Even when the seriousness of offence and previous convictions are taken into account, black men were 5% more likely to be jailed.

Blacks are 5x more likely to be in prison than whites. Blacks and Asians are likely to also serve a longer sentence.

Ethnic minorities are less likely to be granted bail.

**Explaining ethnic differences in offending:**

**Left Realism vs. Neo Marxism**

**Neo-Marxism:**

**HALL ET AL (1979)** and **GILROY (1982)** reject view that statistics reflect reality— they are the outcome of a social construction process that stereotypes minorities:

**GILROY (1982)**

The idea of black criminality is a myth created my racist stereotypes; in reality these groups are no more criminal but because the CJS acts on these stereotypes, minorities are criminalised.

**Crime as political resistance:** Criminal actions by these groups are a frontal attack response to racist society which roots back to earlier struggles against British imperialism— most black and Asians in UK (who originated from former UK colonies) were taught by their anti-colonial struggles how to resist oppression, they adopted this stance later on but their stance was criminalised by the British state.

**Evaluation:** Lea and Young (L.realists) criticise Gilroy arguing that first-generation immigrants were law abiding and it’s unlikely they passed on the anti-colonial tradition. Most crime is intra ethnic, not a crime against racism. Gilroy wrongly romanticises street crime as revolutionary. As Asian crime rates are similar to whites, Gilroy would be saying that police are only racist towards blacks.

**HALL ET AL (1979) Policing the crisis**

In the 70s, the moral panic about Black youth and ‘muggings’ happening at the same time as a capitalist crisis was no coincidence. Hall et al argue that the myth (Hall et al argues there was no proof of a significant rise in this crime) of young black muggers served as a scapegoat to distract from the true cause of society’s problems. The moral panic divided the working class by race, dividing the opposition to capitalism. However Hall et al explains that not all black crime was a product of the media as during the crisis many of the marginalised black youths had to pick up petty crime just to survive.

**Evaluation:** This is inconsistent as they claim black street crime was not rising but also that it was rising because of the crisis; they don’t’ show how the crisis led to a moral panic or that the public were really blaming the blacks.