

Disproportional minority contact with criminal justice: Preliminary analysis

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Introduction

The topic of discrimination and racial or ethnic bias in the justice system has been a subject of great interest over the years. In Canada, numerous controversial claims of disproportional victimisation and contacts of visible or ethnic minorities with the criminal justice system have been made in the media, in politics, and in judicial enquiries. These commentators advance that this disproportional contact is the result of discrimination and racial bias.¹ The premise of this research is that disparity in contacts of visible minorities with criminal justice is the consequence of a much more complex set of factors, thus this research proposes to examine the factors associated with beliefs in and experience of racial or ethnic bias and discrimination in crime and criminal justice.

Methodology

Since 1985, Statistics Canada has been conducting the Canadian General Social Survey, covering specific topics each year. Every five years, the topic of victimisation is surveyed, examining respondent's experience with criminal justice, crime, victimisation, and discrimination.² Through the use of data from the three most recent cycles of the Canadian General Social Survey on victimization (2004, 2009, and 2014), this research will examine individual experience of crime and criminal justice, self-ascribed racial and ethnic identity, immigration, urban residency, social engagement, social capital measurements and other demographic information. Further exploration of micro data through the COOL Research Data Centre will be conducted, once granted access.

Discussion

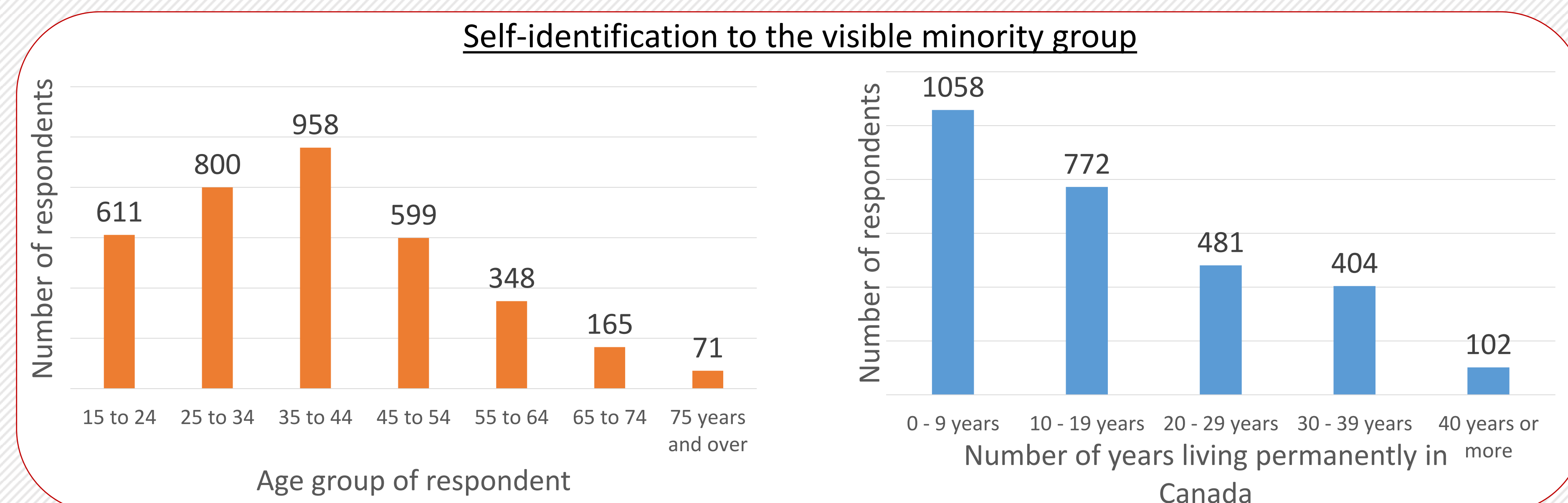
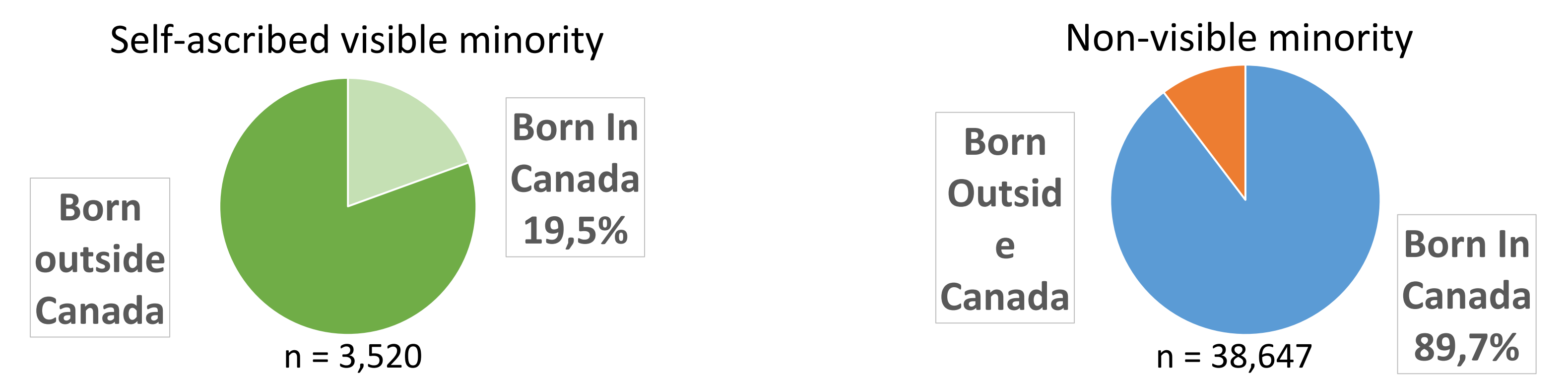
One of the difficulties when generating data regarding contacts with criminal justice is the establishment of appropriate benchmarks. We have to take in consideration the difference between *incidence* (e.g.: number of times one person is stopped for traffic enforcement) and *prevalence* (e.g.: number of people with a driver's license).³

References

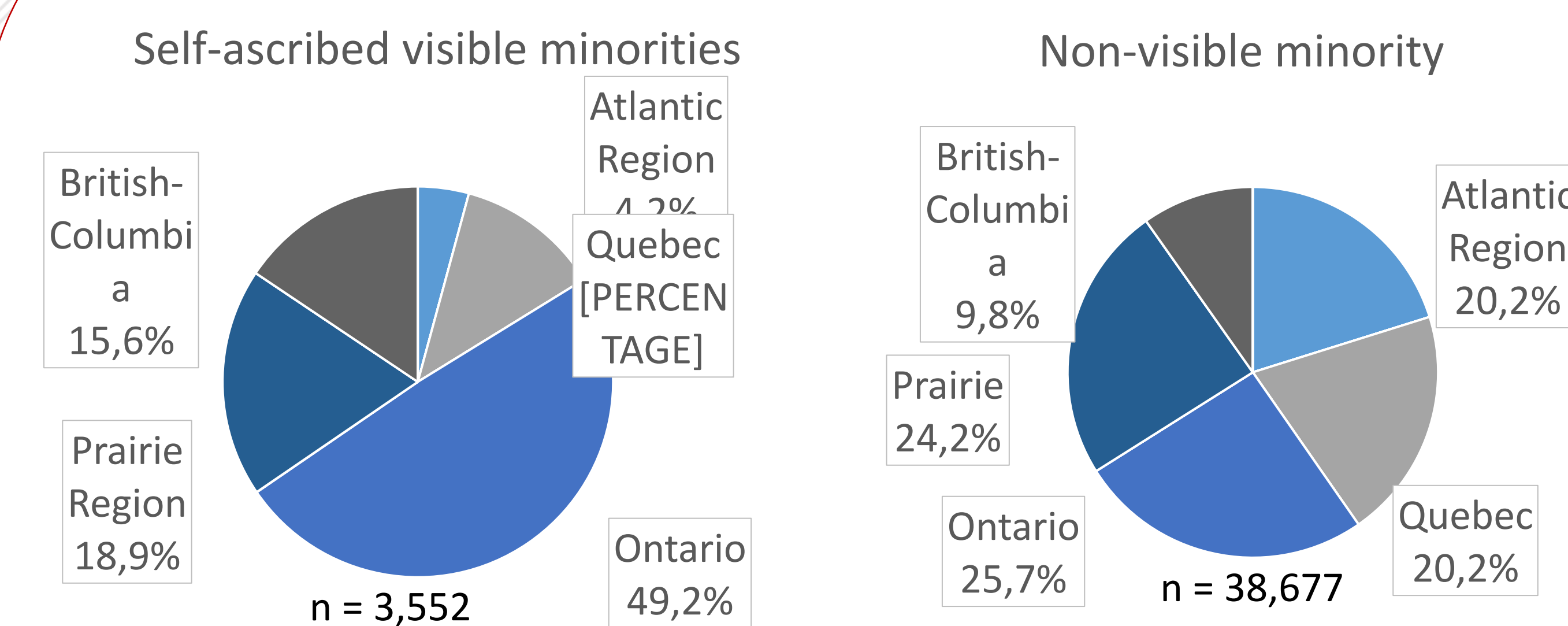
¹Ron Melchers, "Do Toronto Police Engage in Racial Profiling", Canadian Journal of Criminology and Criminal Justice, 2003, Vol. 45, No. 3, p. 347-366;
 Final Report of *The Commission on Systemic Racism in the Ontario Criminal Justice System* (Toronto, Queen's Printer for Ontario, 1995);
 Ontario Human Rights Commission, "Paying the Price: The Human Cost of Racial Profiling", Toronto, OHRC, 2003, <http://www.ohrc.on.ca>
²Statistics Canada, "The General Social Survey: An Overview", Ottawa, Statistics Canada, 2013, <https://www.statcan.gc.ca>
³Ron Melchers, "Do Toronto Police Engage in Racial Profiling", Canadian Journal of Criminology and Criminal Justice, 2003, Vol. 45, No. 3, p. 347-366;

Preliminary results

The data were drawn from the 2004 and 2009 Canadian General Social Survey on victimisation, as the 2014 data was not yet available at the moment of this analysis. The two cycles allow analyses of a combined sample of 43,188 respondents. The purpose of the following preliminary results is to understand the specific demographic characteristics of self-ascribed visible minorities. "Visible minority" is a complex variable in which multiple factors influence someone's self-identification to the group and a thorough analysis as to be conducted before being able to examine any hypothesis regarding racial or ethnic bias and discrimination. The following results also provide preliminary analyses on the experiences and perception of self-ascribed visible minority with Canadian criminal courts.



Region of residence of respondents



		Visible minority status		
		Self-ascribed visible minority	Non-visible minority	Total
Total	Larger Urban Centres	3465	28141	31606
	Rural and Small Town	73	9506	9579
	Prince-Edward-Island	14	1030	1044
	Total	3552	38677	42229
		100,0%	100,0%	100,0%

We can observe in the above cross-tabulation a large concentration of self-ascribed visible minority respondents living in larger urban centers, that is to say 97,6% of the 3,552 self-identified visible minorities. This percentage raises to 99,2% when it comes self-identified visible minorities living in Ontario.

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One can observe in the above diagrams a trend regarding the self-identification to the visible minority group. The number of self-ascribed visible minority respondents decreases with age. We can observe the same phenomena for the number of years living permanently in Canada. One could emit the hypothesis that the count of self-ascribed visible minority in the age bracket 15 to 44 years old is a representation of the arrival of families, immigrating to Canada, and as the years goes by, perceptions and self-reported experience change with increasing age and time in Canada.

Contact with the Canadian criminal courts

	Visible minority status		Total	
	Self-ascribed visible minority	Non-visible minority		
Have you ever had contact with the Canadian Criminal courts?	Yes	426	9031	9457
	No	12,0%	23,4%	22,4%
Total	3113	29586	32699	
	88,0%	76,6%	77,6%	
	100,0%	100,0%	100,0%	

	Visible minority status		Total	
	Self-ascribed visible minority	Non-visible minority		
In what types of situations have you experienced discrimination (in the past 5 years)? ... when dealing with the police or courts?	Yes	138	399	537
	No	14,3%	8,4%	9,4%
Total	824	4368	5192	
	85,7%	91,6%	90,6%	
	100,0%	100,0%	100,0%	

Conclusion

Due to limits of the exercise, the above analysis only covers an outline of the demographic characteristics of all self-ascribed visible minorities. We can understand from these observations that there is no simple line dividing self-identified visible minorities and non-visible minorities. We can also observe what appears to be a disconnect, when it comes to the contact with the Canadian criminal courts. In one hand, self-ascribed visible minorities have less reported contacts with the criminal court than non-visible minorities, but on the other hand, they have more reported experience of discrimination with the police or the courts. A key concept to be defined when conducting research on discrimination and racial or ethnic bias: the difference between the *experience* and the *perception of that experience*.