work, study or visit the region and have a range of ways that enable the public voice to be heard including through Independent Advisory Groups (IAG).
- Following a successful two-year pilot started in 2019, further investment in its Positive Action and Engagement Team (PAET). The team was set up to encourage and support Black, Asian and Ethnic Minority communities to consider a career within policing and improve representation to reflect the diverse communities it serves.
- The force has a number of very active staff support networks; including faith-based groups, the Thames Valley Women's Network, a recently launched Men's Forum and SAME, the Support Association for Minority Ethnic staff, one of its most active networks.

To deliver the national Race Action Plan across the Thames Valley, the force has drafted a localised Race Action Plan and progress tracker. Led by ACC Dennis Murray QPM, it will include and enhance the experiences of all ethnically diverse colleagues in order that Thames Valley Police is and remains an anti-racist and anti-discriminatory organisation.



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# Methodology Corner: CEP, Victim Satisfaction Write-Up

**Author(s):**

Professor Tom Kirchmaier

**E-mail:**

[t.kirchmaier@lse.ac.uk](mailto:t.kirchmaier@lse.ac.uk)

**Affiliations:**

Director of Policing and Crime: Centre for Economic Performance, London School of Economics and Political Science

Standing member of the Thames Valley Police Research and Practice Board

In an ongoing research project, we focus on understanding how satisfied victims of crimes and anti-social behaviour (ASB) are with work from the police. In particular, we wanted to understand the drivers behind victim satisfaction and gain insights into why some people might be more satisfied than others. Once we generate a deeper understanding of what factors influence satisfaction, TVP can develop more targeted solutions to best serve victims.

We began by looking at satisfaction over time for crimes and ASB separately. Satisfaction for crimes has fallen since the pandemic, while satisfaction for ASB declined, rose, and has now fallen to levels moderately lower when compared to the start of the pandemic. See figures 1 and 2 below with the visualisations of these findings.

Figure 1: Crime Satisfaction over time

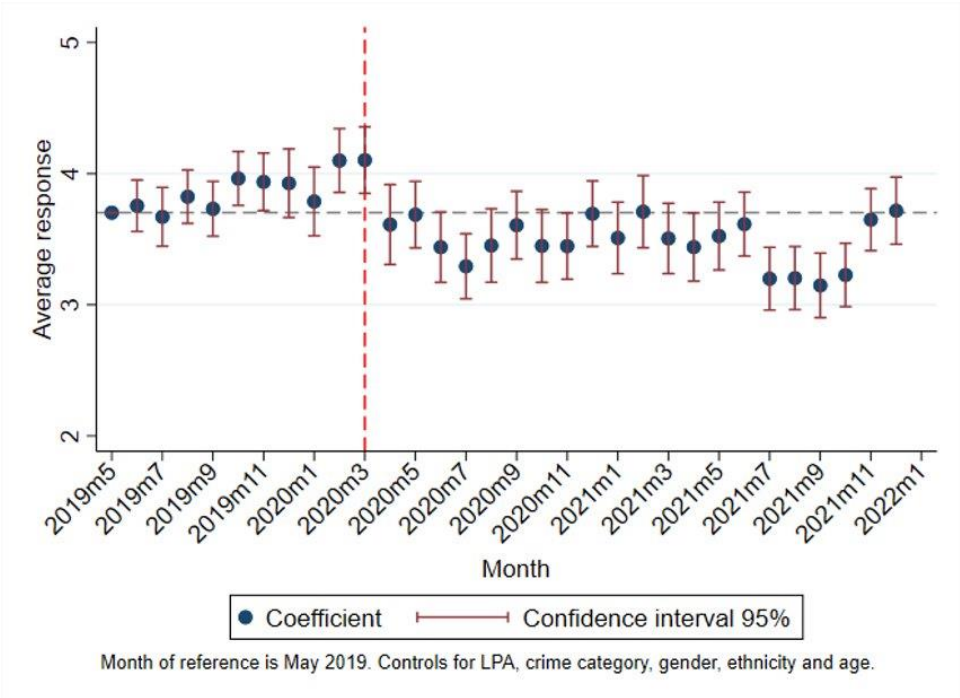
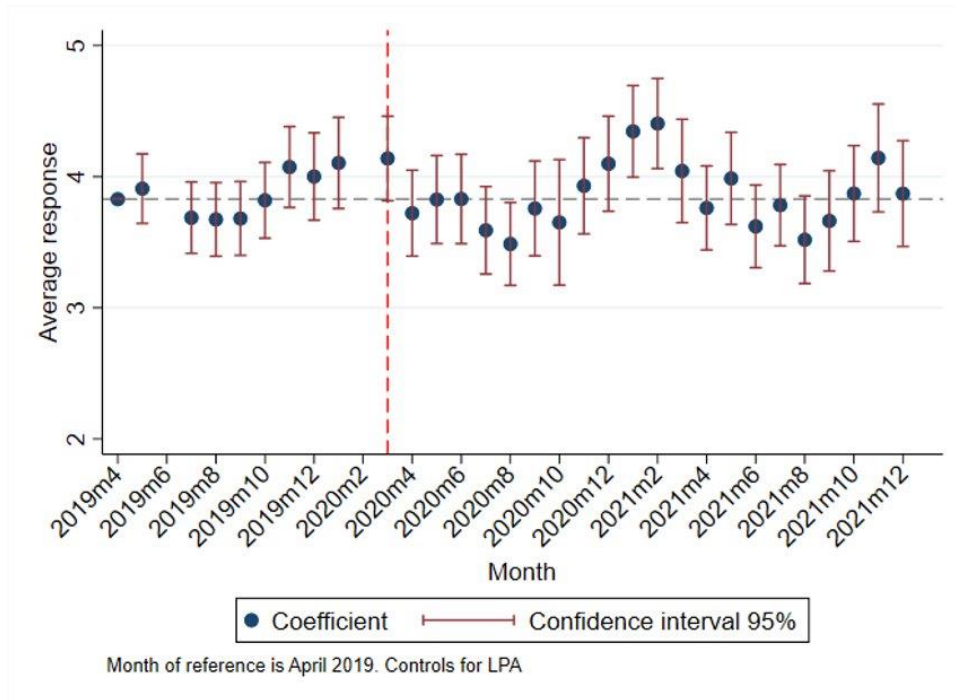


Figure 2 – ASB Satisfaction over time



In other areas, trends have remained stable when compared to last year’s analysis. We ran regressions to look at average responses across offence categories, LPAs, ethnicity, gender, age, and time of day. Women’s responses remained higher than men, and trends across ethnicities have remained stable, with South Asian and Asian-Other remaining lower than the average. The most noticeable trend tends to emerge across age groups, as was the case last year. Satisfaction largely increases with age. The satisfaction rate declines from the ages of about 16-25, then rises continuously through the elderly population. See figures 3 and 4 below that display the ethnicity and age findings.

Figure 3: Crime Satisfaction by Ethnicity

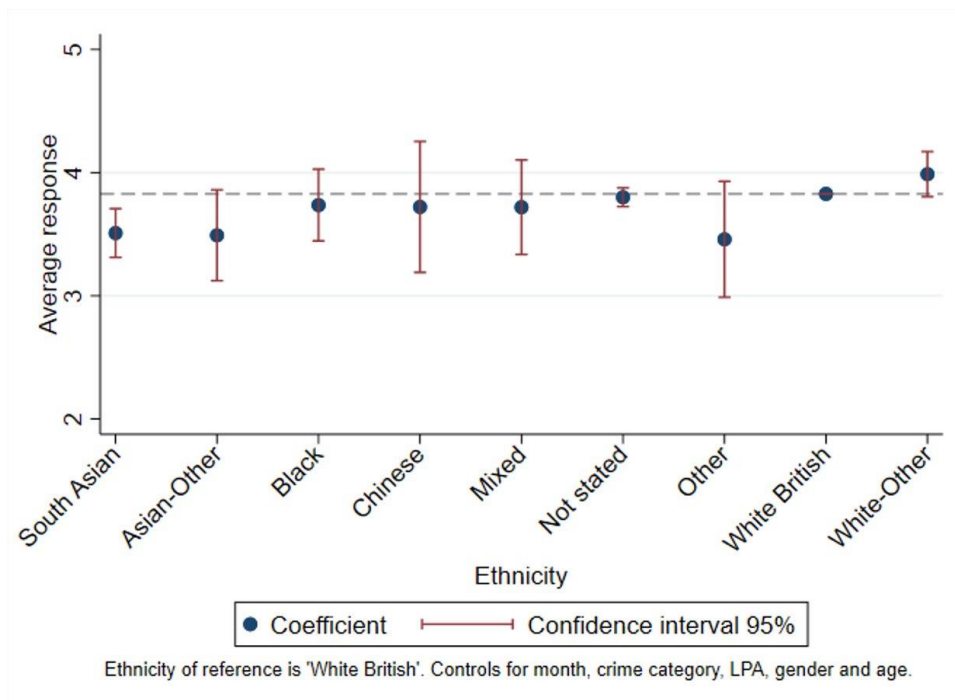
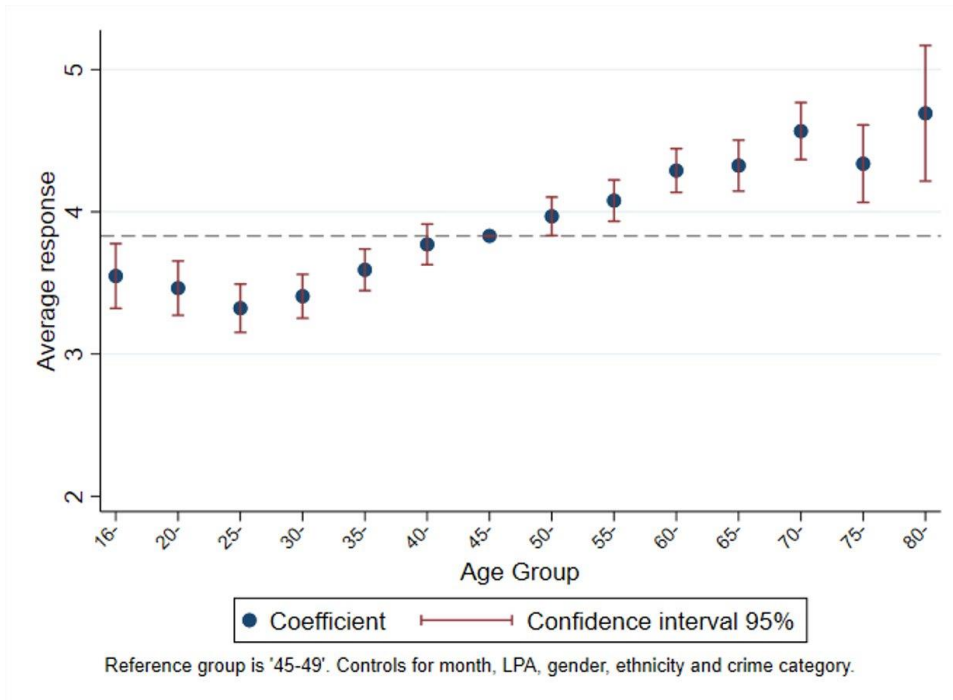
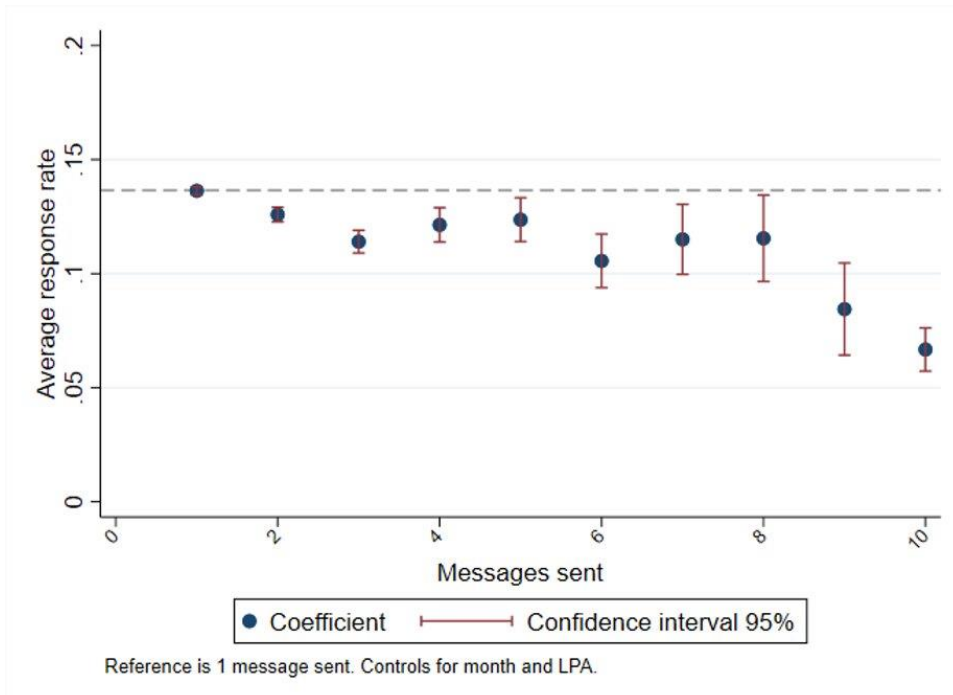


Figure 4: Crime Satisfaction by Age



One additional insight from this year’s analysis is the finding that across Crimes and ASB, response rates tend to decline when victims receive duplicate messages about completing the survey. This is a useful insight for TVP to have for repeat callers and displays at what point the response rate starts to drop off. See Figure 5 below for more detail into exactly what we observed.

Figure 5: Response Rates for Duplicates



As we develop a deeper understanding of the drivers of satisfaction, we will continue to report on our findings. We hope that in the meantime, these insights can empower TVP to better serve its victims and pinpoint where the biggest challenges lie.



