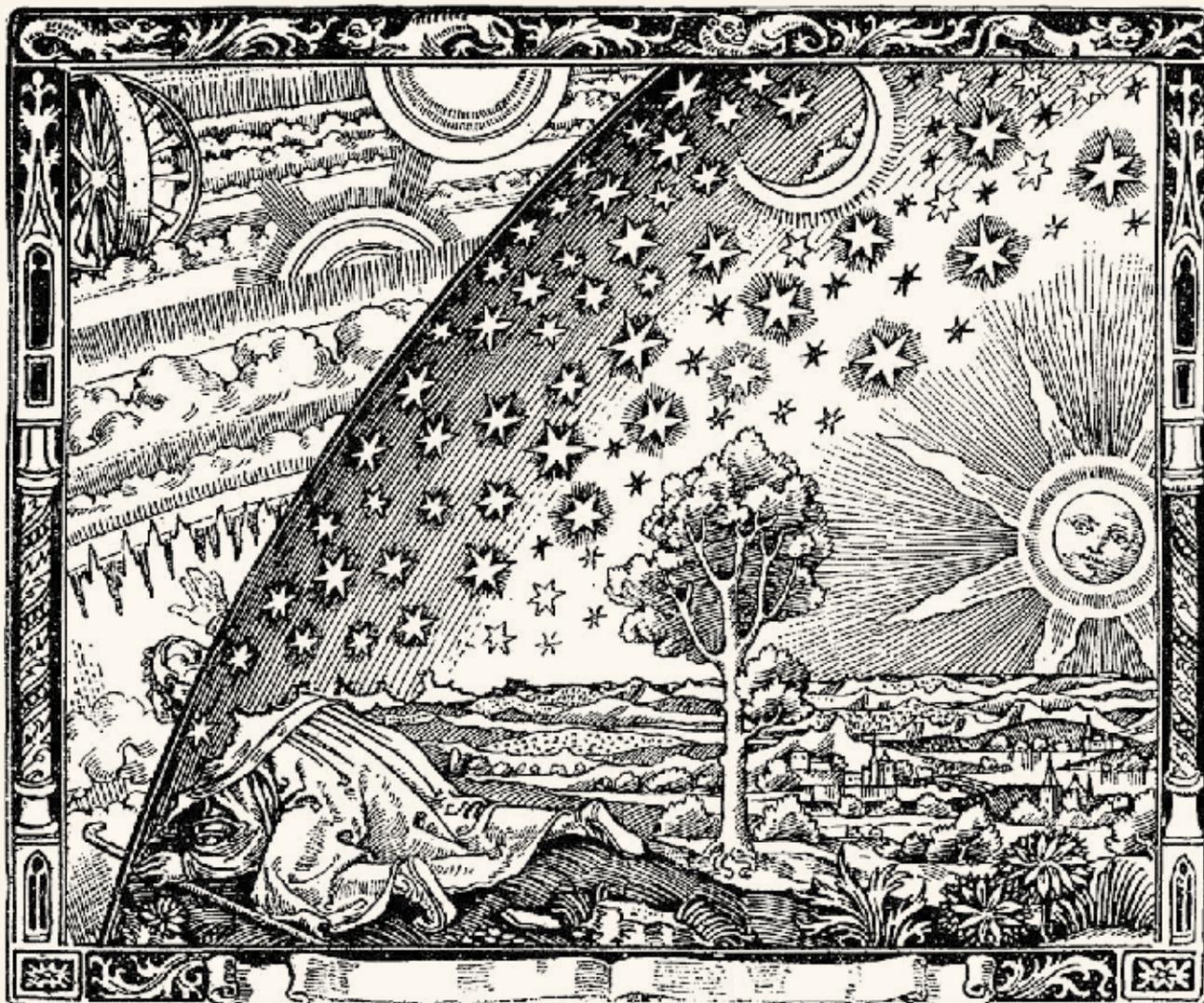


scottish justice ' matters

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REIMAGINING PUNISHMENT AND JUSTICE

scottish justice matters

Scottish Justice Matters is a publication of the Scottish Consortium of Crime and Criminal Justice (SCCCJ). The Consortium is an alliance of organisations and individuals committed to better criminal justice policies. It works to stimulate well informed debate and to promote discussion and analysis of new ideas. It seeks a rational, humane, constructive and rights-based approach to questions of justice and crime in Scotland.

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GENDER AND CRIMINAL JUSTICE CHALLENGING PREJUDICE

Rachel Thain-Gray, Rebecca Jones and Margaret Malloch

THERE have been many recent attempts to 'reimagine' justice in Scotland in relation to gender and the criminal justice system. Part of the process of 'reimagining' punishment and justice requires overcoming existing barriers and finding a space to rethink power, change institutions and systems of state. To do so, requires looking and thinking in different ways.

In relation to gender, of particular note is the space that has been created by the decision to find an alternative to the proposed prison at Inverclyde. The discussions, debates and actions that followed the decision by Cabinet Secretary for Justice, Michael Matheson have illustrated the significance of this issue.

The Scottish Women's Convention, Women for Independence, Engender and Glasgow Women's Library have been proactive, in different ways, in ensuring women's issues remain high on the policy and profile agenda. These organisations and groups have drawn attention to violence against women, women in politics, constitutional change and gender, and suggested ways to tackle gender discrimination and broader prejudice in ways which often challenge mainstream responses.

The Scottish Government's recent attention to 'sectarianism' provided an opportunity for collaboration around local projects and networks. In particular, there was recognition that women's involvement in defining 'sectarianism', recounting experiences and positing solutions had been overlooked.

Debates around sectarianism often seem to have been conducted within a largely male and masculine context: frequently led by men with much attention given to football and 'violence'. Facilitated discussions by Scottish Women's Convention and Engender highlighted that women were often reticent about discussing sectarianism, that they felt it was more prevalent in some areas of Scotland than others, and that sectarianism appeared to create or represent 'division'. Studies commissioned by the Scottish Government and Advisory Group on Tackling Sectarianism (Goodall et al, 2015; Hamilton-Smith et al, 2015; Hinchliffe et al, 2015) on different aspects of 'sectarianism' acknowledged how certain displays of masculinity (Engender referred to 'toxic masculinities') meant that women would limit their own freedom (i.e. avoid going out, using public transport, going into city centres), curtailing their movement in public, and sometimes in private, space. It was evident that women engaged in strategies of self-management and avoidance of risk in leisure spaces on a daily basis. Current debates surrounding the appropriateness (or not) of criminalising so-called 'offensive' behaviour have been ongoing within feminist academic and activist communities for many years.

Despite the long tradition of feminist analysis in relation to control of public and private space, the absence of women's accounts (until recently) and women's experiences of 'sectarianism', seem to exclude and invalidate women's concerns about wider social issues within local communities.

Women's views add an important analysis to existing debates and highlight the ways in which 'sectarian' divisions sustain 'patriarchal structures' by limiting women's control over (and sometimes access to) public space and social, structural hierarchies of power.

Addressing the issues of 'sectarianism' and women's safety are inextricably linked, both theoretically and practically. So perhaps it is appropriate that we take on board how women have attempted to reclaim that space through practical strategies such as the development of Women's Centres, establishing collectives, groups, networks and coalitions, to make women's views visible: in doing so, not only challenging sectarianism but also highlighting the effects of poverty and exclusion and highlighting the importance of community control over local resources.

This has often taken the form of 'consciousness-raising as method': the collective critical reconstitution of the meaning of women's social experience, as women live through it, and where the pursuit of consciousness is a form of 'political practice'. And of course, the analysis that the personal is political came out of consciousness-raising; that what individual women believed was a personal problem, was in fact an issue that was shared and understood by many other women.

Collective action is a political practice; by providing a space for women to be close, it is also possible to consider how far they have been separated and how that separation obscures broader collective experiences. Consciousness-raising shows women (and men) their situation in a way that also suggests they can act to change it. It creates a shared reality that 'clears a space in the world' within which they can begin to move. And once that has happened, the consequences are significant both for women, and for wider society. By understanding women's experiences of 'sectarianism' it becomes possible to do something about it while also making the connections between sectarianism and sexism; class, racism and homophobia.

The *Mixing the Colours* project at Glasgow Women's Library is a project that was set up to bring women together to share experiences and find collective ways to address conflict within groups and communities. During the last three years, this project's specialism has been to address and challenge prejudice with a focus on religious and cultural diversity, using a combination of 'prejudice reduction' and 'collective action' theories and creative methods. Utilising expertise in the ways that gender intersects with other forms of prejudice, *Mixing the Colours* tested different methods of exploring sectarianism. The women who participated were at the core of the project's work, providing creative testimony to change minds and challenge prejudice.

Using collective action theory, the project's main working values were to acknowledge the structural inequalities faced by women and ensure that those experiencing prejudice, discrimination and hatred were central to the process of challenging prejudice. By supporting women to speak about their experiences and produce the materials for interventions such as a film, publication, performances, podcasts and oral histories, *Mixing the Colours* ensured participants' role as the 'agents of change'. Participants designed the content and context of the project, readdressing societal power imbalance and developing a strong collective identity, something which

Dixon and Levine (2012) claim can foster self-esteem in the face of discrimination, and support disadvantaged groups in their struggle for collective equality.

Mixing the Colours has given me a forum to express and explore the scar that sectarianism has left on me but also filled me with hope that the issue is being addressed by positive action to stamp it out across Scotland. (Participant).

Prejudice reduction methods are generally understood to create positive 'outgroup' characteristics and cross-group liking. This model, however, is said to be most beneficial for those groups who are most disadvantaged. *Mixing the Colours* utilised this method in combination with the collective action of participants to facilitate positive inter-group contact, as an effective means of prejudice reduction. By hosting educational 'interventions' to reduce prejudice and discrimination in wider society (with mixed gender groups), the project created opportunities for people to hear perspectives outside of their own experience, culture, religion, ethnic group and gender.

Mixing the Colours participants produced a publication of their stories, which were largely fiction based on fact. They have performed their stories at public events across Scotland to mixed audiences to encourage empathetic responses, perspective-taking, reduction of negative attitudes and promotion of inclusivity. Audiences reported that hearing the writers read their stories and engaging with them in lively discussion was beneficial. In the majority of cases, audiences reported the highest levels of increased understanding at events that featured the *Mixing the Colours* writers performing their own work. When project workers delivered the stories at events, levels of reported understanding were lower. As one attendee at a Tron Theatre Event where women had presented their stories noted: "So refreshing, moving and interesting to hear women's experiences of different aspects of sectarianism in their own words."

The learning gained from this method of working is being applied to the new 'Equality in Progress' project at Glasgow Women's Library, which will support marginalised and excluded women instigate meaningful systemic change to increase their own access to, and representation in, public sector services.

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Margaret Malloch is co-editor of this *SJM* and is a member of the Scottish Centre for Crime and Justice Research, University of Stirling.

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Mixing the Colours site (includes podcasts)
<http://womenslibrary.org.uk/discover-our-projects/mixing-the-colours/>
