

Measuring Disproportionality

Criminal Justice

How unequal treatment is measured, and why every measure is argued over.

Disparity is measurable; its causes are inferred separately.

How it is measured

Rates per population group

Comparison at each decision point

Outcome tests and benchmark tests

Controlling for offence and record

Tracking cumulative disadvantage

Why it is contested

The benchmark chosen drives the result

Controls may absorb the discrimination

Data quality differs by decision point

Disparity alone does not prove a cause

Different measures point different ways

Educational reference. Disparities in rates are well documented across many systems; the causes are analysed and disputed separately.