# UK government’s bill on sentencing risks entrenching racial injustice in the courts



The UK Parliament recently debated the Sentencing Guidelines (Pre-sentence Reports) Bill, a contentious move that aims to strip judges of the ability to consider offenders' ethnicity or religion in sentencing decisions. While proponents claim this promotes equality, this legislation dangerously ignores well-documented systemic issues and risks cementing unfairness in the justice system.

Labour MP Diane Abbott, frequently portrayed as a champion for fairness, argued passionately for guidelines that allow recognition of ethnic disparities in sentencing. She highlighted shocking statistics: despite black individuals making up only 4% of the population, they represent 12% of the prison population. Yet, the current government appears more interested in political optics than justice, rushing this bill through to block the Sentencing Council’s crucial role in addressing institutional bias. Abbott warned this haste threatens judicial independence and undermines trust in the legal system.

Justice Secretary Shabana Mahmood introduced the bill to prevent any formal sentencing guidance that differentiates on race or religion grounds. The Sentencing Council, an independent body of senior judges who have openly acknowledged institutional racism in the system, had proposed that pre-sentence reports focus on offenders from ethnic minorities, young adults, women, and pregnant women to ensure fairer treatment. The government’s approach, however, categorically rejects such tailored considerations, effectively pushing a "colourblind" stance which risks perpetuating, rather than solving, deep-rooted disparities.

Critics from across the political spectrum lambasted the bill. Opponents warn that banning mentions of ethnicity or religion in sentencing guidance will contribute to a rigid "one-size-fits-all" approach that ignores real-world inequalities. The bill, described as "populist" and "rushed," threatens to embed a stale status quo and prevent meaningful progress in criminal justice reform.

Even those on the Right caution against ideological control seeping into the justice process. Tory Shadow Justice Minister Kieran Mullan supported the bill as a bulwark against identity politics in sentencing, but such measures distract from the urgent need to address why certain groups face discriminatory outcomes in the first place.

Amid this debate, it is clear that the government is more focused on political manoeuvring than delivering real justice. A forward-thinking opposition that champions practical reforms to tackle systemic bias in criminal sentencing is urgently needed. Policies promoting equal treatment must go beyond superficial banning of ethnicity considerations and confront the underlying causes of disparities head-on. Only then can trust in the justice system be restored.

As this issue continues to engage politicians and legal experts, what is unquestionable is that superficial political posturing will not solve the long-standing problem of institutional racism embedded in UK criminal justice. Genuine reform demands courage to face uncomfortable truths — something the current government seems unwilling to do. A movement advocating for law and order, fairness, and the protection of community values stands ready to challenge this misguided legislation and defend justice for all.

Source: [Noah Wire Services](https://www.noahwire.com)

## Bibliography

1. <https://www.reuters.com/world/uk/englands-sentencing-council-suspends-plans-introduce-two-tier-justice-guidelines-2025-03-31/> - This article reports on the Sentencing Council's suspension of new guidelines that aimed to address sentencing disparities based on ethnicity, age, or sex, highlighting the controversy surrounding the proposed 'two-tier' justice system.
2. <https://www.ft.com/content/a97c2dd8-fe8e-4c79-b4a1-24e8218e544c> - This piece discusses Justice Secretary Shabana Mahmood's promise to overrule new sentencing advice that appeared to give people from ethnic minorities a lower chance of being sent to prison, reflecting the government's stance on the issue.
3. <https://www.ft.com/content/caf58973-229c-48eb-acf3-d6eafc6bf74b> - The article critiques the Sentencing Council's new guidelines, which mandate judges to seek pre-sentence reports for offenders from ethnic, cultural, or faith minority communities, arguing that this approach is misjudged and potentially corrosive.
4. <https://www.ft.com/content/757139fc-bb63-4d88-82a2-8fd142f36da0> - This report details the Sentencing Council's rejection of calls to abandon guidelines criticized as leading to a 'two-tier' justice system, deepening a row with Downing Street.
5. <https://en.wikipedia.org/wiki/Sentencing_disparity> - This Wikipedia page provides an overview of sentencing disparities, including discussions on equality versus equity in sentencing, and mentions the UK's Secretary of State for Justice Shabana Mahmood's plans to decrease the number of women in jail.
6. <https://en.wikipedia.org/wiki/Racism_in_the_United_Kingdom> - This article presents statistics from the Lammy Review, highlighting that black, Asian, and minority ethnic people constitute a quarter of the prison population, despite representing just 14% of the UK population, underscoring systemic issues in the justice system.
7. <https://www.irishnews.com/news/uk/diane-abbott-criticises-government-for-rejecting-sentencing-council-guidance-YH4475T3NFO2PKFYTEWWIDMT7Q/> - Please view link - unable to able to access data