# **CONCEPT NOTE**

# **Poverty and Racial Inequality in the Criminal Justice System:**

# **Racial Bias, Police Use of Force, and Reform**

# ***Co-Organized with UNODC***

The world’s attention has been drawn to the devastating effects that systemic racial inequity in criminal justice systems can have on individual lives and the fabric of society, as powerfully highlighted by the protests around the world following the killing of George Floyd. The combined effects of racism, poverty, and other intersecting grounds for structural discrimination are closely linked to disproportionate representation of particular groups within criminal justice systems around the world. The international community has recognized the importance of access to justice for sustainable development, including through the United Nations Sustainable Development Goal number 16 (SDG16), which focuses on access to justice and effective, inclusive institutions.

The panels will explore the relationships between racial and ethnic inequality, racial and ethnic discrimination, poverty, access to justice, the disparities suffered by marginalized groups within criminal justice systems, and the effects of these disparities on development outcomes. The panels will provide space for policy-makers, criminal justice practitioners, civil society advocates, and scholars from different regions of the world to share their experiences and practices related to racial inequality in the criminal justice system.

The first panel session will focus on “Racial Inequality in the Criminal Justice System.” The second panel discussion will consider “Police Use of Force and Reforms.” The panelists will explore the role of international organizations (including IFIs), national and local governments and judicial institutions, policymakers, and civil society in addressing these issues. The session will focus on recommending key solutions to address racial inequity in criminal justice systems, realize the implementation of UN SDG16, and improve access to justice globally to promote equity and development.

**Race Inequality in the Criminal Justice System** (Panel 1)
Date and Time: Monday, November 8, 12:30 p.m. – 1:15 p.m.

Duration: 45 minutes

Format: Roundtable

## Speakers

1. *Moderator*: **Sheila Braka Musiime**, Chief Counsel, WBG
2. **Saadia Mosbah**, Founder of anti-racism association Mnemty (My Dream), Tunisia
3. **[Suntariya Muanpawong](https://tijforum.org/person/4780/)**, Honorable Deputy Chief Justice, the Court of Justice Region 5, Thailand
4. [**Karen Tse**](https://www.ibj.org/meet-ibj-2-2/board/board-of-directors/), Founder and CEO, International Bridges to Justice, Switzerland
5. **Megan Longley**, Executive Director of the Dalhousie Legal Aid Service, former Chief Executive Officer of Nova Scotia Legal Aid Commission, Canada

## Description

The panelists will share a broad range of viewpoints and present country-specific data. The participants will begin by articulating the problem of racial inequality from a variety of jurisdictions. Special attention will be given to systematic barriers to early access to justice, racial disparities in sentencing, and the correlation between racial inequality and poverty and economic inequality.

During the roundtable discussion, the panelists will touch on the following topics:

* The link between poverty and racial bias in criminal justice systems
* Intersectional vulnerabilities and the “criminalization of poverty”
* Legal aid and representation for marginalized groups
* Mass incarceration and private prisons
* Reforms and policy changes of international relevance

**Police Use of Force and Reform** (Panel 2)
Date and Time: Monday, November 8, 1:15 p.m. – 2:00 p.m.

Duration: 45 minutes

Format: Roundtable

## Speakers

1. *Chair:* **Roger Fairfax**, Dean, American University Washington College of Law
2. [**Francisco Angelo Silva Assis**](https://www.mpmg.mp.br/comunicacao/noticias/mpmg-inaugura-grupo-de-trabalho-para-debater-e-propor-medidas-de-enfrentamento-ao-racismo-institucional.htm), State Prosecutor, Minas Gerais, Brazil
3. **Kami Chavis**, Vice Provost, Professor of Law and Director of the Criminal Justice Program, Wake Forest University
4. **Anna Giudice,** Team leader, Focal point police reform, UNODC and Lead criminal justice pillar, UN Network on Racial Discrimination and Protection of Minorities
5. [**Gamal G. Turawa**](https://www.linkedin.com/in/gamal-turawa/?originalSubdomain=uk), former police officer, London Metropolitan Police

## Description

A brief case study presenting research on police use of lethal force and victimization in the state of Minas Gerais, Brazil will be presented. The findings of the research will be put in context with wider national, U.S., and international trends. The panelists will subsequently discuss police reforms and policy proposals. The objectives of the session will be to provide practical recommendations for members of the international community as well as national and local governments.

During the roundtable discussion, the panelists will touch on the following topics:

* Police use of force – international standards, practices, and excessive/disproportionate use of force
* The importance and relevance of police reforms in development
* Training of police and judicial personnel

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|  **Script** |
| **Time**  | **Topic**  | **Description**  | **Duration** |
|  11:30 - 12:00 | Organizers log in | Session organizers log in to the event platform ensuring all logistics are in place and virtual connection is in order. |  |
|  12:00 - 12:30 | Panelists connect 30 mins before |  All panelists are requested to come online to ascertain Internet connectivity functions seamlessly, last-minute logistics (including audio/video settings) are properly arranged, and any impending questions are answered. |  |
| **12:30 - 1:15** | **Panel 1** |  |  |
| 12:30 - 12:33 | Opening remarks, introduction of panelists  | Chair (Moderator)  | (3 min) |
| 12:33 - 12:36 | Question for Saadia Mosbah | What does discrimination look like in Tunisia? Where is Tunisia in the struggle against racial inequality? Your organization Mnemty played a central role in advocating for the Tunisian anti-discrimination law adopted in 2018. Did the law contribute to positive change? | (3 min) |
| 12:36 - 12:39 | Question for Hon. Justice Suntariya Muanpawong  | What are the reasons for over-policing, charging, and sentencing racial minorities and migrant people in Thailand? Is the criminal justice system in Thailand biased? What is the role of a judge in combating racial discrimination in the criminal justice system? | (3 min) |
| 12:39 - 12:41 | Question for Megan Longley | Are the reasons for over-policing, charging, and sentencing of racial minorities and indigenous people in Canada similar to those in Thailand? | (2 min) |
| 12:41 - 12:44 | Question for Karen Tse | Your organization International Bridges to Justice helps with legal representation in countries across Africa and Asia. What are the challenges to providing access to justice for marginalized groups across these regions? Are there additional challenges in criminal justice systems once the individuals obtain access? | (3 min) |
| 12:44 - 12:47 | Question for Saadia Mosbah | Your organization as well provides legal aid to minorities, immigrants and Tunisians facing discrimination. Are the challenges faced in the criminal justice system similar to those in other countries? What solutions are your organization advocating for in this regard?  | (3 min) |
| 12:47 - 12:50 | Question for Hon. Justice Suntariya Muanpawong  | After hearing the experience from a variety of legal systems it is clear the problems have commonalities. What do you think are the solutions to be pursued by the governments, judges, and by other relevant stakeholders? Do you have examples of positive changes that have occurred?  | (3 min) |
| 12:50 - 12:53 | Question for Megan Longley | <Same as above> | (3 min) |
| 12:53 - 12:56 | Question for Karen Tse | <Same as above> | (3 min) |
| **12:56 - 1:15** | Q&A |   | (19 min) |
|   |   |   |   |
| **1:15 - 2:00** | **Panel 2** |   |   |
| 1:15 - 1:18 | Opening remarks, introduction of panelists  | Chair (Moderator)  | (3 min) |
| 1:18 - 1:21 | Question for Anna Giudice  |  What are international standards with regards to the use of force by police officers? Do local laws abide by those international standards? | (3 min) |
| 1:21 - 1:24 | Question for Francisco Angelo Silva Assis  | What does the data from your recent research reveal on police brutality in the state Minas Gerais, Brazil?  | (3 min) |
| 1:24 - 1:27 | Question for Anna Giudice  | Can you share with us some recommendations and positive stories from the UN to the challenges raised earlier [police brutality, discrimination against racial minorities] | (3 min) |
| 1:27-1:30 | Question for Kami Chavis | Leveraging your private sector, law enforcement, and academic experience, what are the common myths about existing laws and reforms? How should these myths be addressed?  | (3 min) |
| 1:30 - 1:33 | Question for "G" Gamal G. Turawa  | One of the points raised by Anna Giudice to address the challenges is to promote more inclusive police institutions. Mr. G, can you tell us about your own story integrating the London Metropolitan Police department and the obstacles you faced? | (3 min) |
| 1:33 - 1:36 | Question for Francisco Angelo Silva Assis  | What to do the address the findings of the data you presented? Does the Prosecutor's office have any solutions to address the problems revealed? | (3 min) |
| 1:36 - 1:39 | Question for Kami Chavis | What additional federal and state reforms do you recommend? | (3 min) |
| 1:39 - 1:42 | Question for "G" Gamal G. Turawa  | From the solutions presented by other panelists, do you have any recommendation as a former police officer on how to reduce police use of force? What reforms do you recommend? What role can communities play in such reform?  | (3 min) |
| **1:42 - 2:00** | Q&A |   | (18 min) |