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# GIRLS OF COLOUR IN THE YOUTH JUSTICE SYSTEM: AN INTERSECTIONAL EXPLORATION

DOCTORAL THESIS  
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## ABSTRACT

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The youth justice experiences of girls and young women of colour have been consistently overlooked in UK research and policy, rendering them an invisible population within a punitive system. This research uses an intersectional lens to explore the youth justice experiences of eight girls of colour in England through in-depth, semi-structured qualitative interviews, capturing their views on youth justice services, courts and the police. Semi-structured qualitative interviews were also used to examine the perspectives of 20 youth justice professionals in relation to working with girls of colour and broader issues of race and gender in the youth justice system. This research begins to overcome the existing knowledge gap by making visible the youth justice experiences of girls and young women of colour and examining how they are perceived by the professionals tasked with both their support and their punishment.

My findings reveal a persistent narrative of injustice and significant distrust of the police from girls and young women, including experiences of serious violence and misconduct at the hands of police officers. Meanwhile, many professional participants remained unaware of the young women's experiences and subscribed to a colourblind narrative which obscured structural and systemic inequalities. A limited group of professional participants exhibited a more intersectional approach, aiming to directly address issues of race and gender in their working relationships with young people.

The research concludes that significant updates to policy and practice are needed to bring the youth justice experiences of girls and young women of colour to the fore. Finally, this thesis proposes that intersectionality can be used as a tool within youth justice work to foster greater awareness of structural inequalities and reflection on positionality in the relationship between youth justice professionals and young people.

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## TABLE OF ABBREVIATIONS

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TABLE 1. LIST OF ACRONYMS

BAME	Black, Asian and Minority Ethnic
CJS	criminal justice system
CSE	child sexual exploitation
DfE	Department for Education
FTE	first time entrants (into the criminal or youth justice system)
HMIP	Her Majesty's Inspectorate of Prisons
MoJ	Ministry of Justice
ONS	Office for National Statistics
YJB	Youth Justice Board
YJS	youth justice service
YOT	youth offending team (older acronym, still used by some services)



## 1. INTRODUCTION

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### 1.1. OVERVIEW

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It has taken many years of critique, debate and empirical research by feminist scholars, to begin to address the androcentric bias within criminology. This project is not yet complete, and in many ways men still remain at the centre of mainstream criminology, both as researchers and research subjects (Naffine 1996, Renzetti 2013). The development of an intersectional feminist criminology is even slower to materialise. Empirical work on youth justice, at least in the UK, has overwhelmingly focused on the experiences of White girls and young women, rendering discussion of racialised experiences absent. As the perspectives and experiences of girls of colour have been largely excluded, they have not benefited from the advancements in knowledge made by feminist criminology over recent decades.

The purpose of this thesis is to begin to address this gap in knowledge. In using intersectionality as a framework to explore the experiences of girls and young women of colour in the criminal justice system in England, the aim of my research is to begin to make their experiences visible. In doing so, this thesis aims to contribute to a small and slowly developing field of intersectional research within British criminology. In this chapter, I discuss how the research topic was conceptualised and situate it within the field of criminology. I address the underlying concepts behind the research design (discussed in more detail in chapter 4) and the decisions that were made about participants and research scope. I set out the research aims and key questions and provide a brief overview of the thesis.

### 1.2. INVISIBILITY

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The aforementioned knowledge gap in criminological research reflects the invisibility of girls and young women of colour in the English youth justice system as whole. Official data and recent policy outputs are devoid of information on girls of colour as a distinct group. Criminal justice statistics and policy reports are either presented as gender-neutral in

approach, or deal with race and gender as separate categories, obscuring any intersectional nuance.

The invisibility of girls and young women of colour in the policy context is illustrated by the recent publication of the Lammy review into the treatment of and outcomes for Black, Asian and Minority Ethnic individuals in the criminal justice system (Lammy 2017a). Though ground-breaking, the review did not include intersectional analysis of the effects of both race and gender on young people's experiences. The publication of the review was a landmark moment for the criminal justice system of England and Wales, being the most prominent public policy report on the issue of racial discrimination within the criminal justice system since the Macpherson report (1999). Lammy's robust focus on youth justice revealed findings of large-scale systemic inequality, including that over half of young people in custody were from a BAME background and that the overrepresentation of BAME young people within the youth justice system of England and Wales had been increasing year on year.

Previous reports on racial inequality within the youth justice system of England and Wales by Feilzer and Hood (2004) and May et al. (2010) had received limited public attention, despite finding significant evidence of unexplained differential treatment of BAME groups across various stages of the youth justice system. However, the Lammy review sparked significant public debate. The rigorous and critical nature of the report stands in stark contrast to the more recent Commission on Racial and Ethnic Disparities report (CRED 2021), which prompted a wave of criticism in finding no evidence of the existence of White privilege or institutional racism in Britain. However, despite the Lammy review's vital insight, references to girls in the findings were very limited and they were absent from the recommendations around youth justice. Lammy does not comment on the lack of data or evidence on the criminal justice pathways of BAME girls, nor does he put forward any detailed discussion about gendered experiences.

The lack of attention to girls in a seminal policy report is striking, and implies that the racial inequality within the system predominantly affects boys. As my research emphasises, this is not the case, and in fact girls and young women of colour have critical experiences to share of their encounters with the youth justice system, including deeply negative experiences of policing. Considering these insights through an intersectional lens allows us to begin to understand how the positionality of girls of colour at the intersection of both

racial and gender oppression impacts their experiences within the system, and their perspective on the agencies they have encountered. Whilst there may be parallels between the experiences of girls of colour and those of boys of colour, or White girls, in the criminal justice system, the specific positionality of girls at the intersection of race and gender oppressions requires attention and exploration in its own right.

My research shows that the persistent invisibility of girls and young women of colour does little to protect them from racial and gender stereotyping and colourblindness in the English youth justice system. In exploring the views of youth justice professionals, my research reveals the further invisibility of girls and young women of colour in practice. Their absence at the research and policy level was reflected back in youth justice settings, as many professional participants remained unaware of the challenges faced by the young women they worked with, perpetuating colourblind narratives and minimising girls' experiences of race and gender discrimination.

### 1.3. WHY 'RACE AND GENDER'?

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#### INTERSECTIONALITY

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The theory of intersectionality, or intersectional feminism, was a significant motivating factor from the outset of my research. As discussed in more depth in chapter 3, intersectionality has become a substantial component of modern feminism, but has existed as a theoretical and methodological approach since the late 1980s (Crenshaw 1989). Intersectionality is yet to be explored in depth in British criminology, despite various scholars noting its absence (Davis 2008, Potter 2013, Parmar 2017).

Rooted in Black feminism, intersectional theory explains that identities are multifarious, and that modes of social oppression are interwoven. Intersectional research necessarily deals with race and gender, and the complexity of positionality. With decades of Black and multiracial feminist scholarship to draw upon, it is surprising that criminology lags so far behind in developing a body of research that truly explores the experiences of girls and young women of colour. Particularly in the contemporary context in which intersectional political activism is increasingly prevalent. In employing an intersectional approach, my

research will contribute to the development of this limited area of criminological scholarship.

## GIRLS AND YOUNG WOMEN IN CRIMINOLOGY

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The qualitative experiences and perspectives of girls and women in the criminal justice system have been consistently underrepresented in mainstream criminology. Phillips et al. (2020: 428) refer to the persistent neglect of girls and women in theory as 'unthinking' androcentrism. Although feminist criminology has made significant conceptual advances within the discipline in terms of bringing gender and women's experiences to the fore (Renzetti 2013), much criminological research on youth justice still refers to 'young offenders' as a homogenous group, when in fact only boys are being considered. There is still evidence of girls' experiences being conflated with those of both boys and those of adult women (YJB 2009).

Despite their neglect by the discipline, it is clear that there are some distinct features to girls' and young women's experiences of the criminal justice system that warrant deeper analysis. It is established that girls' behaviour is closely regulated and judged according to restrictive gender norms, and that sexual 'promiscuity' has historically been a particular concern of the criminal justice system in relation to girls' behaviour (Gelsthorpe and Sharpe 2006). Research has also indicated a high prevalence of victimisation in the histories of criminalised girls, suggesting an overlap between victimhood and offending (Sharpe 2016).

Gelsthorpe and Sharpe's (2006) research emphasises the extent to which the criminal justice system reinforces gender norms for girls and operates according to a restrictive and essentialist view of the type of behaviour that is considered appropriate. In particular, girls committing crimes normally associated with boys, men and masculinity (violent offences, for example) have often received harsh treatment from the courts, an indication that stepping outside of gender norms is believed to aggravate the offence committed.

Concerns over sexuality are a consistent theme in research exploring professional perspectives on girls. Professional fears about girls' sexual behaviour and the pathologisation of the sexuality of girls by professionals is highlighted by Gelsthorpe and Worrall (2009). Pasko (2010), in the US context, explains how the policing and monitoring

of girls' sexuality by youth justice professionals reinforces heteronormative ideals. She discovered that professionals took a restrictive and judgmental approach towards girls' sexuality and gender presentation, which extended to dismissal of LGBTQ identities.

Several pieces of research have observed that professionals often interpret girls as more 'difficult' to work with than boys because they are viewed as having more complex problems and needs, or are seen as more emotionally expressive and exhibiting more unpredictable and erratic behaviours. This has been a theme within research on girls for a number of years (Gelsthorpe and Worrall 2009). Baines and Alder's (1996) work in Australia found that girls' emotional behaviour was perceived by professionals as both devious and dramatic, whilst boys were seen as having less complex issues to deal with. This is echoed by Sharpe (2009) who found that a significant number of her professional participants believed that girls usually had a more difficult life history to contend with than boys in terms of family background. Many professionals in her research felt girls were carrying 'baggage' from their past to a greater degree than boys and therefore had greater or more complex needs.

In the US context, research by Gaarder et al. (2004) found hostile attitudes from probation officers working with girls. Participants expressed frustration at behaviour they perceived as manipulative, dishonest and difficult to deal with. These perspectives allude to deeper issues of gender conformity and commitment to gender norms – they reflect the particularly high standards of behaviour to which girls are held by society, and mirror popular social discourses of pathology which define women's behaviour (Gelsthorpe and Worrall 2009). A level of aggression or anger that would be perceived as reasonable or expected from boys is deemed inappropriate or excessive in girls – marking those who express this type of behaviour 'doubly deviant' (Baines and Alder 1996). The apparent tendency of professionals to view girls as more difficult and challenging to work with is supported by my own findings and is discussed in more depth in chapter 6.

The body of research explored here suggests a disparity between the experiences of girls within the criminal justice system and those of boys, and highlights the importance of considering the interaction of gender norms with criminal justice interventions. However, existing feminist research on girls in the English criminal justice system is primarily focused on White girls, who comprise the vast majority girls drawn into the youth justice system in England and Wales. As a result, the available research does not explore race in any depth

and cannot reveal much about on the specific experiences of girls and young women of colour.

My thesis builds upon and develops the field of feminist criminology, in particular the body of research on girls and young women in the youth justice system. It is important that it does not centre gender as the primary component of girls and young women of colour's identities or experiences. In choosing to solely focus on the experiences of girls of colour, my research addresses the significant imbalance in feminist criminology thus far, which has frequently left the intersection of race and gender unexamined.

#### A NOTE ON TERMINOLOGY: GIRLS, YOUNG WOMEN AND GENDER

Participants were between the ages of 14 and 20 at the time of my fieldwork. I employ the terms 'girls' and 'young women' interchangeably throughout the thesis to recognise that some participants were still legally children (girls) whilst some were young adults.

Gender, and associated gendered terminology are referred to throughout the thesis to recognise girls and young women as a social group. It is not my intention to conflate gender with 'biological' sex, or to employ it as an essentialist concept. Rather, a fluid interpretation of gender is intended here, influenced by postmodern and post-structural interpretations (Butler 1990, 2004; Connell 1990, 2014; Connell and Messerschmidt 2005) which characterise gender as a social construct. These theorists have challenged fixed gender categories and proposed that human anatomy and biology is complex and is not inherently linked to gender identity.

Gender is performative and is played out through social actions and discourses (Butler 1990) and as such masculinity and femininity are social tools that we employ in order to perform our gender identities. Within this context, my thesis explores the experiences of those who identify as girls and young women, with the intention of unpacking and exposing intersectional modes of oppression. As discussed in more detail in chapter 2, it is often necessary to employ gender categories and gendered language in research in order to critique oppression.

Although racism has been a primary topic within North American criminology for some time, British criminology has been slow to catch up. Nuanced analyses and theorising of race should be central to contemporary criminology, however the discipline has tended towards quantitative, positivist examinations of disproportionality (Phillips et al. 2020). Qualitative explorations of experiences of race and racism in the criminal justice system are vital to contextualise quantitative data and develop a picture of how structural oppression operates.

While there are some parallels between the operation of racism in the criminal justice system in the US and in England, they are two distinct contexts (Phillips et al. 2020). In attempting to understand the role of race in the English criminal justice system through the North American prism, we can obscure the UK-specific nuances. Discussion is thereby reduced to a 'compare and contrast' approach, by which the racism apparent in the UK context appears to be little more than a watered-down version of what is happening in the US (Phillips et al. 2020). Holding our own system against the standards of that of the US contributes to the illusion that racism in criminal justice is solely a US construct, and offers a convenient diversion to addressing the specific racial histories and contexts closer to home. The Black Lives Matter movement in the UK has raised attention to issues that many had previously assumed to be limited to the US. The movement has emphasised the effects of police violence on Black women, for example in the case of Sarah Reed<sup>1</sup>, but there remains limited scholarly attention focused on the topic.

Phillips et al. (2020: 428) contend that 'when we think of crime we have black people in mind, and when we think of black people we have crime in mind'. Gilroy's work has documented the socially constructed links between race and crime and reveals how Blackness and crime came to be linked in the public mind. The image of the 'mugger' and the illegal immigrant were early stereotypes surrounding the Black population of the UK, emphasising the former's culture as an inherently criminogenic one, particularly with reference to the Black family (Hall 1978, Gilroy 1987). Hall (1978) describes the image of the mugger as folk devil – a young Black man who represents a threat to national identity and the prevailing social order. These images are closely connected to stereotypes that

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<sup>1</sup> Sarah Reed was the subject of police violence in 2012 and died in prison in 2016. Delays in psychiatric assessment and failures in care contributed to her death. Her case is discussed in more depth in chapter 2.

persist in contemporary discourse. In chapters 5 and 6 I consider how longstanding stereotypes translate into youth justice practice with Black girls and young women. I explore girls' own views on how they are perceived by criminal justice actors, as well as the emergence of anti-Black stereotypes in professional narratives.

Phillips and Bowling (2003) note that the overrepresentation of Black people at the various different stages of the criminal justice system in England and Wales is typically assumed to be either an indication of their higher rates of offending or evidence of institutional racism. They suggest that a more nuanced approach necessitates the development of 'minority perspectives' within criminology - a multidimensional approach to understanding the complex and varied experiences that minority groups have of the criminal justice process. Whilst official data continues to reveal concerning levels of overrepresentation for Black people (Lammy 2017a), limited efforts have been made in research and policy to understand minority perspectives. My own research contextualises quantitative evidence of overrepresentation, disproportionality and discrimination within the criminal justice system by consulting young women of colour about their own experiences.

The developing criminological literature on the relationship between South Asian ethnicities and criminalisation reveals the importance of considering constructions of South Asian criminality. Webster's early research (1997) involved a study of crime and victimisation amongst Pakistani, Bangladeshi and White young people in the North of England. He discovered that the construction of Asian criminality had evolved from a perception of all Asians as 'law abiding', towards an assumption that Asians were involved in crime, drugs and violence. Defensive action against racism by young Asian men was reframed, centring them as the aggressors and perpetrators. In parallel with Gilroy's (1987) critique of the pathologisation of the Black family, Webster notes that the discourse associated with young Asian men seemed to link perceptions of Asian criminality with a breakdown in family controls. My research finds examples of this discourse in professional narratives about South Asian young women's involvement in the youth justice system which centre culture and restrictive and oppressive family dynamics. This is explored in chapter 6.

Webster's findings are echoed and developed in subsequent work by Alexander (2000), Goodey (2001) and Parmar (2013). Goodey sought to address the stereotype of the 'passive' Asian in her research with young British Pakistani men in Sheffield and Bradford.



She noted that the White community increasingly perceived this community as aggressive and criminal, and that relationships between Asian young men and police appeared to be deteriorating.

Parmar's (2013) work moves the narrative into the post 9/11 era, in which British Muslims have become a source of extreme stereotyping. Parmar's participants, Asian men who had been stopped and searched under terrorism laws, had experienced criminalisation and structural racism at the hands of police, which they believed to be influenced by burgeoning anti-Muslim attitudes. Parmar notes her participants were active as opposed to passive – participants were highly resistant to the common belief that Asians are all the same, or that all Asians must be Muslim. This active resistance is echoed in Britton's (2018) study exploring the impact on Muslim men of the child sexual exploitation crisis in Rotherham. Britton found that Muslim men challenge racialised Muslim masculinities by resisting dominant narratives centred on criminality and cultural dysfunction, in order to foreground their positive caring roles within the family.

My own research findings reflect professional understandings of South Asian young women as inextricable from their cultural and religious backgrounds, as well as a tendency to homogenise South Asian and 'Muslim' culture. It echoes some of the findings of the research on South Asian men, whilst bringing an intersectional lens by looking at gender. Understanding young women's perspectives on their own experiences of the criminal justice system adds to and diversifies the current discussion around Asian men, crime and criminalisation, and highlights the invisibility of girls and young women in these discourses.

#### A NOTE ON TERMINOLOGY: RACE AND ETHNICITY

My research employs the concept of race as a social construct as opposed to a biological reality, in line with Haney Lopez's (1994: 7) definition of a 'race' as 'a vast group of people loosely bound together by historically contingent, socially significant elements of their morphology and/or ancestry'. Omi (2001) notes that biology-based arguments about race have been thoroughly discredited, leading to the popular myth that 'races' do not really exist. However, Omi emphasises the importance of acknowledging 'races' as the result of distinct communities' quests for political recognition.

This thesis does not seek to examine differences between specific ethnic groups, nor to imply that groups of people will necessarily share experiences or identities based simply on their ethnicity. The notion of 'race' is evoked throughout the thesis strategically, acknowledging that race does have real, material consequences (Hall 2002). Hall advocates for knowing usage of race terminology in the absence of more useful language, pointing out that we have to 'play' the language game in order to critique it. Similarly, Phillips and Platt (2016: 245) describe the use of racial categories in research as 'both an anachronism and a necessary, if blunt instrument' for the study of social inequalities.

Many of the terms we use to refer to race and ethnicity are either cumbersome or somewhat vague in usage, and almost all are widely contested (Aspinall 2002). Even seemingly specific group descriptors such as 'Asian' and 'Black' have the potential to describe fairly disparate populations, especially where usage is not clearly defined (Aspinall 2002). Preferred terms in Britain to describe the broader minority ethnic group population include 'ethnic minority' or 'minority ethnic', BAME (Black, Asian and Minority Ethnic) and 'people/person of colour' (or POC).

The use of terminology referring to 'minorities' has been contested as implying marginality or lack of power and capital, but it can be employed to refer to groups which comprise a statistical minority within the country/countries of reference (Aspinall 2002). The contemporary custom in North American literature and in activism is to use person or people of colour. This terminology also has its critics; it can appear to pose Whiteness as the default skin tone, highlighting the 'difference' of Non-white communities, at least semantically (Aspinall 2002). Nonetheless, it has become much more popular in activist spaces and discourse in the UK in recent years and is widely associated with progressive and anti-racist narratives.

When I entered the field, it became apparent that neither professionals (of any ethnicity) nor young women routinely used 'person of colour' in reference to themselves or others. I therefore employed the term 'BAME' throughout my fieldwork. Participants were considered BAME according to their own self-identification as Black, Asian, Mixed race or part of another Ethnic Minority group. Nonetheless, the term 'BAME' has been the subject of recent public debate and is becoming increasingly contested (for illustration, see Mistlin 2021). It has been widely criticised for encouraging the conflation of divergent social groups. However, it is still the most common term used within official research and policy.

Due to the prominence of debate around usage of BAME at the time of writing, I began to use 'girls and young women of colour' throughout the majority of the thesis, but have retained the use of BAME in reference to official data and policy, and where relevant to participants' own commentary/narratives.

#### 1.4. WHY YOUTH JUSTICE?

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We understand very little about how youth justice workers interpret issues of race and gender, or how they might approach working with young women of colour in practice. Yet relationships with youth justice workers are at the core of young women's criminal justice experiences (Marshall 2013). My thesis examines the way that professionals understand race and gender and how they perceive the girls and young women of colour that they work with. In doing so, it addresses several under-explored topics, one of which is the relationships between youth justice workers and their young 'clients' and how notions of race and gender are played out in this context.

The history of contemporary youth justice services in England and Wales is complex. During the 1990s a rejection of welfare-orientated policy approaches marked the beginning of a new approach to youth justice approach characterised by multi-agency working and bureaucratic control (Morgan and Newburn 2007). It was under these conditions that the multi-agency youth justice services, as we now know them, were created in statute by the Crime and Disorder Act 1998<sup>2</sup>. Youth justice services do not belong to a specific government department or agency, and instead incorporate practitioners from various agencies and disciplines, such as social work, the police, education and health (including mental health and drug/alcohol work). They may also incorporate professionals from other organisations, including the voluntary sector (Souhami 2009).

It is relevant to note that their creation coincided with an era of dramatic rise in the number of young people being drawn into the youth justice system. Between 2003 and 2006 the number of young people entering the system increased by 19% for serious offences and 39% for less serious offences, and the use of custody for young people rose

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<sup>2</sup> Although some teams were already using a multi-agency approach prior to 1998

(Solomon and Garside 2008). Meanwhile, the number of girls drawn into the youth justice system was increasing, against a background of panic about girls' offending – with concerns about violence and binge drinking at an all-time high (Sharpe 2012).

Following this peak, there has been a decline in the youth justice population, beginning 2007/8 onwards, which is complex and multifactorial (Smith 2014). Bateman (2012) points out that rates of recorded crime by young people had been consistently falling in line with the reduction of the youth justice population, as had victimisation levels, which could be a contributing factor in the decline. Other proposed explanations include the tightening of financial controls as a result of austerity measures<sup>3</sup> creating renewed appetite for use of diversion measures, as well as pressure from judges dealing with minor crimes which they believed fell below the public interest threshold.

The downturn in numbers accelerated to the point at which the number of children and young people being processed through the youth justice system in 2010/11 was significantly lower than 10 years previously. Use of youth custody was in a sharp downward trajectory from 2008 onwards. The population of the children's secure estate was 2,846 in January 2008; by January 2018 this had reduced to 878 – a reduction of 69% (Bateman 2018). Although this contraction has slowed somewhat, numbers continue to fall (YJB/MoJ 2022). As the number of children and young people subject to youth justice system intervention fell, so the workload of youth justice services decreased; staff levels decreased by 53% between 2008 and 2012 (MoJ 2013), representing a significant contraction of the system itself.

The background to this decline, however, is that over the decade between 2007 and 2017 the proportion of first time entrants into the youth justice system from BAME backgrounds rose from 11% to 19%, whilst BAME representation in youth custody rose steeply from 25% to 41% (Lammy 2017a). The number of White young people in custody in 2006 was 2,168 compared to 473 in 2016 (MOJ 2016a) – around an 80% reduction. For BAME young people there was a reduction from 736 to 385; only a 48% drop. In 2018, 27% of the 10 to 18-year-olds who received a youth caution or sentence were from a minority ethnic background, compared with only 14% in 2010 (MoJ 2019b). These figures emphasise that

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<sup>3</sup> Research conducted by UNISON shows at least £60 million of funding was withdrawn from youth services between 2012 and 2014 (UNISON 2016).

in fact young people of colour have not benefitted from the decline in the youth justice population in the same way as White young people.

As Cunneen et al. (2018) highlight, it is tempting to celebrate the years following the 2007/8 shift as a 'new age of diversion', leading to a more progressive contemporary setting. However, the persistence of racial inequality, and ongoing evidence that young people within the youth justice system experience oppression and social exclusion, should encourage us to consider carefully whether this is indeed the start of a more progressive era (Cunneen et. al 2018).

Against this turbulent policy background, the role of a youth justice service is conceptually complex and difficult to define. It represents a paradox, in consisting of professionals trained largely in a manner that focuses on welfare and support who are tasked with carrying out a fundamentally punitive role. Youth justice workers often enter the profession due to a desire to make a difference to society, and to support the welfare of young people through social work (Morris 2015), yet the constant negotiation between welfare and punitive ideologies creates both tension and ambiguity (Baker 2005, Souhami 2007, Ilan 2010, Phoenix 2016). As such, individual professional values may vary in conflicting ways (Baker 2005). Despite the politicised nature of youth justice, and the complexities being managed by youth justice workers, the relationships between professionals and their clients are not yet widely researched. This is surprising given that the relationships between staff and young people are integral to practice and central to the experiences of young people drawn into the youth justice system (Ilan 2010, Marshall 2013, Morris 2015).

The deeply entrenched media discourse around youth crime, disorder and antisocial behaviour has a significant amount of power in this area, influencing the political agenda for youth justice work (Morris 2015). As such, the field is constantly changing and evolving as successive governments seek to make their mark (Phoenix 2016). Practitioners are expected to adapt to frequent policy changes, and this makes the nature of the work both challenging and unstable. There are national standards in place, and practice is regulated and governed by the Youth Justice Board, however various critics have noted the ambiguity that remains within the system, leaving those working within it to attempt to balance their personal beliefs and values with multi-agency dynamics and an ever-changing political landscape (Muncie 2000, Souhami 2007, Morris 2015).

The youth justice system, as part of the wider criminal justice system, is an agency of social control. The children and young people drawn into the system are overwhelmingly those who have been exposed to poverty, inequality and complex social disadvantage (Muncie 2006). Ilan (2010) observes that a considerable function of youth justice measures is to impose normative and hegemonic social ideals 'downwards' onto primarily working class and marginalised communities. Young people from these communities are constructed as requiring intervention and 'diversion' from perceived antisocial practices, in order to assuage the concerns of wider society. This imposition of mainstream social norms onto young people further excludes them, as they are increasingly defined as problematic (Muncie 2006).

Race and gender oppression form an essential component of 'marginality', whilst mainstream social norms centre and prioritise Whiteness and encourage adherence to gender roles (Butler 1990, Hall 2002). This considered, the youth justice system's role in punishing 'marginalised' communities and perpetuating mainstream social norms makes it a key agency to examine when considering the role of race and gender within the criminal justice system and the particular experiences of girls of colour. The regular contact between girls and young women and their workers, (and the importance that the worker/client relationship has for the majority of youth justice sentences) make these relationships important to understanding their experiences of the youth justice system as a whole.

#### A NOTE ON TERMINOLOGY: YOUTH JUSTICE WORKERS AND CASE WORKERS

Various terms might be used to describe the type of professional that participated in the research. Here, youth justice (or YJS) worker and case worker are used interchangeably, as these were the terms most frequently used by participants in the field. I use these terms to refer to those who work directly and regularly with young people as a key point of contact throughout their interaction with youth justice services. The level of qualification of participants varied – for example some were qualified social workers, others may have made their way into the role through a background in youth work. Alongside the more traditional case worker, this term is also used to encompass drug and alcohol workers,

education workers, and out of court disposal workers<sup>4</sup>, who all work within the youth justice service. I have not referred to YJS-based police officers as ‘workers’ for the purposes of this thesis, as they are not included as participants in the research. I discuss this in more depth in chapter 4.

## 1.5. RESEARCH AIMS

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The aim of this research was to address the invisibility of girls and young women of colour in the criminal justice system, in the context of an absence of empirical work that incorporates their experiences and perspectives. This research, at its core, aims to broaden knowledge in this area, and contribute to expanding what is currently a very sparse area of criminology.

In conducting this research, I aimed to examine the perspectives of youth justice professionals on issues of race and gender, and to understand how they approach working with girls and young women of colour. In particular, I was interested to note whether professionals frequently acknowledge issues of race and gender within their work, and if so, what this would look like. I also sought to understand the extent to which professionals were aware of the issues of overrepresentation and institutional racism that are frequently reported upon in research and discussed in popular discourse.

In employing an intersectional framework, I sought to understand young women’s narratives from a race and gender perspective. I also aimed to take an intersectional approach to professional narratives, and to consider to what extent professional perspectives and understandings corresponded with an intersectional view of the world. This meant exploring whether professionals were able to reflect upon or acknowledge their own positionality in relation to the girls and young women they worked with, and whether they could appreciate the potential impact of structural inequality, specifically race and gender oppression, on their type of work.

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<sup>4</sup> Professionals who work with young people have committed low-level offences and received a community resolution, youth caution or youth conditional caution

These objectives are summarised as follows:

**Objective 1:** Begin to make visible girls and young women of colour's experiences of the youth justice system in England and Wales [with reference to the police, courts, youth justice services and other agencies, as relevant]

**Objective 2:** Understand professional perspectives on working with girls of colour, and how they contend with issues of race and gender

**Objective 3:** Critically assess professional perspectives using an intersectional lens

## 1.6. RESEARCH QUESTIONS

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In keeping with these objectives, this research aimed to take an exploratory approach to answering the following questions:

1. How do girls and young women of colour understand and contextualise their experiences of the criminal justice system?
  - 1.1. How do they perceive their relationships with the professionals they encounter?
2. What awareness do youth justice professionals have of race and gender issues?
  - 2.1. How do they perceive the girls and young women of colour they work with?
  - 2.2. Do youth justice professionals employ an intersectional approach in their work?

## 1.7. THESIS FRAMEWORK

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Chapter 2 gives an overview of the status and experiences of girls and young women of colour in the criminal justice system, with a particular focus on youth justice. Analysing official statistics as well as the key empirical research from both the US and the UK, this chapter emphasises the paucity of information on girls and young women of colour in the criminal justice system of England and Wales, and the absence of research or scholarship that explores their experiences in any depth. This chapter highlights issues of overrepresentation and discrimination and emphasises the overwhelming absence of girls and young women of colour in official data, policy and the wider academic literature. This sets the background context for the research and its findings.



Chapter 3 explores the concept of intersectionality, its origins in Black feminism including the seminal work of Kimberlé Crenshaw, and its contemporary applications. It deals with the question of what form intersectionality takes and whether it can be considered a theory in its own right, concluding that it is a theoretical lens or framework through which we can more clearly explore issues of race and gender. Intersectionality has influenced the research design and methodology and as such this chapter sets out how intersectionality is conceptualised.

Chapter 4 outlines the research methodologies I employed and describes the process of data collection and analysis. It introduces and provides key information on professional and young women participants. It discusses the concept of 'reflexivity' in research, and how I understand my positionality in the research process, as well as discussing the challenges of gaining access to a small and relatively hidden population of participants. This chapter sets out the intricacies of being an 'outsider' researcher, engaging in research removed from the realm of one's own experience. Finally, it outlines the ethical considerations involved in conducting research with children and young people, and around potentially sensitive topics such as race, gender, and experiences of criminalisation.

Chapter 5 presents the findings of my interviews with young women, structured around their perspectives of three key agencies – youth justice services, courts and the police. This chapter focuses heavily on young women's experiences of police interactions and their perspectives on the police, a consistent discussion topic across all interviews. The chapter sets out the key themes in participants' experiences of their journeys through the English youth justice system – a generally positive (occasionally ambivalent) view of their youth justice workers, confusing experiences at court and critique of the court process, and strongly negative views on the police, as well as some profoundly damaging experiences of police interactions. Overall, this chapter begins to build a picture of girls and young women of colour's specific experiences of the youth justice system which repudiates their invisibility in foregoing criminal justice narratives.

Chapter 6 shares the findings of my interviews with youth justice professionals. It explores the stereotypes drawn upon by some professionals, and their appeal to colourblind narratives. It also details youth justice workers' attitudes towards training and resources, and their reliance on 'cultural competence' as a means of understanding young people's ethnic and religious backgrounds. This chapter offers a comparative discussion of young

women's experiences and the perspectives of youth justice workers, and illustrates some of the starker contrasts in perspectives between girls and staff, and the invisibility of girls' experiences even within these ostensibly close and supportive professional relationships. It also touches upon some of the more intersectional approaches employed by a small number of professionals who had a particular interest in the politics of oppression. Finally, it explores what a more intersectional approach towards professional relationships with young people could entail, and how girls and young women of colour's needs and experiences might be better acknowledged by employing intersectional praxis.

Chapter 7 concludes the thesis by considering the contribution of this thesis to knowledge both theoretically and empirically. It offers policy reflections derived from the findings, suggesting ways that intersectional approaches can be used in youth justice to challenge oppression, and increase the visibility of young women of colour within the youth justice system.

## 2. GIRLS AND YOUNG WOMEN OF COLOUR IN THE CRIMINAL JUSTICE SYSTEM: A CRITICAL REVIEW OF DATA AND RESEARCH

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### 2.1. INTRODUCTION

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This chapter builds a picture of the representation and experiences of girls and young women of colour within the criminal justice system in England and Wales and examines the criminological research that explores the intersection of race and gender in their experiences. However, intersectional analyses do not solely focus on academia, but look at political and wider practice contexts (Collins and Bilge 2016). Due to the incredibly limited academic research dealing directly with the experiences of girls and young women of colour in this context, and the relevance of contemporary criminal justice policy to this area, a significant part of this chapter is devoted to analysis and presentation of information from official data sources and policy documents. This includes my own analysis of the most recently available Ministry of Justice data from supplementary sources. These provide much needed insight into the representation of girls of colour within the system, but have thus far, not been presented in policy reports or accessible formats. As discussed in chapter 1, youth justice professionals are operating in a highly politicised landscape (Souhami 2007, Muncie 2006, Morris 2015, Phoenix 2016), therefore acknowledging the policy context in which they operate is important to understanding their perspectives on working with girls of colour.

Girls and young women of colour represent only a small proportion of the youth justice system of England and Wales, but the limited existing research and official data reveal overrepresentation and suggest inequality and poor support in key areas. These are issues that remain inadequately addressed in both policy and academic research. The argument that women and girls of colour's experiences of the English criminal justice system are shaped by the intersection of race and gender oppression is not a recent insight (Chigwada-Bailey 1997, Smee 2016). Yet they have been strikingly absent from government policy, official statistics and reports until very recently, and remain overlooked. The intersection between race and gender continues to be disregarded in the majority of official reports and statistical summaries. The 'single axis' (race *or* gender) approach masks the intersectional oppression girls face (Nanda 2011) and creates a statistical picture from which girls and young women of colour are largely invisible.

In order to provide a clear analysis, I have broken the discussion down into three distinct areas – firstly a discussion of the academic literature offering insight into the specific experiences of girls of colour, secondly an examination of the most recent available data from official sources (Ministry of Justice, Youth Justice Board, National Offender Management Service and the Home Office), and finally an overview of youth justice policy and recent policy reports relevant to the experiences of girls of colour. The analyses that follow reveal the extent to which girls and young women of colour are missing from the primary debates within the field of criminology and research on criminal justice. They are also excluded, and frequently invisible, within research, official data and policy narratives about criminal justice. Whilst significant focus has justifiably been placed on the overrepresentation of Black boys and men within the criminal justice system of England and Wales, it will be shown here that there is persuasive evidence of overrepresentation of girls and young women of colour, as well as evidence of potential discrimination that warrants further exploration.

## 2.2. THE CRIMINOLOGICAL RESEARCH CONTEXT: DEVELOPING KNOWLEDGE ON GIRLS AND YOUNG WOMEN OF COLOUR

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In this section I consider the ‘single axis’ treatment of gender and race in much UK criminology thus far. I then explore the criminological research that provides insight into the experiences and voices of women and girls of colour, in both the UK and the US. This section considers a small but vital selection of scholarship which develops our understanding of how the criminal justice system produces and reproduces the oppression of girls and women of colour, as well as taking account of a small number of empirical studies which look at women of colour’s experiences of criminal justice agencies, important for the consideration of Research Question 1. This is the field which provides the empirical grounding for my own research, and which this thesis seeks to develop and advance.

Women's unique perspectives and experiences of the criminal justice system have historically been overlooked by criminologists, and for many years the male experience was considered definitive (Smart 1977, Daly and Chesney-Lind 1988). The exclusion of women from research narratives was exacerbated by the absence of empirical data, which meant that researchers and practitioners were often reliant on anecdotal evidence in order to understand women's interaction with the system. Extensive work by feminist criminologists in recent decades has led to a greater understanding of women's relationships with the criminal justice system, and an acknowledgement that criminal justice experiences can be highly gendered. Yet there persists an assumption that there is little difference in the status and experiences of girls and adult women (Zahn 2009).

For British researchers interested in girls in the criminal justice system, the key project has been to bring the specific experiences of girls to the forefront, and to acknowledge girls' importance as a demographic in their own right. For example, the work of Batchelor (2001, 2005) Gelsthorpe and Worrall (2009), Worrall (2000, 2001, 2004), Sharpe (2009, 2012) and Ellis (2016, 2018) illuminate the specific experiences of girls and young women within the criminal justice system and the secure estate. A core theme is the conflict between the perception of girls as uniquely vulnerable (often not welcomed by girls themselves) and the drive by professionals to control and quash behaviour deemed 'difficult', 'laddish', aggressive, or sexualised. An important consideration for research in this area is the overlap between 'victim' and 'offender' for girls in the criminal justice system, a large percentage of whom could be said to fall into both categories.

The scope of British research on women and girls has not yet progressed to include a wide body of intersectional work that examines how race and gender intersect in this context. Due to the small number of young women who come into contact with the criminal justice system, empirical research on girls often does not include a sufficient number of girls of colour to influence findings, leaving exploration of race and ethnicity a footnote, rather than an in-depth analysis. Even studies which include girls of colour often do not explore the intersectionality of their experiences.

Sharp and Atherton's (2007) research in the UK (modelled on a prior study by Brunson and Miller in the US [2006]) is one such example. The research takes into account the experiences of both girls and boys. Using interviews with 47 participants, aged between 15

and 18 years (38 boys, nine girls), the research was designed to provide opportunities for young people from Black and other ethnic minority groups to give voice to their experiences and encounters with the police. Participants detailed experiences of misconduct, negative experiences of stop and search, and showed evidence of low trust and confidence in the police. I return to consider these findings in relation to my own data in chapter 5. Although nine girls took part in Sharp and Atherton's research, no discussion of gender, or the intersection of race and gender, is raised.

Sharpe (2012) later conducted qualitative research with youth justice professionals and young women involved in the youth justice system of England and Wales. Her work remains the only recent UK qualitative study of this scale to look extensively at the experiences of girls in the youth justice system. Sharpe's findings highlight the intersecting gendered and classed experiences that lead young women to become involved in offending, and shape their perspectives on the criminal justice system. Sharpe's research was conducted at a time when the youth justice system cast a wide net, and significantly more young people (and by extension, girls) were being drawn into the system than is the case today. Seven of Sharpe's 52 participants were from ethnic minority groups, reflecting the small number of girls of colour entering the system proportionally, therefore her analysis does not go into depth in considering the unique experiences of girls of colour within her participant sample.

In line with the broader trend in criminal justice research, the majority of research on race and the criminal justice system focuses specifically on men and masculinity, particularly on the experiences and treatment of Black men and boys (see for example, Steffensmeier et al. 1998; Brunson and Miller 2006; Wilson 2004, 2006; Apena 2007; Brunson 2007; Warde 2013; Palmer 2013; Keeling 2017). The overrepresentation of Black boys and men within the criminal justice system remains an issue of serious concern, particularly with regard to discriminatory policing practices. A small, yet important, number of studies have similarly examined South Asian male experiences (Goodey 2001, Alexander 2004, Parmar 2013) finding that young South Asian men in Britain have a complex relationship with the police and are not exempt from the disproportionality experienced by Black men, as had been assumed to be the case in the past. Yet the equivalent research in relation to the experiences of South Asian girls is largely missing from the criminological context, with the exception of Toor's (2009) work, discussed below.

Just as in the past, 'youth' offending was discussed when what was actually being investigated was boys' offending, often experiences of racism are being considered without reference to gender, or where it is actually the experiences of boys given prominence. Women are frequently excluded from the narrative around race, ethnicity and criminal justice and their absence creates a sense of invisibility that reflects previous decades when criminological studies focused solely on men. Chigwada-Bailey (1997) challenges the premise that criminological studies focused on White women or Black men can be used to inform discussions about Black women. She makes the case to foreground the voices Black women when considering issues crime and the operation of the criminal justice system, noting that feminist criminology has largely left out of account Black women's specific experiences. The following section considers Chigwada-Bailey's research alongside other studies which foreground the voices and experiences of women and girls of colour, highlighting the key research which provides insight into the intersection of race and gender in the lives of women and girls in the English criminal justice system. This section looks at literature from a broad time period (approximately 1990s onwards) reflecting the limited contemporary research in this area.

## GIRLS AND YOUNG WOMEN OF COLOUR'S CRIMINAL JUSTICE EXPERIENCES

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### THE UK CONTEXT

Toor (2009, 2012) and Chigwada-Bailey (1997) have both produced important research revealing girls and women of colour's accounts and experiences. Chigwada-Bailey (1997) interviewed 20 Black women with experience of prison, with a focus on their experiences of arrest, perceptions of the fairness of their sentence, and the roles of race and gender stereotyping in their treatment. Her work is strongly Black feminist, emphasising the need to listen to the voices and experiences of Black women. She expresses the idea that there are dominant forces or 'hazards' which, when appearing in combination within the various stages of the criminal justice process, will create a greater potential for the unequal treatment of Black women. These are the forces affecting Black people living in a society where the dominant values are those of White people, the forces affecting women living in a society organised and run by men, and the forces affecting people at the lower end of the social economic scale.

A number of crucial observations are made in Chigwada-Bailey's study. Respondents were sceptical of the equality of the justice system, and felt they were disadvantaged by a lack of legal aid provision. Much has been made of the 'chivalry' shown to women by criminal justice agents, which is thought to translate to more lenient treatment (Anderson 1976). However, Chigwada-Bailey argues that this only applies to women who conform to gender role expectations. In her research, she notes that Black women in prison were less often married, could present in less of a typically 'feminine' way and were more often charged with violent offences than White women. Her participants held negative views of the police, feeling that they had been treated poorly because they were Black women. All the women expressed concerns about the way they were treated by prison staff, sometimes suspecting racist motives.

Chigwada-Bailey's research remains relatively unique in the English context. Over 20 years since it was published, it remains the most detailed qualitative study on Black women's experiences of incarceration in England. Some of the findings of Chigwada-Bailey's research are, however, reinforced by Devlin (1998) in her research with 150 women prisoners, 32 of whom were from minority ethnic groups. Devlin found clear evidence of stereotyping in the way that Black women were perceived by prison staff, who exhibited patronising attitudes towards Black African prisoners, and expressed views that British Black women were loud, aggressive and violent. These early pieces of research contextualise the women's experiences of criminal justice intervention and their interaction with criminal justice agencies as intersectional – and reveal the ways in which their experiences are informed by their positionality. Devlin's research highlights how these intersections are understood and perceived by staff, and the complex race and gender stereotypes at play. As will be seen below, some of these key findings relating to gender role expectations and femininity are reflected by girls' narratives in chapter 5 of this thesis, as well as in the professional attitudes and perspectives considered in chapter 6.

In a later study, Bosworth and Carrabine (2001) conducted empirical research in male and female prisons, aiming to centre the marginalised issues of race, gender and sexuality in their analysis. The authors found that race could permeate situations in the prison environment that seemed otherwise banal and everyday. The authors describe an argument between two Black women and a White hairdresser, in which insensitive comments were made about Black women's hair, illustrating how seemingly small issues



like aesthetics and personal presentation can become heightened within the prison environment. The research emphasises the cultural unfamiliarity of prison staff with prisoners, a particular issue for Black women. Again this work focuses on adults, but provides insight into the interplay of race and gender in criminal justice contexts, and how those involved within the system experience this intersection. The insight around Black women's everyday experiences is important in revealing how small culture and ethnicity-specific issues can take on significance, particularly in punitive contexts. In my own findings, this insight was particularly salient considering girls' perspectives on police stereotyping and intrusion into everyday life, in which seemingly banal experiences could take on a more potent meaning, as will be seen in chapter 5.

Relevant in this context is a smaller piece of more recent research which develops similar themes. Owens' (2010) research explores the experiences of ethnic minority women in resettlement. Her project included 10 women and three service providers. Owens' participants contended that Black and minority ethnic women had different resettlement needs than White women, but struggled to put their own needs into words. Every participant interviewed by Owens believed that minority ethnic women's pathway to resettlement was more difficult than White women's because of experiences of discrimination throughout the criminal justice process. Participants felt that racial discrimination, or fear of racial discrimination, occurring in their everyday lives compounded the stigma of having served time in prison. This theme became important in my own research when reflecting with girls on how their experiences had impacted their wider lives. Participants' experiences of criminalisation extended beyond the specific contexts in which they encountered police and other criminal justice agents, influencing their sense of security and sense of self in their everyday lives.

The small group of studies outlined above speak specifically to the experiences of adult women of colour<sup>5</sup>. It is inevitable that girls will have qualitatively different experiences, not least because those under the age of 18 are subject to the youth justice system, a separate entity to the adult criminal justice system. In this context, Sunita Toor's (2009, 2012) research aims to give voice to the 'invisible' population of ethnic minority girls in the criminal justice system. Toor took a biographical approach, speaking to 11 girls from African/Caribbean and Indian Subcontinental backgrounds who have offended, and

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<sup>5</sup> Chigwada-Bailey's participants are between the ages of 21 and 38, whilst Owens' research only includes one participant under the age of 26

exploring the factors that influence ethnic minority girls' criminality. Her research looked at the girls' life histories and circumstances in order to understand their pathways into crime and through the criminal justice system. What is revealed are the girls' rich narratives around their offending histories, intertwined with their experiences of culture, gender, ethnicity and racism. In examining pathways into offending, Toor examines girls' perspectives of the influence of race and gender in their lives, and subsequent criminal justice involvement.

A number of Toor's participants reflected upon gender and its role in their experiences, particularly their need to be perceived as hard and tough. Many of the African/Caribbean girls Toor interviewed felt that gender inequality was more present in White society and within other ethnic groups than within their own, and felt that race and class placed them in positions of disadvantage more so than gender. These girls discussed the stereotypical association between 'Black' culture, and how they felt that internalising these ideas had influenced their pathway into crime. On the other hand, girls from the Indian subcontinent had a very strong sense of gender disparity both within and outside of their ethnic group. Many were conscious of the significance of their criminality because of the cultural expectations attached to their gender status. These findings are vital in revealing girls' own perceptions of their position and status within the criminal justice system; their voices and stories are revealed in this data in a way that they had not been by previous research.

Toor's findings also pinpointed the cultural forms of punishment exercised within the community, which in some cases far outweighed the punishment of the criminal justice system. In an earlier article, Toor (2009) puts a particular focus on the influence of cultures of punishment, emphasizing the punishment of ostracisation and censorship within South Asian girls' communities and looking at the role of honour ('izzat') and shame ('sharam') in the criminalisation of British Asian girls. She suggests that, as a consequence of izzat and sharam, Asian girls are especially invisible as offenders in the youth justice system of England and Wales. Toor highlights the potential inappropriateness of practices like Restorative Justice for South Asian girls, who she contends are already involved in complex family and community systems of punishment. This intersectional nuance in the treatment of South Asian girls within the English system reveals the importance of criminal justice research which actively acknowledges the positionality of girls and young women of colour, and the potential for greater insight in exploring their intersecting experiences of race and gender in the criminal justice context.

Toor's focus is primarily on narrative offending histories, and the role of gender and ethnicity in girls' routes into offending, as opposed to their perspectives on the criminal justice system and its agencies. Her research reveals girls' complex and detailed reflections on the role of gender and race in their experiences of offending and criminalisation, as well as the myriad ways in which gender, ethnicity and culture, can transform the effects of 'punishment'. These findings reveal the importance of exploring the specific narratives of girls of colour in their own right, and show that there is clear intersection of race and gender in the way that girls understand their experiences of offending and of criminal justice.

Though sparse, the qualitative research in this area gives voice to the perspectives of girls and women of colour, providing clear evidence of experiences of discrimination, as well as emphasis on the intersecting issues of race and gender. It also highlights the role of the criminal justice system as an institutional force, with the power to entrench and embed forms of oppression experienced in wider society, a phenomenon explored more explicitly in some of the US research in this area, as will be considered below.

## THE US CONTEXT

This section considers US-based scholarship around the experiences of women and girls of colour in the criminal justice system. I deal with this literature separately here, to acknowledge the key cultural differences and varied histories of racial oppression across the two contexts, as well as the contrast in ethnic demographics and criminal justice approaches. Nonetheless, US-based research on the experiences of girls and women of colour can offer insights relevant to the youth justice settings of England that are explored in my research, and is noteworthy considering the scarcity of research in the UK content. The research examined here provides insight into the interplay of race and gender oppression in the experiences of women of colour, and particularly Black women, and how this is organised and reproduced at the structural level through the criminal justice system. This is significant in contextualising Research Question 1.

Early US research on girls and young women in the criminal justice system had a similar project to that of the UK – to explain the nature of girls' offending and their relationships with criminal justice agencies, and to counterbalance the volume of research that focused solely on boys. The 1980s and 1990s saw breakthrough research on the lives of

criminalised girls and women (for example, Campbell 1987, 1992; Chesney-Lind 1987, 1989; Miller 1996), yet work exploring the experiences of girls and women of colour was still limited.

In contemporary US research, there is an increasing focus on intersectionality, but there remains a limited focus on girls and young women. As in the UK context, much of the US research on race and policing in particular is solely focused on men, with little or no exploration of the role of gender. Waddington et al. (2004), investigating disproportionality in police stop and search, is one such example. Although the project included participants of all genders, the intersection of gender with race is only briefly considered, with reference to the particular vulnerability of men to disproportionate stop and search practices.

Similarly, research on girls and young women's criminal justice experiences is often limited in acknowledgement of race, even where participants are drawn from a mixture of ethnic groups. For example, Schaffner's (2006) research, included only 13 White girls of a total of 100 participants, (participants were predominantly Black and Latina). Schaffner highlights the role of ethnic minority status in the web of social and economic disadvantage that leads girls into the criminal justice system. However, even with data from 87 girls of colour to draw upon, Schaffner's key findings stop short of any in depth analysis of the intersection between race and gender.

Both Chesney-Lind (1993, 1999) and Campbell's (1984, 1987, 1992) rich documentation of girls' participation in gangs challenges earlier gang research that focused almost exclusively on boys, though it offers limited analysis on the role of race and racism in girls' gang experiences. Themes such as sexualisation of girls' offending and the criminalisation of girls' strategies for surviving poverty and oppression arise in the early work of Chesney-Lind (see for example, Chesney-Lind 1989), in which she argues that existing theories are fundamentally inadequate for explaining both girls' involvement in crime and official actions towards girls' rule breaking, stating that a feminist model is needed in order to acknowledge the role of the juvenile justice system as a significant force in women's oppression. Chesney-Lind's work advocates listening to girls, and working towards understanding their relationships with intersections such as racism and poverty. She emphasises the importance of reflecting on these issues with girls specifically, rather than subsuming the experiences of girls into discussions about boys:

*Something is going on, and it is not just about race or gender; it is about both—a sinister synergy that clearly needs to be carefully documented and challenged.*  
(Chesney-Lind 2006: 10).

In *The Female Offender* (1997), Chesney-Lind and Pasko argue that women at the social margins have much more limited access to effective rehabilitative services than those with more privileged social status, leading to significant inequality in the opportunity to rebuild their lives. The authors specifically examine the positionality of women of colour in the criminal justice system, considering the unequal impact of the US 'War on Drugs' on women of colour, and considering how their lack of access to vital support within the system produces and reproduces conditions of marginalisation and oppression. The authors describe the correlation between this oppression and the overrepresentation of women of colour in prisons and the broader criminal justice system. In relation to girls in particular, Chesney-Lind (2010) notes that the excessive focus on girls' aggression and violence that came about during the early 2000s had a damaging impact on girls of colour, who were drawn into the criminal justice system at a high rate due to living in areas which were already the focus of police and were subsequently more likely to be arrested and detained.

Chesney-Lind's work provides acknowledgement of racial oppression that is missing from much of the UK research in this area. Her scholarship draws links between girls' individual experiences of marginalisation and the socio-structural influence of criminal justice policy and practice, as well as the influence of dominant and normative perceptions of race, gender and crime on girls' criminalisation. However, she notes the difficulty of undertaking empirical work that develops a strong race and gender thesis, due to the complex racial composition of her research base in Hawaii (Chesney-Lind 2010). Her empirical work therefore does not draw deeply on intersectional analyses. Nevertheless, Chesney-Lind throughout her career has continued to reflect on issues of race and intersectionality in analyses focused on girls, and she has encouraged feminist work that takes into account race and other forms of oppression, and advocated for feminist criminology as an approach well placed to respond to issues of racism and sexism (Chesney-Lind and Pasko 1997; Chesney-Lind 2002, 2010; Chesney-Lind and Eliason 2006; Chesney-Lind et al. 2007; Chesney-Lind and Irwin 2013).

Jody Miller's work is also a vital component of the US based scholarship on girls. In 'Getting Played' (2008) she explores girls' and boys' experiences and perceptions of violence in distressed urban areas. African American girls in Miller's study described experiences of gendered violence, including verbal harassment and sexual assault, which they did not feel able to report to police or other social agencies. Miller (2008) argues that scholarly attention to the issue of violence against African American young women has been severely limited, with criminology around urban violence being largely androcentric or gender blind and similarly, feminist criminological research has overlooked the issues faced by African American girls. Insights from Miller's work help to address this, and offer vital insight into how girls of colour's criminal justice experiences are shaped not just by race, but by gender. However, as Jones (2009) notes, Miller's analysis of race and gender does not draw in much depth on intersectional or Black feminist scholarship.

The following studies focus specifically on the intersections between race and gender, offering a complex understanding of the issues. Maher's 'Sexed Work' (1997) is a key example of the criminological exploration of intersecting oppressions in the lives of criminalised women. Maher's work is based on three years of ethnography and in-depth interviews with women in a street-level drug economy in Brooklyn, New York. Although her research focuses on adult women, it considers women's experiences of crime and drug use in ways that are specifically focused on the intersection of gender, race and class oppression. Her research reveals that the gender, race and class divisions of the informal drug economy mirror the wider structural constraints of the formal economy, in which women of colour are disadvantaged. It provides an example of the structural component of intersectionality – in which the intersection of race and gender is linked to wider forces of oppression.

Several other key studies have focused on developing a strong intersectional race and gender thesis in exploring women's experiences. Beth Richie's work (2003, 2012) has been ground-breaking in telling the stories of Black women incarcerated in New York prisons. Richie examines the ways that prior victimisation contributes to Black women's routes into offending. She develops the theoretical formulation of 'gender entrapment', a term used to describe the marginalisation that occurs when race, gender, and class intersect with victimisation through domestic abuse. The concept of 'gender entrapment' emphasises the criminalisation of Black women's survival strategies and the logical behaviours they employ as a result of their expected race and gender roles.

Richie (2012) later developed her narrative around the criminal justice system as a force of institutional oppression. Using detailed accounts from Black women who have experienced racism, poverty and lack of access to justice, she argues that multiple dangerous phenomena have now converged forming 'prison nation'. This concentrates disadvantages in low income communities and uses mass incarceration to address violence against women. Richie illustrates that ongoing violence against Black women is not simply a domestic issue that can be resolved by imprisoning women, or even imprisoning the perpetrators of domestic violence, but a structural issue that requires a societal level response.

Also focused on Black women's experiences of imprisonment is Johnson's (2004) study of African American women in the US criminal justice system and in prison. *Inner Lives* is based on interviews conducted over a three-year period with over 100 incarcerated and formerly incarcerated African American women, their families and friends, prison staff, and legal professionals. The combination of young parenthood, experiences of physical and sexual abuse and educational disadvantage were key issues for participants. Social factors linked to poverty and disadvantage exist across those with experiences of the criminal justice system and prison, but Johnson (2004) reinforces that these issues are exacerbated for Black women because the pathologising of Black women significantly diminishes the importance of these elements in their lives, and thus limits the justice afforded to them. This reflects the experiences of discrimination, and pathologising of Black women described by Richie almost 10 years previously.

The role of the criminal justice system as an oppressive structural force is reiterated by Andrea Ritchie in 'Invisible No More' (2017). Ritchie weaves quantitative data on police interactions with Black women and women of colour with the women's own stories (personal narratives collected informally, and through news stories). She contends that police violence against Black women and women of colour is structural and influenced by historical contexts and police responses to such violence are insufficient. She connects histories of slavery, colonialism and racial segregation to the contemporary criminal justice system and modern oppression, noting Black women and women of colour's invisibility – affected by entrenched forms of historical oppression and yet overlooked in modern day research and policy.

The US literature in this area draws attention to a number of critical issues that are relevant to my research questions. Recurrent themes include the links between race, gender and class and wider issues of structural inequality, and the role of the criminal justice system in producing, and reproducing, the oppression of women and girls of colour. The literature makes explicit the links between prevailing criminal justice policy and ideology, and the lack of access to justice for marginalised girls and young women. Several of these themes reflected in my own findings around girls' experiences of injustice, explored through the narratives of young women and professionals in chapters 5 and 6.

### CASE STUDIES ON POLICE VIOLENCE

A strong theme across the US scholarship is police violence. There has been an effort by Black feminist scholars and activists to collate case studies and examples of Black women's victimisation, and often death, at the hands of police through sharing detailed case studies and stories. These stories have been compiled not through traditional research methods but often as forms of activism, or as case studies within a theoretical context, but are important to acknowledge here, as they consider a theme which develops within my own findings – police violence and the distrust of police.

For example, *Say Her Name*<sup>6</sup> in partnership with Andrea Ritchie (Crenshaw and Ritchie 2016), released a report detailing numerous cases of fatal police violence against Black women. The report critiques the invisibility of Black women's experiences of violence informed by race, gender and sexual orientation. Due to the lack of available data (and issues with the narrative framing of police violence as an exclusively male experience within existing data), the report collates stories gathered through online research and cases that have come to the attention of the report's authors. These case studies share detailed accounts of wide ranging incidents of police violence, including the stories of women experiencing mental health crises, the deaths of trans and gender non-conforming individuals at the hands of police, and police violence against mothers and their children. Similarly, in her aforementioned book, Ritchie (2017) delves into numerous accounts of police violence, sexual harassment and sexual violence towards Black girls, women and

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<sup>6</sup> The #SayHerName campaign was launched in 2014 by the African American Policy Forum (AAPF) and Center for Intersectionality and Social Policy Studies. It brings awareness to the often invisible names and stories of Black women and girls who have been victimised by racist police violence



gender non-conforming individuals. Building a case through independently researched case studies and anecdotal accounts, she explores the policing of girls, of disability, of sex and gender, of motherhood and police responses to violence. The stories presented are overwhelming in number and severity.

Chigwada-Bailey (1997) took a similar approach in the UK context, and her work outlined several case studies including that of Sarah Thomas, a 35-year-old black architectural design student who died in police custody in Stoke Newington after she was arrested whilst locked outside her own flat. Witnesses to her arrest reported hearing Thomas calling for help. She was taken to the police station where the police alleged that she 'appeared to suffer a fit' and then went into a coma. Parallels could be drawn with the later case of Sarah Reed, who was violently assaulted by a police officer in 2012. The assault, which was captured on camera and went viral, showed Reed being dragged across the floor by an officer who also pressed on her neck and punched her repeatedly. In 2016 Reed committed suicide whilst on remand in Holloway prison and suffering from serious mental health problems. The inquest into her death found that unacceptable delays in medical care had contributed to her death. The complex racial, gender and disability discrimination surrounding her death has been brought to light by the UK Black Lives Matter and Say her Name campaigns.

In the absence of detailed empirical work, the documentation of these case studies about police violence has become vital in building a picture of the experiences of Black girls and women in the criminal justice system and illustrating the themes of violence, discrimination and oppression outlined in the UK and US literature, above. The UK is often seen as the lesser extreme when it comes to issues of race in the criminal justice system Joseph-Salisbury et al. (2020), but the cases outlined by Chigwada-Bailey, as well as contemporary stories such as that of Sarah Reed, show this is not the whole picture. This is an issue which must be explored by research. The data presented in chapter 5 indicate that there are vital discussions to be had about police treatment of girls of colour.

### 2.3. GIRLS AND YOUNG WOMEN OF COLOUR IN OFFICIAL DATA

Having considered the criminological context, the following discussion focuses on the evidence on the representation of girls and young women of colour in the criminal justice

system of England and Wales, examining the available official data. It considers the scope of this data and what it can tell us about the number of girls and young women of colour at each stage of the system, and any potential evidence of discrimination. This section provides a statistical background to the qualitative criminological work discussed in the previous sections.

Feilzer and Hood's (2004) research for the Youth Justice Board provides a useful starting point for the analysis in this section. Their seminal study mapped differential treatment of ethnic groups as they moved through the youth justice system. It is one of a very small number of official sources offering concurrent analysis of race and gender discrimination in the youth justice system. The study identifies differences in case outcomes to determine whether discrimination has taken place, using information from 17,054 case decisions (14,432 boys and 2,622 girls) between the ages of 12 and 17 processed over a 15-month period (2001-2002). The researchers examined police and CPS decisions about whether to pursue prosecution, court decisions about detention or bail, CPS or court decisions about case disposition, and court sentencing decisions. The researchers discovered that the differential representation of ethnic minority groups was mostly preserved from point of entry onwards.

Findings relating to girls were mixed; a slightly lower proportion of Black than White girls received a custodial sentence and, although there was evidence of differential treatment in other areas, the authors state that this did not appear to be to the disadvantage of Black girls. However, the research produced a number of other statistically significant examples of discrimination. For example, it found a higher proportion of cases involving Black and Mixed Parentage young people had been remanded in secure conditions or sentenced to a more restrictive community penalty than other ethnic groups. There were also significantly greater prosecution levels for Mixed Parentage girls, and a much lower proportion of cases involving Mixed-Parentage girls had been eligible for a pre-court disposal (42%) than any other category of young women.

A new study representing the contemporary context has not been commissioned, but later policy research by May et al. (2010), discussed below, replicated part of Feilzer and Hood's methods with similar findings of discriminatory outcomes. Although the context is now different, the official data examined below, as well as the findings of the Lammy review (2017a), suggest that discrimination is not an issue of the past.

The data analysed below provide evidence of persistent overrepresentation, particularly of Black girls and women. Disproportionality cannot be equated with direct discrimination (Phillips and Bowling 2003), but it is an indication of discrepancy that requires urgent attention. The lack of attention that has been given in the intervening years to both the disproportionality and discrimination evidenced by Feilzer and Hood is evidence of the low priority given to issues of racial and gender inequality within youth justice. This particularly affects girls and young women of colour, who have scarcely been factored into any official research and policy work, as the subsequent sections outline.

Women and girls make up a very small proportion of the criminal justice system. Collectively they comprise around 15% of total arrestees, 15% of those under community supervision and 5% of the prison population (MoJ 2018c). Girls of colour are at the intersection of the overrepresented 'BAME' group, and the underrepresented female group. Without accessible data that includes both race and gender it is almost impossible to build an accurate picture of their representation within the youth justice system.

There is very little data available prior to the 1990s that takes into account ethnicity, so it is not possible to get a statistical picture of the representation of young people of colour, let alone girls specifically (Smith 2014, Bateman 2016). The requirement for ethnicity to be recorded as part of statistical reporting was not introduced until the Criminal Justice Act 1991 came into effect. The limited available official criminal justice data relating to girls and women of colour is not collated in one place and rarely published in accessible formats or summaries. The Ministry of Justice (MoJ) collects and publishes population and demographic data on each stage of the criminal justice process. Until very recently, however, the majority of published data has not been disaggregated by race and gender, thereby obscuring information on girls of colour. In fact, Smee (2016) notes the paucity of cross-tabulation of data across all criminal justice agencies. This has long been an issue, and is noted by the Home Affairs Committee (2007), which recommended greater disaggregation of data on race and gender, particularly in youth justice data, though little appears to have been done to address this in the decade that followed.

This has begun to change recently, and more intersectional presentations of data are now available, particularly in the wake of the Lammy Review (Lammy 2017a), discussed in more detail below. Improving the collection and use of data and increasing transparency are significant themes that appear throughout Lammy's report. He recommends that gaps in

existing data be addressed, and that the Government should invite external scrutiny by employing a default position of the publication of all available criminal justice system data on ethnicity.

In the Government's response (MoJ 2017b) to the Lammy Review it committed to implement a consistent, cross-criminal justice system approach to recording and analysing ethnicity, expanding and unifying data collection. One of the results of this was the introduction of the Race Disparity Audit 2017.<sup>7</sup> The audit has improved the picture somewhat, however, some of the more accessible criminal justice system data summaries still only provide information on either ethnicity *or* gender as separate categories, rendering women and girls of colour invisible within the population.

#### THE OFFICIAL PICTURE: DISPROPORTIONALITY IN RECENT DATA

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The discussion that follows is an attempt to collate and assimilate some of the available criminal justice (England and Wales) data on girls and young women of colour from various official sources, including the less well publicised supplementary data provided by government agencies. Due to the limited amount of available data on the youth justice population, much of this data refers to adult women<sup>8</sup>. I examine data on both adults and children in the criminal justice system, in order to provide information on the representation of girls and young women of colour at the various stages of the criminal justice process. Evidence of significant overrepresentation, particularly of Black women, is visible.

#### THE CONTEXT: GENERAL POPULATION DATA

Data on the ethnic and gender breakdown of the population of the UK provide context to the criminal justice statistics examined below. National population data indicate that girls and young women of colour comprise a small but significant proportion of the youth population in England and Wales. The most recently available census data (ONS 2011) estimates that 86% of the population of England and Wales is White, 2% is from Mixed/multiple ethnic groups, 7.5% is Asian/Asian British, 3.3 %

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<sup>7</sup> The findings of which are available via summaries on the Government's website, showing the representation of various ethnic groups throughout the stages of the criminal justice system, some of which contain breakdowns by ethnicity and gender (Cabinet Office 2017)

<sup>8</sup> Where girls are not referenced, this is due to a lack of available data on under 18s

Black/African/Caribbean/Black British, and 1% from 'other' ethnic groups. BAME people (particularly Mixed race people) in England and Wales have a lower age profile than White people on average. The median age of the White group was 41, compared to 30 for the Black group, and just 18 for the Mixed race group (ONS 2018a).

According to a Nomis<sup>9</sup> freedom of information request (ONS 2020) based on the 2011 census data, the overall total of 16-24 year old women in the population at the time was 3,285,971 of whom 594,640 were BAME – roughly 18% of women in that age group. More recent data from the Annual Population Survey looking at the number of 16-24 year olds in the UK population for the period January to December 2017 (ONS 2018b) puts BAME young women at around 17% of women in this age group (comprising 2.6% Mixed Ethnicity, 2.5% Indian, 2.9% Pakistani, 1.3% Bangladeshi, 1.1% Chinese, 3.6% Black, 1.5% Other Asian, and 1.9% Other Ethnicity). Based on these data, BAME young women could make up between 17 and 18% of the total population of women in the 16-24 age category. These figures give provide a benchmark from which to assess overrepresentation in criminal justice data.

## ARRESTS

Home Office data on police powers and procedures (Home Office 2018) reveals that the arrest rate was significantly higher for Black women and 'Mixed' women than for other female ethnic groups – at seven and six per 1,000 respectively compared to three for White women, making Black and Mixed race women at least twice as likely to be arrested as White women. The Howard League (2017), based on data obtained via freedom of information requests, discovered that BAME young people represent around 26% of young people subject to arrest, despite making up only 18% of 10 to 17 year olds in England and Wales.

## FIRST TIME ENTRANTS

In the year ending September 2019 (MOJ 2020a), 12% of adult female 'first time entrants' (FTEs) into the criminal justice system were BAME, as were 9% of girls (aged under 18). With respect to the general population data discussed above, this appears to be an underrepresentation of BAME women and girls. However, when individual ethnicity categories are isolated, it is clear that Black girls and women are overrepresented. Black

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<sup>9</sup> Service providing UK labour market statistics from official sources

girls make up 10% of FTEs for girls, whilst Black adult women make up 5% of FTEs for women. This is an overrepresentation of both age groups, but particularly Black girls, given that general population statistics suggest that Black young women make up around 3.6% of the young female population in the UK (ONS 2018b).

## REMAND

MoJ (2019a) statistics on remands in the Crown Court show that the total number of women and girls (including under 18s) remanded to custody in the year ending December 2018 was 1,342, 15% of whom were BAME. When individual ethnicity categories are observed in isolation it can be seen that 7% of these were Black girls and women, an apparent overrepresentation. This is contextualised by a report by the Youth Justice Board (YJB 2021), which found that even once demographics and offence-related factors were controlled for, children of Mixed ethnicity and Black children were more likely to get custodial remand. The authors note that even after taking into account the influence of offending demographics, and practitioner assessments, Black children remained less likely to receive community remand (the less serious outcome) than White children.

Goodfellow (2019) analysed unpublished case level custody data for all girls detained in the youth secure estate during the period April 2014 to March 2016, provided by the Youth Justice Board. She notes that the admissions data reveals that BAME girls made up a higher proportion of girls on remand (36%) than in the sentenced population (28%). Goodfellow suggests a causal factor could be that BAME children are less likely to have trust in the criminal justice system and consequently plead not guilty, increasing their chance of remand.

In terms of the adult population, the percentage of 'Other including Chinese' women remanded to custody was significantly higher than for other groups (MoJ 2019a), at 34.6%, as expressed in Figure 2, below. The high rate of custody for 'Other including Chinese' women has persisted over a number of years. This could be due to the types of offences typically committed by women in this ethnicity category. Corston (MoJ 2007) noted that the number of Chinese women in prison for offences such as passport fraud, people smuggling and pirate DVD importation was, at the time of her prison visits, increasing. Due to the very small numbers of Chinese women in the criminal justice system population (the number of FTEs between September 2016 and September 2017 was just over 200 [MOJ 2018a]) it is very difficult to gain any insight into their criminal justice experiences.

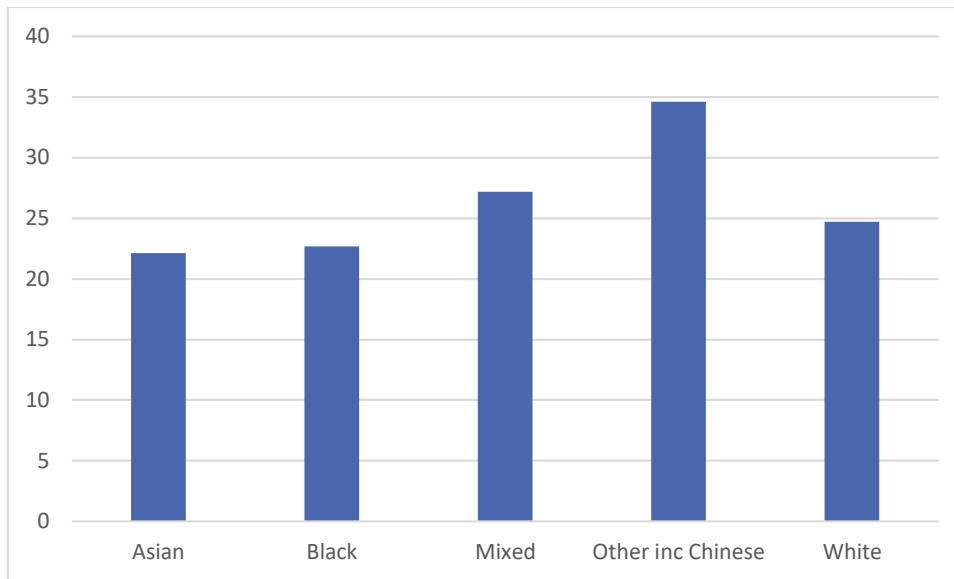


FIGURE 1. PERCENTAGE OF WOMEN REMANDED TO CUSTODY IN 2017

#### PROSECUTION, CONVICTION AND SENTENCING

Lammy (2017a) as part of an analysis specially commissioned for his review, found that once charged with an offence, Black women were more likely to be tried at the Crown Court than White women. Of those charged, 163 Black women were tried at the Crown Court for every 100 White women. He also found that Black, Asian, Mixed ethnic and Chinese/Other ethnic women were all more likely than White women to enter ‘not guilty’ pleas at Crown Court, with Asian women more than one and a half times more likely to do so. At the magistrates court, Black women, Asian women, Mixed ethnic women and Chinese/Other women were all more likely to be convicted than White women.

The MoJ releases data summaries on ‘Women and the Criminal Justice System’ biennially. The latest, (MoJ 2018c) notes that the prosecution rate was twice as high for Black female defendants as White female defendants. Asian women had the longest average custodial sentence length for indictable offences in 2017 at 18.1 months, compared to 10 months for Mixed race and 11 for White women, as expressed in the table below.

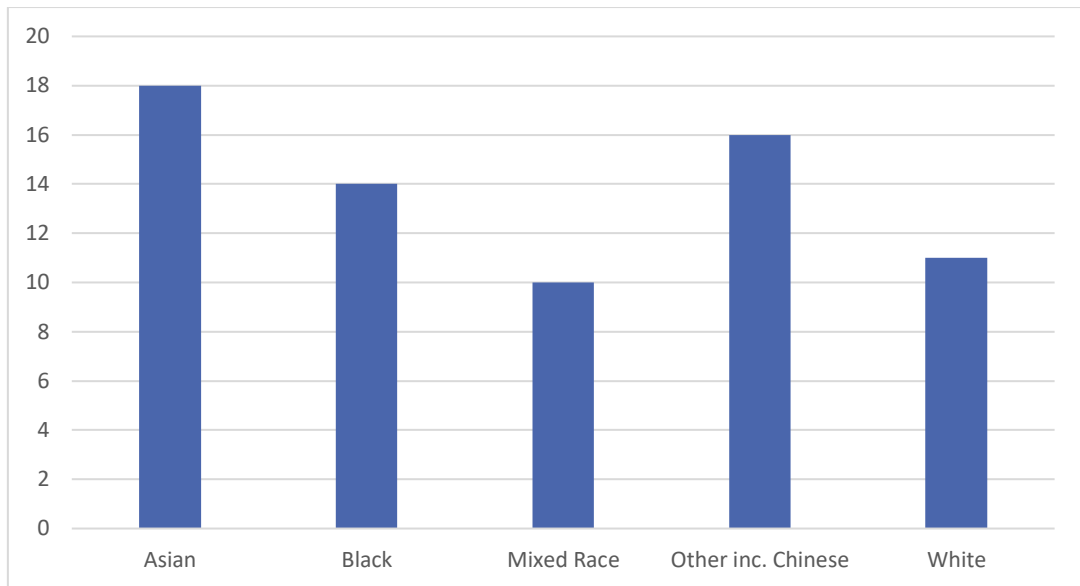


FIGURE 2. AVERAGE CUSTODIAL SENTENCE LENGTHS (IN MONTHS) FOR WOMEN IN 2017

There is little intersectional analysis of the data in the MoJ's summary, and much of the report is focused on comparing the data on women to those on men. The summary aims to 'provide a combined perspective on the typical experiences of males and females who come into contact with [the criminal justice system]' (MoJ 2018c: 3) as opposed to exploring the intersectional characteristics and experiences of women through the data.

The MoJ also releases periodical statistical reports on 'Race and Ethnicity in the Criminal Justice System' under section 95 of the Criminal Justice Act 1991<sup>10</sup> which present data largely drawn from existing government reports. These have historically contained limited acknowledgement of differential experiences or representation according to gender. The most recent summary (MoJ 2019b) includes limited analysis of the available data on women of colour, but concludes that in 2018 Black and Asian women had the highest custody rate<sup>11</sup> of all ethnic groups, at 22%. The average custodial sentence length for Black and Asian women was 17.1 months, 58% longer than for White women. No attempt is made within the report to account for these discrepancies.

<sup>10</sup> Setting out a requirement for the yearly publication of information facilitating the performance of those engaged in the administration of justice to avoid discrimination.

<sup>11</sup> The 'custody rate' is the percentage of offenders given an immediate custodial sentence, out of all offenders being sentenced in court for indictable offences.



Data (MOJ 2019a) on the number of all offenders cautioned or sentenced for indictable and summary offences appear to reveal further overrepresentation of Black women. This is expressed in the table below, which shows the number of Black women aged under 25 receiving a community sentence or immediate custody as a percentage of the total number of women aged under 25 receiving the same. This indicates apparent overrepresentation at both ends of the sentencing scale over an 8-year period.

TABLE 2. BLACK WOMEN AS A PERCENTAGE OF TOTAL WOMEN < 25 YRS RECEIVING A COMMUNITY SENTENCE OR IMMEDIATE CUSTODY

	2018	2014	2010
<b>Community Sentence</b>	10%	9%	8%
<b>Immediate Custody</b>	12%	11%	8%

Youth Justice Board analysis of administrative data (YJB 2021) confirms that in the youth justice system there are more restrictive remand outcomes for Black and Mixed ethnicity children, there are fewer out-of-court disposals for Black, Asian and Mixed Ethnicity children and there are harsher court sentences for Black children.

#### POPULATION IN CUSTODY

The Lammy review (2017a) confirmed that over half of young people in custody in England and Wales are BAME. It is not possible to get a complete picture of the gender and ethnicity demographics of youth custodial institutions, as the available YJB statistics are disaggregated by either gender or ethnicity (not both). However, National Offender Management statistics (MOJ 2020c) do show the adult prison population, revealing that in December 2019 there were 596 BAME women in adult prisons<sup>12</sup>, representing 16% of the total female prison population. The Black female prison population was 277 (8%), again showing overrepresentation. The Mixed race female population was 161 (4%) – a slight overrepresentation, whilst Asian and Asian British were underrepresented at around 139 4%. This is expressed in figure 3, below.

<sup>12</sup> This may be an underestimation due to disclosure controls which prevent individuals from being identifiable within the data

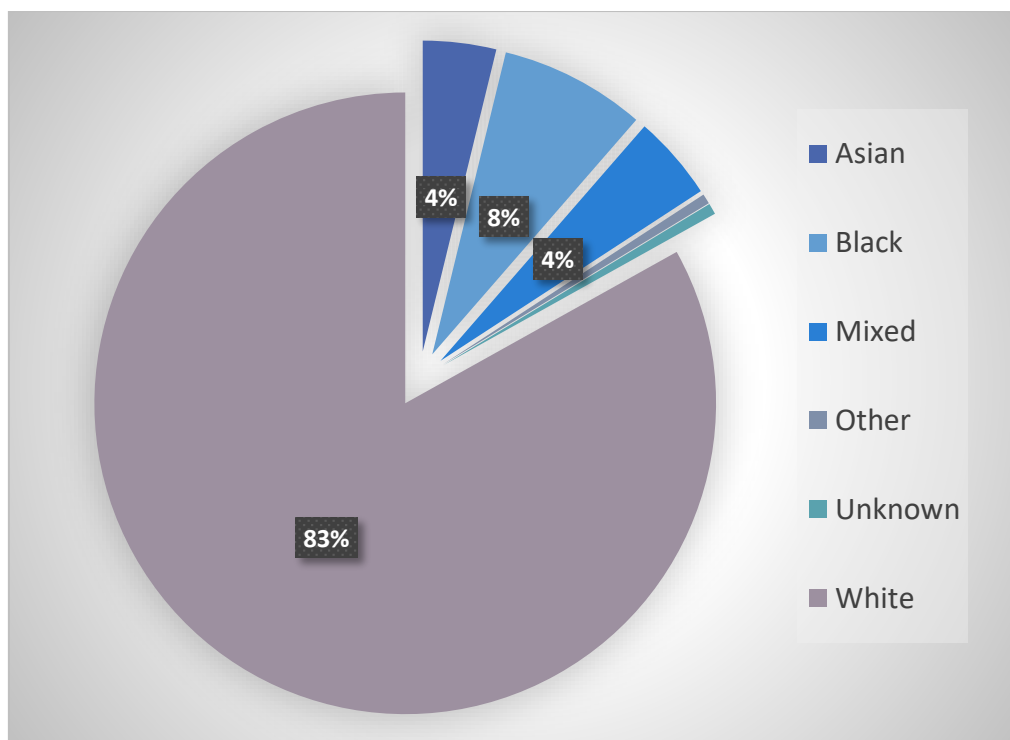


FIGURE 3. ETHNIC COMPOSITION OF WOMEN'S PRISONS IN ENGLAND AND WALES, DECEMBER 2019

## SUMMARY

In summary, the available official data (and research conducted using official data) suggests that Black women and girls are overrepresented at various stages of the criminal justice process. The question as to why this overrepresentation is occurring has not been adequately answered by official reports or research. It appears that in some areas the underrepresentation of Asian women and girls obscures the fact that Black women and girls are in fact overrepresented.

What the above analysis highlights is that conversations around Black overrepresentation should not focus solely on boys and men. It is clear that investigation is needed in order to determine a clear picture of the representation of women and girls of colour across all areas of the criminal justice system, alongside examination of why discrimination appears to be occurring in decision making practices in certain areas (Feilzer and Hood 2004). In particular, Goodfellow (2019) emphasises that research must investigate why the disproportionality of children on remand is so high, with specific consideration given to girls of colour. Whilst Lammy (2017a) calls for more detailed examination of magistrates' verdicts, with a particular focus on those affecting BAME women. Due to the

comparatively small number of girls of colour involved in the youth justice system, qualitative research in this area is vital, in order to fully contextualise overrepresentation and to understand their experiences of discrimination. As I suggest below, this is particularly lacking in policy sources.

The paucity of official data that reveals gender and racial intersections contributes to the overall invisibility of girls and young women of colour in criminal justice policy narratives and public discourse. Whilst there continues to be no comprehensive data on their representation and treatment within the criminal justice system, there can be no public discussion or critique of this issue. The large overrepresentation of Black boys and young men is striking and has rightly received public attention (though little policy action), yet the above analysis suggests there are similar issues for girls of colour, particularly Black girls and young women, that are not being addressed. The following section considers the recent policy landscape in youth justice, and collates the relevant policy reports and official reports (such as prison inspections) that acknowledge women and girls of colour.

#### 2.4. RACE, GENDER AND YOUTH JUSTICE: INSIGHTS FROM THE POLICY CONTEXT

The policy sphere is a reflection of the scarcity of criminal justice data on race and gender. Policy in this area frequently obscures the needs and experiences of women of colour, in particular girls of colour. Similarly to the academic research context, early criminal justice policy addressing issues of inequality focused on the single axis of race *or* gender. Despite important developments in recent years, the needs of women of colour still tend only to be addressed briefly within the wider context of ‘women in the criminal justice system’, as opposed to in response to racial justice issues. As a result, the majority of policy narratives and initiatives relating to women of colour have developed through discussions around gender, as opposed to those around race and racism (Smee 2016). The unique experiences of girls and young women of colour remain almost entirely absent from policy narratives in the UK.

This section looks at 21<sup>st</sup> century policy reports and evidence, and begins with an acknowledgement of the earlier Macpherson report (1999), and the influence of the Corston report (2007) on this field. It then examines the key reports which offer some consideration of the intersection of race and gender in youth justice and criminal justice

contexts. The policy reports in this area provide additional information on the experiences of girls and women of colour in the context of a very limited field of empirical scholarship, particularly those reports that provide evidence from direct consultation with these groups. They also help to provide criminal justice and youth justice policy context relevant to the exploration of professional perspectives.

The MacPherson Report (Home Office 1999), arising from the inquiry into the police handling of the racist murder of Stephen Lawrence, represented a watershed moment for British criminal justice policy in its recognition of institutional racism (Phillips 2007), and was highly critical of the Metropolitan Police. Macpherson found institutional racism at the heart of police operations, and a lack of trust and confidence in the police by those from ethnic minority communities. However, the report did not speak directly to gender or the treatment of women, and its interpretation of 'institutional' racism has been criticised for not going far enough to take into account Black women's experience of racism, and how racism intersects with gender oppression (Patel 2001). Implementation of some of Macpherson's policy reform recommendations (such as developing a more ethnically representative police force) has been slow, and has garnered little change in terms of overrepresentation and disparity in outcomes for BAME groups within the criminal justice system.

Similarly significant in the policy context for girls and women was the Corston Report (Home Office 2007), a review of women with particular vulnerabilities in the criminal justice system, which aimed to create policy change to improve the treatment of women in criminal justice institutions. The report has been described as seismic in terms of its implications for policy relating to women in criminal justice (Annison and Brayford 2015). Corston made a number of recommendations that spoke to women's gendered offending pathways and experiences of prison, as well as the lack of attention to women's needs within a male-orientated system. The report subscribes to a rather deterministic view of gender, occasionally focusing on biological differences between men and women as justification for a gendered approach to penal policy. Although intended to deal with the 'vulnerabilities' of women in prison, the report did not consider ethnic minority status in prison as a form of increased vulnerability, and thus presents a relatively singular view of gender.

Corston acknowledges that BAME women may have additional needs and problems when negotiating the penal system, though does not explore the issue in any depth. She notes the disparate geographical location of women's prisons, which means women are often placed long distances away from family and friends. This coupled with the fact that women are more likely than men to be primary caregivers, highlights the isolation of women within the prison system. Not mentioned by the report is the fact that this issue is exacerbated for BAME women as ethnic minority populations are largely concentrated within major cities, yet prisons are often located in rural and suburban areas. There are no women's prisons in London or Birmingham for example, England's two largest cities.

These reports set the scene for the serious policy consideration of race and gender issues within criminal justice. However, they did not deal in depth with how these intersections may interact. Subsequent reports focusing on race and issues for ethnic minority communities tend to leave girls and young women out of the equation (see for example, The Young Review 2014) or include them only to emphasise that they are less overrepresented and likely less heavily discriminated against than boys and men (see, Home Affairs Committee 2007). Often these assumptions are made without consultation of girls and young women of colour, or acknowledgement of the available research evidence (for example, the work of Chigwada-Bailey discussed above).

There are a few exceptions to this. HMIP's subsequent 'Race Relations in Prisons' report (HMIP 2009) was one of very few official reports to consult women themselves, and the only official report of its time that set out to consult BAME women specifically, exploring intersecting race and gender issues. It advanced the criminal justice policy agenda significantly by emphasising that whilst BAME women deal with many of the same issues as White women in prison, their experience is exacerbated by racial discrimination. HMIP highlighted the overrepresentation of BAME women in the prison system and raised a number of previously unexamined issues.

The report found that BAME women were disproportionately imprisoned for drug offences, yet White women in prison were found to be more likely to misuse drugs and identify themselves as having drug-related issues. It further highlighted the particular difficulty that BAME and foreign national women have in securing care for their dependents whilst in prison, and the lack of first-week visits by family and friends compared with White female prisoners. Like the Corston Report, HMIP (2009) notes the

problem of geographical isolation, which adds to the emotional burden experienced by BAME women and exacerbates the challenges of the prison experience.

A serious concern raised by HMIP (2009) was the fact that 26% of BAME women reported being victimised by staff, compared to 16% of White women, and only 63% felt respected by staff compared with 77% of White women. A lack of cultural and ethnic awareness from staff was perceived by both BAME prisoners and BAME staff alike. This corresponds with findings from a study by Prison Reform Trust, which found that 41 out of 71 prisoners interviewed had experienced racism in the previous six months and almost two thirds did not submit a complaint about it (Edgar 2010). In a later report by HMIP (2010) BAME and foreign national women were more likely to have felt threatened or intimidated by staff than White women. Whilst HMIP's (2009) findings focus only on adult women, they raise a number of concerns that may be relevant to both girls and young women of colour in custody, as well as emphasising the importance of taking ethnicity into account when exploring issues of 'gender' in the criminal justice system.

In 2010, two reports were published dealing with inequality issues within the youth justice system. The Prison Reform Trust's *Punishing Disadvantage* (2010) reviewed the Youth Justice Board's information on children in custody, looking in detail at the backgrounds and circumstances of a random selection of 200 children in order to determine the level of social disadvantage present. It confirmed that there were gender and ethnic differences in the levels of disadvantage experienced by young people. Girls seem to be more disadvantaged than boys and white and Mixed race children to be more disadvantaged than those who are Black and Asian, particularly where the indicator 'witnessed domestic violence' was concerned. Researchers found that 59% of girls, compared to 25% of boys had witnessed domestic violence, as had 35% of White, 30% of Mixed race children, compared to only 6% of Black and no Asian children. However, there were only 17 girls among the 200 children whose cases were considered and just 18 black, 17 mixed race and seven Asian children, severely limiting the scope for comparison. This suggests that more purposive sampling is needed where gender and ethnicity are to be considered in depth, and emphasises the need to understand qualitative experiences of young people, especially where dealing with statistically small groups.

Released in the same year, May et al.'s (2010) report for the Equality and Human Rights Commission used both quantitative and qualitative methods to examine differential

treatment within the youth justice system. As discussed above, their research replicated part of Feilzer and Hood's (2004) study in using information on 18,083 case decisions made in 12 youth justice services to examine whether disproportionality between ethnic groups was amplified or reduced as young offenders passed through the system. They also conducted interviews with police officers and young people, as well as undertaking observational work with operational police officers. The authors found scope for 'differential' policing to shape the flow of young people into the system, as well as unequal representation at some stages of the youth justice system that could not be explained. This indicates that certain stages of the youth justice system may be discriminatory against ethnic minorities. Overall, however, the report does not tell us much of note about girls of colour's specific treatment within the system, or their experiences of policing.

A more recent independent report by the women's charities Agenda and Women in Prison, 'Double Disadvantage' (Cox and Sacks-Jones 2017), explores the perspectives of BAME women with experience of the criminal justice system, drawing on findings from 20 participants (all adult women aged 26 and upwards) across three focus groups. It was commissioned to feed into the Lammy Review (Lammy 2017a), with the aim that the Review would go on to emphasise the specific challenges BAME women face. Participants felt strongly that they were treated differently in sentencing, verdicts and within some prisons. Findings revealed a sense of mistrust and injustice from participants, who felt that their life histories were ignored during the court process, and believed they were not empowered to make decisions about their case. Racism within prisons, from both staff and other prisoners, was also raised as a key issue. The report recommended that Lammy review explore the distinct experiences of BAME women across the criminal justice system, and advocate for better data on BAME women's journeys through the system, as well as statistics that are disaggregated by gender and ethnicity.

As discussed in chapter 1, in his final report, Lammy (2017a) was deeply critical of disproportionality within the system, which he has referred to informally as a 'social timebomb' (Lammy 2017b) and he made wide-ranging recommendations for reform. His report highlighted key discrepancies such as the disparity in arrest rates for Black women, referred to above. He also revealed that BAME women had fewer positive relationships, more negative experiences and greater concerns for safety in prison than White women. However, despite the recommendations outlined by 'Double Disadvantage' (Cox and

Sacks-Jones 2017), Lammy gave fairly limited attention to how BAME girls and women experience the criminal justice system.

The government's own Female Offenders Strategy (MoJ 2018b) in fact goes much further in acknowledging the issues faced by BAME women, stating explicitly that criminal justice funding should be used to address the needs of this cohort, as well as those of foreign national women. The strategy expresses the government's commitment to working closely with voluntary sector and other organisations who work with BAME female offenders to improve communication and policy development, and commits to requiring community providers to demonstrate how they will cater to the needs of BAME women. This is an important policy commitment, as a Prison Reform Trust briefing (2017) emphasised the significance of BAME-led community services to women themselves, and the lack of funding currently available for such services.

The MoJ's follow up response to the Lammy Review, *Tackling Racial Disparity in the Criminal Justice System* (MoJ 2020d), further acknowledged the evidence that BAME and foreign national women can have distinctly different experiences or outcomes at some stages of the criminal justice system in comparison to other offenders. It committed to consider the particular needs of BAME women in response issues raised by the Lammy Review and the Female Offenders Strategy. The government's recognition of the evident disparities is appropriate given the years of invisibility that women and girls of colour have faced, but represents a belated move towards tangible change.

Aspirations of a move towards progressive policy change in this area are dampened by the publication of The Commission on Racial and Ethnic Disparities report (CRED 2021), released by a committee which included the incumbent Chair of the Youth Justice Board. The Commission found no evidence of the existence of White privilege or institutional racism in Britain according to its own investigation, and stated that the particular form of institutional racism identified by McPherson no longer exists within the police force. Indeed, the report alleges that the language of institutional racism and systemic racism can be overused and 'inflated' (CRED 2021: 34) in cases where inequality is evident but factors other than race may be responsible (such as class and 'sex') – overlooking the clear intersectionality between these factors. This is an indication of how far the policy landscape needs to progress in its understanding of intersectionality before the specific



positionality of girls and young women of colour in the criminal justice system is likely to be recognised.

As with official data, evidence from policy reports suggests disproportionate outcomes and the differential treatment of women and girls of colour. Albeit limited in number, policy reports have been noting evidence of both race and gender inequality for several decades, yet there has been such limited attention focused on girls of colour that it is almost impossible to determine their individualised experiences. The mixed messages from government in terms of their commitment to addressing racial inequality offer little reassurance that these issues are being properly addressed. In addition to quantitative analyses, there is a need for a qualitative policy evidence base which aims to understand the intersection of race and gender in the criminal justice system, particularly given the government's commitment to consider the specific needs of BAME women (MoJ 2020d).

## 2.5. CONCLUSIONS

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In this chapter I have considered the available criminological research, and explored how scholars have dealt with girls and young women of colour's experiences of the criminal justice system, both in the UK and the US. I have emphasised the scarcity of research which illuminates these experiences, and the shortage of empirical work and analyses which deal with both race and gender concurrently, revealing a gap in the literature. I have detailed the few key studies in this area which offer insight into the experiences of girls and young women of colour, and examined what they can tell us about the intersection of race and gender – concluding that they reflect experiences of deep marginality and raise questions about the way that girls and young women of colour are dealt with within the criminal justice system. The literature highlights the importance of considering the power of the criminal justice system to produce and enhance experiences of race and gender oppression, and the exclusion of women of colour from access to justice. These are key issues and themes which my own research aims to reflect and build upon.

I have also considered the available official data on girls and young women of colour in the criminal justice system, offering a closer look at the data which is not published in accessible summaries or reports. This data suggests overrepresentation of Black girls, and reveals evidence of possible discrimination at various stages of the criminal justice system.

I have considered the lack of transparency of existing data, and limited availability of intersectional data, which renders girls of colour a hidden population whose positionality within the criminal justice system is not well documented. Similarly, I have considered the scant policy attention women and girls of colour have thus far received, and explored the small number of reports which have helped to build a picture of their experiences. Policy reports in this area provide evidence revealing disproportionate outcomes and the differential treatment of women and girls of colour at various stages of the system.

This chapter expresses a greater need for qualitative research with girls of colour that considers their experience in more depth, particularly due to their small numbers within the youth justice population, and their invisibility within research and statistics. These issues are also relevant in exploring professional's perspectives on race and gender – as my findings show that the limited attention towards girls of colour is reflected in many professional narratives, as considered in more depth in chapter 6. Overall, this chapter has begun to highlight the need for more intersectional perspectives in this context, in order that the intersection between race and gender in the lives of girls of colour be acknowledged. In the next chapter, I consider the theories of intersectionality which have helped to inform the research.

## 3. INTERSECTIONALITY AND STRUCTURAL OPPRESSION

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### 3.1. INTRODUCTION

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As chapter 2 expresses, there has consistently been a lack of acknowledgement of the link between race and gender in criminal justice scholarship and policy output. A framework is needed in order to look at both race and gender critically and concurrently in order to explore girls' positionality as both racialised and gendered. 'Intersectionality' functions as a lens through which these co-existing oppressions can interact. This lens is valuable as it allows for the consideration of many theories of race and gender oppression concurrently, linked by notions of structural oppression. Intersectionality is a term that, as will be considered below, has become widely understood and used outside of the academic world. In this sense it is a useful tool to apply in a research context which sits closely alongside policy and practice.

This chapter lays the foundation for the intersectional approach that has influenced my research. It explores the concept of intersectionality established by Crenshaw (1989) and discusses its development as a theoretical tool within social research, and its relevance to a criminal justice context. I offer a brief overview of the history of the intersectional approach, before considering its relevance to criminology and how it has been employed as a theoretical and methodological tool with which to interrogate the multidimensional nature of structural inequality. I outline my own understanding of intersectional analysis as necessarily structural, and as a vehicle for looking critically at institutions such as the criminal justice system, and the ways in which they construct and entrench oppressive race and gender norms.

### 3.2. BLACK FEMINISM AND THE DEVELOPMENT OF INTERSECTIONALITY: A BRIEF TIMELINE

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The development of intersectionality, the recognition of multiple and interconnected systems of oppression, marked a paradigm shift in feminist scholarship (Evans 2016). The concept of intersectionality originated in the work of legal scholar Kimberlé Crenshaw in the late 1980s (Crenshaw 1989). Crenshaw emphasises the multidimensional nature of the

experiences of Black women, who are subject to overlapping race and gender oppression. Her work critiques 'singular' interpretations of oppression, often employed by antidiscrimination scholars and activists, which envisage social inequality as operating along single axes – in terms of race, gender, class *or* sexuality – without considering how they overlap. Crenshaw's work calls for scholars to examine the interconnection of these social 'categories' and reveal the ways they operate at both individual and structural levels to produce oppression.

Crenshaw describes the power relations that produce notions of 'race' and 'gender' as analogous to 'axes' of oppression, with Black women located at the intersection at which race, gender and class converge. While her own work on the impact of sexual violence against Black women focuses mainly on the intersection of race and gender, Crenshaw observes the role of other intersecting oppressions, such as sexuality, in shaping Black women's experiences of violence (Crenshaw 1992). Her work reveals how Black women's lack of access to justice within the American criminal justice system is not explained by race, gender or class individually, but by a multifaceted combination of all of the different strands of their identity.

Crenshaw's work is set against a background of two decades of emerging Black feminist, Multiracial feminist and queer activism and scholarship linking systems of oppression including gender, race and sexuality. Black feminism, with its roots in the American civil rights era of the 1960s and 1970s, gave voice to the specific racialised and gendered experiences of Black women and advocated for social justice and equality for Black women and women of colour.

Activists including Angela Davis challenged the gender order imposed by the male leaders of the civil rights struggle (Davis 1981) who sought to maintain the prevailing patriarchal structure of American society, encouraging the women of the movement to take a subordinate position to men, focused on family life, the home and supporting their husbands (hooks 1981). In response, an activist movement developed which aimed to counteract Black women's subordination along both racial and gender lines simultaneously; early examples being the Third World Women's Alliance in 1968 and the National Black Feminist Organisation (NFBO) in 1973. Both were formed by women heavily involved in activism against racism (as part of the Student Nonviolent Co-ordinating Committee for example), who did not want gender equality dismissed as a less urgent or

secondary goal. This was an early recognition of the specific location of Black women at the intersection of both race and gender.

Concurrently, other women of colour were breaking away from racial activist and interest groups to form feminist and women-focused alliances. Hijas De Cuauhtemoc, a key example, was formed in 1971 by a group of Chicana feminists, connecting feminist aims with their activism as part of the United Mexican American Student Organization (Thompson 2002). Contributions to thought and scholarship were an integral part of this stream of activism.

The Combahee River Collective (founded in 1974), of which Audre Lorde was a member, were seminal in theorising race, gender, sexuality and class as forming part of interlocking systems of oppression. The Collective's 'Black Feminist Statement' (Combahee River Collective 2014) was one of the first intellectual explorations of what is now understood as intersectional feminism. Their work marked a shift in focus from oppression as 'additive', to co-constitutive. In other words, whilst previous approaches to oppression assumed that the more 'categories' of disadvantage a person fitted into, the more oppressed they were, this new approach recognised multiple different systems of oppression as interconnected, reflecting complex individual identities (Collins 2000). This emerging ideology came alongside the development of new waves of activism which recognised that groups previously dealt with as separate and distinct were in fact interconnected. A prominent example was the formation of the National Coalition of Black Lesbians and Gays in 1979, an advocacy group that acknowledged the lack of representation of African Americans within the gay rights movement and the need to tackle racism and homophobia as overlapping issues.

Alongside the developing ideology on the 'interconnectedness' of race, gender, class and sexuality and the formation of new activist groups, Black and Multiracial feminists developed strong criticism of the theory and practice of mainstream feminism. This important pre-cursor to intersectionality was articulated by women of colour feminists who were acutely aware of the homogeneity of mainstream liberal feminism. This was a feminism primarily concerned with issues affecting White middle class women, overlooking race and class issues and viewing gender as the dominant form of social oppression (hooks 1981, Lorde 1984, Collins 2000).

Mainstream feminism's sentimental notion of 'sisterhood' as a shared experience of womanhood was criticised by scholars and activists such as Lorde (1984) and Carby (1982, 1987). Lorde felt the 'pretence to a homogeneity of experience' (Lorde 1984: 116) by virtue of a shared gender served to deny the specific racialised experiences of women of colour. These critics saw 'white feminism' as excluding women of colour from feminist circles by silencing those who wished to speak about race, sexuality, class and other social issues within the same conversation as gender inequality (Lorde 1984; hooks 1994). The work of (Carby 1982, 1987) expressed that race, gender, sexuality, and class exist in articulation with one another, influenced by historical and cultural factors, and socio-structural forces – an important precursor to the coining of 'intersectionality' by Crenshaw a few years later. Carby was highly critical of the notion of sisterhood, and challenged White women to listen to Black women's stories rather than silencing them. She noted the parallels in Britain with the injustices being grappled with in the US, stating, 'In Britain too it is as if we don't exist' (1982: 118).

Much feminist theory and activism of the era was predicated on the notion of a womanhood with essential, shared qualities (Anthias and Yuval-Davis 1992). Where women of colour were ostensibly welcomed into the fold, many found that their differences in experience were ignored and suppressed, and they were not permitted to engage with feminism on their own terms. As Anzaldúa (1987: 231) describes:

Their idea was that we were all cultureless because we were feminists; we didn't have any other culture. But they never left their Whiteness at home. Their Whiteness covered everything they said. However, they wanted me to give up my Chicaneness and become part of them; I was asked to leave my race at the door.

Black feminism and Multiracial feminism brought to light racism at the socio-structural level. It made visible an experience of marginalisation that was particular to Black women and women of colour – an experience materially different to that of Black men or White women (Crenshaw 1989). This was a marginalisation borne of lack of economic opportunity, wage inequality, lack of representation politically and socially, lack of a voice in dominant discourses, and a collective history of racist oppression and sexual violence (Combahee River Collective 2014, Lorde 1984, Crenshaw 1989).

A vital project of Black feminism was to expose the stereotypes, rooted in colonialism, slavery and patriarchy, to which Black women were subject in their daily lives. The matriarch – the formidable single mother with aggressive and masculine qualities; the

‘strong Black woman’ who is expected to be resilient and overcome racism and poverty showing no vulnerabilities; the welfare recipient who is parasitic on society; the sexually permissive woman who flouts conservative norms – these and many other negative tropes were made visible by Black feminists (hooks 1981, Collins 2000). Black feminist scholars revealed how these images, rooted in inextricably linked racial and gender norms, served to both perpetuate and validate the oppression of Black women in the US (hooks 1981, Collins 2000). This body of activism and intellectual work laid the groundwork for Crenshaw’s concept of intersectionality and subsequent intersectional feminism.

Much of the early development of intersectionality occurred through scholarship and activism in the US; as such, this discussion paints a picture of a predominantly North American movement. However, as will be considered in more depth below, the concept of intersectionality has since travelled far beyond the North American context and been applied in a variety of international settings. Within the UK feminist context, scholarship of the 1970s and 1980s focused heavily on class-influenced analyses, with intersectionality and the notion of the subjectivity of gender becoming more prominent from the 1990s onwards (Roth and Dashper 2016).

Understandings of gender were largely fixed and stable, but later came to be conceptualised as plural, situated and even fluid (Richardson 2007), influenced by postmodernist theories such as those of Connell (1990, 2014; Connell and Messerschmidt 2005) and Butler (1990, 2004) which characterised gender as a social construct. The movement towards a postmodern conception of gender made intersectional approaches more tenable within UK based feminist analyses. Although some critics have understood intersectionality as reinforcing gender and racial ‘categories’, as will be seen below, an intersectional approach in fact supports a rigorous structural analysis which seeks to deconstruct categories. In challenging the power systems that produce and reproduce race, gender and other social categories, intersectionality accommodates post-structuralist principles.

### 3.3. INTERSECTIONALITY AND POST-STRUCTURALISM

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Post-structural and postmodernist feminist theory makes visible the fluidity of so-called ‘categories’ like gender, race, class and sexuality. Judith Butler (1990) in ‘Gender Trouble’

challenges the dichotomy between sex and gender and the notion that every person falls neatly into the category of 'male' or 'female'. For Butler, gender is performative – it is played out through actions and discourses, without which it has no substantive form. There is no such thing as 'true' gender, it is an illusion formed through social practices and interactions. The juxtaposing notions of masculinity and femininity are tools utilised for the performance of gender – we associate certain behavioural traits, actions and symbols with either 'maleness' or 'femaleness' and we invoke these in order to perform our gender identities.

In light of this, Butler alleges the feminist movement itself is problematic in some ways, as it can fall into the trap of perpetuating the notion of a single coherent category of 'female'. In this sense, the movement runs the risk of cementing the gender binary, rather than deconstructing the categories of 'male' and 'female', and indeed much early feminist theory has implied fixed, static components of the category of 'woman' (Anthias and Yuval Davies 1992). As discussed below, intersectional feminism to some degree overcomes this criticism, in resisting the endorsement of binary categories. The very notion of the intersectional 'location', and the call to reflect on structural positionality, belies the concept of static or bounded gender categories. Through an intersectional lens we can see the fallacy of assuming there is a fixed 'content' to gender. How an individual might experience and express their gender will fluctuate according to their life experiences and other complex aspects of their identity. The purpose of intersectionality is to reveal the ways in which categories that produce social oppression are constructed.

Yuval-Davis (2006) understands gender not to be a 'real' social difference but as a mode of discourse relevant to certain groups of people according to their biological and sexual differences. Sexuality and race are described by Yuval-Davis as being socially constructed in the same way as gender. Ethnicity and race form part of discourses of exclusion that separate people into categories of 'insider' and 'outsider'. Racial and ethnic stratifications appear at face value to be constructed around the origins and heritage of their subjects, but in fact it is 'constructions of the body, religious and other cultural codes' (Yuval-Davis 2006: 201) which operate to delineate the boundaries between different racial groups. Due to their discursive nature, categories that appear fixed are in fact historically and culturally contingent, and subject to flux and reconstruction across different contexts (Yuval-Davis 2006).



Intersectionality has been employed by postmodern-influenced feminists seeking to challenge fixed categories of gender, race and sexuality, which serve to reify essentialist constructions. Intersectionality's emphasis on difference in terms of women's experiences has arguably furthered the poststructuralist project of deconstructing 'woman' as a homogenous category (Brah and Phoenix 2004). More recently, this has led to intersectionality being used to examine a variety of new social groupings; alongside women of colour and other socially marginalised groups those with high social privilege have been included in intersectional analyses (Yuval-Davis 2006).

However, the use of intersectionality *solely* as a tool for deconstruction has drawn criticism from those who see its *raison d'être* as the integration of marginalised voices and the examination and exposure of structural power differentials. These critics perceive the two aims as being in opposition to one another. Alexander Floyd (2012) is critical of scholars who have taken up the basic definition of intersectionality articulated by Crenshaw without paying sufficient attention to the theoretical content of her argument as to its usage. To take intersectionality as an 'idea' whilst leaving behind the context of Black women's experiences (the 'ideograph' form of intersectionality, as Alexander Floyd puts it), is to ignore the challenge to structural, political and representational inequality of women of colour that Crenshaw's work calls for. This, Alexander Floyd contends, functions to erase the experiential accounts and the intellectual output of Black women over the last few decades in favour of a post-Black feminist interpretation of intersectionality.

To use intersectionality as a tool for category 'deconstruction', whilst continuing to recognise its importance as a mode of exposing real-world, material experiences of oppression, is a difficult balance. The post-structural political project of gender 'deconstruction' occurred later and within a different context to the project of Black feminism, which was a movement with very different central aims. Nash (2011) argues that the removal of intersectionality from the context of Black feminism through more recent framings of the concept has actually done harm to the Black feminist project, by relegating Black feminism to the status of a pre-amble to intersectionality, as opposed to a vital and current body of work in its own right. It is important to acknowledge the Black feminist thought from which intersectionality was born, and the political project of gender and racial emancipation it was intended to advance. To do otherwise would be to actively set back the project of Black feminism by failing to acknowledge the seminal body of work

which laid the groundwork for intersectionality, and which continues to progress intersectional scholarship.

Intersectional scholarship adopting a postmodern and post-structural take on race and gender, must strike a balance between acknowledging the political roots of intersectionality and furthering the project of category deconstruction. It is possible to acknowledge the social construction of categories, whilst aiming to expose the material experiences of oppression that the establishment of such essentialist categories creates. It is therefore possible to take insights from the anti-essentialist position of postmodern feminism, whilst also maintaining a commitment to intersectionality (Francis 2002).

Spivak (2010) suggests that when taking both an activist and scholarly perspective it can be necessary to refer to social 'categories' in a strategic way, at the same time as recognising their illusory nature. It is very difficult to maintain a position which advocates for social equality, and exposes the oppression of specific social groups, without referring to those groups categorically. As stated in chapter 1, Hall (2002) argues that some concepts are necessary despite their restrictive meanings, so we must use them strategically until we develop more appropriate language. As such, I invoke gender and racial 'categories' within my research as tools with which to discuss social division (Collins and Bilge 2016). I refer 'strategically' to categories of difference as they exist in the social world, in order to consider their impact on the lives of participants.

#### 3.4. INTERSECTIONALITY AS A METHODOLOGICAL AND ANALYTICAL TOOL

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Despite the developments outlined above, intersectionality is an area of academic inquiry still in its infancy in the context of feminist and anti-racist scholarship (Collins 2009). Nonetheless its usage has 'travelled' (a term used by Jordan-Zachery, 2007) to a range of national contexts and has been 'stretched' (Evans 2016) to include other identities such as sexuality, immigration status, physical ability and age (Evans 2016). It has been expanded by researchers such as Anthias (2008) and Brah (2002) to encompass a more general interpretation that goes beyond race and gender, allowing it to be applicable to multiple groups. It has also been used in tandem with various ontologies and epistemologies – from 'standpoint' feminism, such as the Black and Multiracial feminism through which the

concept of intersectionality developed, to queer and postcolonial theory, poststructuralism and postmodernism (Davis 2008).

Intersectional analyses have been employed across a range of academic disciplines including history, sociology, philosophy, queer studies and legal studies amongst others (Jordan-Zachery 2007). Intersectionality has also gained significant popularity in the wider context of social justice activism and commentary. Evans (2016) found that intersectionality was one of the most popular topics on which feminist societies in the UK organised talks, panel events and workshops. The rhetoric of intersectionality has spread into popular culture and discourse and is referenced in newspaper articles, in blogs and in social media posts about feminism, race and LGBTQ+ issues. The popularity of intersectional terminology has led it to be described as an intuitive concept, shedding light on a problem that had previously had not been succinctly articulated in accessible terms (Davis 2008).

As discussed, the interconnection of systems of oppression has been clear to many feminists and social justice activists for several decades. Intersectionality offers a focused and graspable articulation of this phenomenon. One of the key advantages in employing an intersectional lens in research is the accessibility of the terminology to audiences outside of academia. This opens up the potential for praxis through forging direct links with policy, activism and social justice movements outside of the academy (Burgess Proctor 2006, Davis 2008, Potter 2013). Praxis is vital to the evolution of intersectionality as a political project the aim of which is to challenge inequality (Evans 2016).

The growing use of intersectionality and the extension of the terminology beyond the realms of academia has, however, invited critique. Several commentators have cautioned that this rapid expansion in usage has led to inconsistency and ambiguity in the way intersectionality is understood and applied (Jordan-Zachery 2007) making it a difficult concept to work with (Evans 2016). A degree of confusion around the content and meaning of the term intersectionality, and its use, is unsurprising given the variable ways in which it has been conceptualised and visualised. The development of intersectionality has been somewhat piecemeal, and different understandings and conceptualisations have developed over time (Nash 2016). Whilst Crenshaw (1989) used the metaphor of 'axes' to explain how power relations operate, subsequent scholars have theorised intersecting

oppressions variously as interlocking, enmeshed, dynamic, mutually constitutive and mutually reinforcing.

Amongst those who employ intersectionality in their research there is no clear consensus as to whether it can be described as a theoretical framework in its own right (Garcia 2016). Scholars have used varied terminology to acknowledge intersectionality's position within the grey area between a simple theoretical paradigm and a complete theoretical framework. It has been described as an 'analytic' (Nash 2016), as both an 'idea' and 'ideograph' (Alexander Floyd 2012) and as a 'corrective lens' (Henne and Troshynski 2013). This fluidity is not necessarily a hindrance to a coherent intersectional approach, providing two key features of intersectionality are acknowledged in future outputs – namely its aim to further social justice, and the necessity of theorising race and gender categories as socio-structural entities, as will be considered in more depth below. Use of race and gender categories without acknowledgement of structural oppression and inequality can reinforce the destructive power of such categories. The practice of deconstructing race and gender categories, rather than just including 'multiple categories' within a piece of research, is perhaps the most challenging aspect of intersectional analysis.

Evans (2016: 72) describes intersectionality as '*at once both straightforward and complex*'. It expresses the intuitive concept that multiple overlapping points of identity shape the way oppression is experienced, yet is a complex approach to apply in practice. Multiple subjectivities must be considered without resorting to individualism or reverting to a simplistic analysis of 'multiple categories'. Critics have, however, suggested that it has become a 'buzzword', or a 'black box' (Davis 2008, Lykke 2011), often used to evoke popular discourses around gender, race, sexuality and identity without consideration of structural power, and without reference to the context of Crenshaw's original framing. It has been suggested that the term 'intersectionality' is often used by researchers as mere shorthand for discussion or analysis of multiple 'oppression' categories, without attempting to theorise the interconnection of those categories and how they are socially constructed (Lykke 2011). In these cases, the language of intersectionality may be employed, but the theoretical content of intersectionality and Black feminism is absent.

Without a critical analysis of social 'categories' and the way they intersect to produce oppression, the theoretical and political content of intersectionality is removed. The simple acknowledgement that race, gender, and other social categories often intersect,

reflects a partial understanding of intersectionality, and fails to engage with the Black feminist theory that gave rise to intersectionality as a theory. This is problematic for the development of intersectionality as a theoretical and political project intended to expose oppression at a structural level. Cho et al. (2013) and Potter (2015) have argued that to understand or employ intersectionality as simply a 'passing fad' of feminism and feminist research, is to fail to recognise the decades of work done by women of colour in the intersectional vein both prior and subsequent to Crenshaw's articulation of the term.

Questions have been raised about the content and limits of intersectionality. Practitioners have been creative in how they interpret its scope - there is no pure or static form to intersectionality (Jordan-Zachery 2007). The transformative and dynamic nature of the intersectional approach is inherent to its value and as such it should be understood as a concept constantly 'under construction' through usage, as opposed to a finished framework which can be neatly applied to a research project (Collins and Bilge 2016: 31). Lykke (2011) describes intersectionality as a 'nodal point' or 'discursive site' where feminists of different positions come together and converge under the same framework (i.e., under the understanding that oppressions are intersecting) in order to have 'productive conflict' (Lykke 2011: 208). Based on its usage post-Crenshaw, it cannot be said to be a 'theory' in its own right and with fixed content, nor can it be said to endorse a narrow or specific methodology. It does however have theoretical content. As Nash (2016: 18) puts it 'intersectionality is an analytic that has lives – theoretical, political, methodological, and institutional – and we are all making the analytic as we deploy, critique, or safeguard it'.

According to Davis (2008) the flexibility and inherently vague nature of the concept of intersectionality is an asset. The 'infinite regress' (Davis 2008: 77) of different categories and intersections makes room for limitless new lines of inquiry and exploration. It is by virtue of its lack of fixed conceptual and methodological framework that intersectionality has flourished as an approach. On the one hand, its emphasis on complex, multidimensional and dynamic identity as opposed to categorical or binary distinctions makes it a useful tool for feminists influenced by poststructuralism and postmodernism. On the other, its roots in Black feminism and emphasis on giving voice to previously unheard and unspoken experiences tie it with activism and advocacy for marginalised groups.

Jordan Zachery (2007), assessing intersectionality's value against the expectations of a grand theory is missing the point – its utility is not solely realised through a fully-fledged theory or standardised methodology. It is a lens for addressing the structures through which problems of inequality occur. There is potential for greater theoretical, methodological and political development of intersectionality without demanding greater unity in how it is understood and used. It should be understood not as a rigid set of subfields separate from other like-minded approaches, but as part and parcel of them.

### 3.5. A STRUCTURAL CONCEPTION OF INTERSECTIONALITY

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The process of employing intersectionality is necessarily political. The project of intersectionality is not merely to describe an oppressive status quo, but to challenge it. The designation of individuals socially as either male or female, and as fitting into one of a finite number of racial and class categories is political and requires a political response (Alexander Floyd 2012). Intersectionality is a concept that has evolved through work which is both critical and political. As has been illustrated above, far from being a simplistic illustrative concept as those unfamiliar with its underpinnings might assume, it has its roots in a rich body of radical theory and praxis. Intersectionality speaks directly to questions of power – how it is used and by whom, to marginalise and exclude groups of people through the intersecting domains of racism and sexism. It expresses that strategies for resisting both racism and sexism cannot be unitary and must be critical of wider structural constraints (Anthias and Yuval-Davis 1992, Evans 2016, Collins and Bilge 2016).

Collins uses the experiences of US Black women as a lens through which to consider the operation of race, class, gender, sexuality and nation within a wider network of power. Her argument is from the standpoint of Black women in the US, but she envisages it having wider application, forming part of a larger struggle for social justice. She refers to the system of organisation of intersecting oppressions as the 'matrix of domination' – the 'over-all social organisation within which intersecting oppressions originate, develop, and are contained' (Collins 2000: 227). According to *Black Feminist Thought* (2000), the four domains of power that comprise the matrix are structural, hegemonic, disciplinary and interpersonal. These domains of power emerge repeatedly across a range of forms of oppression – race, gender, class, heterosexism and others. The structural domain operates to organise oppression; it is then managed by the disciplinary domain. The hegemonic or

cultural domain justifies oppression and manufactures pacifying messages, whilst the interpersonal domain influences individual life experiences.

This theory was later developed and expanded by Collins and Bilge (2016) who express six core ideas that comprise an intersectional framework: social inequality, power, relationality, social context, complexity and social justice. These themes are not a compulsory part of every intersectional analysis, but they provide an important theoretical foundation for understanding the operation of intersectionality (Evans 2016). Power, Collins asserts, is not something that groups can 'possess', but an intangible entity that is contained within the matrix of domination; individual subjects stand in different positions in relation to that power. The situation is therefore significantly more complex than merely a dichotomy between 'oppressors' and oppressed groups, it is more productively conceived of as a network of relationships, hence its compatibility with intersectionality as a concept (Collins 2000; Collins and Bilge 2016).

Using the 'matrix of domination' framework is one way of employing intersectionality within the context of a structural analysis. The concept of a matrix of domination defines the structural and systemic aspects of how power, privilege, and oppression construct and interact with personal, social, and political identities, creating multifaceted lived experiences (Almeida et al. 2019). The criminal justice system can be seen as part of the structural and disciplinary domains within Collins' matrix of domination. Critiquing the power of agencies of the criminal justice system should be seen as central to the project of understanding and critiquing race and gender oppression (Sudbury 2002). In examining the perspectives of young women and workers within these domains, this thesis contributes to exploring how power is organised within the criminal justice system.

### 3.6. INTERSECTIONAL FEMINISM AND CRIMINOLOGY: A LIMITED RELATIONSHIP

The analytical power of adopting an intersectional lens within criminology is its capacity to expose how constructs like race, gender and class interact and are organised within the criminal justice system (Parmar 2017). Yet intersectional feminist approaches have not been widely adopted within the field of criminology, where gender, race and class have been broadly dealt with as separate systems (Bosworth and Flavin 2007). Intersectional contributions are as yet not numerous enough to constitute a stand-alone field of inquiry,

at least in the UK context. As Davis notes (2008: 25) 'intersectional analyses in criminology are more an aspiration for the future than a research practice today'. This is a fact Potter (2013: 310) described as 'bewildering' considering the necessity of hypothesising and theorising the differences in criminal justice procedures across racial and gender groups. There is a notable shortage of analysis of terms such as 'race' and 'gender' within the majority of criminological research, which has been guilty of dealing with these constructs as primarily demographic categories. As such, criminology has often served only to reinforce reductive and essentialist constructions of race and gender (Bosworth and Flavin 2007).

The limited existing intersectional criminological research originates mostly from the United States. As Parmar (2017) notes, intersectionality was originally conceived of in the US – a context in which race is discussed frequently and openly. Yet in the UK there is still a comparative reluctance to discuss race and racism publicly, and consequently an absence of criminological conceptual tools with which to do so. This is surprising given intersectionality's capacity to accommodate this type of analysis, and the initial expectation that it would be adopted widely within criminological research (Parmar 2017).

US scholarship that developed the concept of intersectionality beyond its inception by Crenshaw has included that of Beth Richie (2012) and Lisa Maher (1997), referred to in chapter 2 above, which used empirical research to develop a rich understanding of the intersection of race, gender and class in criminalised women's lives. Later and more recent work has employed intersectionality (and contributed to its development through the exploration of intersecting oppressions) to examine the relationship between experiences of violence and women's social location (Heimer and De Coster 1999, Sokoloff and Dupont 2005, Sokoloff 2008). Jones (2009), Miller (2001) and Chesney-Lind (1993, 1999, 2010) each acknowledge how the same factors can affect girls' patterns of violence differently depending on their positionality.

In the UK context exploration of intersecting oppressions has been limited but significant in its empirical and theoretical contribution. Within the context of victimology, the work of Gill (2004, Gill and Banga 2008) has emphasised the ways that violence is experienced and interpreted differently across intersecting identities. Both Bosworth (1999, 2007, Bosworth and Slade 2014) and Chigwada-Bailey (1997, 2003) have dealt with how intersecting notions of race, gender and class and citizenship are negotiated within the



lives of incarcerated women. As discussed above, Toor (2009) looks at the impact of restorative justice procedures on Asian girls, and examines the criminal lives and motivations of ethnic minority girls involved in the criminal justice system (Toor 2012). These remain the most significant empirical studies using an intersectional<sup>13</sup> approach within the UK criminological context.

Although the US has been the primary focal point of discussion about race and racism within the criminal justice system, the UK criminal justice setting presents an equally rich and complex matrix of racial and gendered power relations. It is clear that the statistics present troubling levels disparity and disproportionality that must be investigated and unpacked through qualitative analysis. As covered in chapter 2, at the last census (ONS 2011) BAME people made up around 14% of the population of England and Wales. Yet the Lammy Review (2017a) found that over half of young people in custody in England and Wales are BAME. The highest average custodial sentence length For Black and Asian women is 58% longer than for White women (MOJ 2019a) whilst that the prosecution rate is roughly twice as high for Black female defendants as White female defendants according to recent data (MoJ 2018c). These discrepancies suggest a level of intersecting racial and gender inequality which calls for explanation, but remains largely unexplored and under-theorised across research on criminal justice settings and processes.

### 3.7. CONCLUSIONS

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In this chapter I have outlined the history of the concept of intersectionality and its development over recent decades. I have considered how intersectionality sits alongside poststructuralism and can be used to examine structural oppression. The development of intersectionality and its grounding in Black feminism makes it an important tool in research focused on race, gender and the experiences of girls and young women of colour. Although critics have described it as a 'buzzword', the concept of intersectionality provides a vital lens through which the interwoven relationship of race and gender can be examined.

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<sup>13</sup> In terms of research design and approach, although not necessarily explicitly referred to as 'intersectional' by the author.

Due to the limited criminological research which utilises the concept of intersectionality, it provides a fairly novel form of inquiry in the UK context, and one that lends itself well to the exploration of my research objectives. My research questions specifically consider intersections of race and gender – both in the criminal justice experiences of girls and young women, and in professional perspectives on race and gender. The intersectional lens provides a coherent framework to bring together theories of race and gender as modes of structural oppression, and utilise this in the analysis of my findings.

This is not to say that each and every aspect of participants' experiences will express the interconnection of race and gender, but intersectionality here acts as an organising principle for the research – placing the race/gender nexus at the forefront and allowing for the examination of race and gender concurrently, rather than as two separate categories. As noted, Collins and Bilge (2016) express six core ideas that may comprise an intersectional framework for research: social inequality, power, relationality, social context, complexity and social justice. My own research aims to address these elements as far as possible – exploring how race and gender oppression at the structural level may filter downwards to individual experiences, for example through professional and young women's conflicting narratives around policing experiences and stereotyping.

Intersectionality is a widely understood concept outside of academic circles, and that is another influential factor in why it is employed here. As I will be considering youth justice practice, and reflecting on the policy implications of my findings, I have chosen to arrange the research project within a framework that aims to actively link scholarship with practice. As will be examined in chapter 6, these links have been forged to some degree within the field of social work, showing potential for youth justice practice to explore more intersectional modes of working. As Collins and Bilge (2016) emphasise, part of an intersectional approach is a drive towards critiquing social inequality, not merely through describing it, but through suggesting alternative actions and strategies for change. Although it is not within the scope of this research project to engender significant policy change, it is my aim to suggest possible alternative modes of thinking about the issues presented – and to prompt ideas about potential new directions for practice. The following chapter outlines the methodological approaches I employed in undertaking my research, in line with the use of an intersectional lens.

## 4. THE RESEARCH PROCESS

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### 4.1. INTRODUCTION

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This chapter outlines the methodological approach I employed throughout the research and explains the research techniques that were used to conduct the fieldwork. In the following sections, I explain the methodological underpinnings of my research and how they have shaped the data collection and subsequent data analysis. I discuss the fieldwork stage and the challenges of accessing a small and often hidden group of participants. I consider research ethics and outline how I approached interviewing participants and analysing the data. Finally, I explore the importance of reflexivity in an intersectional research design and consider my positionality in relation to my research participants.

### 4.2. METHODOLOGICAL UNDERPINNINGS

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As outlined in the previous chapter, the feminist approach informing my research is intersectionality, and this has influenced my methodological approach to the research. Feminist research has typically emphasised women's experiences as a source of knowledge, making links between individual experiences, structural inequalities and gendered power relations (Mason and Stubbs 2012). Documenting women and girls' experiences is a significant project of feminist research – in particular, emphasising issues specific to marginalised social groups, and examining inequity and inefficiency in policy and practice (Ramazanoglu and Holland 2002).

Feminist research is diverse and flexible, with researchers frequently making use of a range of different methodological approaches (Mason and Stubbs 2012). As such, there is no unifying orthodox 'feminist' methodology (Brooks 2014) or 'inherently feminist' research design (Ramazanoglu and Holland (2002)). Nor does intersectionality denote the use of a particular methodological approach, as outlined above (Jordan-Zachery 2007, Collins and Bilge 2016). In fact, researchers will often select methodologies according to priorities and ideas common to other fields of social research - the approach used

frequently depends on the discipline within which the research falls (Ramazanoglu and Holland 2002).

My own research places importance on the value of experience as a source of knowledge. My methodology is broadly 'postpositivist' and constructivist, in that it does not subscribe to any notion of objective knowledge, or the idea that objective reality is available for discovery through the research. Instead, I adopt the philosophy that the research process is one of co-constructing knowledge with participants through structured encounters (DeVault and Gross 2012). My methodology is also influenced by post-modernism, which challenges the notion that an authentic truth can be accessed through social research; it treats knowledge as the historically and culturally situated product of interaction and negotiation between people (Bauwens et al. 2014a). I conceived of the research as a process that would produce and develop subjective knowledge about the experiences of girls of colour and the perspectives of youth justice professionals.

In line with these values, I have adopted a reflexive approach in which the researcher is considered part of the social world, and an integral part of the research process, as opposed to an independent entity (Brooks 2014). This approach acknowledges that the researcher cannot be separated from the research participants as an objective observer or analyst; during the research process both researcher and participant negotiate and construct understandings of the social world. This method also entails a commitment to acknowledging and deconstructing the unequal power dynamics that exist between researcher and participant (Mason and Stubbs 2012). Throughout the research process I have tried to reflect on my methods and the power dynamics of my role as the researcher. Examples of this strategy include describing my research project in the first person, sharing my own experiences with participants, and using active listening techniques (as detailed below), as well as being frank about challenges faced during the research process.

Reflexivity also entails some examination of my own positionality within the research project, as the personal history and identity of the researcher will always have an influence on the research process and outcomes. However, reflexivity should not be a solely inward-looking exercise and it is essential to reflect on how personal identities of both researcher and participant are formed and influenced by the power structures surrounding race, gender and class (Skeggs 2004, Phillips and Earle 2010). This method is particularly important in research involving both the 'powerful' and 'powerless' (Lumsden and Winter

2014). In the case of my own research there are two distinct group of participants – young women who could be said to experience powerlessness in their interactions with the youth justice system, and professionals who have the capacity to exert some power within their role (although within structural constraints). In the following chapter, and in my findings chapters, I reflect on my own positionality, and those of my participants in this context.

In order to best reflect the philosophies underpinning my project, I have used a qualitative design, employing semi-structured interviews. For research aiming to foreground the voices of neglected groups, and experiences of power and discrimination, interviews are a valuable research tool (Mason and Stubbs 2012, Hunting 2014). Qualitative research designs are generally considered appropriate in the context of feminist research projects which seek to examine intersecting systems of inequality such as race, class and gender (Burgess Proctor 2006), as is the case in my work.

The intersectional lens has been influential in determining how my research project was conceptualised and investigated (Hankivsky et al. 2012). Intersectionality is a challenging approach to apply as part of a research methodology because different ‘subjectivities’ (race, gender) must be considered at the same time, without falling back upon individualistic analyses. Simply dealing with several different identity ‘categories’ without exploring the relationship between these categories, and how they might produce oppression, fails to engage intersectionality’s theoretical component (Lykke 2011, Evans 2016). I therefore aimed to ensure that my interview questions and prompts addressed issues of race, gender and inequality, and that my approach to data analysis allowed room for the exploration of notions of structural oppression.

### 4.3. ACCESS PROCESS

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Following a constructivist model, I have treated the research design as flexible and adaptable to changing and evolving circumstances in the field (Bauwens et al. 2014b). This was an essential approach to take given that I experienced significant challenges with access, time, and resources. As Vaswani (2018) notes, gaining access to participants can be more challenging when they are young or in some way considered vulnerable. In the case of my own research, I experienced obstacles in terms of identifying young women to take part in the project, resulting in a smaller sample than I initially hoped for.

I also experienced some challenges in negotiating adult gatekeepers within charities and youth justice services. Relationships with gatekeepers were influenced by various layers of bureaucracy, an element protectiveness on the part professionals working with young people, and also the workload pressures they were experiencing. These are common issues in research with children and vulnerable young people, and in the context of public services (Kirk 2007, Vaswani 2018) but are nonetheless important to consider as they have significantly influenced the fieldwork process, and the data. I reflect further on this in the sections below.

### THIRD SECTOR ORGANISATIONS

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I identified prospective third sector organisations to approach for the research through online research methods, using primarily google and twitter to identify organisations that might work with girls and young women with experience of criminal justice involvement, such as social support services for women, women's centres, charities working with young offenders and those working with victims. My initial intention was to focus the research solely on girls of colour, so I was not seeking professional participants at this stage. I placed no geographical restriction on the search, beyond seeking out organisations within England and Wales. I was aware from the outset, having accessed the limited official statistics, that young women of colour were a 'minority within a minority' in the system and thus introductions to potential participants would be difficult, however the full extent of their invisibility within the criminal justice system (and its associated agencies) would only be fully revealed later in the research process.

I approached organisations by email initially, and then by phone. My impression was that organisations were frequently approached by researchers and lacked the time and resources to support research, in addition to working with a very limited number of young women of colour.<sup>14</sup> Many gatekeepers I spoke to were reluctant to be involved or pessimistic about the possibility of being able to provide links to participants. I reassured organisations that I would not ask for significant amounts of staff time, however, as

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<sup>14</sup> Several organisations I approached were being accessed primarily by older women and not women in their teens and early 20s.

Wincup (2017: 63) notes, when it comes to staff input ‘every activity involving the research is at the expense of something else’.

Over the course of a 10-week period in Autumn 2016 I approached 25 organisations and received nine positive responses from charities in a range of locations. One organisation working with BAME people and refugees gave me the opportunity to attend a staff meeting and introduce the research. Others were prepared to assist by promoting the research internally using flyers I provided, or by speaking directly to service users they felt might be suitable and interested. Over time it became clear that most of these organisations worked with very low numbers of young women – many worked predominantly with older women. After having no success in gaining access to participants through these organisations, I looked towards youth justice services as a potential starting point for access. It was always my intention to remain flexible about modes of access; as Blaxter et al. (2010) note, approaching new individuals and institutions in order to overcome access difficulties can be a routine part of the research process.

## YOUTH JUSTICE SERVICES

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At the outset of the research, I had been reluctant to use youth justice services as a point of access, as I was concerned that introductions via youth justice professionals might make young women feel pressured to participate, or give the impression that I was employed by the youth justice system. The advantage of youth justice services as a point of access, however, was that all their clients would be both ‘young’<sup>15</sup> and have criminal justice experience, which would guarantee at least two of the participation criteria.

There followed over the next three months two phases of contacting youth justice services, which ultimately resulted in three teams becoming involved in the research. In the first phase, I approached seven youth justice services based in various English cities (selected based largely on their size and proximity to my own location in Sheffield) via email and phone contact to establish interest; three of these services stated from the outset that they could not support the research because their staff were working at maximum capacity. A further three services expressed initial interest in being involved in

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<sup>15</sup> Under 18, or possibly a year or two older in the case of those who had recently finished an order and were still in touch with the youth justice service.

the research but ultimately fell out of contact. At another service, a case worker made some initial attempts scoping out young women to be involved in the research, but eventually lost enthusiasm after it became clear that his team were not working with a sufficient number of girls of colour to support the project.

As with voluntary sector organisations, there was a sense of exhaustion from some contacts I spoke to; several gatekeepers expressed interest in the research but voiced concerns about making too many requests of staff with already heavy workloads. The only team to successfully grant me access at this stage (City A) was already aware of me as a volunteer<sup>16</sup>, which made it easier to make contact with staff and probably contributed to an easier and more trusting relationship.

During this phase my ideas about the scope of the research were evolving. Having initially only intended to interview girls, it became clear that there was merit in interviewing youth justice case workers, taking a critical look at their perspectives on race and gender. This would allow for an understanding of how workers' perspectives on the positionality of young women of colour within the criminal justice system might converge and diverge from the perspectives of girls' themselves. Interviewing institutional gatekeepers can offer a valuable insight into the professional experiences, perspectives and decision making processes that shape the system for those interacting with it (Fitz-Gibbon 2016). Although I wanted to maintain the integrity of the original research design, this amendment allowed the research to develop naturally but with control, in response to access issues and new ideas (Wincup 2017).

At this stage I sent out letters to a further 16 youth justice services<sup>17</sup>, using contact details for team managers sourced from gov.uk. The teams were selected on the basis of being in or near large cities that were likely to be working with a more ethnically diverse range of young people than rural teams. I followed up with phone calls. This was a slow process, and often not very fruitful. The manager of one team suggested that the research may not be necessary, as there was already research available on girls in gangs which he felt would adequately cover the topic. This was not the only occasion on which the need to better understand the topic was questioned by those in gatekeeping roles; there was a sense from several gatekeepers that they did not see the need or merit in research on such a

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<sup>16</sup> I had volunteered as a community referral panel member.

<sup>17</sup> The overall total of teams contacted was 23.



niche topic. This only served to emphasise the invisibility of young women of colour in the criminal justice process and solidified my belief that the fieldwork was necessary.

Three managers were particularly interested in the research. I set up meetings at two of these services and asked to be introduced to key case workers who work with girls and young women. At the first of these meetings, at a service based in a large Northern city, it was apparent that the team were not working with many, if any, girls of colour, and in fact none of the case workers could name a young person on their case load who might be suitable to take part. This was something the team manager who I had initial contact with was unaware of, believing that there were young women of colour currently under the supervision of the service. This lack of awareness about the very limited number of young women of colour passing through youth justice was something I encountered from several members of staff across different teams.

At the second meeting at a service in the South, staff could identify up to six potential participants from their caseloads. This service became one of the research sites (City B). The final team to become a key research site (City C) was based in another large city in the South, the manager of which was particularly interested in engaging with research and felt that research focusing on gender and ethnicity was important to youth justice. The managers at both of these services offered me a desk, so that I could base myself there whilst conducting interviews. Being present in the office gave me the advantage of being able to observe the service and how it operated, as well as how staff spoke to one another outside of the interview setting, all of which provided useful background context.

The access issues I experienced, alongside the time-consuming process of travelling to and from youth justice services, delayed the start of fieldwork somewhat. It was fully completed in December 2017. To some degree, the process of access was ongoing throughout fieldwork; arranging interviews with staff and young people happened on an ad hoc basis, through constant negotiation with gatekeepers and interviewees themselves. As Wincup (2017) notes, being granted initial access does not necessarily mean that the data collection process will be straightforward, something I consider in more detail below.

Despite having gained access to conduct the research at three youth justice services, the process of finding participants was not easy and gatekeepers continued to have influence over the research process even after initial access was granted. Denscombe (2014) suggests that gaining access should be considered a relationship rather than a one-off event, with access being continually negotiable. In all locations staff often appeared busy and stressed, and while they were generally polite, I often felt I was interrupting their work. In City B and City C I was left to approach case workers at their desks to explain the project. In both teams an email had gone out prior to my arrival, but this had not necessarily been read by staff. There was a degree of discomfort in interrupting people and asking them to volunteer to do additional work, having had no opportunity to build a prior relationship.

Engaging City A staff in the research was more straightforward as I was known to the service as a volunteer, and therefore had pre-existing relationships with some of the case workers. Visiting the service ad hoc or at short notice to speak to young women and staff was also much easier due to the close proximity of the service to my office. Nonetheless, this process felt like a second stage of the access negotiation; having convinced initial gatekeepers to support the research I now had to engage individual staff members further down the chain, which Davies and Peters (2014) note can bring with it entirely new obstacles.

I avoided asking anything of professionals, in terms of time and co-operation, that I would not be prepared to commit to myself if I were in their position (Bell and Waters 2014). Most case workers I approached agreed to an interview. More challenging, however, was asking case workers to put me directly in touch with young women on their case load. Some felt that participating in the research might be asking too much of young people who were already struggling to engage with their court orders, while others warned me that young women they were working with were 'difficult', and may not be prepared to engage. Some case workers appeared reluctant to allow me to have direct contact with young women in order to explain the project, potentially because they felt a professional responsibility to act as a safeguard between myself and young women they were working with. In this sense, case workers were both gatekeepers and participants.

The extent of gatekeepers' involvement in the recruitment of participants can be a difficult balance to strike (Wincup 2017). When they take on the role of informing potential participants about the project, gatekeepers can become more involved than originally anticipated – applying their own instincts about who is, and is not, appropriate to take part. In asking staff not only to participate in interviews, but also to put me in touch with young women, I was asking a favour. I therefore wanted to avoid too many additional demands on staff in terms of who it was appropriate to contact, and how to go about contacting young women on my behalf. However, this gave power to case workers to make decisions about young women's involvement in the research which to some extent removed the full capacity of young women to choose for themselves.

This protectiveness on the part of the case worker could be seen as a denial of agency, and even a denial of the rights of potential respondents (Scourfield 2012). The difficulty of this negotiation is brought out by Liebling (1992) who, discussing the access challenges she faced while conducting research in prisons, emphasises the balancing act in which researchers must engage – between increasing potential access to participants through giving gatekeepers an element of control, and allowing gatekeepers too much influence over the remit of the study. This was the balance I aimed to tread in my interactions with professionals. Whilst it was important to respect both professional workloads and their duty of protection towards the young people they worked with, I was conscious that gatekeepers' potential exclusion of young people from the research was also a form of denial of agency of young women to decide for themselves (Kirk 2007, Vaswani 2018).

Although I was able to complete 20 staff interviews in a relatively short space of time after gaining access to services, reaching an appropriate sample of young women participants was a slow and difficult process. As discussed, only very small numbers of young women of colour were in contact with youth justice service, and not every young woman I spoke with agreed to participate. After I had exhausted all potential options at the three youth justice services at which I was conducting my fieldwork, I had interviewed seven young women participants. The interviews with young women tended to be in-depth and offer rich data, which offset the small number of participants. The aim of the research was to explore the experiences of young women of colour of the criminal justice system, and in this sense the validity of the study relied on the quality of data as opposed to sample size; generalisability has not been a strict goal (Groger et al. 1999). However, I wanted to ensure I had explored all possible avenues of access before bringing the fieldwork to a close.

I began to consider all other options that might yield a final couple of participants. Groger et al. (1999: 830) refer to this process as 'scrounging sampling' which entails 'desperate and continuing efforts, against mounting odds, to round out the collection of individuals with relevant types of experiences we know to exist, but have not been able to capture'. At this stage I gained an amendment to my ethical approval from the University of Sheffield to use Twitter as an avenue to discover potential participants. This was a way of making more direct contact with participants, and was perhaps more transparent given that people would be able to view my public profile before considering participation (Baltar and Brunet 2012). I sent direct messages and tweets to a number of organizational and individual twitter accounts relating to issues of race, gender and criminal justice, asking if they would be prepared to retweet some information about the research which included my twitter handle and contact details. Several accounts responded positively. An academic contact with a large twitter following also tweeted about the research. Following this, a participant contacted me directly via twitter and expressed an interest in being interviewed; she became my final participant. I did not receive any further contact from potential participants, so at this point decided to move on from data collection and progress with analysis.

#### 4.4. SAMPLING AND SNOWBALLING

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The sampling method I used was purposive. The criteria for my sample of young women were that they self-identify as Black Asian or Minority Ethnic and female and have some form of recent experience of the criminal justice system. I interpreted 'experience' fairly openly, as the research was intended to be exploratory, and given the hidden nature of the population I wanted to avoid ruling anyone out by adhering to rigid criteria. For professional participants, the criteria were being a youth justice case worker who had experience of working with young women of colour at any point in their youth justice career. The cohort therefore included some participants in more specialised roles such as victims workers and drug and alcohol workers. I did not ask police officers based within youth justice services to participate, as the nature of both their role and their training differed from other YJS professionals. Those who participated mostly had youth work and social work backgrounds and engaged in regular one-to-one sessions with young people, which was important for addressing the research questions.

As part of my sampling strategy for young women participants I considered 'snowballing' – a method of expanding the research sample by asking existing participants to suggest others who might be interested in taking part, such as friends, family members or others who fit within the research requirements. I did not initially intend to use snowballing to access professional participants, as once I had secured YJS access I could introduce myself to professionals quite easily. However, through a mutual contact, I was put in touch with Karen and Emily who were both YJS workers in my local area who had recently changed roles, making snowballing a fruitful approach here.

I had anticipated young women being much more difficult to reach, therefore this approach seemed to offer a welcome avenue for introductions to new participants. Snowball sampling is often used as a way of increasing access to difficult to reach or 'hidden' populations (Atkinson and Flint 2001). It is not usually a primary source of participants but can be used as a way of augmenting the sample when key access streams slow down or become unproductive (Noy 2008).

In this case, however, snowballing ultimately proved ineffective as a method for widening the sample of young women participants. Waters (2014) explains that with some hidden populations snowballing can be unproductive. In her research on older illegal drug users, she found that her participants were reluctant to pass on information about other users, and where they did, those contacts were very unlikely to agree to an interview. I found similarly in my own fieldwork; although I asked young women whether they knew anyone else who might be interested in taking part, only one participant had someone in mind, and that contact did not respond when I reached out. Waters (2014) concludes that her difficulties stemmed from the fact that the population was in fact not as deeply interconnected as she had assumed, and were exacerbated by her own status as an outsider to the research group. The same could be said of my project. Young women may not have known anyone else who would be suitable to participate, and may also have been reluctant to share or discuss their involvement in the research with friends, particularly given my status as an outsider.

At the outset of the research project, it was not clear how many girls and young women I would need to speak to in order to gather enough data, and as the project progressed I questioned whether would even be possible to achieve a significant enough sample size for detailed analysis. Adler and Adler (2012) note that, in qualitative projects pragmatic

issues can often stand in the way of accumulating the desired sample – this has been the case in my research project where, as detailed above, access issues and the limitations of time and resources resulted in a smaller sample than I initially set out to achieve. As the sample size of girls and young women in my research project is small (eight participants), it allows for exploratory, concept-generating analysis (Crouch and McKenzie 2006), rather than generalisable results – providing a range of indicative themes on which future research may build.

Nonetheless, larger sample sizes do not necessarily equate to better quality or richer data (Adler and Adler 2012, Young and Casey 2019) and small sample sizes can be reasonable, if not desirable, in qualitative studies with more exploratory objectives (Crouch and McKenzie 2006). In cases involving hidden or difficult-to-access populations, small sample sizes of 6 – 12 can still provide incredibly valuable insight (Adler and Adler 2012). In fact, several researchers have explored the point at which data ‘saturation’<sup>18</sup> occurs, often finding it to occur at a sample size much smaller than might be expected. For example, a study by Guest et al. (2006), reviewing transcripts from a previous piece of research using qualitative interviews, found that 92% of codes were identified within the first 12 interviews. Francis et al. (2010) in a study of two research projects similarly found that the majority of themes arose after the first 6 interviews. Young and Casey (2019) therefore suggest that in some circumstances, small sample sizes can yield rich qualitative data, finding through their own research that sample sizes of 7 – 10 participants were sufficient to realise substantial themes. They conclude (2019: 12):

“Qualitative data from small samples can substantially represent the full dimensionality of people’s experiences, with larger sample sizes adding important but perhaps increasingly minute pieces of meaning. Small sample size should not be seen as a limitation, in and of itself, when evaluating the rigor and findings of qualitative research.”

Despite this evidence, it is important to acknowledge the potential that richer data may well have been yielded had I reached a larger sample size, as I had hoped, particularly given that my project deals with intersecting identities, and the young women who participated represented a range of different ethnic backgrounds. I aimed to manage the discrepancy in participant numbers between young women and professional participants by conducting longer, more in-depth interviews with young women (lasting 1- 2 hours),

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<sup>18</sup> Defined as ‘the point in data collection and analysis when new information produces little or no change to the codebook’ (Guest et al. 2006, p65)

however inevitably the data set for this group of participants is much significantly smaller than for professionals. A larger sample of young women would likely have created space to consider more intra-group differences in experiences, also a more wide-ranging data set.

## 4.5. ETHICAL CONSIDERATIONS

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### RESEARCH WITH CHILDREN AND YOUNG PEOPLE

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As my research involved children and young people between the ages of 14 and 20, it has been important to consider the specific ethical dimensions of working with this age group – particularly in relation to the potential vulnerabilities of my participants. ‘Vulnerability’ can be a result of environmental and structural factors, as well as individual conditions and circumstances (Larkin 2009, Vaswani 2018). Although they may not have described themselves as ‘vulnerable’, some of my young women participants may be considered vulnerable due to their complex or difficult circumstances (particularly those still involved with the youth justice system) as well as their age and their social location as young women of colour. It was important to ensure that these vulnerabilities were not exacerbated by the research process (Vaswani 2018). The British Sociological Association ethical practice guidelines (BSA 2017) state that in research with vulnerable people and groups, special care should be taken around those vulnerable by virtue of age, and that research involving children requires particular care – for example, seeking parental consent where appropriate, providing accessible information, and having regard for issues of child protection and the potential disclosure of abuse. These are issues I was mindful of, and consider across the sections that follow.

In the past, children and young people have been involved in research projects as passive subjects and have been considered the ‘object’ of research as opposed to active agents – this has evolved in recent years with children being actively consulted and their direct experiences sought (Punch 2002, Kirk 2007). My research offers young women the chance to share their own perspectives, treating them as the ‘experts’ of their own experiences (Aldridge 2012, Vaswani 2018). Despite the young ages of some participants, it is important to acknowledge that they had all been judged as criminally responsible in some way, having been drawn into the youth justice system – and so, in a legal sense, they

had been credited with a high level of competency and agency over their own actions (Goldson 2013). Although I was sensitive to young women's potential vulnerabilities, I also felt it was important to afford them the agency to take part in the research and share their experiences of their own criminalisation and their treatment within the system.

A key consideration for my fieldwork was managing any potential distress that might occur as a result of young women being invited to discuss their experiences, something I aimed to acknowledge and prepare for. Many research projects with children and young people carry the potential that participants may experience negative emotions, or be prompted to consider difficult experiences (Kirk 2007). Using qualitative methods is helpful in this respect, as interviews can allow for more sensitivity in dealing with challenging topics than, for example, survey methods (Vaswani 2018). I tried to limit the potential for distress by asking participants only about their experiences with CJS agencies – not about their personal lives or the incident/s that had led up to their criminalisation. This gave them greater agency over how much or little they wanted to share about sensitive topics. Nonetheless, some did raise emotionally difficult experiences. I provided participants with a range of support services they could contact should topics arise which they needed to debrief about. I was also clear that interviews could be ended at any time, and that participants could decline to discuss any topic they were not comfortable with - this was an ongoing process of 'checking in'.

It has been suggested that using more creative or visual methods can support an ethical approach to research with young people – potentially reducing the power imbalance between adult researcher, and young participant. For example, task-based methods can offer the participant something to focus on which reduces the need to respond to questions quickly, and may help to build rapport more gradually. However, these strategies can fall into the trap of constructing children as 'other', with the implication being that they are less able to engage in conversation and dialogue than adults, and require their own 'novel' methods (Punch 2002).

My own approach aligned with those of scholars who suggest that research with children and young people should not assume a methodological distinction between children and adults. The most important thing methodologically is that the approach chosen is appropriate socially and culturally to the participant group, whether they are vulnerable by virtue of age, or for other reasons (Punch 2002, Kirk 2007). I treated my participants as



competent social actors. Based on my own experience of using creative activities in past employment and voluntary work with young people, I did not feel inclined to use these techniques as part of my methodology. The success of this type of approach is highly dependent on the personality, level of ability, and preferences of the individual as well as the person facilitating. Children are not more inherently creative or predisposed towards creative or practical 'activities' than adults (Coyne 1998). I was also wary of using any activity-based techniques that could unintentionally mimic the type of work that youth justice workers undertake with their clients – creating confusion for my participants, where I wanted to emphasise my independence from the youth justice system.

I therefore opted to use a fairly traditional semi-structured interview format in my talks with young women. Semi structured interviews are a useful approach when looking to access children and young people's experiences, including how they understand important events. Open ended questions in semi structured interviews can afford participants time and space to describe their perspectives without limiting responses to a narrow range of options, giving them more freedom to discuss the topics that matter to them most (Kortetluoma et al. 2003, Prior 2016).

## CONSENT AND CONFIDENTIALITY

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BSA (2017) guidance in relation to anonymity and confidentiality states the importance of freely given informed consent, and participants' right to refusal to take part. It also emphasises that participants should be made aware of the realistic level of confidentiality or anonymity they will be afforded within the research project. These were important ethical considerations for my research, in which some of the participants were in vulnerable or precarious positions in their lives, and several were under the age of 16. Practically speaking, the clarity of fieldwork materials such as consent forms and information sheets was vital in ensuring participants had full understanding of what taking part would mean (Kirk 2007). My approach was to use standard consent forms containing simple, accessible language that could be used for both professionals and young people. Where participants were under the age of 16 I also obtained parental consent using a separate and distinct form (See appendix 2).

Alongside these, I produced young person and staff-specific information sheets giving an overview of the research and key information about how the research process would

work, including the aims of the research, participants' rights to withdraw and any situations in which I might be ethically obliged to break confidentiality. Confidentiality around disclosure was particularly important for young women participants – due to the potential for them to indicate that they or another person could be at risk of harm. This potential can be enhanced where there is strong rapport with the participant, or where there is a dynamic of power and importance surrounding the researcher (Morris et al. 2012). As is generally considered good practice (Kirk 2007), I indicated to young people, both verbally and in information sheets, that in these cases I would have a duty to pass this information on to a relevant adult.

Where possible, I provided the information sheet to my participants in advance, and briefly discussed its key points at the outset of the interview. I gave space for participants to ask questions and I spent additional time with young women explaining the aims of the research, emphasising that it must be their own decision to take part, and letting them know how to contact me if they wanted to withdraw any or all of their data. Of the young women who participated, most did not express significant concerns about confidentiality and anonymity, however two did express some caution – Leila requested not to be audio-recorded, while Larissa, who I interviewed in a local cafe, asked me to hide the recorder so that it did not look to passers-by like she might be giving information to police. I was able to accommodate these requests.

In the case of professional participants, I could approach staff within youth justice teams directly and explain the research face to face – occasionally this conversation would happen over the phone or via email, but it was always through direct communication between myself and the participant. However, in the case of young women I was reliant upon youth justice workers to introduce me to those who might be interested in taking part. In some cases I was able to arrange to be present at the service at a time when a young person was already meeting their worker, meaning that I could give them an information sheet, explain the research in person and allow them time to think about participating. Some professionals were reluctant to give me this opportunity, meaning I relied upon them to relay the key points and aims of the research to the young person accurately. There was potential in these cases for workers to misrepresent the research or simply not to discuss it particularly enthusiastically. This may have deterred participation in some cases.

Conversely, there were some situations in which workers were very keen for young people they were working with to engage in the research as they believed it would be a positive experience. There was potential in these cases for a case worker to represent the research as something that might benefit or complement the young person's referral order. For example, one worker encouraged her client to take part in the research because she felt it would be helpful for her, and asked that she commit to an interview 'for at least 15 minutes'. I reiterated that participation was entirely voluntary and would likely require longer than 15 minutes of the participant's time. This interaction highlighted the potential for the research to lose its integrity through second-hand explanation, as well as for professionals to circumvent some of the measures I put in place to ensure informed consent. I mediated against this where possible by taking time at the start of interviews with young people to give a clear explanation of what the research was about and its purpose. I was keen to emphasise the separation between myself and the youth justice system, in order to maintain the integrity of the research, establish voluntary participation (with young people being clear that it was not a mandatory undertaking), and to ensure that young people felt they could speak openly and freely about their criminal justice system experiences during interviews.

I did not ask staff for any information on young women participants. I did not ask to look at young women's criminal records or case files, for example. As outlined above, my research did not seek to establish 'objectivity'; no greater degree of knowledge about young people's experiences could have been accessed by looking at official documentation. In fact, first-hand accounts were the only important form of knowledge in this case, as it was personal experiences and perspectives being explored. However, some case workers verbally shared with me details of young people's offending histories and life experiences. At other times staff members directly warned me about approaching and interviewing young women they worked with because they felt they were 'difficult' or had a short attention span and would not cope well with a long conversation. This was not usually borne out by my own experience of talking to young women when we met in person. I tried to avoid engaging in detailed conversations with professionals about girls as far as possible to avoid developing preconceptions, and because I felt it was an invasion of participants' privacy which would undermine the consent process.

I used pseudonyms for all participants, which I chose at the transcription stage. In doing so I tried to respect cultural/ethnic origins of names where relevant. In order to protect the

identities of participants I have at no point in the transcriptions or findings named the youth justice services I visited, and have omitted or disguised any information which obviously identifies a location (such as the name of a service, street or school). Young women were particularly vulnerable to identification due to the very small number within the youth justice system in England and Wales. For this reason, I have not provided detailed accounts of offences or personal histories within the findings. Given that the research focuses on systemic experiences of criminal justice as opposed to past offending, this does not hinder analysis.

#### 4.6. INTERVIEW FORMAT

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Rather than following a strict format my interview schedule focused on a series of topics with associated key questions and prompts. The format and order of questions varied from interview to interview according to the flow of conversation. This freer method of conducting interviews arguably produced richer data than a structured interview, in encouraging participants to share experiences and views that I as the researcher may not have picked up on as important topics for discussion. In this context semi-structured interviews better serve the participants' interest in giving them the space to raise issues they find meaningful (Wincup 2017).

It would be negligent, however, to assume that semi-structured and open-ended interview formats can negate power dynamics between interviewee and researcher or eliminate the influence of the researcher over what is discussed. Silverman (2013) points out that in fact the most open-ended interview formats can create an environment in which the interviewee feels under pressure to talk and puts the onus on them to interpret which topics are relevant, which can have the opposite of the desired effect of a relaxed and informal interaction. Semi-structured interviews were in this sense a compromise in which the interviewee was free to raise issues and topics they felt were important, but the conversation was guided by a framework.

In order to encourage conversation which addressed themes of intersectionality, I developed an interview guide which prompted participants to consider issues of race and gender and how these factors interplay within youth justice settings. In my interviews with girls and young women I asked more general and open questions about their criminal

justice experiences initially, before raising the topics of race, gender and inequality, to give participants the opportunity to raise these issues organically (see appendix 1). Broader questions which do not focus too heavily on race and gender 'categories' or demographics allow for participants to discuss the salient intersections in their lives, reflecting the nuance of their experiences (Hunting 2014).

I approached the interview setting as an opportunity for the co-production of knowledge through conversation with participants (Wincup 2017). Therefore, I treated interviews as to some degree mutually self-revealing (Oakley 1981, Finch 1984). Although interviews were primarily focused on the views and experiences of participants, where appropriate I shared my own experiences and opinions. I did not place myself as an objective reporter within the context of the interview, but as a researcher engaging in a process of knowledge production. Mason and Stubbs (2012) note that a key aspect of reflexive interviewing within feminist projects is the sharing of personal information by the researcher, and a willingness on the part of the researcher to express their own views and politics. Where participants directly asked my views I was honest with them, I also shared personal experience or anecdotes as I would within an everyday conversation. I practiced 'active listening' – not only physically hearing participants' stories and perspectives, but fully engaging in dialogue with them, and allowing their words to affect me personally and emotionally (DeVault and Gross 2012).

Interviews ranged in length from around 30 minutes to an hour for professional interviewees and between one and two hours for young women participants. In this relatively short period of time, it was a challenge to build the rapport necessary to create a comfortable environment. Valentine et al. (2001) highlight the importance of finding a safe space where interviews can be conducted in privacy and confidence. There was a risk that conducting interviews within the youth justice environment would suggest to young women participants that I was connected to or employed within the criminal justice system. In order to mitigate this, I opted to conduct the interviews outside of the youth justice service buildings where possible. In the case of many of my professional interviewees this was not possible due to time restraints and the lack of proximity of quiet cafes or other public areas in which a semi-private conversation could be had, however several of my City C professional interviews were conducted in a local cafe, which gave a sense of informality.

Two of my interviews with young women were conducted in cafes, one at the participant’s home, one at a local youth centre, and at a careers centre where the participant had a prior appointment. Only three were conducted in meeting rooms in the youth justice service’s building. The final interview was conducted over the phone. As Wincup (2017) notes the obvious downside of telephone interviewing is that the participant may be distracted and be tempted to give shallow responses. However, for some participants it will provide a safer context in which they feel less exposed and more inclined to respond to sensitive questions. In this case the participant was located some distance away and preferred not to meet face to face. I wanted to accommodate young women as far as possible and provide the interview environment in which they would feel most comfortable.

#### 4.7. PARTICIPANTS

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The following tables show the pseudonyms, ages, ethnicities and professional roles (where applicable) of all participants. I chose not to ask formal details about the offences that brought young women into contact with the youth justice system (in terms of charges brought, sentences etc.), as this information was sensitive and not directly relevant to my research objectives. According to their own accounts, most young women had been charged or cautioned with only minor offences, with the exception of Aisha and Rani who had committed more serious offences. None of the young women who participated had extensive offending histories.

TABLE 3. YOUNG WOMEN

<b>PSEUDONYMS</b>	<b>ETHNICITY (SELF-DESCRIBED)</b>	<b>AGE AT TIME OF RESEARCH</b>
Larissa	Black	16
Adele	Black Caribbean	15
Aisha	British Pakistani	18
Jade	Mixed Race	19
Rani	Bengali	14
Zahra	Bangladeshi	15
Eve	undisclosed	16
Leila	Black African	20

TABLE 4. PROFESSIONALS

PSEUDONYM	GENDER	ETHNICITY (SELF-DESCRIBED)	AGE AT TIME OF RESEARCH	SELF-DESCRIBED ROLE
Sue	Female	White British	undisclosed	Education Advisor, Teacher
Laura	Female	White British	28	Youth Offending Officer
Paula	Female	Black British Caribbean	46	Senior Youth Offending Practitioner, Social Worker
Karen	Female	White British	46	CSE Project Worker (former YJS Officer)
Emily	Female	Black British	38	CSE Project Worker (former YJS Officer)
Elaine	Female	White British	undisclosed	YJS Officer
Anika	Female	British Asian	36	Case Manager
Olivia	Female	White British	32	Victim Support and RJ Worker
Gareth	Male	White British	45	Counsellor and Drugs Worker (former Case Manager)
Amir	Male	Bangladeshi	44	Out of Court Worker
Syed	Male	Asian	29	Out of Court Worker
Christine	Female	White British	29	Case Manager (seconded from probation)
Jane	Female	British African	30	Case Manager
Tarique	Male	Bangladeshi	39	Family Worker
Ali	Male	Bangladeshi	36	Out of Court Worker
Diya	Female	Indian	35	Youth Justice Officer
Mohamed	Male	Bangladeshi	undisclosed	Out of Court Worker
Michelle	Female	White British	undisclosed	Youth Justice Officer
Paul	Male	White/Black Caribbean	43	Youth Justice Officer
Kate	Female	White British	26	Youth Justice Officer

#### 4.8. TRANSCRIPTION

I transcribed interviews in full, through repeated listening to the audio recordings of participant interviews, occasionally with the help of an online program called ‘o-transcribe’<sup>19</sup> which offers keyboard shortcuts. Although time consuming, I found this process helped me to better familiarise myself with the data and absorb its meaning than

<sup>19</sup> <https://otranscribe.com>

if a professional transcribing service had been used. Each interview was transcribed verbatim. I chose to omit some anecdotes and elements of 'small talk' where they were tangential to the research topics. What constituted irrelevant discussion became clearer as the transcription process developed, meaning that later transcripts were more selective and focused more heavily on material relevant to the research questions; a strategy advocated by Hammersley (2011). Uses of slang were always retained, although I usually excluded word repetitions and uses of 'um', 'like' etc. for brevity.

Where direct quotations are included in the findings chapters, they are occasionally compound quotes comprised of statements made separately but within close proximity; the meaning and integrity of participants' statements has been retained in these instances, which are indicated using ellipses (...). As Hammersley (2011) notes, even the strictest of transcriptions will be influenced by the interpretation of the transcriber. As with the analysis, the translation itself reflects my own personal interpretations and will necessarily be influenced by my own positionality and subjectivity.

#### 4.9. ANALYSIS

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I began inductive data analysis when I had drawn data collection to a close. Data analysis was completed by hand using printed transcripts and handwritten notes. I opted not to use a software programme such as N-Vivo, this was a personal choice based on knowledge of my own working style. The process I used was an inductive thematic analysis model that was in essence a condensed form of the data-driven process described by Boyatzis (1998). Through inductive analysis, previously silenced or hidden voices inherent in the data can be brought to the fore and acknowledged (Boyatzis 1998); this was a very important aspect of my analysis of interviews with young women. Although the analysis process necessarily means the data was filtered through my own interpretation as the researcher, this process allowed me as far as possible to let the data speak for itself, without imposing expectations.

Each transcript was divided into small sections of one or two sentences – and then each section 'reduced' (given a condensed meaning using the words and syntax of the raw data) followed by a broader theme, or code. These codes were grouped into wider, overarching themes which then shaped the findings chapters. Rather than develop codes from analysis



of a small group of transcripts and applying them to the wider data set, I used the same process of data reduction for all 28 transcripts – this was time consuming, but a more rigorous approach and the transcripts were few enough in number to be manageable. The codes I drew out as ‘findings’ were those that regularly recurred across numerous interviews, and those that were very relevant to the research questions. The thematic codes I developed into the findings chapter were as follows:

Interviews with young women:

- Relationships with youth justice workers
- Experiences of court
- Stereotyping and constructions of race and gender
- Police abuse of power
- Police lack of empathy and understanding
- Distrust of police
- Everyday policing experiences
- Family and friends’ experiences of policing
- Wider/structural perspectives of the criminal justice system

Interviews with professionals:

- Descriptions and perceptions of girls of colour
- Girls of colour’s pathways into offending and support needs
- Girls as more challenging
- Racial and gendered experiences of the criminal justice system – challenges for girls of colour
- Minimising young people’s experiences of racism
- Working across gender, racial and cultural divides
- Intersectional resources and training

When attempting to establish similarities and differences across two different groups of participants, there will inevitably be an element of ‘comparison’ to the data analysis process and the presentation of findings (Guest et al. 2012). As such, I began comparing thematic data across the two participant groups after data had been inductively coded and key themes were established for each data set. I conducted a second basic thematic analysis, qualitatively comparing the content of themes and frequently occurring

narratives, noting similarities and differences between the young women and professionals' data sets. I considered whether the expression of a particular theme in one group was different to its expression in the other (Guest et al. 2012). For example, girls' expressions of police abuse of power and distrust of the police was a theme that was present in professional narratives in a different way – primarily through the minimisation of experiences of racism. The results of this comparison are presented within my findings chapters.

I interpreted codes and developed overarching themes using the theoretical framework of intersectionality through looking for the 'race and gender' dimension in each theme, and using intersectional, feminist and critical race scholarship to explore structural dimensions. Hunting (2014) points out that intersectionality-relevant qualitative data is not always immediately obvious – the task of the researcher is to make the intersectionality in participants' experiences and perspectives explicit, even where they may not have expressed it in a clear or literal way. Part of this task is to link individual-level issues with socio-structural inequalities relating to race and gender oppression, something I have tried to do through my analysis.

The knowledge that I was undertaking the research with the goal of illuminating young women of colour's experiences and bringing forward their own critiques undoubtedly influenced the analysis of the data. I took a more critical approach to my analysis of professional data, for example. As Becker (1967) states, qualitative research can never be value-free, in order to produce authentic data 'sides' must be taken, especially where conducting research that involves a 'powerless' or subordinate group. In this case the more 'powerless' group was young women of colour interacting with a powerful and influential social structure – the criminal justice system. Therefore, my approach to professionals working within that system was to unpack and critique their views, whereas my approach to the data from young women's interviews was descriptive, exploratory and analytical, but not critical of their experiences and perspectives. This is in line with the theoretical framework I employed, and my research aims.

#### 4.10. POSITIONALITY

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Discussion about the positionality of the researcher in relation to the research participants is often characterised as the ‘insider, outsider’ debate. Scholars suggest that the position of the researcher is not dualistic and cannot be captured by the binary categories of ‘insider’ and ‘outsider’. The reality is that the position of a researcher in relation to their participants is fluid and intangible (Merton 1972, Wray and Bartholomew 2010). As researchers we necessarily occupy a middle ground as an insider in some respects, and an outsider in others (Narayan 1993). Even where we are closer to insider status, our position as an academic observer will mark us immediately as an ‘separate’ from the participant group we are researching (Innes 2009, Wray and Bartholomew 2010).

Some characteristics can create tensions with the researched group, whilst others may build rapport (Claes et al. 2014). As Gelsthorpe and Morris (1990: 88) put it, reflexivity necessarily involves viewing one’s involvement in the research as both ‘problematic and valid’. Reflection on these dynamics, and how they might affect the research process, including data and findings, can enhance the research possibly leading to better understandings of the social world (Claes et al. 2014). This is particularly salient in my research, where intersectionality and the complexity and fluidity of our own identities is being considered as a key topic (Couture and Zaidi 2012).

Gender was the most obvious characteristic I had in common with young women participants, but as numerous Black and intersectional feminist scholars have suggested, identities are infinitely complex – (Lorde 1984, Crenshaw 1989, hooks 1994) it should not be assumed that gender alone is sufficient to produce a sense of affinity or rapport between women. My ethnicity, being White, was the most obvious difference between myself and young women, affording me a structural privilege. My age, 27 at the time of fieldwork, and status as a researcher further marked me out as holding a privileged status with arguably a greater degree of social power than young female participants, who were under the age of 20 and predominantly attending school or college and living with parents.

Additionally, participants were likely to read my class status as middle class, or at least to place me in a different class category than themselves based on factors like my researcher status, appearance and way of speaking. Most participants were from what might be described as urban working class or lower middle class family backgrounds, and several described themselves as coming from areas where social issues such as poverty and crime

were a problem. This is different to my own background. Although this is not something I made a point of explaining to participants, neither did I pretend to have detailed knowledge of their experiences of life, or of the environments in which they spent time.

Britton (2019) emphasises the importance of acknowledging the role of Whiteness in the research process, and directly addressing White power and privilege. In interviews I carried out with girls of colour, my Whiteness intersected with other aspects of my identity in complex ways. Comments were occasionally made which hinted towards our differences. 'You probably think the police help the community and stuff ... you know how elders, adults and stuff they think that' was a comment made by Rani that indicated that she perceived me as someone older who would have a positive view of the police, in line with the views of adults she had encountered. My positionality as a White researcher no doubt contributed to this perspective.

In Miller's (2001) research on gangs, she found that a Black female member of the research team who had grown up in similar neighbourhoods to Black participants was able to elicit more detailed information from participants during interviews and adopt a more challenging style of questioning. Obasi (2014) similarly found that as a Black woman interviewing other Black women there was a sense of comfort and ease of conversation throughout the interview process. As a White researcher, I was aware that I would have to approach interviews with young women sensitively and focus on building trust and rapport in order to navigate differences in our positionality, but would not be able to negate these differences.

Identity factors will influence researcher and participant interactions and behaviour, and therefore the data, in nuanced ways (Sherif 2001, Miller 2001). Building affinity with participants through shared identity is not always straightforward. While Obasi (2014) found that she had easy rapport with participants, careful prompting of participants was necessary during interviews, because participants sometimes assumed she had knowledge of the topics at hand. Other researchers have found that shared characteristics with participants does not guarantee acceptance as a peer. Sherif (2001), as an Egyptian researcher, discovered that despite gaining more rapid and in-depth access to Egyptian research participants than American colleagues, she remained an object of curiosity to her participants, as someone who was neither a practicing Muslim nor a native Arabic speaker.

Bhatia (2014), while conducting research with asylum seekers as both a person of colour and someone with an uncertain immigration status, discovered that his partial 'insider' status could provide a useful way of neutralising unequal power dynamics. However, he also found that he was subject to scepticism from some participants and critically reflects on his own 'faulty assumption...that all the people of colour will trust me...as we have something in common' (Bhatia 2014: 174). This illustrates the complexity of the 'insider' versus 'outsider' narrative. It is vital to approach the research process with sensitivity and humility regardless of shared characteristics with participants.

My own identity and those of my participants are intersectional; comprising visible characteristics such as race and gender, as well as characteristics more intangible and open to interpretation – all of which are differently construed depending on who is perceiving us, and the contexts in which we are situated. I found young women participants such as Jade, Leila and Aisha were friendly, talkative and open with their opinions, as well as curious about my motivations for undertaking the research. In these cases, I felt that my identity as something of an outsider was not a hindrance, as participants appeared to be comfortable explaining aspects of their biographies and life experiences. This openness was potentially enhanced by my approach to the interviews, which was to share some of my own experiences and opinions where appropriate, and indicate to participants that I was open to hearing critical opinions on the criminal justice system.

Overall, my positionality and outsider status in relation to young women participants was something I reflected upon prior to, during and after the research process and continued to reflect upon whilst analysing the data and producing the findings. I have no doubt that it was an advantage in some respects and a drawback in others. Some aspects of my interactions with participants, as well as my understanding and interpretation of their experiences, will necessarily be bounded by my lack of in-group knowledge (Obasi 2014), particularly in relation to ethnicity and their experiences of racism. Yet in other ways it appeared that young people embraced their role as an expert on their own experiences and were comfortable explaining them to an interested 'outsider'.

My positionality in relation to professional participants was more varied than in relation to young women because professionals came from a mixture of backgrounds, genders and ethnic groups. In this case, being a White researcher may have had more advantages, for

example, in encouraging White professionals to be less guarded about discussing race and racism. However, the interview topics we covered often touched upon professionals' own experiences and prompted them to reflect upon issues race and gender in their lives and careers, which could be quite personal. For example, Emily reflected upon her experiences of interacting with police as a Black female professional and described how she often felt she was undermined. Although I took a much more critical approach to professional interviews, I remained conscious of my own positionality and the need to remain responsive to potentially sensitive conversation topics.

It should be noted that even the ability to reflect on differences and similarities with participants, and to decide how to represent this, is in itself a form of power I hold as a researcher (Collins and Bilge 2016). The power of the researcher evolves according to the different respondents, relationships and situations involved in the fieldwork (Duke 2002). My position as a researcher presented less of an uneven power dynamic in interviews with professionals than with young women. I relied upon professionals for access to young women participants, and therefore the power dynamics between us were complex. As gatekeepers, professionals held a degree of power over the progress of my fieldwork and as a (fairly) young female PhD researcher without recognisable credentials or the backing of a funding body, my influence in these interactions was very limited. Although not reaching the 'elite' interview participant status of policy makers (Duke 2002), youth justice professionals form part of a criminal justice agency with significant structural power whose actions warrant scrutiny. As a result, my approach towards professional participants was perhaps more guarded and more critical than with young women.

#### 4.11. CONCLUSIONS

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In this chapter I have described the various stages of the research process, including accessing participants, data collection and data analysis. I have outlined my methodological and ethical approach and engaged in a reflexive discussion about my own positionality. In understanding the methods used to collect data, the reader can place the findings chapters that follow into context. The next chapter will share my findings from interviews with girls and young women.

## 5. GIRLS OF COLOUR'S EXPERIENCES OF THE YOUTH JUSTICE SYSTEM

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### 5.1. INTRODUCTION

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This chapter explores young women's experiences of the youth justice system, focusing on three key agencies – youth justice services, youth courts and the police. My interviews with girls covered their interactions with a range of aspects of the youth justice system, but at the forefront of my conversations with young women were their experiences of policing, and critical perspectives on how the police operate.

Participants' views on youth justice workers and courts, whilst critical, tended to be more reflective and tentative. Their experiences of policing, however, were unequivocally negative, and shaped their perspectives of the criminal justice system as a whole. Young women's critiques of their treatment by the police focused on stereotyping, bias, and misuse of power. They reflected upon police intrusions into their everyday lives, as well as the structural power the police hold over communities. For several participants, racism was a significant component of their experience, often with a gendered aspect.

As discussed in Chapter 4, above, the data set I gathered with girls and young women is significantly smaller and does not have the breadth of the professional data set, therefore this chapter is shorter in length than chapter 6. However, the insights provided here are revealing of intersectional and structural issues of race and gender, and provide a valuable insight into the experiences of a small and hidden group within the criminal justice system, which I hope will prompt thought and critique.

### 5.2. RELATIONSHIPS WITH YOUTH JUSTICE WORKERS

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The relationship between young people and professionals is the cornerstone of youth justice provision. Drake et al. (2014) refer to this relationship as reciprocal: the practitioner can offer knowledge and resources, but it is the strength of the relationship that determines how useful these resources are in promoting change for a young person. Although all the young women I interviewed had engaged with youth justice workers over

the course of their involvement in the criminal justice system, youth justice relationships did not feature highly in their narratives. In fact, when prompted, some participants had little to say about their workers, either positive or negative. There was an overall sense that young women did not have a clear idea about the purpose of the role of a youth justice worker. Those who considered their relationships with youth justice workers in more depth generally felt that they were listened to and supported, although Zahra in particular expressed scepticism about workers' motives, as indicated below.

Although discussion of workers was limited, some young women I interviewed indicated that they had formed a strong relationship with their worker, and described being treated with empathy. For example, Eve felt that her youth justice worker understood and validated her frustration at being charged with an offence after an incident in which she had acted in the defence of a friend. 'My worker, when we explained to her what happened, like she listened and said she understood – it's not just "a thing I did", anyone would have done it'. Relationships with workers could be substantial and fairly longstanding depending on the type of order a participant was subject to. Rani described seeing her youth justice worker every day due to being subject to an intensive supervision and surveillance order. Throughout these interactions she developed a certain level of trust:

I think [my YJS worker] knows me. I see her every day ... the way I'm speaking to you right now, I speak to her like that – honestly. The things I'm telling you now, I'd tell her the same thing.

Prior and Mason (2010), in analysing youth justice practice literature, found that the ability to empathise and to communicate effectively is considered vital to workers' capacity to engage young people in youth justice programmes. This corresponds with the views and experiences of the young women I interviewed. Adele found her relationship with her youth justice worker helpful and communicative, and was therefore prepared to engage meaningfully with the work they undertook together, describing it as an opportunity for reflection. She explained, 'when I work with [my YJS worker] it helps, and then I come home and I can reflect on what I've done with her and think about it.'

Several young women described receiving respect, support and advocacy from their workers, which they often did not experience in other aspects of the criminal justice system. Rani drew a strong distinction between her experiences of youth justice work and her experiences of policing. Unlike the police, she saw the youth justice service as an



agency that could help and support her. There was a sense of familiarity and confidentiality in her relationship with youth justice professionals:

I can tell [my YJS worker] anything, like anything. I don't see them as the police side of it, I see them as my side of it ... they've helped with family stuff and just so much. If I needed something, or something was going on, or I was worried about something, I could just tell [YJS workers] straight away and I wouldn't have to lie or anything.

The ability of a youth justice worker to demonstrate respect was found to be key by Phoenix and Kelly (2013) in their empirical analysis of data from a study conducted on youth justice actors and young people subject to court orders. Larissa and Ayesha's experiences seemed to align with this finding – they had profoundly negative experiences of policing but had discovered respect and support within the youth justice service which translated into a degree of trust. Larissa said of her workers, 'they have got respect', while Aisha said of her YJS team and worker, 'she was always on my side for everything ... Like everyone there was bare safe to me, they proper liked me'. On the other hand, Zahra was the most critical of her experiences with the youth justice service. She felt that it was not in the professional interests of workers to be challenging or antagonistic, therefore it was unsurprising to her that they appeared friendly and supportive. She maintained a degree of scepticism about their role nonetheless:

The YOT [youth offending team] obviously they're more understanding ... but they wasn't there at the time, they're not dealing with the case. So of course they're going to be understanding ... because I'm working with them, they're working with me. They're going to say what I want to hear.

Although she acknowledged she did not have the same negative experiences with youth justice workers as with police, Zahra felt that the two agencies were aligned in their interests, meaning that her workers would always avoid being too critical of the police. They were part of the same system, the 'same remit' and therefore were not in a position to meaningfully advocate on her behalf:

She'll tell me she understands, but then again, she is part of the police as well. If you think about it, they're all the same remit ... she's not going to sit there and be like 'I disagree' with anything the police do or how they act. She can't turn around and say that.

As 'involuntary clients' (Trotter 2015) young people within the youth justice system are offered a mixture of support and punishment. Youth justice practitioners therefore perform a helping, or problem solving role as well as one of legal enforcement (Trotter,

2015). It is therefore expected that young women interviewed may feel sceptical about their relationships with workers, and (rightly) identify them as part of a punitive system.

What is most striking about the limited role of youth justice workers in the narratives of young women is the stark contrast with their perspectives on the police. Strong feelings of frustration and anger about policing were the overwhelming focus of conversations about young women's interactions with the youth justice system, whilst the perspectives they shared on the youth justice service were neither strongly positive nor negative. There are several reasons why young women may not have reflected as deeply on their youth justice relationships within their narratives. One clear reason is methodological. As the interviews were semi-structured, and exploratory in nature, I did not press participants to discuss issues, but allowed the conversation to flow naturally according to what they found most important (Kortetluoma et al. 2003, Prior 2016). I return to consider this in the section below.

In practical terms, it may also be the case that there was an element of self-selection in terms of participants' views on youth justice. Participants were accessed primarily via their youth justice worker (as discussed in chapter 4, above) – the sample may have therefore skewed towards young women with either a neutral or relatively positive relationship with their worker. Young women who were disengaged from the youth justice service, or who had a highly negative relationship with their worker, were not easily accessible to me. I also interviewed several young women on youth justice team premises, there may have been a lack of trust in myself as the researcher, or a general reticence to critique the service given the close proximity.

Nonetheless, participants' lack of dialogue around youth justice is interesting to reflect upon in more broad terms. Perhaps it could suggest something about the strength of participant relationships with their workers. Despite the primacy of this relationship within the youth justice model (Drake et al. 2014) it did not shine through in participants' narratives – which could reflect how much impact and influence youth justice workers were able to have on participants' worlds. Young women's responses must be read in the context of their positionality. That young people feel able to give true accounts of their life experiences, including their experiences of oppression, on their own terms is essential to the efficacy of the youth justice relationship (Ilan 2010, Drake et al. 2014). For young women of colour to be seen and understood by their youth justice workers, those workers

must have a fundamental understanding of the intersectional oppression girls and women of colour are exposed to through the criminal justice system (Chigwada-Bailey 1997; Chesney-Lind 2006, 2010; Richie 2003, 2012; Ritchie 2017). As chapter 6 explores, not all workers have a clear understanding of these issues.

The tension between the 'welfare' and 'control' aspects of the youth justice role (Souhami 2007, 2009, Trotter 2015), along with a range of other structural constraints (Morris 2015) may also impede professionals' ability to develop deeper relationships with young people. Youth justice workers are tasked with the very difficult role of building positive and productive relationships with young people against a background of highly negative and distrustful experiences of policing, and with increasingly limited resources (Marshall 2013, Morris 2015, Haines and Case 2018).

### 5.3. EXPERIENCES OF YOUTH COURT

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The majority of participants had at least one experience of appearing at a youth court, with the exception of Jade and Leila, who had accepted police cautions for their offences in order to avoid a trial, and were therefore referred directly to the youth justice service. Rani and Zahra also had experience of appearing at a crown court, due to committing more heavily sanctioned offences or being sentenced alongside an adult. As with youth justice services, court appearances did not feature heavily in participants' interview narratives, however where court was discussed, young women's impressions were broadly negative.

The 'Double Disadvantage' report (Cox and Sacks-Jones 2017, referred to in chapter 2), highlighted the sense of injustice and mistrust felt by adult BAME women in the criminal justice system, who felt that their life histories were ignored during the court process, and that they were not empowered to make decisions about their case. My findings revealed similar experiences of disempowerment and overall confusion about the court process amongst participants. Adele and Zahra in particular described feeling patronised, stereotyped and unable to get their perspectives across in court, which led to strong feelings of injustice. Adele described feeling 'judged' in the moral, rather than the professional, sense. Although she was being tried for a relatively minor first-time offence, she felt she was viewed with disgust by magistrates and explained, 'you could tell they was

judging ... it's just like when people are talking behind your back and you can see ... they shouldn't look at people with disgust'.

Several young women described being made to feel intimidated and small by the court. Rani described an expression of incredulity from magistrates at the violence involved in the offence she was being charged with. Her experience of alienation was further re-enforced by the hierarchical nature of the courtroom design:

The magistrates, they're really old, and they stare at me like I'm so little. You know, because they're high up ... They stare at you like you're so small ... they don't believe that I actually stabbed someone. And then when the other side ... shows them a picture [of the accuser's injuries] ... their whole view, their whole look on me just changes really quickly.

In describing the magistrates as 'high up', Rani refers to their physical position in the courtroom. A youth court is intended to be a more informal and supportive environment but has a broadly similar design to an adult court, in that magistrates often sit on a separate, raised bench overlooking the courtroom. There is a lack of research on the youth court setting in England, however Rossner's (Rossner 2016, Rossner et al. 2017) research on crown court design indicates the importance of the courtroom set-up, showing that where a defendant is placed within the room can have an influence on jurors' perspectives on the defendant. A defendant placed in a dock is more likely to be perceived as a stereotypical 'outsider'. For Rani, the sense that she was an outsider was reinforced by her physical position in the courtroom, with the magistrates looking down at her from the bench.

As Rani suggests in describing the magistrates on her case as 'really old', the vast majority of magistrates in England and Wales are of, or around, retirement age. As of April 2020, only 13% of magistrates were BAME and 82% were aged above 50 (MoJ 2020b). In assessing a case as amateur volunteers, magistrates take a 'common sense' approach, utilising informal, anecdotal knowledge based largely on their own life experiences. Often, embedded within the appeal to common sense, are thinly veiled stereotypes and normative assessments of defendants, which can leave personal biases unchallenged (Phoenix 2010). Young women were often being 'judged' by magistrates very far removed from their own positionality and life experience.

Adele's perspective on court picked up on the contrasting life experiences of magistrates and 'offenders', reflecting upon the wider issues, such as poverty and personal problems, that she believed could lead someone to commit an offence. She felt that court was not a

space where these issues were taken into account, and that magistrates were not well placed to understand the background behind young people's behaviour, explaining, '[magistrates] have to remember that some people do things for a reason which is deeper than what you know'. Adele was alluding to broader structural inequalities that place young people in the context of crime. Van Den Brink's (2021) research with youth court professionals from two magistrates courts in England found that most professionals did not agree that socio-structural inequalities, such as those relating to ethnicity, gender and class, should be taken into account or even be viewed as a mitigating factor when dealing with an individual child from a 'disadvantaged' social group. In fact, professionals could not agree on how these issues should be managed in sentencing.

Despite the intimidating court setting, the maturity level expected of participants did not necessarily correspond with their age. Zahra, who was in her early teens at the time of her court date, described how her nervousness was misread as disrespect. She recalled that little was done to make the setting less daunting:

They must have been reading out [my accuser's] statement, and the judges' faces all dropped ... they looked me up and down, and obviously because I found it really intimidating, I started laughing, because I was nervous, and they stopped – like they stopped the court. They stopped the hearing and [a magistrate] asked us to apologise to her for laughing.

Whilst respect was demanded from young women, participants found that it was not always returned by the adults involved in deciding their case. Young women noted that lawyers and judges did not set good examples of the behaviours expected in court, despite their status as authority figures:

So unprofessional ... one of the lawyers there was talking while the judge was talking. The judge had to tell them to shut up. I don't know it was weird, a really weird experience. (Zahra)

This court case was really confusing ... the case has been adjourned so many times ... the legal aid was just so confusing ... The judge makes you wait for soooo long. Like, the judge isn't even organised. (Rani)

The lack of organisation and professionalism that Rani and Zahra experienced affected their overall impression of the fairness of the process. In a US study by Greene et al. (2010) a cohort of young people were interviewed after their first courtroom appearance, and the courtroom 'atmosphere' was analysed. The researchers found that delays, confusion and lack of professionalism in court affected young people's perspectives on the legitimacy of

the criminal justice system as a whole. In line with this finding, the confusing and unprofessional atmosphere that some of the young women I interviewed experienced in court led them to question the validity of the whole criminal justice process. Adele and Zahra described feeling that they had no voice, that they weren't given a chance to have their say and that their own version of events was overlooked. Zahra explained, 'I didn't have no say ... where's my side of the story?'. This damaged their confidence in the verdict and further embedded their feelings of mistrust and in the system, as Adele illustrates:

What [the victim] wrote and what she said overpowered anything I would ever say, so either way I was in the wrong ... [the magistrates] listened, but because they had to listen.

Weijers (2004) describes the 'general attitude' of judges as crucial to courtroom communication. Complex and subtle issues such as the interest shown in the young person by judges, and whether opportunity is created for a young person's views and their 'story' to be heard in their own words can affect the how well information is communicated between courtroom participants. The lack of engagement from several of my participants around interview questions relating to their court case suggested that for many it was 'going through the motions', and they did not feel that they had a strong stake in the outcome. This has implications for the perceived legitimacy of the process (Greene et al. 2010), and girls' confidence in the fairness of their sentences.

It is important to view these issues in the context of the particular marginality of young women of colour entering the criminal justice system. As noted in chapter 2, they sit in the unique position of being part of an overrepresented demographic, and also one that is often invisible and whose experiences are poorly recognised and understood (Toor 2012, Smee 2016). It is clear from existing research on women of colour in the criminal justice system that their experiences are underpinned by structural inequality, lack of access to justice, distrust in the system and the silencing of their views (Chigwada-Bailey 1997; Toor 2009; HMIP 2009 2010; Edgar 2010; Prison Reform Trust 2010; Cox and Sacks-Jones 2017). My participants were therefore particularly vulnerable to exclusionary and disempowering experiences of court. Their perspectives of court as a confusing environment in which their views and perspectives were not heard are particularly problematic when viewed against this background.

Nonetheless, the fact that some young women did not appear to want to focus heavily on conversations about court could suggest that it did not have as much of an impact on their

lives as other experiences of the criminal justice system. Alternatively, due to their age they may have had difficulty expressing and contextualising what exactly was ‘wrong’ or difficult about their experiences in much depth – in comparison to more confrontational and clear-cut experiences of policing. As above, my methodological approach is relevant here – if participants did not appear to find their court experiences an interesting or pressing topic, then I moved on to talk about other issues, with the aim of accessing experiences and perspectives that were important within their own worldview, and giving them time and space to express their views about what mattered most to them (Kortessluoma et al. 2003, Prior 2016). This was part of the ‘active listening’ approach that I took towards the interviews (DeVault and Gross 2012). I wanted to remain open to participants developing their own narrative and determining what the important issues were in this context, acknowledging, that I was an outsider as a White researcher with no experience of being processed through a youth justice system. Participants were particularly animated in discussions about their experiences of policing, and several were very determined to share their stories and experiences, which are considered in the following sections.

#### 5.4. POLICING EXPERIENCES

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As explained above, experiences of policing were the overwhelming focus of participants’ interview narratives. Conversations often circled back to girls’ views on how police operate both interpersonally and on a wider structural level. Young women shared their experiences of policing at ‘street’ level and their impressions of the police as an agency with significant power over their lives. Experiences of stereotyping by police and criticism of the role of police in perpetuating and acting upon stereotypes emerged as a consistent theme in interviews. Most strikingly, two participants shared experiences of police violence and aggression which had shaped their views on how the police operate.

As expected, participants often explained their experiences of policing in relation to the offence or offences they had been charged with, for example in relation to being arrested and being held at police stations. Equally important, however, were their wider experiences of being policed in everyday life, encountering police scrutiny whilst going about their normal activities with friends, as well as the peripheral influences of family and friends’ negative experiences of police interactions.

Girls' focus on the police above other agencies could be in part ascribed to the fact that they have more frequent or antagonistic interactions with the police, who are on the 'front line' of the criminal and youth justice systems. There was an urgency to several participants' discussion of police and how they felt they were treated by them. These participants wanted to convey the importance of their policing experiences and gave them precedence over considering their relationships with other agencies and professionals.

While three of the young women I interviewed were reluctant to label the police as discriminatory, all participants had a broadly negative view of the police as an agency, expressed a strong lack of trust in the police and felt reluctant to place themselves in situations where they may have to co-operate or interact with police officers. Three participants' experiences were wholly negative; they believed that the police served no positive role in the community. Participants' narratives revealed an overarching sense of disconnection from the perspectives of wider society. Similar to the findings of Sharp and Atherton, my participants had little, if anything, positive to say about the police, and many of their accounts make for 'depressing reading' (Sharp and Atherton 2007: 753).

## POLICE VIOLENCE AND AGGRESSION

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The most disturbing accounts of encounters with the police were those shared by Jade and Larissa, who had both experienced violence and aggression at the hands of police officers. In chapter 2, I discussed the case studies collated by Black feminist scholars who have attempted to document stories of victims of police violence, in order to acknowledge victims and attract public concern. Recent Black Lives Matter activism has brought to light the issue of police violence towards Black women in the UK. Although Black Lives Matter had a strong presence in the UK at the time of my interviews with young women in around 2016, public awareness has undeniably escalated in the intervening years. The most recent upsurge of protests has seen UK activists place a greater emphasis on police racism in Britain. Joseph-Salisbury et al. (2020) note that the prominent positioning of Black British women's stories, alongside the #SayHerName campaign, demonstrates a concerted effort by activists to make visible the suffering of Black women at the hands of British police, which, although rarely acknowledged in wider social discourse, is well understood by those at grassroots level.



Jade and Larissa's stories show that, whilst concerted efforts are being made within activist spaces to highlight the violence directed towards women of colour by the police, girls and young women continue to have traumatic experiences at the hands of police officers.

Reflecting on her own experience, Larissa described an incident of violent abuse which both cemented and intensified her distrust of the police:

A couple of months ago a police officer rammed my head into a car and whacked me in the side of my head with a baton and made me have to go to hospital cause my nose was broken and I had a black eye ... the police officer got hold of my head ... and called me a 'stupid little bitch' and whispered it in my ear. Do you know why they had to come and get me? Because I was reported missing ... I didn't even do anything.

Crenshaw and Ritchie (2015) contend that perceptions of Black women as having less capability to feel pain or shame inform police interactions with them, and these stereotypes persist no matter how vulnerable or in need of assistance they might be.

These harmful perceptions seem to be evident in Larissa's account. Her story conveyed her own feeling of powerlessness, and her ultimate resignation that violent maltreatment at the hands of police was an inevitability:

I knew how it was going to go. There was no other way ... I just had to take it ... I didn't even run ... you just allow it innit? Just let the police be the police – they get what they want, they do what they want, and they think they can treat people the way they want.

Larissa was living under local authority care at the time of her arrest and had been reported missing by care staff. Absconding can be a common survival strategy or coping mechanism for dealing with difficult circumstances, particularly for young women (Wade 2003). The concept of 'Gender entrapment' (Richie 1996, 2003) emphasises the criminalisation of Black women's survival strategies and the logical behaviours they employ as a result of their expected race and gender roles. Here, Larissa's 'running away' resulted in punitive measures. Larissa understood the officers she encountered as part of a wider power structure, with little accountability. She was acutely aware of the dynamics that rendered her, as a young woman with limited financial and social capital, vulnerable to abuse of power:

They're making money off being like the 'heads of the city' ... they can be as horrible as they want to people, they can treat people as wank. They can do whatever the hell they want, do you know what I mean? And they still get paid for that.

The role of the criminal justice system as an oppressive institutional force is reiterated by Ritchie (2017). She asserts that police violence against Black women and women of colour is structural and influenced by entrenched forms of historical oppression. Ritchie describes a net-widening process in which Black girls and girls of colour are disproportionately punished for minor incidents, and in which small challenges to police authority can lead to unjustified use of force. This was certainly evident in Larissa's case, where in fact there was no question that she had committed an offence, and the role of the officers attending was simply to locate her and return her home. According to Larissa's account, her reluctance to return to her care placement was the catalyst that resulted in use of force.

An acute sense of powerlessness and resignation was revealed in young women's accounts of interactions with the police. Larissa's belief that police officers will 'do what they want' was echoed by other participants who relayed experiences of being unable to hold police officers to account, and being forced to acquiesce in situations they felt were unjust. Age is a relevant intersection here. In order to 'complain' young people must negotiate official channels and procedures, and would have difficulty addressing the violence they experienced without the support of an adult advocate. As such, young women did not have the agency in these scenarios that an adult might (Valentine 2011). This is exemplified by Jade's recollection of being involved in a police raid as a young child:

I've had a raid on my house once ... I think I was like year six, so about 12? And that wasn't the best, because I wouldn't leave the room, I remember being dragged by the police officers ... I didn't really understand what was happening ... obviously it was just a family home, we're getting ready for school and suddenly the police burst through the door ... I think if you raid a house where you know kids are there, you shouldn't do it like that.

As discussed in chapter 3, in the context of intersectional oppression, 'power' is an intangible entity that is more productively conceived of as a network of relationships (Collins 2000; Collins and Bilge 2016). It is more complex than merely a dichotomy between the oppressor and oppressed. Indeed, participants employed strategies to resist and challenge police officers' power. Jade described a scenario in which she intervened in a fight in order to help out a friend, and was physically pushed by a responding officer. She responded by pushing back, an act which ultimately resulted in her arrest.

[A police officer] pushed me and said "if you don't get out of here, I'm going to arrest you" but I'm not even hearing – once he's pushed me, I pushed back. And then he sort of went to grab me, and I was just resisting arrest for a while, and

then two men were on me, and then I got pepper sprayed ... they were actually quite bad, really and truly we should have complained.

Jade described her experiences of policing in a conversational way that suggested that these types of aggressive interaction were not shocking or unanticipated for her. She described further experiences which alluded to the gendered nature of the power imbalance between officers and young women. Having been arrested in her early teens, she recalled being told by an officer, 'if you lot don't shut up back there I'm going to lie you down on the floor of the van.' Reflecting on this in more depth, she recalled another situation in which she was sexually harassed by an arresting officer:

I had a really rude man that said he would put his hand down my bra ... he didn't tell us we were getting arrested at this point, and he was just asking us questions to work out who we were ... He said "do you have a phone?", I said "yeah", he said "where is it?" I said "it's in my bra" and he said "if you don't give me it, I'll get it".

Jade was 19 years old with a very minor criminal record, and the majority of these incidents had occurred when she was in her early to mid-teens. Whilst Larissa was only 16 at the time I interviewed her and had previously been involved with youth justice system for several minor offences. As noted above, the incident of serious police violence had occurred in relation to a missing person report, as opposed to a criminal offence. Jade and Larissa's accounts present significant cause for concern, both as disturbing individual cases, and as potential indicators of a much wider problem.

## STEREOTYPING AND NEGATIVE CONSTRUCTIONS OF RACE AND GENDER

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Over the course of my conversations with young women, many described experiences of stereotyping and bias in their treatment by police. Only Rani and Zahra were clear in feeling that they had never been personally stereotyped by police, despite having had several negative experiences of police interactions.

Aisha, Larissa and Leila described most strongly the experience of direct racial stereotyping by police over a sustained period of time, and tended towards the view that interactions with the police would always be inherently biased. In contrast to other participants, these young women were strongly pessimistic about the potential for neutral police interactions and felt that all, or at least the majority, of their personal interactions with police officers contained elements of discrimination or stereotyping. Aisha referred to a large number of

minor interactions that happened predominantly in her own neighbourhood, including stop and searches, which, cumulatively, left her feeling labelled as criminal. She understood this repeated interest from the police to be racially motivated:

I'm not going to say 'everything's racist', but there have been quite a few incidents where I've been stopped by the police ... and I'm like 'what am I being stopped for?' and they're like 'oh we're just checking' ... I'm thinking – you're not just checking everyone, because like 10 people just walked past you and you're stopping me and my friends ... Obviously I was born in Britain, yeah? But that don't really matter to [the police] ... they just care about the colour of your skin.

Similarly, Larissa had experienced an accumulation of repeated interactions with police officers which caused her to feel targeted. In reference to the incident described above, she believed the aggression and violence she experienced at the hands of officers to be a result of racial discrimination, although she was unsure how to put into words the ways in which her treatment was 'different' from how someone else might be treated:

I was treated differently [because of my ethnicity]. I don't understand why, because I wasn't reported for anything big. I was just reported missing, do you know what I mean? So, I were treated different – they discriminated against me.

Although there was no explicit reference to race or gender in the interaction she described, Larissa felt that the disproportionality of the officers' reaction to her behaviour was an indication of racism. Reflecting on the way in which police officers have responded to her across a range of interactions, she later explained, 'if you're a "different" race you're automatically dangerous'.

Adele recalled a sense of unease at being arrested by an officer who she felt had taken a dislike to her, giving her a sense that she was being criminalised before having had the chance to put her story across. She explained, 'you know when you get the feeling that someone doesn't like you, so they'll push for something to happen? That's how I felt with him'. Although she did not feel that there was a direct element of stereotyping in her own case, Adele was nonetheless aware of the need to be cautious around police and mediate her actions in order to avoid negative perceptions. Her advice to other young women interacting with police officers was to 'try to stay positive no matter how rude they are' and not to 'give off a negative vibe or negative attitude' that might cause officers to make assumptions about character. Adele recognised the wider intersectional impact of race and gender stereotypes on her relationship with the police when she remarked upon gender and racial expectations. She described the pressure on girls to be perceived as

feminine, and the additional weight of social perceptions of Black people as angry and aggressive. These influenced the way in which she would present herself to police and other figures of authority (such as teachers); mediating her own behaviour in order to counteract the stereotypes she encountered:

I think people more judge females ... like if they're having a fight or being aggressive ... I think if you're Black you've already got a label as you're more aggressive ... so I think for Black people you have to confine it more, and not be as aggressive cause people really look at you in that way. So you're trying not to be that way.

Adele's comments speak strongly to wider critiques from Black and intersectional feminism of the negative constructs of Black femininity as aggressive and angry, in contrast to White femininity (Collins 2000). Collins' 'controlling' images of Black womanhood express the intersectional oppression faced by Black women encountering agents of social power. Adele had picked up on both traditional gender stereotyping and racialisation in her treatment by police and other figures of authority in her life; describing the ways in which these stereotypes operate to either prohibit or pathologise expressions of anger and aggression.

For Jade, too, there was clear potential when interacting with police for young people to encounter both racial and gender stereotypes. Like Adele, she was nonetheless cautious about labelling all negative experiences of policing as biased. This could be attributed to the girls' age and their knowledge of the language of bias and stereotyping, or perhaps a social reluctance to be seen as victimising themselves or 'playing the race card' (Bloch et al. 2020). Jade had experienced several very negative interactions with police over her life course, but felt that only a small number of them were influenced by her ethnicity or gender, preferring to rationalise other uncomfortable interactions as due to individual officers having a poor attitude or limited training, or being biased against young people more generally. Reflecting on a recent arrest at the scene of a bar fight, she described how she felt stereotyped as the 'aggressor' in the situation when police arrived at the scene, despite being outnumbered by several older and physically larger people present. She described the ethnicity of others at the scene as White, but was cautious about whether to read too much into the racial dynamics of the situation:

I'm like five foot ... you're going to label me as the aggressor?... They should take a minute before they go in and label who they think is wrong and right – because those people really weren't the victims, and he treated them as if they were ... He

didn't take a minute to really work out what was going on, and he didn't treat everyone fairly.

Jade considered numerous reasons as to why she and a young Black male friend at the scene were treated by officers as perpetrators, including the potential that they were stereotyped as 'teenagers causing trouble'. Reflecting more closely on the incident over the course of the interview, she felt that the aggressive behaviour of one particular officer at the scene was likely to have been racially motivated. She explained, 'the older [arresting officer] I feel like he was probably racist – he couldn't stand me'. Jade further reflected on possible intersectional forms of bias in the way some police officers treated her as a Black young woman:

I don't think the [police officer] would have pushed me if it was a White girl. But not because I'm saying he's racist, but because – you see how they all say 'Black girls are rowdy' sort of thing? I feel like once that's stereotyped into someone's head their automatic response is 'oh let me shut this one down before she starts'.

Adele and Jade's comments allude to stereotypes and how they shape both their experiences of policing and their self-presentation when interacting with officers. The stereotyping articulated by both young women is intersectional – reflecting on their specific positionality not just as young women, or as Black young people interacting with police, but as Black young women navigating intersecting gender, race and class expectations (Collins 2000). Jade's deeper reflection on these issues emphasise the powerful operation of intersectional oppression on an implicit or unintentional level (Crenshaw 1989).

Leila held a critical perspective of wider perceptions of young Black women and how these play into treatment by police, and by the criminal justice system as a whole, explaining, 'as a young Black woman, as soon as you do something wrong, you're bad. There's no room for mistakes'. Within her own experience, she felt that her identity as a young Black woman had created an expectation of her as both criminal and as simultaneously influenced or manipulated by more powerful male actors, expressing an intersection of both inherent criminality and suggestibility or compliance:

I feel like gender plays a role in how police perceive you as a Black woman – you're seen as most likely to be involved in crimes on behalf of someone else. When I was arrested, I felt like I was pressurised into giving the names of boys I was with, as if they were the orchestrators.

In considering her experiences of stereotyping, Leila described her broader perspective as influenced by her age and positionality as a 19-year-old woman (at the time of interview) in her first year of university, reflecting on an arrest and caution that happened in her early teens. She described her perspective as one of hindsight. With time, and greater education on the criminal justice system, she had re-conceptualised negative treatment as both racialised and gendered. She described feeling judged and stereotyped by police officers who believed her to have much greater involvement in the offence in question (a minor fight at school) than was the case, and who she believed wanted to charge her with more serious offences:

They were clearly looking for other things to charge me with. They searched me and found a watch and chain in my bag which they accused me of stealing. When my mum arrived, she had to explain that they were gifts, and that I actually owned them ... The girl who told the police was White, I feel that's relevant. Her ethnicity was possibly influential. Everyone else involved was BME, maybe that's why they took a minor offence so seriously.

As in Larissa's case, it was the disproportionality of the police response which caused Leila to feel that stereotyping was a factor in the way she was treated. Her perspective on policing revealed a belief in systemic inequality in interactions between police officers and young women of colour.

#### POLICE INTRUSION INTO EVERYDAY LIFE AND FAMILY LIFE

The majority of young women had experiences of being policed in everyday life, outside of the context of the offence or offences for which they were arrested. Participants were critical of the policing they had been subjected to in everyday contexts within their community, and expressed a sense of resignation about the inevitability of regular police interaction. Over-policing and being targeted by police appeared to be a well-worn, and almost mundane topic for some participants, whose expectation was that police would intervene into their lives in unwanted ways or in situations they felt were inappropriate. Interviews with young women revealed the importance of power dynamics between participants and the criminal justice agencies they interacted with. Within this context the police exert power over young women of colour both structurally, and on an interpersonal level through everyday interactions. Young women occupied a position of particular marginality in this context, as the areas in which girls and their families lived were

predominantly urban and working class – locations that have historically been the focus of increased police presence and attention (Fleetwood and Lea 2022).

A narrative of ‘power’, and how power is wielded and negotiated between officers and those they interact with, was present in many of my interviews with young women both implicitly and explicitly (Collins 2000; Collins and Bilge 2016). Rani and Zahra recounted their experiences, both personal and vicarious, of police actions they felt expressed a misuse or ‘stretch’ of police power which they found unjust:

The police take advantage of the power they have to arrest young people ... and they treat you so unfairly ... they forget that you're human ... they ‘stretch out’ their power. You can use your power and be nice at the same time, but they're just rude. (Rani)

Leila described trying to avoid attention from the police which she felt was inevitable, ‘If you’re BME you keep yourself to yourself, and try not to draw attention from police...I live in a certain area where you come into contact with police a lot, a lot of people have had police involvement’. For Leila, even unremarkable everyday events and normal teenage behaviour could invite police attention:

There have been other events that have happened with the police that I feel like were due to race ... I was in my local area with someone who’s Black, and known to police. We were just hanging out and chatting, and undercover police cars came out of nowhere. They stopped and searched us both. We hadn’t done anything wrong but another friend who was with us got scared and ran – didn’t trust the police. They took our names ...I felt like we were targeted.

Adele similarly described two recent birthday parties, attended by predominantly Black young people and children, where the police arrived and questioned guests:

Two police vans came, and I remember the police officer came up to me and my friends and was like “oh so what are you all doing here then?”... and then more came ... they was just asking questions and making people feel like they had done something wrong when they didn’t ... Most times I’ve been to parties I’ve seen the police pull up ... I went to a 14 year old’s birthday party not too long ago and there was loads of little kids there ... to have the police arrive, it was just a bit mad ... there’s young kids here, why do you need to be here?

These everyday interactions were often as important to participants as those connected to actual offences; to the extent that some participants’ lack of trust in police was largely revealed through accounts of peripheral police involvement in their lives.



All participants had vicarious negative experiences of policing and police misconduct via family and friends, often dating back to early childhood. Jade summarised her own attitudes towards police as environmental – having had family members who had been in trouble with the police, and growing up in a setting that was under police scrutiny:

I think for me the issues with police probably stemmed from childhood, because there was a lot of police involvement ... I think my overall outlook on them would have been set in stone from when I was a kid, so I guess I'm a product of my environment there.

For Aisha, these experiences were an integral part of growing up and went hand in hand with everyday interactions with police while out with friends and siblings. She had picked up on the way in which police differentially prioritised cases and felt there was a racial component to this:

[discussing a White neighbour] Everything he's got to say they always investigate...his dad's dog bit my little brother, who was only 12 at the time, and obviously my brother had to go to A&E for jabs, and the police were called ... my mum and dad were like "what you going to do?" And [the police officer] goes "ah he must have just caught him on a bad day". This was his exact words: "the dog was having a bad day"... What? Because he's of colour you don't want to do anything?

In common with several other participants Aisha's view on her family's treatment by police was that there was no plausible explanation other than racism for why it appeared that their concerns were not taken seriously:

I'm not saying every policeman's racist or nothing. But it just comes to a point like, why else do they not take anything you say into consideration?

Adele described similar family experiences of contact with the police being unhelpful and concerns being ignored. The memory of her grandmother's reaction to an incident in which the police failed to help had stayed with her, and she referred to it as being influential over her own views and perspectives on police at an early stage in her life.

My Nanny called the police [about an intruder] ... and the police said "what colour is he?" and my Nanny said "White" and they never came ... I was so shocked ... I was so scared, I was under the table, but they didn't come. My Nanny was like "if I'd have said he was Black, they would have come".

In a conversation about family and friends' experiences, Eve remembered watching a police chase from her uncle's window. As with Adele, she remembered her uncle's

perspective as influential on her later views, described it as a moment which developed her view of the police:

[Watching a police officer follow suspects into a building] My Uncle said “do you know why he’s gone in there by himself? ... so he can set the police dogs on them, and he can say that they tried to do something” ... because there was no witnesses.

This experience influenced Adele’s current view that police do not always promote justice and do not have the community’s best interests at heart, she explained: ‘obviously police have to believe police’. Over-exposure to police attention can result in lack of trust and confidence in the police (Sharp and Atherton 2007). Girls’ beliefs that police attentions were heavily focused on ethnic minority groups and communities had a significant impact on their perspectives of policing. This influenced how they intended to respond to interactions with police officers in the future, including requests for information or cooperation.

Young women’s experiences of everyday policing, and the insights and influences of family and friends, appeared to have significantly contributed to a lack of trust and an unwillingness to cooperate or engage with the police. A complex range of intersecting factors are relevant in contextualising girls’ views on the police, including race, gender class and location. Age could play a significant role, as trust in the police tends to be weaker amongst young people more generally (Hurst and Frank 2000). It is also worth noting that young people’s level of confidence in the police tends to correspond with the views of their parents, reflecting how a lack of trust in the police can become generationally entrenched in families and communities (Sindall et al, 2017). Young women’s distrust is considered in more depth in the following section.

## LACK OF TRUST

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Young women expressed a strong mistrust of police, and many held extremely critical views on the structural inequality of the criminal justice system. The views of the young women I spoke with reveal a sense of marginality and a mistrust of the police that echoes that of literature on boys and young men of colour, . Yet girls’ narratives contained an intersecting gendered component.

The current research landscape represents a bleak view on young people of colour's experiences of the criminal justice system. As referenced in chapter 2, Home Office data (2018) shows that the percentage of women aged 16 years and over who had confidence in their local police was lowest for Black and 'Mixed' young women at 70% and 71% compared to 77% for White and 79% for Asian women. The Crime Survey England and Wales data confirms that Black and Mixed race young people on the whole have among the lowest rates of confidence in police- among 16 to 24 year olds, a lower percentage of people with Black (61%) and Mixed backgrounds (68%) had confidence in their local police than White people (77%) (ONS 2019). Similarly, a report undertaken by Transition to Adulthood as part of the Lammy review found a general distrust of the criminal justice system among young BAME adults, who had significantly less trust in the system than their White counterparts. In common with many of my participants, this distrust tended to develop from childhood, when young people began to feel that police did not serve their interests (T2A 2019).

A US based study (Hurst et al. 2005) discovered a widespread lack of support for the police among girls in general. African American girls were significantly less likely to like, trust, or be satisfied with police than White girls. Interestingly Black young women were also significantly more likely than White young women to hear about negative experiences of policing or police misconduct via third parties, or to witness misconduct towards others. These findings are consistent with the views of the young women I interviewed.

Conversations with all participants revealed a sense of disconnection or detachment from the police as an agency. Girls felt that police were to varying degrees unable or unfit to provide support and assistance to themselves and their local communities. Unanimously, they did not view the police as an agency they could rely upon in an emergency. This sense of disconnection tended to arise from their own personal experiences as well as those of family and friends, via whom they had witnessed negative encounters with police, or had discussed negative policing experiences. For several participants this belief was expressed strongly and emotively. This is illustrated by Larissa's remarks:

I hate them. I can't have respect for them ... I just don't like them, and I don't like the way they do things ... do you know I feel more safe around criminals than I do the police? Because they're dodgy, and they can get away with whatever they want.

For Rani, Adele and Zahra there was a sense that the widely perceived role of the police, from an outsider's perspective is as an agency which helps and supports the community. This was a perception they did not identify with. Zahra said 'I don't see how they're helping the community' while Adele explained, 'I don't really trust the police ... they say they're there to help people but they're not really helping people as much as they could be. 'In sharing her own view, Rani distinguished between myself as the interviewer (White, professional/academic and older) and what she believed my likely view of the police to be, and her own perspective young Bangladeshi woman who had experience of being in trouble with police:

You [referring to interviewer] probably think the police help the community and stuff ... you know how elders, adults and stuff, they think that it's the police's job to help the community from criminals and stuff and bad things from happening? But they don't understand what the criminals go through. What they go through to be at that point, or what they go through after it – they just judge.

Aisha's view reflected a change in her perception of the police over time, from a childhood acceptance of the role of the police as positive. She explained 'I just never really liked them to be honest, like when you're little you get told "police are there to help people" ... but then you start seeing things' indicating that her view evolved as she started to become more aware of the actions of police within her community and build her own experiences of policing.

Participants' narratives expressed a sense of detachment from what they knew to be the wider public perception of the police as an agency, and from their public image as a force for good in the community. They shared knowledge gained through experiences of policing, both personal and vicarious, which contradicted the notion of the police as a supportive agency. Connected to this view, for several young women was the view that White people were more likely to be treated fairly by police. Both Eve and Aisha were explicit in feeling that interactions with police would be easier for White people:

Claire: Do you think someone that's White is more likely to be treated...

Eve: Better?

Claire: Yeah. Do you?

Eve: [Nods]

Claire: So do you feel like White people get treated differently?

Aisha: Definitely, definitely - oh my god yeah definitely, yeah, they get treated so much better. They've got that White privilege ... yeah - I can't lie. They do

This perspective speaks to the innately oppressive nature of the criminal justice setting, and reflects the findings of Owens' (2010) research with ethnic minority women going through the resettlement process. Every participant interviewed by Owens expressed the view their resettlement journey was harder than for than White women because of discriminatory treatment throughout the criminal justice process. Not all of my participants expressed this view directly, and some were more reticent about whether racism had influenced all aspects of their youth justice experience. For example, Jade was again more cautious and felt that the potential for racist or discriminatory treatment would vary with each interaction:

I feel like it depends on personal prejudice. Obviously racism does exist, I feel like that's obvious, but I feel like it genuinely does depend on the person ... I do believe that there are some police who would be like "oh there's a Black kid and a White kid there, [the Black kid] is probably more trouble".

Jade conceptualised incidents of police racism individual level prejudice rather than an issue with the system as a whole, however the stereotype she refers to above is the clearly the product of structural racism that associates Blackness with 'trouble' and criminality (Hall 1978, Gilroy 1987, Phillips et al. 2020).

For all participants their sense of distrust in the police as an agency was expressed most notably in their reluctance to contact the police in the case of an emergency. All participants explained that they would avoid calling the police if they witnessed a crime, unless the situation was very serious. Participants' narratives expressed the view that the police intrude into their everyday lives, but are not available to protect them or their peers in difficult or dangerous situations:

I think someone would have to pull a weapon out or get killed for me to call the police. (Adele)

If someone was murdered I'd call the ambulance – then I'd be like 'I've got to go man!' ... only reason I'd ever call the police is if I saw someone get raped or something like that, in front of my eyes. But other than that, no way' (Aisha)

Young women gave various connected reasons for this. Rani was reluctant to involve herself in any situation which might bring her back to the attention of the police, for example where she might have to make a statement, as she was concerned about creating more legal issues for herself, or being implicated in offences that she was not involved in:

I wouldn't [call the police] ... I think if I saw someone get stabbed, I'd call the ambulance ... in general, I don't want to make statements to the police. I just want that person to get help, that's it. I don't want to give a statement or anything.

The reluctance of participants to contact the police for help even in extreme situations indicates a level of deliberate preparation or strategising on the part of young women in response to their deeply held beliefs that the police would not assist them. The creation of personal strategies to exclude the police is something that is reflected in Sharp and Atherton's (2007) research in which young Black respondents described strategies to circumvent police racism by dealing with crime and victimisation on their own terms and within their own communities. Leila and Larissa discussed their lack of faith that the police would do anything to help them in a situation where they might have been victimised or need support, and their desire to find alternative strategies and routes. For Leila this was related to her childhood experiences of being targeted by police as a suspect:

[My criminal justice experience] has affected how I see the police. I wouldn't speak to them if something happened; they wouldn't do anything. It's hard to be specific but I don't think they would take my case seriously.

Larissa reflected on her experience of making a complaint to the police after her violent arrest. She explained that she would now only contact the police to make a complaint about their conduct, however she was sceptical about her ability to achieve justice even through these means. Like Leila, she felt that she was not considered a priority:

Only time I would call police is if I'm being spiteful and a police officer's done something to me and I'm reporting it. But I think after what I did last time, when I did report ... I don't know why I should do it again, because it's like they don't prioritise it as much as they should do, as they do with everyone else ... there's nothing you can do to get them in trouble.

Similarly, Aisha did not feel inclined to support police investigations with information:

They just hate us, so we hate them. And when they ask us have we seen anything, we say no, because like, why are we going to do your job for you?... If we ever had anything worthwhile you wouldn't try and investigate ... I'm not going to snitch on anyone.

Tyler et al. (2014) describe encounters between police officers and citizens as 'teachable moments' which communicate information about the respective statuses of those involved, the relationships between them, and their positions within wider social structures. According to Bradford (2015) experiences of injustice at the hands of the police can serve to damage feelings of 'belonging'. On the other hand procedurally just

encounters can engender feelings of belonging and being 'on the same side'. In positive encounters, trustworthiness and a sense of shared group membership is communicated, whilst unfair treatment raises questions of whether race, gender, age or other identity markers have influenced treatment. The information that young women had received from their encounters with police had in many cases communicated to them that they were not on the 'same side', did not belong and had been assigned to a category less worthy of support and assistance. For many, police were thus perceived as an oppressive force, capitalising on their own social and structural power (Collins 2000).

This deep lack of trust and confidence in the police appeared to be felt by South Asian participants as much as it was by Black and Mixed race participants. Girls' responses emphasise that if research and policy is consistently focused on boys and men, then young women's reactions and relationships to police are not adequately addressed. The police rely upon the support and cooperation of the public in order to perform their role adequately – lack of confidence in their service significantly inhibits this ability (Sharp and Atherton 2007). More worryingly, girls' distrust leaves them isolated, with no formal, external agency to rely upon in situations where they are vulnerable or victimised.

## 5.5. CONCLUSIONS

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In this chapter I have shared data from my interviews with girls and young women of colour who had been involved with the youth justice system. Findings revealed that young women had somewhat mixed views on their relationships with youth justice workers, and an overall negative impression of the court process. Their highly critical perspectives on the police were the overriding focus of this chapter. Key themes in girls' narratives were distrust of police, intrusive everyday policing, experiences of stereotyping, and police violence. Many young women felt that they had been mistreated by the police because of their ethnicity, and that police attitudes were unhelpful and at times discriminatory. Participants' accounts were critical and reflective about the structural factors that influenced their treatment. Girls' critiques of police power were broader than just complaints based on individual interactions, but were critical of how police used their power in ways that appeared unjust.

Girls' accounts of the violence they experienced through their interactions with the police should present significant cause for concern, especially for those working within the youth justice system itself. Their stories speak to the hidden nature of violence of British police towards girls and young women of colour, in particular, Black girls (Chigwada-Bailey 1997, Joseph-Salisbury 2020). Larissa's account of severe violence by a police officer, which left her hospitalised, recalls some of the case studies presented by Chigwada-Bailey (1997) and the accounts of violence against Black women by police officers in the US that were discussed in chapter 2 (Richie 2003, 2012; Crenshaw and Ritchie 2015, Ritchie 2017). These accounts are at the extreme end of the policing experiences shared by girls and young women in interviews. However, on the continuum of violence, the seemingly lesser incidents of harmful policing are structurally connected to the more serious forms of police violence (Collins 2000, Collins and Bilge 2016, Ritchie 2017). The same oppressive dynamics which enabled the violence towards Larissa, also affected other young women in complex ways – for example, in their experiences of policing that pervaded the routine and everyday aspects of their lives.

Leila's recollection of being abruptly arrested for a minor offence in the school canteen represented a traumatic and humiliating experience which still affected her several years after the incident occurred. Studying at university at the time we spoke, she described how coming to terms with the disconnect between her past experiences and new life as a student had affected her sense of self – making her more wary. These more insidious incidents of stereotyping and mistreatment shared by young women were less explicit as examples of violence, but nonetheless left a lasting impression on young women that could reach into adulthood.

The lack of attention to the needs or experiences of girls of colour within the youth justice context was counteracted by highly normalised experiences of police presence in their lives and neighbourhoods. Repeated 'everyday' experiences left young women feeling targeted and distrustful. For example, Adele's repeated experiences of police officers disrupting her everyday life normalised negative and unwanted police interaction. Despite their frequent presence in her life, Adele, in common with all young women participants, did not feel able to contact the police for help. These findings suggest a need for greater understanding of the ways girls of colour are policed, and the need for reappraisal of police practice.



Girls' narratives reflect the intersectional scholarship in this area, which connects the individual experiences of girls and women of colour with broader structures of oppression. The power of the criminal justice system as a disciplinary, or institutional, force of oppression (Collins 2000, Collins and Bilge 2016, Richie 2012) came through in young women's discussion of police misuse of power and status, and in their sense that they lacked the access to justice afforded to White people (Richie 2012, Cox and Sacks-Jones 2017). Participants' complaints of stereotyping and discrimination echoed the experiences of older women of colour at different stages of the criminal justice system (Chigwada-Bailey 1997, Edgar 2010, Owens 2010), particularly in terms of the permeation of experiences of discrimination and mistreatment into girls' wider lives (Owens 2010) and their lack of faith in the system to be able to help and support them (Edgar 2010).

These findings express the importance of taking into account the perspectives of girls and young women of colour in this context. Although based on data from a small group, they indicate key areas of concern that warrant attention and further exploration. The next chapter shares the findings of my interviews with professionals. This chapter reveals a significant contrast between the experiences of young women and the perspectives of the youth justice professionals who work with them. My findings show that many professionals often had starkly different perspectives from girls and young women of colour on issues of racism, discrimination and attitudes towards the way police operate.

## 6. PROFESSIONAL PERSPECTIVES ON RACE, GENDER AND WORKING WITH GIRLS OF COLOUR

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### 6.1. INTRODUCTION

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This chapter shares findings from my interviews with professionals working within youth justice services. Here, I consider professional perspectives on race and gender, and the perpetuation of common race and gender stereotypes by youth justice professionals in their work with young people. I examine the approaches taken by professionals in working with girls and young women of colour and explore how these interact with some of the existing research on ‘colourblind’ approaches and the use of ‘cultural competence’ frameworks. Finally, I explore more intersectional modes of working described by professionals, and the potential benefits of, and barriers to, moving towards intersectional approaches in the field of youth justice work.

One of the most striking aspects of my findings is the absence of in-depth discussion or narrative around young women of colour in youth justice. Having consented to the interview on the basis that working with girls and young women would form a key component of the conversation, many youth justice workers were unable to reflect on any nuances around working with girls of colour. When prompted they tended to deal with race and gender as discrete topics, often in a way that was quite detached from their own work. Professionals were particularly reluctant to speculate, or to think in the abstract about the particular needs of young women of colour. Indeed, they tended to feel more comfortable reflecting on limited anecdotal experiences with past clients. Therefore, in much of the data shared in this chapter, participants are referring to ‘girls’ as a broad group or discussing race from an implicitly male perspective, which served to amplify the invisibility of young women of colour.

## 6.2. PERVASIVE STEREOTYPES IN PROFESSIONAL NARRATIVES

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### ANGER, AGGRESSION AND 'STRONG BLACK WOMEN'

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Several professionals described individual girls they had worked with as angry or aggressive; this was a particular theme when discussing Black and mixed-race young women. The stereotypes employed evoke the (primarily US-focused) scholarship on the stereotyping of Black women as angry, aggressive or domineering, which has its roots in colonialism, White supremacy and historical oppression (hooks 1987, Collins 2000, Collins and Bilge 2016). Collins (2000) and hooks (1981) detail stereotypes such as that of the 'matriarch' who has aggressive and masculine qualities and the 'strong Black woman' who is expected to be resilient, showing no vulnerabilities. Black feminist scholars revealed how these images, rooted in inextricably linked racial and gender norms, served to both perpetuate and validate the oppression of Black women. Devlin's (1998) research brings these stereotypical constructions into a British context. In her study (referenced in chapter 2), Devlin found that British Black women prisoners were often described as physically strong, violent or difficult to control. Male prison officers were also likely to view Black women as loud or noisy.

Although professionals in my research may not have been aware that they were endorsing this narrative, in doing so they were perpetuating a stereotype that contributes to the oppression of Black girls and women. Daniel referred to a young woman he had worked with as 'very standoffish, very aggressive'. While Elaine described a young woman in terms that implied aggression, 'She had a terrible, terrible temper on her when she came to me at 15, you know, throwing things at you and really terrible temper'. Louisa had a similar recollection of a young woman she had worked with:

She's quite angry, she does struggle to control her temper – and it's really difficult for me to say whether any of that is linked to experiences to do with ethnicity or culture or just kind of general experiences.

Linked to the narrative about 'aggression' was the notion of the 'strength' or strong personalities of Black girls and young women. Jane and Anika both attributed these types of behaviour to the influence of female familial role models. Describing a young Black woman she had recently worked with, Jane explained, 'her presentation very much mirrored her mother who was Afro-Caribbean – loud, very outgoing, in your face'. Anika reflected more broadly on Black clients she had encountered:

I don't want to stereotype, but I think for them it's kind of like, their male role models and their relationships – their understanding of like, what it is to be a strong woman ... I think for Black BME girls there's normally kind of a strong female role model that they're kind of modelled on whether it's a grandmother or an aunt there's, I mean they've got this strength which kind of comes through.

A small number of participants discussed the ways in which these stereotypes might influence young women's self-perception and had considered how they might confront stereotypes in their professional work with clients; for example, through exploring personal identity and self-presentation. For Jane, a case manager who identified as British African, this took the form of challenging the behaviour of a young woman who she believed to be performing or perpetuating a stereotype of people of colour as loud and aggressive which she was keen to make her client aware of, and encourage her to move away from.

She came across as really aggressive ... one of the things she often said was "yeah but I'm this way and this is how BME people are" and it's like – no, we don't need to be that way. That's a stereotype but we don't need to live that.

For Jane, the challenge was encouraging the young woman in question to adapt her behaviour by seeing it through the eyes of wider society, rather than to encourage her to explore or question the structural origins of the stereotype itself. In approaching the issue this way, she may have been unintentionally reinforcing a negative stereotype that centres typically 'White' forms of self-expression as the norm. Research on stereotype absorption indicates that racism can be internalised in ways that damage self-confidence, causing those from ethnic minority groups to tacitly adopt and endorse the oppressive ideals and norms of the dominant group, which designate them as inferior (see for example Kao 2000, Speight 2007).

Another professional participant, Laura, a White British case worker, described an experience of working with a young Black woman who identified positively as both 'strong' and 'feisty', expressing this as both a firm aspect of her identity and 'a front' she felt obliged to maintain. Laura was interested in the connection between her client's ethnicity and her self-perception but did not venture to explore the topic in depth, and seemed uncertain whether to interpret this form of self-identity as positive:

She did a bit of identity work with her previous case worker...and one of the things she identified was that she's sort of a strong, feisty Black woman – and she feels that she has to put up that front, that's how she is, and the fact that she's

identified her race in there and her as being quite feisty, she sort of feels those two things go hand in hand which is interesting.

Donovan and West's (2014) research frames the 'Strong Black Woman' stereotype as a deceptive positive endorsement of Black women's resilience. The authors suggest that, whilst appearing to provide Black women with protection, moderate or high personal endorsement of this stereotype can have a detrimental impact on Black women's mental health. Only two participants went so far as to reflect more deeply on this subject in their discussion of young women's self-presentation. Both Anika, a British Asian case worker, and Emily, a Black British former case worker, proposed that stereotypes can be reflected in the actual behaviour of young women of colour in the sense that they are absorbed and become self-fulfilling. These participants proposed that perhaps young women find it easier to fit the mould than to try to defy the negative perceptions that they encounter from wider society:

There's this perception that they have, I don't know if it's their own perception of themselves or society's perception, that they're hard and aggressive and they're feisty... And I don't know if that becomes a self-fulfilling prophecy. (Anika)

I think as a BME person, as a Black person, as a Black woman you know, you're perceived in a certain way. You're perceived as aggressive, you're perceived as violent and sometimes it's easier to be that than it is to be something else. (Emily)

This level of deeper reflection about the structural position of young women of colour in society was on the whole rare for participants, but revealed an understanding of intersectionality and a willingness to have open conversations about identity and positionality.

#### YOUNG SOUTH ASIAN WOMEN – CULTURE AND 'VULNERABILITY'

When discussing young South Asian women, participants were less likely to focus on their aggression or 'strength' and much more likely to focus on cultural and familial issues as a touch point for discussion of offending pathways and behaviours. South Asian young women appeared to be more commonly viewed as vulnerable and as subject to a culture that is conservative and at times oppressive. Various authors have discussed the representation in public discourse of South Asian culture as male-dominated and oppressive (Alexander, 2000, Shain, 2000, Crozier 2009) and Muslim women as products of this culture, meaning they can only be viewed through a cultural and familial lens (Brah

1993). Some of these narratives were present in professional comments about working with South Asian young women. This fed into a wider narrative about the vulnerability of young South Asian women, and the need for safeguarding.

This is illustrated by comments made by Syed, a South Asian Out of court worker. Syed discussed feeling sympathetic towards a South Asian young woman who he had worked with, feeling that she was misinterpreted as being violent, when in fact her actions were a way of expressing frustration. Syed was from a similar cultural background to his client and did not discuss South Asian or Muslim 'culture' as problematic, but did seem to perceive the young women he was working with as inherently vulnerable. This was at odds with comments from workers about the aggressive behaviour of Black young women – who appeared to be given less leeway. In this case an act of anger and aggression was minimised by Syed as both 'a hissy fit' and 'understandable':

She was Asian, Bengali girl ... she'd be about 14/15 years old. Her offence was she threatened to stab mum, with a knife. Unfortunately it was taken out of context and speaking to the girl, and asking her what happened ... she wasn't threatening mum, she wasn't gonna stab mum, she was just angry. She was in the kitchen, the knives were easily accessible and she was just stabbing the table. So mum took that as a threat...mum said nah, she can't go shopping and she had a hissy fit and she got the knife out. She was just frustrated stabbing the table ... which is understandable.

As opposed to having 'strong' or aggressive female role models, as some participants identified for Black young women, professionals tended to describe South Asian young women's family members as overbearing, strict and culturally 'other'. Paul, a Mixed race (White/Black Caribbean) worker described how sympathetic he was towards a young Mixed race Asian woman he was working with, implying that her offending behaviour could be influenced by the cultural pressures she experiences in her family life.

Working with a girl who is Mixed race, and her mum is Pakistani Muslim and her dad White, and I remember some of the conversations we'd have about expectations for her from her mum and her mum's side of the family and what she actually wanted to do, how she wants to spend time with her friends and how she got involved in some quite nasty violent offences. But her mum was quite restrictive in you know, what she could do, what she could wear etc. so she'd literally leave the house, have a change of clothes in her bag, come into YJS (youth justice service) and change into those clothes. So she'd got two different personas you know? ... and then throw in somebody calling you a racist name, and you've had a morning from hell, and I'm not suggesting it's right to then assault somebody...

Although Paul was expressing empathy for his client, the idea of being 'stuck in between' two cultures, and having to move between the oppressive home environment and the more liberal external environment is widely acknowledged as a stereotype which denies South Asian young women agency and pathologises the South Asian family.

Indeed, South Asian, and particularly Muslim culture, often discussed synonymously by professionals, is viewed as 'backward' in comparison to the greater freedom of wider Western culture (Shain 2000). Young Muslim women are seen as caught between the two cultures – simultaneously part of a regressive culture, and representing its failures and faults (Alexander 2004, Dwyer 2008). For example, while Paul expressed sympathy with the difficulty of adapting to meet different dress codes, which for him represented a lack of agency, Hamzeh (2011) frames the adaptation of dress in public places by young Muslim women as a strategic mode of expressing agency and challenging preconceptions.

Olivia and Gareth discussed safeguarding issues, with Gareth implying that domestic abuse was more of a problem for South Asian young women than for Black women. This gave a sense of a perceived greater level vulnerability of South Asian young women, when compared to Black and Mixed race young women:

I think what tends to happen, especially within [the local area] within the Bangladeshi community so boy and a girl in the same family will experience the same issues – so say it's domestic abuse – um but boys are given culturally a lot more freedom to leave the house, to escape it ... but if the girl starts doing that she's suddenly bad, she's beyond parental control. So the issues they experience might be similar, but the way its responded to could be different ... so there's a lot more stigma. (Olivia)

Particularly if we're working with Muslim girls, just from what I can recall, issues around domestic violence, their feelings of kind of feeling very, very unsafe ... with Black girls, um, there are obviously safety issues. But it's kind of, it doesn't present itself as an immediate risk often. You know, obviously we do work around, who you're hanging about with, where you're going, keeping safe, but it's not like a real high-risk emergency as it often is when we work with Muslim girls. (Gareth)

Professionals often focused on religion in sharing their perspectives of working with South Asian young women, and at times seemed to conflate 'South Asian' and 'Muslim'. This could be explained in part by the demographics of the areas in which the teams were located – one in particular was located in an area with a large Bangladeshi community and many members of staff were practising Muslims. It could also reflect a homogenisation of

South Asian ethnicities through using 'Asian' and 'Muslim' interchangeably (something discussed by Parmar [2013]).

The South Asian community local to their area was described by both Christine and Olivia as possibly 'collusive', in that information about a young person's involvement in the youth justice system could spread quickly through what they perceived to be closely connected networks. Olivia commented, 'we might get a Bangladeshi young person come in and say 'I want a White worker' because they feel that community might be collusive'. The use of the phrase suggests deception or manipulative behaviour. Alexander (2004) explains that South Asian, and particularly Muslim communities, are viewed as problematic within a modern national setting, and implicitly incompatible with it. Culture then becomes an obstacle or a problem to overcome, rather than a resource with potential positive qualities. In this case, the potentially positive notion of a 'close knit' community was conceived of as problematic:

It can also be quite collusive, and they can do a lot of like "well you know, because we're the same in that way" and that's not very useful and I think sometimes then the young people where they don't get on with their parents or they think their parents are too strict or whatever, if they see that in you, because you're of the same ethnicity I think that can also cause problems. (Christine)

Although most of the stereotypical narratives around South Asian culture were deployed by non-South Asian professionals, there was still evidence that South Asian workers could themselves fail to see beyond 'culture' when it came to working with young South Asian women. This approach did not allow for any notion of personal agency outside of the bounds of culture and family. For example, Syed recounted a situation in which a former client was experiencing mental health difficulties and self-harming, framing the young woman's experiences largely as a deviation from cultural norms:

I found out that she was self-harming – so she was literally cutting her hands ... and it was a shock I was thinking 'why are you cutting yourself?' The reason why it was a shock to me, is it was the first time I've heard of an Asian young girl self-harming ... since I've been working here, I've heard about other girls – White girls or Black girls, not really with Asian girls because they tend to have a culture behind it saying, you don't really do it because culture is embedded in you where you don't self-harm ... one of the things Asians try and instil in kids straight away is respect and boundaries, and once that's gone out the window, then that's when you realise that the parents have lost control.

Notably, professionals often conceptualised South Asian and Muslim families as excessively disciplinary and punitive in their perceived imposition of strict cultural and



patriarchal norms onto girls. Toor (2009) explains that there are dynamics within Asian cultures rooted in the concepts of honour and shame ('izzat' and 'sharam') which impose moral regulation onto Asian women, and which are indeed grounded in patriarchal notions, constricting the activities of Asian girls. However, in conceptualising South Asian family dynamics as strict, punitive and thereby regressive, professionals appear to overlook the fact that they too are form part of a punitive structure which seeks to impose norms onto young women, to restrict their behaviour and require that they comply with strict rules.

This indicates a gap in professional understandings of their own role in the lives of South Asian young women. Toor (2009) explains that South Asian girls are often subject to 'double punishment' in that they are expected to adhere simultaneously to measures imposed by both the youth justice system and their families and communities. Professionals' conceptualisation of South Asian cultural norms as a negative influence on girls' lives positioned their own rules and norms in opposition, as inherently positive and welfare driven. In reality, they are key actors in the 'punishment' of young people, despite having their own welfare orientated goals (Ilan 2010, Morris 2015).

The overall impression of South Asian young women as inextricable from their cultural and familial backgrounds had the effect of infantilising these young women and denying them their own agency. Whilst Black young women were sometimes described in a manner which suggested limited vulnerability, South Asian girls tended to be framed as lacking agency relative to White and Black girls. This is a phenomenon that is present in wider discourse, including policy discourse in relation to Muslim girls, in which they are constructed as pathological victims of culture in relation to their familial and religious practices (Safia Mirza and Meetoo 2018).

The tendency to see South Asian girls as a product of cultural norms gave the impression that they were poorly understood by professionals, and were not fully 'visible' as individuals in their own right. The focus on the vulnerability of South Asian young women aligns with wider, historically situated notions of childhood as a 'vulnerable' time (Ellis 2018). In this sense young South Asian women were viewed through the restrictive lens of childhood, and discussed in ways that implied they lacked agency. Conversely Black and Mixed race young women were discussed in language that attributed them a high degree

of agency, and reflected a more adult-like perception (Epstein et al. 2017). As such, the young women's age interacted in complex ways with subjectivities of race and gender.

### 6.3. GIRLS AS MORE EMOTIONAL AND CHALLENGING

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One of the significant themes to emerge from my research was the notion that girls are 'harder to work with'. Almost all participants noted that this was common perception amongst youth justice workers, whether or not they themselves subscribed to it. Many participants strongly advocated this belief, for example Anika explained, 'I always say I would rather have two boys than one girl. Because girls are like, they're more draining.' Whilst Amir commented, 'I find it easier to work with the boys than girls. They seem to be more needy. They seem to have issues with other girls'.

Some participants noted that informal conversations about the challenges of working with girls were common amongst colleagues, and whilst they personally enjoyed or preferred working with girls they were aware of numerous colleagues who found it challenging.<sup>20</sup> For example, Olivia commented, 'It's weird – even female members of staff you will hear people say like 'I would take 10 boys over one girl' because girls are harder work'. Whilst Ali recalled working with a colleague who insisted that girls were not allocated to his caseload:

We had a member of staff who was terrified of working with girls: "oh I don't want any girls, I don't want any girls" and that was a male, because he felt uncomfortable.

Participants suggested this viewpoint may stem from the low number of young women within the youth justice system compared to young men, and the challenge of adapting existing working methods to fit girls' needs. Most professionals felt that girls were very distinct from boys in terms of their behaviour and needs, which fuelled the perception that they were more challenging. It was felt that adaptations or changes would need to be made to accommodate girls, and perhaps different activities and resources used, although professionals were often vague about what these changes would look like in practice. Kate explained, 'If you're used to working with boys and all of a sudden you get a girl, it's kind of

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<sup>20</sup> These were discussions I also witnessed informally on several occasions whilst conducting my fieldwork within youth justice settings.

hard to change the way you're working'. Gareth confirmed that he would usually 'work differently' with girls. He explained that their limited numbers meant that this could be a challenging break from normal working routine:

When you're working with a girl you understand that you need to work differently. And it's something that you're not – just simply you're not used to because they don't come through the doors very often.

Several pieces of research have observed that criminal justice professionals often interpret girls as more 'difficult' to work with than boys, because they have more complex problems and needs, or are more emotionally expressive and exhibit more unpredictable behaviours. As discussed in chapter 2, this has been a theme within research on girls for a number of years (Gelsthorpe and Worrall 2009). Researchers note professionals' propensity to construct girls as dramatic, carrying emotional 'baggage' and demanding more attention than boys (Baines and Alder 1996, Sharpe 2009).

The tendency of professionals to construct girls' emotional behaviour as challenging and 'difficult' designates boys' behaviour and coping mechanisms as the norm. It also suggests a possible double standard (Gelsthorpe and Worrall 2009), in that emotional presentations of anger and frustration that would seem reasonable or expected from boys are deemed excessive in girls (Baines and Alder 1996). Often these professional perspectives suggest a deep commitment to gender norms, reflecting the tendency to hold girls to a higher account (Gelsthorpe and Worrall 2009). They also suggest an individualisation of girls' experiences, attributing their challenging behaviour to internal or psychological causes, as opposed to the structural inequalities associated with race, class, gender or age (Sharpe 2009).

In my own interviews, this approach was evident in professionals' stereotyping of girls as over-emotional and challenging. Whilst often sympathetic to girls' needs, professional discourse nonetheless served to pathologise girls' emotional responses to their circumstances. Girls were described variously as more emotional than boys, more willing to disclose information about themselves, requesting a higher level of support and having more visible welfare needs. This was frequently framed by professionals as problematic, as opposed to a valid form of self-expression:

I know what boys tend to do, I know what they're doing, and I know what each one of them thinks. But for a girl I can't really say that because their thinking and behaviour can sometimes be quite drastic. (Syed)

They've built up that trust and they just want to get it off their chest, it becomes like a therapeutic session for them, but for me it's like 'okay too much information'. (Ali)

You might have a boy coming in and underneath everything they might be quite, I don't know, upset ... gone through trauma and stuff like that, but they don't really present it. Whereas girls will be kind of, I don't know, they can be overemotional I suppose in some ways. (Kate)

The perception of girls as more emotionally expressive and demanding was evident both in participants who enjoyed working with girls, and with those who did not. It corresponds with more stereotypical gendered perceptions of girls' behaviour in which traditionally 'masculine' (emotionally guarded or un-emotive) responses are seen as the normative standard – any emotional display in excess of this being cast as 'over the top' (Worrall 1990, Gelsthorpe and Worrall 2009). Where girls exhibit more typically masculine behaviour and seek to portray themselves as 'tough' this can be perceived as inauthentic and abnormal for their gender (Gaarder et al. 2004).

In part because of their perception of girls as more emotionally expressive, professionals felt that girls' welfare needs could be prioritised more readily than boys'. Some participants felt that both the courts and case workers themselves could at times give more consideration to therapeutic work and consider background issues in more depth for girls than for boys, which they suggested was inequitable:

We kind of treat girls with therapeutic stuff, so it's 'oh let's get mental health workers involved, and maybe she's suffered this trauma' or whatever, and when it's a boy it's like 'well he shouldn't be doing that', we don't think about the trauma and you know, other stuff that's gone on previous. (Kate)

The courts seem to be more sympathetic towards them and their needs, especially if it's a first offence. I would say so yeah, very much so ... whether it's a DJ (District Judge) or magistrates, they do focus on their welfare. (Jane)

This view leans towards the 'chivalry' proposition (Anderson 1976) which holds that women and girls receive favourable or sympathetic treatment by criminal justice agents, who perceive them as vulnerable and in need of protection, as opposed to morally culpable. There is a small amount of research supporting the notion that girls can fare better at the sentencing stage than boys (e.g., Moulds 1978, Hedderman and Gelsthorpe 1997 – although with qualification that wider context should be considered). However, later research has widely discredited the notion that girls receive favourable treatment, revealing a criminal justice system in which girls' and women's welfare needs are either

ignored or criminalised and in which discriminatory and gender-stereotypical attitudes are still present (see for example Chesney-Lind 1989, McCorkel 2003, Sharpe and Gelsthorpe 2009). Girls with high welfare needs who are exhibiting 'problem' behaviours may be drawn into the youth justice system by the same token (Gelsthorpe and Worrall 2009).

The All-Party Parliamentary Group on women in the penal system (Howard League 2012) expressed concerns that girls' welfare needs are being confused with risk of offending, whilst Sharpe (2009) found that girls were entering the youth justice system as 'at risk' when in fact they had welfare-orientated needs which could not be adequately dealt with elsewhere. Girls may present as more emotional due to greater disadvantage in terms of traumatic experience, for example the Prison Reform Trust (2010) study, described in chapter 2 above, found that girls seem to be more disadvantaged than boys, particularly in terms of the prevalence of having witnessed domestic and substance misuse by parents.

Professional attitudes also minimised the importance of race in girls' treatment by the criminal justice system. A few participants felt quite strongly that young women could be treated more harshly by courts, particularly if they did not conform to feminine stereotypes, for example if their crime was violent. However, most of these participants avoided discussing the relevance of race to this phenomenon, or indeed any reflection on other relevant intersections such as social class (Sharpe 2009).

Miller's (1996) research found that probation officers' perceptions of girls were influenced by racial bias – paternalistic frameworks were used to explain the behaviour of White and Latina girls, but punitive constructs were more likely to be used in relation to Black girls. Hegemonic cultural norms come into play, as behaviour seen as 'good' feminine behaviour in White British culture may not correspond with gender norms in other cultural contexts. As discussed above, participants interpreted some of their Black female clients' behaviours as angry and aggressive and noted that they often presented as 'strong' as opposed to 'vulnerable', but did not reflect on how these presentations might influence their treatment in the wider criminal justice system, or their access to justice. However, the racialised component of feminine stereotypes mean that Black women who offend are often perceived as less stereotypically feminine than their White counterparts (Chigwada-Bailey 1997), suggesting that Black girls may not be afforded the same welfare-orientated treatment that participants believed was prioritised for girls.

## 6.4. COLOURBLIND APPROACHES

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### COLOURBLINDNESS AND INVISIBILITY

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‘Colourblindness’<sup>21</sup> can manifest as the ‘acceptable’ face of modern racism, in which race is obscured and racial inequality perceived as historic, despite the persistence of large-scale structural inequality (Gallagher 2003, Bonilla-Silva 2006). It refers to the belief that race should not be taken into account when working with, or managing, diverse groups of people (Apfelbaum et al. 2012) and can occur when officials attempt to overcome racial difference by refusing to acknowledge it.

Research has revealed this as an increasingly prevalent perspective, not just within the criminal justice system (Brewer and Heitzeg 2008, Van Cleve and Mayes 2015), but across a variety of domains, including education and business (Glazier 2003, Apfelbaum et al. 2012). Although the concept has its origins in US scholarship, Rhodes (2017) illustrates how colourblindness has shaped the development of racial dynamics in the UK context. When colourblindness is the dominant ideology, colourblind rhetoric can be pervasive to the extent that it is also adopted by people of colour themselves (Bonilla-Silva 2006). A colourblind approach can mask biases which, though not expressed explicitly, are deeply held and are influential on behaviour.

In my conversations with staff, colourblindness manifested in a focus on gender as opposed to, or to a greater degree than, race. It was also present in the inability of many professionals to reflect on young women of colour’s experiences and needs, and in the denial and minimisation of young people’s experiences of racism within the criminal justice system. The reluctance of professionals to reflect on the racial component of girls’ experiences contributes to their invisibility within the youth justice system as a whole.

The findings shared in this chapter show that several professionals were able to understand inequality largely through the prism of gender, and in girls’ ‘differences’ when compared to boys. They were less able to reflect on race or how it might intersect with gender in terms of girls of colour’s needs and experiences of criminal justice: ‘I don’t see any distinction between White girls and BME girls in this – but they’re definitely dealt with a lot more harshly (Olivia)’. This suggests that perhaps gender is a more comfortable topic,

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<sup>21</sup> US spelling is ‘colorblind’.

and that professionals prefer to focus on issues of gender (in the form of discussing 'girls' in the widest sense) and culture while remaining colourblind towards race, the more politically difficult topic. Research on the psychology of racial dialogues suggests that social norms discourage discussion of race, thereby upholding a culture of silence around the impact of structural oppression on people of colour (Sue 2013). As girls of colour are subject to overlapping race and gender oppression, a focus on gender alone ignores the multifaceted combination of the different strands of identity that produce their experiences (Crenshaw 1989). An unwillingness to confront race reduces the ability to have meaningful discourse about structural oppression and to challenge racism (Song 2018).

It should also be noted that, even in professional discourses around gender, there was limited reflection on structural inequality. The focus on girls as 'overemotional' (Kate) suggests that staff perspectives on gender were also largely centred on individualistic interpretations of the experiences of girls, rooted restrictive constructions of gender (Gelsthorpe and Sharpe 2006). Professionals frequently focused on issues such as girls' emotional presentation and behaviours that they deemed problematic, relying often on individual constructions of gender which do little to challenge or confront structural inequalities, or the ways in which race and gender intersect for girls of colour. McCorkel (2003) critiques this tendency within the criminal justice system to acknowledge the 'difference' of women, but to attribute this difference to psychological factors, as opposed to structural elements.

#### COLOURBLIND YET GENDER-AWARE

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Most case workers had worked with only a handful of young women of colour in their careers, at most four or five per year and often fewer, due to the very low numbers present in the youth justice system in England. Some expressed reluctance to offer opinions on young women of colour for this reason. This could lead to a very generalised interview dialogue about either 'girls' or young people as broad groups.

Discussions around gender appeared to be fairly well-worn ground for several participants. As such, prompts which asked participants to reflect on girls of colour specifically were often met with responses about 'girls' generally. This was particularly the case for White female participants, several of whom took what I have termed a 'colourblind, yet gender-

aware' approach. However, professionals of colour were not wholly exempt from this approach. What was missing from many staff perspectives was any reflection on how positionality as both female *and* a person of colour might have structural influence over the social, cultural and familial experiences they perceived to influence girls' offending.

A number of participants struggled to identify any challenges for young women of colour in the criminal justice system, but felt that gender as a standalone factor was very significant in their treatment. Some participants suggested gender may be more significant than race in terms of young women's treatment within the criminal justice system, revealing an endorsement of colourblind ideals:

I think that the way girls are treated – and I don't see any distinction between White girls and BME girls in this – but they're definitely dealt with a lot more harshly. So I think it comes down to this idea of how girls should be, and if they're acting in a violent way the magistrate or judge will be appalled and you might see a girl getting a 12-month sentence for what a boy might get a 3-month sentence for. (Olivia)

When considering individual young women they had worked with, these participants understood examples of 'harsh' treatment as gendered, as opposed to racialised or intersectional. They had observed scenarios in which they felt bias was at play, but their personal analysis of these scenarios did not include any racial dimension, nor reflection on how ethnicity might intersect with gender:

[Discussing a young Black woman who was charged for an offence that was covered heavily in the media]. She was 15 and a girl. [Gender] made a difference there. I'm not entirely sure whether her sentence was different or not. But I think she was treated differently in that respect, and I think the media wanted to ask her questions about it and I don't think they would have done that if she was a boy. (Laura)

[Discussing a young South Asian woman]. She got a 12-month sentence ... but there was another case I worked on a few years back, it was a boy who'd also committed a (similar offence) and he'd broke a guy's nose, fractured his jaw – he'd got previous. And he got away with it in the end ... and I think it comes back to that girls are supposed to behave in a certain way. (Olivia)

Although recognising the structural impact of gender on young women's experiences of criminal justice, in these cases participants did not reflect on the possible racial components of the differential treatment they had observed. Young women of colour were therefore only partially 'visible' in these analyses in which gender was the primary consideration.



Most participants felt that boys would talk more openly about experiences of race and racism within the criminal justice system than girls, particularly with regard to policing. Participants believed girls did not have the same experiences of policing, or perhaps were less likely to identify them as influenced by race. They were therefore disinclined to open discussions on the topic with their female clients, implying that if young women did not themselves raise issues of racism, it was not a topic they would seek to explore:

I don't think I've had any BME girls raise issues of race. I think 'cause a lot of the time when the issue of race comes up with men, it'll be 'they stopped me and they searched me because of this' um whereas girls don't tend to get that so much.  
(Olivia)

Some participants felt that girls might raise these issues less frequently due to their lower social and cultural awareness of the policing of young women – with most media attention and activism around stop and search focusing on young Black men. Participants considered that perhaps young women did not see themselves as the typical subject of discriminatory treatment:

There's that media portrayal and there's plenty on social media and stuff about police's attitude towards young Black males so a lot of young Black males grow up with that – and I don't think maybe young girls do cause there's not that perceived stuff around police officers hating young Black girls and wanting them locked up.  
(Daniel)

The girls will more sort of say "this person was facetious or they were rude or they were cheeky" they won't necessarily say "oh this person was discriminatory" ... I don't know if they perceive themselves differently' (Paula)

A small minority of professionals rejected the colourblind approach employed by others and actively referred to structural inequalities and issues of discrimination during youth justice work sessions, believing this to be an important part of their work. These professionals recalled working with several girls who had concerns about racism or had racist experiences with criminal justice agencies. For example, Paula described working with a young woman in custody who actively sought to challenge professionals on these issues:

She did an interview with her case manager to find out if she was racist or not, so for her obviously being Black is an acute thing, it's something that she thinks about that is important to her ... something that she wants to challenge and bring to the fore.

For these professionals racial and gender positionality was an issue to be discussed as part of their routine forms of work with young people. This was at odds with staff who preferred not to raise discussion of these issues, and those who adopted a perspective of working with girls in which gender was the sole consideration. One of the clear problems with this approach is that it functions to silence and suppress young women's concerns about racism within the criminal justice system. This 'minimisation' is considered below.

## MINIMISING YOUNG PEOPLE'S EXPERIENCES OF RACISM

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Bonilla-Silva (2006) considers 'minimisation' a component of colourblind racism – reflecting the belief that racism exists, but is often exaggerated by those who experience it. Minimisation was a notable component of my conversations with professionals, many of whom felt that young people had similar entry routes into the criminal justice system, and experienced similar treatment, regardless of ethnicity. Although some professionals acknowledged that racism probably did exist within the wider system, they separated the concept from their own work, often preferring to question or 'explain away' young people's allegations of racist treatment.

When asked to consider young women's 'pathways' into the criminal justice system (broadly construed) the majority of professionals struggled to reflect on race and gender issues. On the whole, participants felt that pathways into the criminal justice system were broadly the same for all young people and often included difficult experiences during childhood, such as domestic violence, family breakdowns and being in care. These experiences were felt to be common to the majority young people drawn into the youth justice system, with no particularly notable influences or experiences for girls of colour. Emily considered that experiencing racism and inequality may be a factor in some young people's offending but felt the clearest pathway into the youth justice system was the experience of a disordered, difficult or otherwise 'abnormal' family life:

I think they are influenced by their circumstances as BME young people. But I think more so they are influenced by their experiences as young people who've not been brought up in a 'normal' family to be honest.

This is unsurprising given that overrepresentation of children from disrupted family backgrounds in youth justice is widely acknowledged and borne out by national research (HMIP 2011, Prison Reform Trust 2017). However, it is clear that class-based oppression,

poverty and other forms of social disadvantage intersect with race and gender oppression to produce and enhance marginalisation (Chigwada-Bailey 1997, Collins 2000, Richie 2003, 2012).

Although 'class' was not discussed explicitly by participants, lower economic class status was at times implied through discussion of background factors like social services involvement and family history of offending, or through discussion of local youth culture (such as the prevalence of gangs). For a number of participants these were considered key influential factors in the majority of young people's offending. For Ali, a Bangladeshi Out of court worker, the young women he encountered were primarily influenced by a local youth culture that seemed to cut across all ethnic backgrounds. He saw this as a more marked influence on offending than any ethnic or gender-specific factor:

I couldn't pick out anything in particular that would stand out for me with BME girls. I think recently what's happened is ... even though they may be from Bangladeshi families, or whatever families, Black families, there's this underlying monoculture that cuts across all of the girls that I work with, so they're all imbibing the same music, same worldview.

Professional perspectives were very divided on young women's racialised and gendered experiences of the criminal justice system. At one end of the spectrum, several professionals adopted a colourblind approach, assuming that as they had not seen or witnessed injustice, it was not present. Mohamed, a Bangladeshi out of court worker, felt that the needs of young women of colour were being sufficiently met by the system in all areas and could not identify any particular challenges they might face in terms of their positionality:

Mohamed: No, I think that especially in [this area], where it's very, very mixed and diverse, I think all needs are met. I can honestly say...

Claire: What about by the police? Or other agencies

Mohamed: I think you have to speak to the police themselves

Claire: Yeah, but what's your opinion, like based on what you know?

Mohamed: BME girls? No, I don't think there's any injustice there. I haven't come across any, haven't heard any, haven't had any young people telling me, so based on that I don't think there's any issues

Several professionals whose clients had complained of discrimination maintained that their experiences were exaggerated or misconstrued. Professionals were frequently dismissive of young people's disclosures about racism experienced in the criminal justice system, even where the complaint was not directed at the youth justice service itself. It was

common for participants to minimise or deny a young persons' experiences on reflection. Often disclosures of racism were rationalised as a young person's way of avoiding responsibility for their actions or as a misinterpretation of police strategy, particularly where a young person's experience did not correspond with the participant's own observations of criminal justice practice.

Participants' views on stop and search practices in particular often minimised young people's explicitly expressed experiences of policing, in favour of the second-hand knowledge about police practices that they had gathered in their professional capacity. Many were sceptical about racial bias in policing and believed either that police targeted all gender and ethnic groups relatively equally, or that young people were being frequently stopped due to their genuine involvement in offending, with no obvious racial component at play. Others believed racism within the criminal justice system was indeed a problem, yet felt that their clients frequently misinterpreted their experiences, exaggerated, or used the excuse of racial bias to detract from their own offending. This is exemplified by Elaine's comment, 'I think what it is they just get known. They get known regardless of their ethnicity. And they just get known by the police, and I think that's for both genders'. Kate and Jane explained that their approach towards allegations of differential or racist treatment had been to 'talk through it' and 'unpick' young people's stories to look for other explanations:

They kind of will tell us that they're getting stopped a lot more than maybe a young person who's White ... the way I talk through it is: the police know these young people and they're on the radar. So if they walk past them the police are gonna stop them. So it's difficult isn't it to weigh up whether that's because of their ethnicity or whether it's because actually they're really involved with criminal activity. (Kate)

I've had them generalise and say that [they were discriminated against] but then when we've unpicked it I didn't feel there was any basis for it. You know, I believe that they've just said that 'the police are racially profiling me because of this, this and this', as opposed to there being a genuine basis for it. (Jane)

These approaches serve to silence young people's own accounts of their experiences with police, but also do not account for wider experiences of stop and search in England and Wales (see for example, Waddington et al. 2004, Stop Watch 2013, Keeling 2017) and the persistent overrepresentation of people of colour in stop and search statistics (Lammy 2017a). As chapter 2 outlined, there is clear evidence of racial disproportionality at all stages of the criminal justice system, and in fact young people from BAME groups are

around four times more likely than White people to be stopped and searched by the police, whilst Black people are currently around eight times more likely (Home Office 2018). This raises the question of to what extent the training and education resources available to youth justice workers foster an awareness of current research and statistics on criminal justice issues.

Several participants expressed similar scepticism of young people's concerns about criminal justice agencies, for example encounters with staff in youth custody. They suggested that young people could at times use racial discrimination as a justification for their own difficult behaviour or lack of engagement with the requirements of their sentence:

Some young people they don't want to engage, and they'll make so many accusations – 'this person's racist – that person doesn't like me because I'm this'... But in terms of being treated differently because of their gender or race or religion, I haven't seen that. (Tarique)

She always says 'well they don't like me, it's because I'm Black', and she always uses that as a reason or a justification as to why she has done something in prison. (Laura)

These attitudes were evident in participants from different gender and ethnic groups, including many participants of colour. Comments came from a number of staff who were otherwise open to discussions about race, many of whom believed racism was still an issue within the criminal justice system.

A smaller group of professionals were more confident in believing and accepting young people's accounts of discrimination and were actively concerned about the possibility of racial profiling and racial bias affecting young people they worked with, particularly with regard to police tactics. Amir, a Bangladeshi out of court worker had had few clients complain about discrimination directly, but had developed his own scepticism based on personal observations:

Amir: I don't think many of them (young people I work with) identifies it as race but...

Claire: Do you think it is?

Amir: I don't know. We have a lot of interaction from the YOT police, and I know how they are. They would say that they would never approach a young person because of their race, but I think the experiences in the street are different. Um, I think probably yes [laughs]. Probably.

Diya, reflected on why, as a British Asian worker, she may initially find it difficult to accept young people's complaints about discrimination because of her own reluctance to have to confront the possible racism of the sector. For Diya, racism within the criminal justice system was a personal issue as well as a potential problem for young people she was working with; she believed it may be easier for case workers to minimise young people's complaints than to be forced to introspect on the system within which they operate.

I think because you don't want to believe it, you kind of justify it that maybe it was cause of their poor behaviour or compliance or ... you try and find another justification cause you don't want to believe it's race. But actually deep down you probably know it is.

Diya's reflection expresses the challenges for professionals of colour in confronting issues of race in their youth justice careers, especially as actors within a system in which oppression is institutionalised (Collins 2000, Ritchie 2017). As considered below, professionals themselves are subject to structural inequalities and barriers, both professionally and personally.

At the extreme end of professionals' experiences with young clients who had disclosed racist treatment. Two professionals, Anika and Emily, had first-hand experience working with young women who had been victims of police violence and were candid about their belief that this may not be a rare occurrence.

For Anika, an incident reported by one of her clients led her to question wider police practices:

I remember this – I remember working with a girl, and she spoke about when she got arrested and she said “we're in the back of the van, and they're like touching me and groping me and officers are doing all that kind of stuff” ... and I thought, that must be a really, really scary experience ... and it just made me think, I wonder how often that goes on and is just unsaid.

Whilst Emily, reflecting back on the assault of a young woman she had worked with in the past, felt the incident was indicative of prevailing oppressive police treatment of young people of colour. This correlated with her own experiences of interacting with police as a Black woman:

You know, the first time I met one of my young people, I picked her up from the police station, and she'd had a good couple of slaps. I was less experienced then, and less confident. If it had been now ... it would have been a very different story ... I've seen the way that the police work with BME young people. I've seen the

way the police work with young BME women, and it's oppressive. It's very oppressive. I've seen the way the police work with me, as a grown up, professional woman.

When Anika stated, in relation to a client who was sexually assaulted by police officers, 'I wonder how often that goes on and is just unsaid' she alluded to the potential for young women to continue to be placed in situations in which violence occurs, and the potential for this violence not to be acknowledged.

Emily recalled the lack of education and confidence she had had at the outset of her career in dealing with this type of incident, stating 'If it had been now ... it would have been a very different story'. Emily's reaction was to look at the structural context, she explained 'I've seen the way the police work with young BME women, and it's oppressive. It's very oppressive', revealing a more intersectional understanding of the way young women are policed. As such, Emily approached young people's narratives of discrimination much more openly than many professionals.

A significant implication of the gap in understanding between professionals and young women, and of professional 'minimisation' of accounts of discrimination, is that it discredits the experiences of girls who are often in incredibly vulnerable circumstances. It has been established that the youth justice system draws in children from the most vulnerable and 'marginalised' social groups (Ilan 2010, Muncie 2006). In addition to their punitive aims, youth justice services subscribe to welfare-orientated goals and professionals often enter this area of work to make a positive difference in young people's lives (Morris 2015). This is an ideal strongly endorsed by most of my professional participants, who aimed to foster meaningful, supportive relationships with young people. However, the reliance of many professionals on the colourblind narratives, and their limited awareness of the unique positionality of girls of colour, risked undermining that supportive relationship by failing to acknowledge the 'differentiating' power of racism in girls' lives (Wainwright and Larkins 2018). Girls in the youth justice system do not have a great deal of agency to deal with issues of discrimination through formal channels, due to their age. They therefore rely on supportive adult relationships in order to bring these issues to the fore, and have them addressed (Valentine 2011).

The issue of police violence and harmful policing exemplifies the structural invisibility of girls and young women of colour. The scarcity of research and policy attention that centres their experiences is played out in practice, in the limited professional awareness and

acknowledgement of their perspectives and potential needs. It is the responsibility of society, and of criminal justice policy makers, to ensure that the spaces in which young women are most vulnerable are safe, to listen to young women, and meet their needs (Ritchie 2017, Day and Gill 2020). The detachment of professionals from many of the lived experiences of girls of colour calls into question the ability of youth justice services to be a space of 'support' for them. As discussed above, Crenshaw (1992) and Richie (1996, 2012) have criticised the silence around Black women's victimisation at the hands of criminal justice agents. In dismissing young people's experiences of racism, professionals contribute to an oppressive environment in which incidents like those described by Anika and Emily, go unchallenged.

## 6.5. TRAINING AND RESOURCES: 'CULTURAL COMPETENCE' VERSUS INTERSECTIONAL APPROACHES

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### CULTURAL COMPETENCE

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The findings from this chapter thus far have revealed examples of stereotyping, minimisation and a lack of acknowledgement by many youth justice professionals of the intersectional needs of the girls of colour they encounter. This raises the question of how well professionals are trained to deal with these issues as part of their role, and what knowledge and resources they are equipped with. In the course of conversations with professionals around these issues there appeared to be a strong focus on cultural competency at the expense of any broader consideration of structural race and gender issues for young people. It was apparent that many youth justice workers had working knowledge of the cultures, languages and customs of local communities in which they operated. However, a focus on 'culture' alone neglects the intersection of race and gender, which requires addressing multi-level power dynamics (Collins 2000, Collins and Bilge 2016). Pon (2009) explains that considering race solely in terms of 'culture' tends to 'otherise' those who are not White - often engendering a specific and absolutist view of culture that lacks nuance.

Many participants appeared more open to exploring race and gender in the context of conversations about 'training and resources' than in previous discussions. This may be



because it allowed those who were unable or unwilling to reflect on structural inequality the more comfortable and benign dialogue of culture and 'diversity' (Bell and Hartmann 2007). The importance of a competent understanding of cultural variation and diversity in the backgrounds of young people was endorsed by many participants, for example Tarique's reflection on training was that 'think there needs to be some work developed around culturally sensitive stuff, even include elements of religion in there'. Clearly, there can be important cultural barriers that make the role of a youth justice worker challenging – for example, language barriers and a lack of familiarity with traditions and etiquette:

It's really difficult to communicate um you know, dad's excellent at English and he takes on that role and he does everything, and it's almost like mum's not allowed to know what's going on, so again I suppose if you spoke the same language it would be easier to communicate with mum and get her more involved, and also we had the issue of we'll go, do an assessment, I'll ask a question and then the family will talk in their own language all together and then give me an answer.  
(Kate)

Participants frequently expressed concern that there could be knowledge-gaps for themselves or their colleagues which might hinder work with young people or cause them to make cultural faux pas:

It's just getting some of the terminology right and some of the customs and, just trying to get a grasp – but I've never had any training in terms of working with young Muslim girls. I'd love that – just even if it's just 'this is called a hijab and this is called a burqa' do you know? Just getting your head around those kind of things. So, no, I don't think needs are being met. (Daniel)

When I came here it was a bit of a culture shock really, and I didn't know an awful lot about different religions at all ... so I think for me that training is very useful because I didn't have a good knowledge, because I'd never experienced that in my life before. (Laura)

Formal training was described as non-existent, limited (e.g., a brief online course), or 'common sense' and therefore not essential. There was a perception from a number of staff that training around cultural issues might be available at a local authority level, but was not being highlighted or made available to them by management teams. This led to self-teaching and learning from colleagues:

A lot of it's common sense, just like taking your shoes off and just ways of being respectful. Perhaps you know, an adult male – the Dad – might not shake your hand and it's not rude, but it's a cultural thing ... because we have a lot of Asian Bangladeshi members of staff I generally just ask them things or they talk about things, so it's quite – you just pick it up. (Christine)

In terms of diversity training its shocking. I can't remember the last time I actually went to a diversity training. It's all 'do this e-learning. It'll take you about an hour'. It's really bad. (Emily)

For Kate, learning about culture by opening conversations with young people themselves was an important and interesting part of her work. She described a mutual learning process that she engaged in with a client whose cultural background was different from her own:

I learned a lot from working with her, because I'm quite interested in other people's beliefs so I will ask. I think some people are scared to ask questions in case it offends. But I will ask because I just think – I'm interested, and I'd prefer someone to ask me. So I found it really interesting working with her.

Several participants' reflections on training needs tended to focus on quite niche cultural issues, as opposed to anything that could be said to support an intersectional approach to working with young people. A small number of participants spoke about specific training they had undertaken on working with very targeted community/cultural groups or specific gender and cultural issues. Usually, these training sessions had been suggested or mandated by managers, picking up on targeted issues that they were seeing in case work. Most participants were positive about this type of training and discussed how increased cultural knowledge had benefited their work. For Jane, training around working with Bangladeshi families had helped her avoid cultural missteps and given her an insight into Bangladeshi culture that she may not otherwise have had:

I didn't know that females had different surnames, so I'd make a phone call and I'd say "good afternoon Mr.Begum" and Begum's only reserved for females. So at the training I was like "oh god! For flip's sake". I guess on a couple of occasions I'd had someone say "it's Mr. Ali" but no-one actually corrected me. It was only going through that training I was like "Oh, what a muppet".

Tarique discussed the importance for non-Muslim staff of having a working knowledge of the religion, focusing on the more pragmatic aspects, as opposed to structural dynamics (for example, issues of Islamophobia):

Even to know what Ramadan is and what it involves you will be able to connect with young people more. Cause I've had like staff saying "oh Tarique, my young person's saying he can't come because he has to go to prayer" which is not true! Can you see? ... knowledge could be very powerful in terms of connecting with young people and understanding their needs.

Professionals often prioritised knowledge of culture without considering power, and how cultural groups come to be 'othered' (Sakamoto, 2007). Fischer-Borne et al. (2015) advocate a move from the desire to achieve mastery in understanding 'others', towards a framework that requires personal accountability in challenging institutional barriers. A level of competence and basic understanding of other cultures is clearly valuable in a youth justice context. However, this understanding could be matched with an ability to see and discuss structural issues of race and gender, in order to promote deeper understanding of young people's positionality and avoid rarefying culture as being the sole route to understanding young people of colour.

One effect of the emphasis on culture in professional narratives was a consistent focus on religion and particularly on Islam<sup>22</sup>. Whilst South Asian culture was dissected by many participants in the form of discussions about Islam, similar discussion of cultural difference and 'diversity' in relation to Black and Mixed race young women was much rarer. This meant that Black girls who were not Muslim were invisible often invisible within conversations about cultural diversity, whilst non-Muslim South Asian girls became conflated with Muslim identities and their differences were not portrayed with nuance.

Solutions to adapt and expand 'cultural competence' approaches to training and development have been suggested by numerous authors in the fields of social work and health. It is broadly agreed that adaptations to this approach should focus more heavily on self-reflexivity, humility and acknowledgement of 'difference', as well as critical awareness of social justice and societal issues (Pon 2009, Kumagai et al. 2009, Fischer-Borne et al. 2015). Broadly speaking a more theory driven, critical and reflexive approach is agreed upon. Intersectionality could provide the basis for such a framework. Understandings of 'difference' and 'diversity' must go beyond simple learning about cultures, and must focus on acknowledging positionality and structural inequality, as it relates to the youth justice setting and the worker-client relationship.

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<sup>22</sup> Although, as mentioned above, this may have been partially due to the areas in which the research took place and the religious demographics present

## INTERSECTIONAL CONVERSATIONS

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An important aspect of intersectionality is its translation into practice. Through ‘critical praxis’, workers can produce, draw upon and use intersectional frameworks in their work – particularly in the context of social institutions, in which aspects of the work necessitate addressing and challenging the social problems that come with complex inequalities. In these contexts, workers can use everyday knowledge and professional insight alongside scholarly evidence to incorporate intersectionality into their practice (Collins and Bilge 2016). Youth justice services could therefore be a site for intersectional critical praxis, as will be explored below.

There is an absence of empirical data on the use of intersectional practices in criminal justice settings, but intersectionality has been employed in related academic disciplines, primarily social work, with relevant findings. A small amount of emerging scholarship in social work studies showcases intersectionality as a tool that can be used in practice to allow professionals to move beyond reliance upon ‘cultural competence’ in order to develop a practice that acknowledges their own social location and those of their clients. Parallels can be drawn between social work with young people and youth justice work, particularly within the English system where there is significant crossover between trained social workers and youth justice workers, and in which the youth justice system (at least nominally) aims to provide a level of support to young people, in addition to its punitive aims (Morris 2015).

In their research with social work students, Bubar et al. (2016) discovered that ethnocentric values and biases influenced students’ perceptions of the behaviour of their clients. Whilst gender was acknowledged, it was conceived of as single-axis, despite the diversity of client groups. Although well intentioned, workers overlooked their own privileges and the power dynamics at play in the relationships with clients, leading to oppression ‘blind’ spots which hindered their ability to provide meaningful assistance. As Bubar et al. (2016: 293) described:

There was a significant barrier for students to move beyond their own power and privilege to fully consider how race, class, gender, and sexuality intersect for clients who are expected to negotiate powerful systems.

Similarly, in youth justice work, whilst greater recognition of gender inequality has led to some acknowledgement of the relevance of gender to youth justice work, this has been primarily based on single-axis conceptions of gender. This has created a 'blind spot' in which the specific needs of girls of colour are not visible to workers. Intersectionality can thus be used by youth justice services as a tool to address specific individual experience and social location.

Social work literature reveals how a commitment to individualism by workers masks the structural inequality faced by clients. Under an individualistic model, social problems are frequently treated as result of the individual's inability to cope with normal life (Mattsson 2014, Almeida 2019). There is a pretence of harmlessness in this approach (Bubar et al. 2016) yet it risks solidifying and reproducing structural oppression. Almeida (2019) asserts that individualism is still the most common lens through which social work is taught practiced. The same critique is frequently made of the youth justice system (Cunneen 2019, Ilan 2010).

In contrast to this approach, intersectionality offers a tool with which to reflect on the interplay between gender, race, sexuality, class and other dynamics within worker-client relationships. Using critical, intersectional reflection workers can examine their own unconscious assumptions as well as keep wider power relations in focus, to avoid maintaining and reinforcing oppressive social structures in their work (Mattsson 2014). An example of this in practice is highlighted in the empirical work of Krumer-Nevo and Komem (2015), in which intersectionality was used by social workers to understand clients' experiences as structurally located as opposed to psychological or individual in origin. Using intersectionality to open 'positional dialogues' with girls, workers explored aspects of girls' realities not previously spoken about. Intersectionality helped workers avoid overreliance on a 'multicultural' or 'cultural competence' approach which obscures structural oppression. Workers participating in the study were surprised at the conversations that 'positional dialogues' brought about with girls, revealing that girls had an awareness of their social location that workers had not expected. Through discussing their daily experiences girls offered detailed accounts of poverty, sexism and racism as socio-political phenomena.

An approach similar to that employed in the work of Krumer-Nevo and Komem (2015) could potentially be utilised within youth justice work to enable and encourage productive

dialogues between girls and young women and their case workers – acknowledging and exploring social positioning and the structural oppression young women of colour face. When those working with young people are not educated and trained to address intersectionality and reflect on their own social location, they risk ‘passively participating’ (Bubar et al. 2016) in oppression. In line with Krumer-Nevo and Komem’s (2015) endorsement of productive dialogues, Prior and Mason (2010) suggest that communication, empathy and an understanding of lived experiences are central to positive outcomes within youth justice work. Whilst Trotter (1999) draws on a number of research studies to show that better engagement from young people and better outcomes are achieved when the practitioner/client relationship is based on openness about issues such as power, authority and respective positionality.

In the context of my own research, several professionals placed an emphasis on better resources for working on race and gender issues, indicating that they were open to new ways of working. Drake et al. (2014) suggest that whilst resources are a useful tool, it is only through productive social interactions, dialogues and relationships that change can be achieved. This necessitates offering a space in which young people can share their true and authentic experiences and in which their voices can be heard (Drake et al. 2014). An intersectional praxis that encourages these social interactions and mutually productive conversations could therefore provide a dimension to youth justice practice that encourages the acknowledgement and recognition of girls and young women of colour.

Simply acknowledging a young person’s race and gender identity from the outset, particularly where it differed from that of the case worker, was an important initial step towards understanding their experiences and potential needs. This is exemplified by approaches described by Paula and Gareth:

I might say “from what I can see you’re a young Black woman ... who’s living with a single parent, is there anything I need to know about your situation, that you’d like me to know that will help me to work with you – to meet your needs?” ... sometimes even the boys will be quite shocked that you’ve even identified them as Black. Yeah, so it’s almost like “oh you’re actually naming it? You’re actually saying it?” I’ve found that a couple of times actually that people are like “oh yeah – yeah I am!” [laughs]. (Paula)

I would say a BME person coming into a session it’s much more likely they will in some way have experienced some form of discrimination, so it’s our responsibility as White people to sit down there and acknowledge the fact that there is

difference. You know, because you need to be coming from their perspective.  
(Gareth)

Some participants expressed the view that young people, and specifically young women of colour, do experience intersectional forms of gender and racial discrimination by criminal justice agencies, ranging from micro-aggressions<sup>23</sup> to very serious incidents; although young women themselves may not readily identify or disclose these experiences. Karen, a White British former case worker and Emily, a Black British former case worker, discussed their direct experience of this via their work with girls, and considered recognising intersectional experiences of oppression an important part of their work with young people:

[Referring to working with young women in a girls-only group] If you give young women that opportunity then 100 percent they will say in the group “oh that’s happened to me because I’m Black, that’s happened to me because I’m a woman” ... because we gave them that safe space to talk about their experiences as young women and how that’s impacted on their day-to-day life. (Karen)

Emily’s approach sits in contrast with professionals discussed above, who believed that young people may exaggerate claims of racism. For Emily, young people were often naïve to the oppressive nature of the system:

Young people from a BME background ... are oppressed. I know that. You know that. They don't know that. They don't think “right – this is unfair I'm oppressed” you know. So that isn't what they would put forward ... Unfortunately, as women, you face oppression, as a BME person, you face oppression. So as a BME woman you're getting double the oppression. There's a sense that as a woman – female, young person, you're supposed to act in a certain way you're supposed to be nice and generous and loving and not be aggressive and not be violent, but at the same time you're a Black person so you're supposed to be, you know, quite aggressive and rude and uneducated, and you put those two together and you put it in front of a police person and a judge and you've not got much hope.

Karen and Emily expressed more clearly than the majority of participants the view that their position at the intersection of race and gender produced oppressive conditions for young women of colour within the criminal justice system, whether this be through direct experiences of discrimination, or encountering more insidious bias. Their approach made visible young women of colour’s unique experiences and enabled conversations about race, gender and social injustice.

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<sup>23</sup> ‘Micro’ incidents of everyday bias or discrimination (usually unintended by the perpetrator) which have cumulative effect (See Sue 2010).

Despite the openness of some participants to change, others saw little merit in adapting resources<sup>24</sup> and working practices to acknowledge structural inequality and preferred to take a more generic approach to working with young people that did not actively take race and gender into account. Others felt that professionals already managed young people's differing identities effectively using common sense approaches. For example, Christine believed that most staff in her service were culturally competent and respectful, so there was limited need for extra training or resources around racial issues:

I mean there are some things that you don't need to be told. If it were a problem and people really were insensitive of other people's cultures I think that's where you would start to need it, but no I don't think it's really an issue.

Although Christine is acknowledging the value of 'working knowledge', this viewpoint does not recognise that more creative training, education and resources around race and gender might encourage aspirational worker-client relationships that reach beyond 'respect' to a more reflexive way of working. Participants who subscribed to this perspective tended to suggest that focusing on racialised and gendered experiences was not as important as perceived wider issues for young people within the criminal justice system. Sue, a White British education worker felt that sometimes issues of minority inclusion were over-emphasised at the expense of programmes or resources that could benefit young people 'as a whole':

It's good to ask questions, but I think we can spend ... too much time ironing out the small stuff rather than in some respects thinking of something that would be not only good for them [marginalised groups], but for everybody.

In subsuming intersectional identities and needs within the broader needs of young people, this perspective reinforced the invisibility of girls of colour within criminal justice narratives. Similarly, one or two participants believed that providing gender and ethnicity specific groups or resources for young people could be detrimental to equality. For example, Mohamed felt that singling out young people according to these characteristics was not necessary, and could be perceived as special treatment, asking, 'if you're equal, then why do you need a group just for yourselves?'. Workers who held this perspective

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<sup>24</sup>In this context 'resources' refers to, for example, focus groups, programmes and workshops young people are referred to, as well as physical resources for one-to-one case work – such as activity sheets, videos etc. used by professionals as focal points for 1-1 work.



were not able to entertain more creative modes of working addressing issues of structural inequality.

On the other hand, many professionals expressed interest in new ways of working, but were pessimistic about the possibility of change. Detailed conversations with professionals around training and resources revealed that lack of funds was overwhelmingly an issue, and professionals who were interested in more innovative approaches to recognising structural issues were demotivated by both bureaucracy and funding limitations. This is an issue that has been recognised within the youth justice context for a number of years (Haines and Case 2018), as discussed below.

Several professionals were open minded to the potential for more tailored resources to benefit young people and could see the value in constructing resources that deal with intersectional issues. These participants acknowledged the potential for more intersectional forums and group work spaces, where young people may feel safer or more comfortable discussing personal issues, or engaging in work around identity. Participants had seen the benefit of this type of space in their own professional and personal lives and felt there may be value in bringing this approach into youth justice work. Gareth, a White British drug and alcohol worker described his openness to identity-specific resources for young people, stemming from his own experiences of the value of socialising in gay-only spaces:

I think it can be incredibly cathartic to work with people who understand your individual – your personal needs ... I think it can be really powerful. (Gareth)

However, the absence of funding paints a pessimistic picture in terms of the possibility of intersectional provision. Some participants pointed out that pre-existing gender-specific resources had been scaled back in many services, which seemed to show a regression in progress. Paula discussed the difficulty of working with resources largely focused on boys, and the unlikelihood of acquiring resources specifically tailored towards girls of colour:

Sometimes there's some projects that you could buy in for Black boys ... there might be something specific for girls, but definitely no BME girls stuff ... that has always been one of the challenges of youth justice generally though. Over the years people have always complained that the youth stuff is just the adult stuff that's watered down and that the girls' stuff is just the boys' stuff that is watered down yet again, and you know BME girls would just be watered down even more.

Diya noted a disparity in provision for young people compared with staff, but felt there was a lack of motivation for youth justice workers to innovate:

I mean as workers we have BME workers forums ... how can we recognise that we need them for ourselves and yet not provide them for clientele? Or we certainly don't in our service. They may say there's no need for it or call for it, but actually it may be a need. I don't know. I don't think we think out of the box, I don't think we have time to think of out the box.

There was a general sense that innovative resources around gender, race and other intersections were more of an ideal than a realistic prospect. Funding cuts as well as low numbers of girls coming through the system were seen as a barrier to this type of resource coming to fruition. One youth justice service had run a successful girls' group in the past, but several participants felt there were no longer enough young women coming through the system to make it viable, or to justify spending:

It's enough people having enough girls on their caseload that you can put together to run one, You can't kind of say "oh well we'll run it as a rolling programme" cause quite often you'll only have one girl coming, and then it's not a girls group (Louisa)

A truly intersectional approach would require re-allocation of resources to provide more individually tailored materials; participants who saw value in this approach were sceptical as to the likelihood that youth justice policy was moving in that direction, given recent austerity measures. This issue was highlighted most strongly by Paula, whose team was situated in a less ethnically diverse area, and was working with low numbers of girls:

You would be able to tap into a resource [for BAME young women] in London because there'd be some group somewhere that you could phone for advice, or get somebody to come and speak or whatever ... I've never come across something that I've thought "yeah that is brilliant that will really address that need". There might be stuff out there, but I don't know where it is. It's not widely publicised. If it does exist it probably costs quite a lot of money and I don't know that people have got the money to buy in that sort of stuff anymore.

Only a small number of professionals had experienced training that might help them understand and confront wider structural issues. Ali was one participant who touched upon this when he how training on Violence Against Women and Girls had changed his perception of women and girls' position in society and caused him to reflect on the impact of more subtle forms of violence:

It opened up my eyes to the types of violence that happens towards women, and I found that training really interesting ... you immediately think just domestic violence, but they kind of talked about how even in the media there's subtle things that are happening against women that we're not aware of, but over a period of time it kind of makes the women feel they're not worth anything.

Here Ali acknowledges the importance of knowledge of structural issues, and its relevance in the workplace. His training helped him to understand the wider atmosphere in which domestic violence takes place, and the social pressures faced by young women. Kumagai and Lyson (2009) highlight the importance of training that examines social justice, fostering a critical awareness of the position of oneself, and of others in the world.

Ortega and Faller (2011) and Fisher-Borne et al. (2015) advocate a 'cultural humility' perspective in which workers are encouraged to consider how their own social and cultural position shapes their view of the world and of others, and rather than to attempt to achieve full knowledge of other cultures, to acknowledge the fluidity of cultural identity – and remain open to other individuals' lived experiences. The benefits of this type of approach are highlighted in Ali's experience of training which elevated his conception of violence against women to a structural perspective. Similar benefits were also touched upon by both Emily and Karen who emphasised the need for more innovative and interactive forms of training which might challenge stereotypes and deal with intersectional issues:

I think people need to have a safe place where they can discuss prejudices and stereotypes so they know what's appropriate and what's not ... if you can go and have a safe space and have a discussion about why you might have this certain prejudice or this certain stereotype and what the reality of it is, and what that means, and how that would influence your work – you're a lot less likely to do those things aren't you? (Emily)

Karen in particular felt it was important to engage young people in training and to construct training sessions around their direct experiences. In her professional experience she had noticed that staff were more likely to engage well with training that included young people's perspectives and stories:

'I think what would be the absolute – excuse my language – but dog's bollocks would be if we got young people that were involved in the criminal justice system coming back and delivering training to staff saying "this is how that made me feel", "this is an issue because I'm a Black woman", "this is an issue for me because I'm gay" do you know what I mean?

This is an interesting approach which reflects the findings of Krumer-Nevo and Komem (2013) outlined above, who found that when social work staff were trained to take a critical, intersectional approach to their work with girls, they were able to enter new and unexpected dialogues about experiences of injustice. McCorkel (2003) and Goodkind (2005) suggest, these types of resource will only have impact for girls if they confront issues of oppression and structural inequality. Attempts at catering to gender difference often fall into stereotyping and essentialising gender, by focusing on girls' individual responsibility as opposed to challenging social structures (Sharpe and Gelsthorpe 2009, Krumer-Nevo and Komem 2013).

Responsibility for a more intersectional approach towards girls of colour's positionality within the youth justice system does not rely on individual professionals alone, however. Professionals themselves are subject to structural factors and occupational cultures that shape, and at times impede, their work with young people (Souhami 2007, Marshall 2013, Morris 2015). Youth justice workers' practice is influenced by a lack of structural support and obstacles in their work with young people that include increased administrative pressures and the need to meet targets, and often operate under time pressure and budget constraints (Haines and Case 2018). This is exemplified by Diya when she reflects, 'I don't think we have time to think of out the box', indicating that, while there may be recognition amongst professionals that innovation is needed, they do not have the time or resources to bring about change. In addition to this, the ever changing policy landscape and climate of political and economic uncertainty that surrounds their practice can render their working conditions turbulent (Marshall 2013, Morris 2015).

Although research on youth justice professionals' own experiences of race and gender oppression is not available, there is work with ethnic minority police officers which reveals how occupational culture, shaped by wider socio-structural racial dynamics, influences officers' experiences at work, and their professional behaviour. Cashmore (2001) found evidence of racial profiling and unfair treatment towards ethnic minority officers was a way of 'testing' loyalties to the force – officers were not in a position to challenge such abuse towards themselves, or towards civilians, without risking their careers. A mechanism which led to the continuation of racism within the force. Peterson and Uhnoo (2012) found similarly in the Swedish context, arguing that tests of loyalty to the force are arduous for ethnic minority officers police, who are viewed with suspicion and experience exclusion if their loyalty is called into question.

The work of Dukes (2018) in the US context suggests that Black police officers must buy into the occupational culture in which they operate, and must adopt authoritarian behaviours exhibited by White colleagues in order to be socialised, accepted and ultimately to survive into the force. This dynamic is suggested at times by professionals' narratives, for example Diya's comment that when young people complain of discrimination 'maybe it was cause of their poor behaviour ... you try and find another justification cause you don't want to believe it's race' which expresses the challenges for professionals of colour in managing their own personal relationship with issues of structural oppression whilst operating in a work context where they may be expected not to discuss or complain about racism.

Youth justice occupational culture is less well researched than police occupational culture. Having gone through a series of policy changes over the decades, it may be that occupational culture in this context is more mutable and fragile (Souhami 2007). Scholarship on youth justice service settings nonetheless suggests that organisational and team culture exerts a significant influence over youth justice workers' approaches to their work with young people, and the treatment that young people receive (Souhami 2007, Marshall 2013, Morris 2015). Chan (1999) argues that workers make choices about their professional actions under the influence of both structural and cultural restraints. Just as other criminal justice agencies are considered 'organisations', so are youth justice services, and they will inevitably develop their own organisational cultures – collections of 'values, attitudes, rules and accepted practices specific to each occupational setting' (Stahlkopf 2008: 460). When people make choices within an organisational culture, they may be influenced by various pressures, including the need to comply with expectations and requirements, balance institutional demands, conceal nonconformity (Oliver 1991). Again, this is relevant when considering why some professionals who are themselves part of structurally oppressed groups will engage in narratives which perpetuate stereotypes or minimise discrimination against young people.

## 6.6. CONCLUSIONS

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In this chapter I have discussed data from professional interviews which share their perspectives on race, gender and working with girls of colour. I have explored key themes including the stereotyping and colourblind narratives employed by professionals, their minimisation of young people's experiences of racism and their attitude towards resources

and training, in particular towards cultural competence. I have also highlighted the intersectional approaches of a small number of professionals, and examined attitudes to moving towards more intersectional modes of work.

The findings express that without explicit acknowledgement and recognition of their positionality, girls of colour are subsumed into wider practices aimed broadly at 'girls' or at promoting 'cultural awareness' without attention to their self-identified experiences and needs. Whilst in chapter 5, girls' narratives focused heavily on policing, professional narratives did not strongly acknowledge the importance of policing experiences to young women's treatment within the youth justice system. In fact, several professional participants were dismissive of young people's distrust towards the police and their negative experiences of policing, believing these to be exaggerated or misplaced.

Most professional participants did not show an intersectional awareness of young people's experiences and were not able to discuss the needs and experiences of girls of colour in any depth. The limited awareness of structurally oppressive factors (Collins 2000, Collins and Bilge 2016) and intersectional positionality (Crenshaw 1992, 2013; Richie 1996, 2012) shown by the majority of participants rendered young women of colour at times completely invisible within interview dialogues. A significant number of professional participants minimised or dismissed young people's complaints of racism and discrimination because they believed that young people draw negative police attention through their own actions, or that they exaggerate claims of racism. In the context of girls' experiences of violence, aggression and humiliation in their encounters with the police, shared in chapter 5, perspectives from professionals such as 'I believe that they've just said that 'the police are racially profiling me' ... as opposed to there being a genuine basis for it' (Jane) appear dismissive. These attitudes risk entrenching oppression, in permitting discrimination continue unacknowledged.

Girls' narratives focused much more closely on race and racism and several young women participants acknowledged the intersection of race and gender. For example, Adele's observation that 'people more judge females ... I think if you're Black you've already got a label as you're more aggressive'. The same could be said of Jade's observation that the impression that 'Black girls are rowdy' is a 'stereotype' in people's minds that is difficult to overcome. These comments tacitly critique professionals' reluctance to examine race and deal with structural conceptions of race and gender. However, girls should not have to

speak the language of race and gender politics in order for their experiences to be acknowledged. Whether or not these issues are addressed by girls, youth justice practice must seek to acknowledge young women's positionality and the way this impacts upon their life experiences. Without this recognition, girls and young women of colour are not 'seen'.

In contrast to what I found in interviews with young women, many professionals believed that girls of colour would not often openly discuss or address issues of race and gender. This is exemplified by Olivia's remark: 'I don't think I've had any BME girls raise issues of race' (Olivia). However, the conversations I had with young women during my fieldwork showed that many young women participants were politically aware and highly critical. When prompted to consider issues of race and gender in interviews, the majority of young women participants were open to engaging in a discussion, and several had a political and structural perspective on these topics. All were driven to convey their critical views and negative experiences of policing, and to be listened to.

Although professionals often appeared uninformed on structural inequalities, particularly those evident in the criminal justice system and the policing of young women, the evidence outlined in chapter 2 reveals these issues to be a cause for concern. The Youth Justice Board itself has acknowledged the apparent presence of discrimination at various stages of the criminal justice process for young people, admitting it is unable to explain all of the disproportionality seen for Black children (YJB 2021). As discussed, Feilzer and Hood (2004), conducting research on behalf of the Youth Justice Board, found evidence of differences in decision making that suggested discriminatory treatment according to both gender and ethnicity. This information may not have filtered down to professionals within youth justice through education and training. Given that disproportionality is clearly publicised within the official outputs of the YJB, the body which oversees the youth justice system, there is scope for youth justice professionals to be better educated and informed about wider issues of race and gender.

Youth justice policy and practice can better support professionals in understanding all of the factors that influence young women's lives and criminal justice experiences, and which lead them to the point of being in conflict with the law. This would entail acknowledging, rather than omitting structural inequalities (McCorkel 2003, Goodkind 2005, Sharpe and Gelsthorpe 2009, Krumer-Nevo and Komem 2013, Wainwright and Larkins 2018). Working

within the constraints of structural conditions, practitioners still have an interactive role in developing and improving YJS practice (Stahlkopf 2008). Practitioners are in many ways on the frontline for addressing social problems resulting from oppression and complex social inequalities – and in this context intersectionality is a key tool for engaging in practice that furthers social justice issues (Collins and Bilge 2016).

I have considered professionals' thoughts on new approaches to working which take into account race and gender more directly. In doing so, I have examined how intersectional approaches have been used within recent social work research, as a mode of exploring the social positionality of worker and client. I have suggested how intersectionality might be used in youth justice practice to recognise the needs and experiences of young women of colour within the criminal justice system, and render them 'visible'. A more intersectional approach which considers positionality and structural oppression could address the imbalance in perspective between professionals and young women, and could potentially foster stronger understanding between youth justice workers and young women of colour.



## 7. CONCLUSION

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### 7.1. THESIS SUMMARY

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My research sought to explore how girls and young women of colour understand and contextualise their experiences of the criminal justice system and how they perceive their relationships with the professionals they encounter. It also aimed to understand the level of awareness youth justice professionals have of race and gender issues, how they perceive the girls and young women of colour they work with, and whether they employ intersectional approaches in their work. The following overview provides a brief summary of what each chapter has achieved.

Chapter 1 of this thesis set out the aims and objectives of the research, the research questions, and the theories and scholarship that influenced the project design. In this chapter I gave an overview of the issues surrounding race and gender in the field of criminological research and the importance of research with girls of colour. I also provided background context on youth justice services and the role of youth justice workers. Finally, I discussed terminology and the rationale behind the use of language within the thesis.

In chapter 2, I elaborated further on the links between race, gender and criminal justice, with attention to the particular status and experiences of girls and young women of colour. I discussed the few key pieces of research on girls and young women of colour, both in the UK and the US, on which this thesis has built, and gave an overview of relevant official statistics and policy research. Primarily, this chapter revealed the invisibility of girls and young women of colour in official data, policy and criminological research. Due to the large knowledge gaps evident in this area, this chapter focused as much on what is missing as it did on what we already know. This chapter set the scene for the original contribution of this thesis – emphasising the urgency of research that consults girls and young women of colour.

Chapter 3 addressed intersectionality, charting its development over time and reviewing the debate on its purpose and theoretical content. It describes my own take and interpretation on intersectionality and the intersectional lens I employed throughout the research process. Whilst chapter 2 set out the invisibility of girls and young women of colour in the criminal justice sphere, chapter 3 discussed the lack of attention to intersectionality in criminological research, which further compounds the invisibility of girls

of colour. This chapter laid the foundation for chapter 4, which discussed my methodology and research process.

Chapter 4 overviewed the research process from conception to fieldwork and data analysis. It outlined the research methodologies I employed, and discussed the ethical implications of my fieldwork as well as some of the challenges that I encountered in the process, including access difficulties. This chapter developed a reflexive discussion of the intersection of race and gender and the power dynamics between researcher and participant, in looking at the insider/outsider divide. It also began to introduce my research participants and give an overview of the interview process, contextualising the data.

Chapter 5, the first findings chapter, revealed the key findings from my interviews with girls and young women. This chapter was laid out in three sections – short discussions on participants' views on their relationships with youth justice workers and their experiences of court, and a longer section focusing on their experiences of policing which formed a large part of each girl's narratives. The most striking aspect of this chapter is the critical perspective on policing held by all participants, their overriding distrust of the police, and the stories of two participants in particular who shared their experiences of police violence. This chapter revealed the depth and importance of girls and young women of colour's previously ignored perspectives.

Chapter 6 explored the key findings of my interviews with youth justice professionals. It highlighted the stereotypes perpetuated by professionals, their appeal to colourblind approaches and commitment to cultural understandings of race and gender, which tend to overlook structural components. This chapter revealed a limited understanding from professionals of some of the most prominent issues and experiences of girls and young women of colour, particularly in relation to policing, and the presence of racism in the criminal justice system. Conversely this chapter also highlighted the more intersectional attitudes of a small number of professionals. Overall, this chapter revealed the gap in understanding between professional participants and girls and young women of colour, and thereby the invisibility of girls and young women of colour in practice, reflecting the picture built in foregoing chapters. Finally, this chapter explored examples of intersectionality in practice, and made a case for its potential utility in youth justice work, as a means of addressing positionality and structural inequality.

## 7.2. CONTRIBUTION TO KNOWLEDGE

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### ADDRESSING THE RESEARCH QUESTIONS

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My thesis provides an original contribution to academic knowledge, firstly by providing new empirical evidence on girls and young women of colour in the English youth justice system, in the context of a lack of empirical work that shares their experiences. Secondly, by examining youth justice professionals' perspectives on race and gender, again a topic unexplored in the UK context. Finally, it has contributed to the development of intersectional approaches in criminology. These topics are explored in more depth below.

A key objective of this research was to begin to make visible girls and young women of colour's experiences of the youth justice system in England and Wales. Alongside this, I aimed to understand youth justice professionals' perspectives on working with girls of colour, and how professionals contend with issues of race and gender, using an intersectional lens to give a critical perspective. My research questions were as follows:

1. How do girls and young women of colour understand and contextualise their experiences of the criminal justice system?
  - 1.1. How do they perceive their relationships with the professionals they encounter?
2. What awareness do youth justice professionals have of race and gender issues?
  - 2.1. How do they perceive the girls and young women of colour they work with?
  - 2.2. Do youth justice professionals employ an intersectional approach in their work?

The findings show that girls and young women have very different perspectives on their own criminal justice experiences than do youth justice professionals, and that many professionals lack awareness of the way girls and young women perceive the system, and their experiences within it. In answer to research question 1, it is clear that young women participants took an approach to the system that was critical and wary. They were largely open about discussing issues of race and gender, and, in particular, racism. Findings revealed that young women had somewhat mixed views on their relationships with youth justice workers, and an overall negative impression of the court process – although their

discussion of these aspects of their YJS experience was limited. Their perspectives on the police were highly negative and this was the dominant focus of their narratives. Young women were distrustful of police, and shared experiences of intrusive policing, stereotyping, and police violence. Many young women felt that they had been mistreated or discriminated against by the police because of their ethnicity and did not feel they could reach out to the police for help. Several participants were critical and reflective about the structural power of the police and explained that they had witnessed abuses of this power.

In response to research question 2, professionals were often unaware of, or struggled to discuss, issues of race and racism, despite many being comfortable discussing gender (narrowly defined), a position I termed 'colourblind yet gender aware'. Professional narratives showed evidence of the subscription to stereotypes about girls of colour, and they generally viewed girls as a more emotional, or challenging group to work with. Most professional participants did not show an intersectional awareness of young people's experiences and were not able to discuss in any depth the needs and experiences of girls of colour. They did not see policing as a key issue in the way that girls and young women did, and several professionals were dismissive of young people's experiences of police discrimination. The findings overall show that professionals did not display an intersectional approach in their work, with the exception of a notable few. Professional views on training and resources focused on cultural competence as opposed to understandings of structural inequality. Many participants were open to new ways of working, but expressed that they lacked the time and resources to adapt and evolve their practice to acknowledge race and gender.

## THE EXPERIENCES OF GIRLS OF COLOUR

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In generating empirical data which reveals the youth justice experiences of girls and young women of colour, my findings contribute to increasing their visibility within criminological research. I have taken my theoretical underpinnings from intersectional feminist theories, in particular those focused on the criminal justice system and its structural power (Crenshaw 1989, Collins 2000, Collins and Bilge 2016). In doing so, I have built upon the small field of intersectional criminological scholarship in the UK, which currently lacks empirical contributions. This thesis further extends the scope of intersectional criminology in the UK

by applying intersectional methodology to an investigation of the youth justice system, a context in which intersectional analyses are not represented.

'Invisibility' has surfaced as frequent theme throughout my thesis. This includes the invisibility of girls of colour at the research, policy and practice levels. This invisibility leaves young women ignored and vulnerable, while at the same time enduring traumatic and difficult experiences via the criminal justice system. The emergence of this theme builds upon insights from scholars who have observed the invisibility and erasure of Black women (Chigwada-Bailey 1997) and ethnic minority girls (Toor 2009, 2012) in the English criminal justice system. This is a scholarly narrative which had stalled in recent years; my thesis develops it in the contemporary context by exploring the invisibility of girls of colour in youth justice data, policy and practice narratives.

My findings in relation to girls of colour's experiences align with some of the existing scholarship which links the individual experiences women of colour with broader structures of oppression. The power of the criminal justice system as a disciplinary force of oppression (Collins 2000, Collins and Bilge 2016, Richie 2012) came through in young women's discussion of police discrimination and abuse of power, their lack of access to justice (Richie 2012, Cox and Sacks-Jones 2017) and their experiences of stereotyping and lack of trust in the system (Chigwada-Bailey 1997, Edgar 2010, Owens 2010). My thesis develops the scholarship in this area, by considering girls and young women of colour as a specific group, where previous research has predominantly considered adult (mostly older) women. The findings express new areas of concern, including experiences of police violence, and the intrusive policing present in the everyday lives of girls of colour. Although based on data from a small group, they indicate key areas of concern that warrant attention and further investigation.

In exploring in depth the official data and policy narratives around race and gender in the criminal justice system, my thesis draws together a record of the invisibility of girls and young women of colour in criminal justice statistics to date. I note the lack of attention to their needs and experiences across a wide range of official and policy contexts. I have analysed and disaggregated the available official data where possible, in order to reveal information on girls and young women of colour not published in policy reports and official summaries.

Finally, the thesis findings make clear the importance of giving young women the opportunity and the agency to discuss their own experiences and perspectives as ‘experts’ (Aldridge 2012, Vaswani 2018). Many professionals who took part in my research believed that young women did not openly discuss issues of race and gender. However, the evidence from the small cohort who took part in my research suggests that young women may not have the opportunity or space to discuss their experiences within youth justice work, and perhaps more widely.

Given space to consider issues of race and gender, young people will begin to contextualise and share their experiences and views (Krumer-Nevo and Komem 2015). This is borne out by my research and is a reflection of the importance of policy and practice being driven and led by the lived experiences of young people. This is particularly the case for girls and young women of colour, whose contributions have been thus far overlooked. My findings emphasise the need to look beyond purely statistical representations of the youth justice population and to consult young people about the content of their criminal justice experiences, the issues they have encountered, and what they feel could change.

#### YOUTH JUSTICE PROFESSIONALS’ PERSPECTIVES

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My thesis sheds light on a number of issues within the wider context of scholarship on the youth justice system. It provides data on the perceptions of youth justice workers on race and gender, and insight into how they work with girls and young women of colour - a topic thus far unexplored in UK empirical research. Relationships with youth justice workers are central to practice and at the core of young women’s criminal justice experiences. There is strong need for well-informed and supported practitioners to be working with young people who offend (Marshall 2013, Dukes 2018) and, therefore, a need for a robust evidence base underpinning youth justice practice. However, existing literature does not thoroughly explore the roles and perspectives of youth justice professionals, particularly in comparison to scholarship available on other criminal justice agencies (Marshall 2013, Morris 2015). In looking specifically at race and gender, my research examines one specific aspect of professional perspectives on their work, but contributes more broadly to the limited field of literature in this area.

My research emphasises the need for those working with young people to have an understanding of structural inequality, and an openness to addressing it. As noted in

chapter 1, there has been a contraction in the youth justice system in recent years, with a significant drop in first time entrants to the system over the past decade. However, despite the reduction in numbers, there has not been a 'diversion' focused approach within youth justice (Cunneen 2018) and in fact there are clear indications that structural inequalities persist within the system. This is shown through official data and research explored in chapter 2 (Feilzer and Hood 2004, Lammy 2017a, YJB 2021) as well as scholarship emphasising that young people drawn into the system are subject to oppression along race, class and gender lines (Muncie 2006, Ilan 2010, Sharpe 2012, Sharpe and Gelsthorpe 2009, Cunneen 2018). Whilst previous qualitative empirical work has examined the role of youth justice work in perpetuating structural inequalities around class (Ilan 2010) and gender (Sharpe 2012), my research addresses a gap in the literature in this area in examining the intersection of race and gender in this context.

My findings revealed that professionals had conflicting ideologies about appropriate methods of practice, in line with broader research in this area (Morris 2015, Phoenix 2016). Some were aware of the role of intersecting oppressions in their work, and in the criminal justice system as a whole, but the majority took a colourblind approach which did not acknowledge the intersection of race and gender. In response to these findings, I have suggested the potential use of intersectional praxis in youth justice contexts. In this way, my thesis makes links with intersectional scholarship (Collins and Bilge 2016) and a small but innovative field of social work literature (Mattsson 2014, Krumer-Nevo and Komem 2015, Bubar et al. 2016). Although the focus of my argument has been on better supporting young women of colour through recognising their experiences and positionality, the suggestions I have made about intersectional praxis have broader application. Acknowledgement of structural positionality in work with young people is essential, and has a wide benefit (McCorkel 2003, Goodkind 2005, Sharpe and Gelsthorpe 2009, Krumer-Nevo and Komem 2013, Wainwright and Larkins 2018). I have taken an exploratory approach to looking at how a move towards this type of practice might be achieved.

## INTERSECTIONALITY

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In order to examine race and gender critically and concurrently, I used an intersectional approach. Intersectionality is yet to be explored in depth in British criminology, although

its absence has been critiqued (Davis 2008, Potter 2013, Parmar 2017). In employing an intersectional lens, my research has contributed to the development of this limited area of criminological scholarship. I navigated several challenges, including the difficulty of representing the full diversity of participants' intersectional 'locations', and engaging the both the structural and the 'praxis' elements (Collins and Bilge 2016) of intersectionality.

Reflecting on their experiences of conducting intersectional research, Mason and Stubbs (2010: 22) comment that 'it was impossible to always do justice to a sexuality-gender-race configuration at every stage of the research (not to mention other cultural formations such as class).' In my own research there are multiple relevant 'intersections' in the lives of participants. Factors like class, age and location will have been important to participants' experiences, and any of these factors, either individually or combined, could have been the focus of this thesis. Although I have tried to acknowledge the existence of intersections beyond race and gender, the inevitable difficulty of an intersectional approach is that some subjectivities will remain unexplored. To coherently analyse all potentially relevant intersecting oppressions influential in my participants' lives would be a methodologically impossible task. For the reasons discussed in the preceding chapters, race and gender have been prioritised as the primary focus of my intersectional approach, acknowledging intersectionality as a Black feminist construct (Nash 2011). However I acknowledge that there is a vast scope for other intersections to be explored, and that is perhaps an avenue for future research.

I discussed in chapter 3 how intersectionality has been employed by postmodern-influenced feminists seeking to challenge fixed categories of gender, race and sexuality, and explained its utility as an approach which challenges the notion of 'woman' as a homogenous category (Brah and Phoenix 2004). Although I did not take a strictly poststructural approach, I have tried to incorporate critique of reductive interpretations of race and gender. For example, I have challenged the notion that the experiences of girls of colour can be adequately represented by research on boys, or on White girls – thereby critiquing the 'singular' treatment of race and gender. I have also challenged race and gender stereotypes in my findings in chapters 5 and 6. My intention was to try to represent the importance of real-world, material experiences of oppression, whilst avoiding the entrenchment of restrictive notions of gender and racial identities. This has been a very hard balance to achieve, and it has been difficult to convey through my analysis. The tension between recognising 'experience' and critiquing fixed categories is a



continued challenge for intersectionality, and should be considered in further research utilising the intersectional lens.

A crucial project of intersectional research is the critique of the structural constraints associated with race and gender (Anthias and Yuval-Davis 1992, Evans 2016, Collins and Bilge 2016). Collins and Bilge (2016) express six core ideas that could comprise an intersectional framework for research: social inequality, power, relationality, social context, complexity and social justice. My own analysis has incorporated elements of each of these core ideas in different ways. A key challenge has been to draw together individual-level experiences with wider forces of structural oppression around power and social inequality. One way I have done this in my own work is by drawing on aspects of critical race theory, for example theories of colourblindness (Gallagher 2003, Bonilla-Silva 2006, Apfelbaum et al. 2012), in order to link participant perspectives with wider ideas on how power, privilege, and oppression are constructed systemically (Collins 2000, Almeida 2019). I have also drawn upon critiques of the disciplinary power of the criminal justice system in my analysis of girls' narratives (Chigwada-Bailey 1997; Richie 2003, 2012; Ritchie 2017).

I have chosen intersectionality as an approach that aims to actively link scholarship with practice. As Collins and Bilge (2016) emphasise, part of an intersectional approach is a drive towards critiquing social inequality, not merely through describing it, but through suggesting alternative actions and strategies for change. I have suggested possible alternative modes of thinking about youth justice practice - utilising a more intersectional approach which recognises structural oppression, and specifically race and gender oppression. Youth justice workers are in many ways on the frontline for addressing social problems resulting from oppression and complex social inequalities – and in this context intersectionality could be a key tool for engaging in practice that furthers social justice issues (Collins and Bilge 2016).

### 7.3. CHALLENGES IN THE RESEARCH PROCESS

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#### ACCESS

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As noted in chapter 4, I experienced various access obstacles in identifying young women to participate in the research. The fieldwork stage of my project lasted over a year, beginning in the Autumn of 2016 and ending in December 2017. As I detailed in chapter 4, it included several unproductive months of contacting and meeting with people in charities working with criminal justice-involved young women. This was followed by a three month period of contacting youth justice services. In total I contacted 23 services over a period of 3 months, visited 4, and was able to secure access at 3. This was then followed by the challenges associated with access 'in the field' (Denscombe 2014), and the process of 'scrounging sampling' Groger et al. (1999: 830) through social media. At the outset, I was aware that I was seeking to access a small and potentially quite hidden group, but, as an inexperienced researcher, was not prepared for how long this might take. I did not anticipate, for example, that some charities and youth justice services would not be working with any young women of colour at the time of contact.

I was unable to access either group of participants as an 'insider' – having no strong networks with young women who had been involved in the criminal justice system, nor with youth justice professionals. Although I did have some contacts from a time spent volunteering at youth justice services, I was not perceived as an insider in the same that way a practitioner might be, and was still viewed by some professionals with a level of wariness. This undoubtedly influenced my ability to build trust with gatekeepers. My positionality as a White researcher will inevitably have been influential in the access process, in terms of girls' decisions about whether or not to participate in the research. I met with one young woman who declined to participate without giving a reason, for example. Others seeing my 'call for participants' online may have been deterred by the thought of discussing their criminal justice involvement with a White researcher (Miller 2001, Obasi 2014).

The benefit of hindsight can reveal that project designs that seemed reasonable in the beginning were not, in reality, feasible within the given timescale (Vaswani 2018). If undertaking the research again, I would certainly have managed the fieldwork process differently. With hindsight, I could have started the process of data collection earlier, and

thus made more use of the relationships I eventually developed with three youth justice services. Had I spent a longer period of time with these services, I would likely have gathered a larger sample. I may also have been able to meet up with participants for follow up interviews, having had the benefit of time to reflect on their interview responses. This may have enabled me to delve deeper into their narratives, potentially gathering richer data (Lewis 2003). However, at the point that I was able to gain access to services I was already behind schedule, and at this stage there was very limited time to engage in the fieldwork.

## SAMPLE SIZE

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The depth of the conversations I was able to have with girls, and their generosity with their time, helped to offset the small number (eight) who eventually took part. Nonetheless caution should be exercised in generalising from the experiences of this small group of young women; the research is exploratory in this sense. This is particularly the case given that my project deals with intersecting identities, and the young women who participated represented a range of different ethnic backgrounds. A larger sample of young women would likely have created space to consider more intra-group variations in experience – perhaps drawing out more distinctions in the narratives of participants from different ethnic backgrounds/groups. It may also have enhanced some of the sparser data around youth justice relationships and experiences of court, perhaps providing clearer and more conclusive themes in these areas. Although research (Young and Casey 2019) has suggested that saturation can occur with a relatively small number of interviews, I did not get a sense that I was close to saturation at the end of my research, and felt further participants would have been advantageous.

Nonetheless, as outlined in chapter 4, there is a variety of research suggesting that small sample sizes can still realise significant themes (Crouch and McKenzie 2006, Young and Casey 2019). On reflection, the data I was able to collect from my sample of eight young women produced a range of relevant and important themes, exploring the experiences of a hidden population. In the year ending September 2017, the time of my fieldwork, the number of BAME girls entering the youth justice system for the first time was approximately 747 – a rough average 62 per month across England and Wales (MoJ 2020a). It is now even lower. Viewed from this perspective, rather than the perspective of

‘saturation’ or generalisability, my data offers a significant contribution to knowledge in this area.

The challenges I experienced meant that I accessed 3 separate youth justice services in quite disparate parts of the country. Had I been able to quickly access a large number of participants in my local area – I would have done so, due to the time and budget constraints I was facing. One positive outcome of these access challenges is that the research now covers a wider geographic area than it may have otherwise. However, a clear limitation of a project this size is that the findings cannot be generalised to all YJS settings. Although my sample of professionals (20) was significantly larger than my sample of young women, it must be acknowledged the sample still only represents a small number of workers in each YJS. Different youth justice services will have different occupational cultures, atmospheres and ways of working (Souhami 2007, 2009) – these divergent professional values shape the delivery of youth justice services in different local authority areas (Haines and Case 2018).

I have presented a window into young women and professionals’ experiences and perspectives within a particular time frame, across a small range of locations. I do not claim to have understood the feelings of all girls and young women of colour, or all youth justice professionals, nor do I suggest that the positions and feelings of participants will not change and alter over time. Each participant’s perspectives on the topics we discussed will naturally change and evolve, and will differ from those of others not interviewed. My research uses this snapshot of experiences and perspectives to reflect on the hidden experiences of girls and young women of colour, and the intersection of race and gender in the context of youth justice practice.

#### 7.4. FUTURE TRAJECTORIES

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##### POLICY REFLECTIONS

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In the penultimate section of this thesis, I reflect on the policy implications of my findings. I have discussed the potential for intersectional praxis within youth justice work. My findings suggest that professionals could be enabled to engage in more dialogue about positionality and structural inequality, and could be better supported in understanding and

acknowledging young people's experiences of discrimination. Based on my findings, I have put forward the idea that youth justice professionals could receive more innovative education and training that incorporates contemporary understandings of race and gender as intersectional. This could help develop professionals' understandings of positionality and structural inequality in ways that are relevant to their work.

Although I have applied a critical lens to professionals' narratives, it is not my intention to place the responsibility for improving provision for young women of colour solely onto youth justice workers, who, as expressed, face numerous challenges and constraints within their roles (Marshall 2013, Haines and Case 2018). There are many ways that the wider criminal justice system could work to better address and understand the experiences of marginalised groups, particularly considering the persistent overrepresentation of such groups over time. One clear way the situation could be improved is through the collection and publication of intersectional data on all areas of the criminal justice process, disaggregated by both race and gender.

This data should be available in accessible formats, and not hidden in supplementary documents that are difficult for the average member of the public to access and interpret. This is not a new insight (Smee 2016) but in the process of undertaking the literature review it became clear the extent to which this data is unavailable across many areas of the system. Compiling the statistics shared in section 2.3 was, as such, a painstaking process. In the Government's response to the Lammy Review (MoJ 2017b), it committed to implementing a consistent approach to recording and analysing ethnicity across the criminal justice system, expanding and unifying data collection. It is clear from the analysis in chapter 2 that the Race Disparity Audit has not yet gone far enough in achieving this aim, given the continued absence of girls and young women of colour from official statistics.

A further area of improvement would be the funding of official research and investigation into the experiences of girls of colour, and into race and gender disparities within the system more generally. It is now approaching 20 years since Feilzer and Hood's (2004) research was commissioned, revealing areas of discrimination and disparities which more recent data suggest have not been adequately addressed. A follow-up study that delves further into the experiences of girls of colour would be welcome.

Where there is evidence of race and gender disparity within the youth justice system, this must be investigated with qualitative research methods, in addition to quantitative

analyses. There is a need to better understand how the system is experienced by young people, in their own words. The government's Female Offenders Strategy (MOJ 2018b) expresses its commitment to improve communication and policy development in relation to BAME women, stating that it will require community providers to demonstrate how they will cater to the needs of BAME women. These objectives cannot be effectively achieved without the first-hand accounts of women and girls themselves, outlining their self-identified needs and experiences.

Finally, the data indicate that young women of colour's negative experiences of policing must be further explored and addressed. Although a small cohort, two out of the eight girls I interviewed disclosed experiences of violent or sexually abusive conduct by police. Two professionals also shared second hand stories of violence towards girls of colour they had worked with. At the time of writing, the story of the strip searching of Child Q has been the focus of significant public attention (Dodd and Quinn 2022), raising questions about police treatment of Black girls. As the case studies in chapter 2 show (Chigwada-Bailey 1997, Crenshaw and Ritchie 2016), the primary evidence in this area comes from the collation of case studies on these types of serious incident, as opposed to any significant empirical investigation. I contend that the snapshot of police violence contained in chapter 5 is significant in this respect, and adds to the evidence that police violence and misconduct towards girls and young women of colour should be reviewed and investigated. This could include examination of the safety of current police practices for girls and young women of colour, with acknowledgement that violence does not necessarily look the same for girls as it does for boys, as the stories of sexual violence highlighted by Jade and Anika emphasise. Avenues for future academic work in this area are explored below.

## FURTHER RESEARCH

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My findings, as well as my review of the available literature, suggest that further research on the full spectrum of the experiences of girls and young women of colour in criminal justice settings should be undertaken. As discussed above, young women did not share in-depth perspectives on court processes and youth justice worker relationships. It would be useful for future research to engage in observational or ethnographic research in these settings, using an intersectional lens. Further research could focus on for example, exploring the language used in court to describe and discuss young women of colour, or

undertaking an ethnographic study of youth justice practice, exploring how the dynamics of race and gender play out in these settings.

The design of my research was exploratory, and I did not set out to deliberately focus heavily on policing experiences. Policing themes emerged strongly in interviews, and therefore the findings are heavily centred on girls' policing perspectives and experiences. However, no police officers were interviewed as part of the research. This was a deliberate decision at the start of the fieldwork, acknowledging the distinct role that police officers have within a multi-agency youth justice service, when compared to other youth justice professionals. On reflection, it would have been valuable to seek out and interview YJS police officers, and perhaps police officers more widely, to understand their perspectives on working with girls and young women of colour. It would be interesting for future research to interview or observe officers to explore how they work with girls and young women of colour in comparison to other groups. This would be particularly relevant in the current political context in which the case of Child Q (Dodd and Quinn 2022), and the policing of women in the wake of the Sarah Everard vigil (Grierson 2022), have been prominent in news coverage.

My research has contributed to scholarship in developing the field of intersectional criminology, revealing the youth justice experiences of girls and young women of colour, and shedding light on professional perspectives on race and gender. In doing so it develops knowledge on several unique and unexplored perspectives. However, there is ample room for expansion and development of these themes, and I hope that this research will prompt further consideration of what are important and urgent contemporary issues for scholarship, policy and practice.

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## APPENDICES

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### APPENDIX 1: INTERVIEW GUIDES

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#### YOUNG WOMEN

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##### INTRODUCTORY

- Hobbies, interests, what do you do for fun?
- Are you at school/college/working?
- Future aspirations

##### CONTACT WITH THE CRIMINAL JUSTICE SYSTEM

- Are you comfortable talking about how you became involved with youth justice?
- Timeline of events
- Were police involved?
- Did you go to court?
- Is this the only time you have had contact with police/youth justice?
- Discuss any previous contact (how often, which agencies?)

##### POLICE

- Is your experience of the police generally positive or negative?
- Impression of police interaction/s –helpful, fair, unfair?
- Does any particular encounter stand out as especially positive (helpful, supportive)?  
Explore
- Does any particular encounter stand out as especially negative? Explore
- What makes a ‘good’ police officer?
- Discuss level of trust and confidence in police
- Have you ever reported an offence to the police/sought help from police? In what situations would you do so?

##### COURT

- How did you find it? Was it what you expected?
- How did you feel at the time?
- Did you understand what was going on?

- Discuss interactions with judge/judges – how did they treat you? What impression did you have of them?
- Explore perceived fairness of sentence

#### YOUTH JUSTICE/YOUTH OFFENDING TEAMS

- Talk about activities, work etc. completed through YJS
- What is your relationship with your YJS worker like? Mostly positive, mostly negative, a mixture? Explore
- Discuss positive and negative YJS experiences
- Discuss level of trust in YJS worker/s
- What makes a good YJS worker? Is it the same qualities as for police?

#### RACE, GENDER AND AGE

Thinking about experiences with the agencies we've talked about...

- In your experience does race/ethnicity affect the way you are treated or your relationships with officers, judges and workers?
- Do you think someone who is White would be viewed or treated differently by officers/judges/workers, compared to people from Ethnic Minority groups?
- In your experience does being female have any impact on how you are treated or your relationships with these individuals?
- Are things different for boys and men?
- If an officer/worker is of the same gender or ethnic background as you, do you think this would have an influence on your relationship with them? Would it influence your expectations of how they might treat you?
- What about age, do you think being 'young' has an impact on how you are treated and your relationships with workers?

#### FRIENDS/FAMILY EXPERIENCES

- Can you think of any experiences or stories you have heard from friends or family about the criminal justice system (police, courts, youth justice etc.) that have stuck in your mind? Explore
- Can you think of any comments or opinions from friends or family on the CJS that have influenced your views (growing up or more recently)?

- Thinking about the views and experiences you have shared in this conversation – do you think your friends and family would feel the same way as you do/have similar opinions?

#### FINAL/ADDITIONAL QUESTIONS

- Is there anything relating to any of the topics we have discussed that you feel like you want to raise?
- Any questions for me?

## PROFESSIONALS

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### OPENING QUESTIONS

- Can you tell me a bit about your career path?
- How long have you been in this role and how did you get into youth justice work?

### RACE AND GENDER ISSUES/WORKING WITH BAME GIRLS

- How long have you been working with girls?
- Roughly how many girls have you worked with over the course of your career and how many would you say were BAME? (If a high number, how many do you work with per month approximately?)
- What are the most common offences you see from girls?
- Based on your experience does girls offending differ from boys? If so, how/can you elaborate?
- If you think about BAME girls' offending more specifically – are there any types of offence you see more from BAME girls than other groups?
- In your experience, are there different pathways into offending (or motivations for offending) for girls? What about if you consider BAME girls specifically?

### NEEDS AND SUPPORT

- Do you feel girls have different needs to boys in terms of support?
- Do BAME girls have different needs still? (prompt – e.g., based on different life experiences, backgrounds, challenges?)
- (If yes) does this influence your work?
- Do you feel BAME girls' needs are being adequately met within the criminal justice system?

### TRAINING, PROGRAMMES AND RESOURCES

- Have you done any training on either gender issues (i.e., working with girls) or training which covered issues relating to race and ethnicity? Are you aware of this type of training existing within youth justice or other CJS agencies?
- Do you think this type of training is needed, or are staff best off using their initiative/personal instincts?
- Is there a need for gender and/or race and ethnicity specific programmes and activities within youth justice?



- Are there resources (funding) available for gender and/or race and ethnicity specific programmes and activities to your knowledge?
- Have you ever tried to set up anything gender/race and ethnicity specific or do you know of anyone who has? If so, was this supported by other team members/senior staff?
- What do you think (in theory) about the idea of 'matching' case/key workers to young people of the same gender and/ethnic background? Could this have benefits? Any negative consequences?

#### EQUALITY OF TREATMENT

- Have BAME girls you've worked with ever discussed issues of gender, race or ethnicity with you? Do you ever raise these issues with them?
- Have BAME girls you have worked with ever raised concerns about possible discriminatory or unfair treatment within the CJS based on their ethnicity and/gender? Explore
- Have you ever felt that the treatment of a young person you were working with had been unfair or discriminatory at some stage in the CJS process? If so, could you elaborate
- Do you feel there are areas of the criminal justice process in which inequality or differential treatment based on race, ethnicity or gender still exists? If so, what do you feel is the way forward in terms of tackling this?

#### CLOSING QUESTIONS

- Any points to add?
- Any questions for me?

### Young women



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Of  
Sheffield.

School of Law  
Bartolomé House  
The University of Sheffield  
Winter Street  
Sheffield  
S3 7ND

#### **Dear Participant,**

My name is Claire Johnston and I am a PhD student at the University of Sheffield. I'm currently doing some research on the experiences of Black, Asian and ethnic minority girls and young women of the criminal justice system (e.g. police, courts and youth justice). As part of this research I would like hear your own experiences and opinions.

This is important because there has been very little research that asks girls and young women about their experiences of the criminal justice system, and even less that includes the perspectives of girls from BAME backgrounds. So this is a chance for you to have your views included. You will be helping me with my research as well as helping other researchers, students, and practitioners understand more about BAME girls' and young women's experiences of the criminal justice system.

#### **What will taking part involve?**

- Sitting down together for an informal conversation
- Topics we'll discuss could include: your experiences of police, courts and youth offending services – e.g. how you feel you were treated, positive and negative relationships with staff. As well as the impact being involved with criminal justice/youth justice has had on your life. We may also discuss other things in your life, like school, friends and family
- You are free to choose not to answer any question, or to let me know that you don't want to discuss a particular topic
- You are free to change your mind and decide not to take part in the study at any time – before, during or after the interview
- The interview will be recorded using a digital recorder. If you would prefer not to be recorded, let me know and I will take notes
- You will receive a £10 high street voucher as a thank you for taking part

#### **What will happen after the interview?**

- I will store the recording of the interview safely on a computer (using a password and security software)
- If I quote something you have said in my writing then I will use a fake name, and I will change any other details that might make it obvious who you are - like the name of your home town
- **Our conversation will be private.** I will not tell workers, parents or any other person anything you have said. The only situation where I cannot guarantee that what you tell me will stay private is if you say that someone is causing harm to you or that you are harming/ planning to harm someone else.

If you have any questions, please let me know. You can contact me on: [ccjohnston1@sheffield.ac.uk](mailto:ccjohnston1@sheffield.ac.uk). If you have any complaints or concerns about the research you can contact my supervisor, Gilly Sharpe: [g.h.sharpe@sheffield.ac.uk](mailto:g.h.sharpe@sheffield.ac.uk)

**Thank you!**

## Professionals



The  
University  
Of  
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### **Dear Participant,**

This piece of research looks at the experiences of Black, Asian and ethnic minority girls and young women of the criminal justice system (e.g. police, youth justice, courts). As part of this research I am interested to hear the thoughts and perspectives of staff who work with girls and young women, particularly those who have had experience of working with girls from BAME groups. There is very little current criminological research that looks at girls and young women within the criminal justice system and even less that includes BAME girls and young women. This research will contribute towards a more diverse understanding of women's experiences of criminal justice and will be useful to researchers, practitioners and others working with girls and young women.

### **Taking part:**

- Participation will involve an informal 1-1 interview - topics for discussion could include: your general experiences of working with girls/young women - particularly BAME girls/young women; whether you feel BAME girls' experiences and needs differ in any way from other groups, and whether you feel they are adequately supported within the current system. As well as any other related issues you would like to raise
- The interview will be recorded using a digital recorder. If you would prefer not to be recorded, let me know and I will take notes
- You are free to choose not to answer any question/ not to discuss a particular topic
- You are free to revoke consent at any time (including after the interview – up until the data analysis stage) meaning your recording and any data relating to you will not be used, and will be destroyed

### **After the interview:**

- I will store the recording of the interview electronically - I will then transcribe the interview using false names, and will store the transcription separately. Password protection and encryption will be used throughout
- If you are quoted in writing at any point, a false name will be used and any details that may identify you (such as place names) will be removed or disguised

If you have any questions, please let me know. You can contact me on: [ccjohnston1@sheffield.ac.uk](mailto:ccjohnston1@sheffield.ac.uk), 07498341633. If you have any complaints or concerns about the research you can contact my supervisor, Gilly Sharpe: [g.h.sharpe@sheffield.ac.uk](mailto:g.h.sharpe@sheffield.ac.uk)

**Thank you,  
Claire Johnston**



**Informed Consent Form for Participation in Research Interviews**

**Claire Johnston, University of Sheffield Research Project: BAME girls and young women's experiences of the criminal justice system**

*Please initial on the lines:*

1. I confirm that I have read and understand the information sheet explaining the above research project and I have had the opportunity to ask questions about the research  
\_\_\_\_\_
2. I understand that my participation is voluntary and that I am free to withdraw from the research at any time without giving any reason, and without there being any negative consequences  
\_\_\_\_\_
3. I understand that I have the right to decline to answer any question and I am free to end the interview if I feel uncomfortable in any way  
\_\_\_\_\_
4. I understand that I may be quoted directly (under a false name) in parts of the research  
\_\_\_\_\_
5. I understand that my responses will be kept strictly confidential and that my name will not be linked with the research materials. I will not be identifiable in any piece of writing that comes out of the research  
\_\_\_\_\_
6. I volunteer to take part in the above research project  
\_\_\_\_\_

**Name of participant** \_\_\_\_\_

**Date of signature** \_\_\_\_\_

**Name of researcher** \_\_\_\_\_

**Date of signature** \_\_\_\_\_

*Researcher contact details: Claire Johnston, School of Law, Bartolome House, Winter Street, Sheffield, S3 7ND  
ccjohnston1@sheffield.ac.uk, 07498341633*



The  
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Of  
Sheffield.

**CONSENT FORM FOR PARENTS AND CARERS**

**BAME GIRLS' EXPERIENCES OF THE CRIMINAL JUSTICE SYSTEM STUDY**

I am asking for your consent as a parent or guardian for .....  
to be interviewed by Claire Johnston, a researcher at the University of Sheffield. This is part of a study about Black, Asian and ethnic minority girls and young women's experiences of the criminal justice system. The aim is for girls to have a chance to say what they think about the criminal justice agencies and workers they have come across (for example the police, or the youth justice system) – e.g. how they feel they were treated, and their positive and negative relationships with workers, and the overall impact on their lives. It is also a chance for them to talk about other areas of life such as school, friends and family.

Anything a young person says to Claire in interview will be kept private and confidential. Nothing that is said will be told to any worker in the Youth Offending Team or to anyone else.

If anything the young person has said is quoted in writing in the research, a false name will be used. The only situation where I cannot guarantee confidentiality is if a young person says that someone is causing harm to them that they are harming/ planning to harm someone else.

Any young person who is interviewed can stop the interview at any time, choose not to answer a particular question, or change their mind about being interviewed if they want to.

For further information, please contact Claire Johnston:

Claire Johnston  
School of Law, University of Sheffield  
Bartolome House  
Winter Street  
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**Email:** ccjohnston1@sheffield.ac.uk **Phone:** 07498341633

I give my consent for.....to be interviewed about their experiences of the criminal justice system by Claire Johnston from the University of Sheffield's Law Faculty

Signed.....Date.....