

**CRIMINAL JUSTICE
SOCIAL WORK
EXPLORING
GENDER
ISSUES**

**REFLECTIONS
ON THE
1968
ACT**

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Abstract

This study explores gender in criminal justice social work (CJSW) in Scotland, historically and in the present day. It is well-known that the Social Work (Scotland) Act brought services together into a generic social work service for the first time. What is less recognised is that there was considerable opposition to this from within the (largely male) probation service; the rest of the UK's decision to keep probation out of social work shows just how strongly views were felt. Our study asks – 50 years on – how did the decision taken in Scotland come about, and how are gender issues played out today in criminal justice social work (CJSW)? The study employed a mixed methods approach involving a review of literature and research, a national online survey and focus groups. Thematic data analysis followed. The findings throw into question gendered representations of CJSW, past and present. While it is clear that gender remains a significant dimension in CJSW, this is not always in ways that we might expect. Specifically, gender emerges as an inevitable constituent in a workforce that works 'mostly with men'; it is as a key feature of work with those convicted of sexual offences and domestic violence; it can be seen in approaches with women who offend; and finally, it plays out in both workload allocation and career progression. We conclude that CJSW is an important space for understanding gender and social work in Scotland, with scope for more explicit, complex and reflexive engagement with this topic in the future.

Criminal Justice Social Work: Exploring gender issues

One of the greatest achievements of the 1968 Social Work (Scotland) Act was the bringing together of disparate services into one generic service for the first time; local authority social work departments would offer 'one door on which to knock', and in Scotland, unlike in the rest of the UK, this included the former probation service. However, this was not a development that was universally welcomed at the time. In fact, there was significant opposition from the (largely male) probation service about joining what members saw as a largely female social work workforce. In an interview conducted in 2010, Keith Bilton, the former general secretary of the Association of Child Care Officers (ACCO), expressed this as follows:

'There was a very strong commitment from the Home Office that probation officers should be qualified in social work, but there was a powerful, largely male older group of NAPO [National Association of Probation Officers] members who thought that probation was an upright, no-nonsense man's job and social work was a rather soft sort of thing in comparison' (2010: 22).

This statement was the trigger that inspired the current research study, where we set out to ask – what can and should we make of this? Has this attitude changed over the years? What about criminal justice social work (CJSW) in Scotland today? Is it a male, female or mixed gender workforce? How is the work conceptualised by its practitioners? Above all, how do gender issues play out, if at all today, in its policy and practice? We have explored these related questions in three main ways: through a literature search, a Scottish-wide online survey and focus groups interviews with practitioners in two local authorities in Scotland.

This report begins with an outline of our research design and methodology. We then present evidence from the two phases of the study: firstly, our review of existing literature and research (historical and current-day), and secondly, our own empirical study of the views of current practitioners in criminal justice social work. We end with conclusions within a wider discussion of the main themes emerging across the study.

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Research design and methodology

The project used a mixed methods approach to what is an exploratory study, operating from May to December 2018. Ethics permission was applied for and received from The University of Edinburgh's School of Social & Political Science, Social Work Scotland, and the two local authorities in which the focus groups were conducted.

In the first phase of the study, between May and July 2018, we examined archival, documentary and current research evidence from across the criminal justice social work literature in Scotland and beyond, as well as literature in relation to key theoretical concepts. This gave us a good overall grounding and helped to clarify themes to take forward into the empirical part of the research

In the second phase, we designed and distributed an online survey via Chief Social Work Officers within the 32 Scottish Local Authorities. Distribution was to all qualified social workers working within statutory criminal justice social work settings between 13 June and 11 July 2018. The survey consisted of 20 questions and included a mix of closed, multiple choice, rank order and open text questions. Topics included questions on demographics, employment patterns, motivations for working in CJSW, the nature and distribution of work, approaches to practice, professional support and the perceived impact of gender on practice approaches, workload allocation and career progression.

At the same time, we also conducted three focus groups in July and August 2018 with criminal justice social workers from two urban local authorities. The focus groups allowed us to tease out more fully some of the areas that were being identified in the literature and the online survey. So the focus group facilitator (EM) asked participants about the gender make-up of criminal justice social work, the extent to which people of different genders end up in certain positions or take on certain responsibilities, their views on roles or tasks in criminal justice social work where gender is important, their awareness of gender equality issues in criminal justice social work, and their views on the causes, implications and potential responses to these issues.

The data were analysed and the findings are reported in this research report written for Social Work Scotland. We will also present our findings at a Social Work Scotland dissemination event in December 2018, and thereafter write an academic paper for a social work journal.

Evidence from existing literature and research

The historical context

'The call of the probation officer was really that of physician, being entrusted with the diagnosis of the causes of the evil and the application of the most appropriate remedies. [...] it was necessary that the probation officer should have a very wide view of the society among which he or she worked and of the agencies, also knowledge of the industrial conditions.'

(Mr A. Maxwell of the Home Office, Address to the Annual Conference of the National Association of Probation Officers, 9, July 1918, republished in *Probation Journal* 14(1), March 1968: p.22; our emphasis.)

What this rather flowery speech reminds us is that probation has *always* attracted both male and female probation officers. Women have been involved in probation (sometimes described as 'social work of the courts') at least since the early years of the twentieth century, not only as probation officers, but also playing leading roles in probation's professional association, the National Association of Probation Officers (NAPO). Dorothy Bochel, writing a history of NAPO in 1962, offers insight into this. She explains that most probation officers in the early years worked part-time, often attached to a voluntary agency. Bochel elucidates further:

'Better educated than most of their colleagues, probably less dependent upon this particular job than others and more confident in their relationships with their employers, these women were able to make a worthwhile contribution to the service in its early years, not only in their work, but also in their membership of the Executive Committee of the Association'
(1962: 34-5).

So women were there from the beginning; educated, middle and upper-class women, often, but not exclusively, working with women and children, as well as with adolescents (then called 'juveniles'). This situation continued in the years that followed, evident simply in 'name-checking' those who were involved in probation in the UK and US, including Miss E. Croker-King and Mrs Cary (1915), Miss Gertrude Tucknell, President of NAPO in 1927 (Bochel 1962), Miss Warner (1929), Mrs. Lilian Le Mesurier (1935 and 1939), Elizabeth Glover (1956), Joan King (1964) and Phylidda

Parsloe (1967), and Dorothy Bochel (1962 and 1976). Of course, it was not only women at the forefront: men held leadership positions too, but the sheer number of women challenges any simplistic assumption that this was a male-dominated service. And women have continued to play a key role in practising and writing about criminal justice and probation services ever since, demonstrated in the work of Jill Annison, Monica Barry, Ros Burnett, Loriane Gelsthorpe, Allison Jones, Gill McIvor, Sandra Walklate and Beth Weaver, as well as in the work of three of the women on this current research study, Vivienne Cree, Trish McCulloch and Eve Mullins.

Probation, in conclusion, was never a male-only preserve. But did this change, and if so how? A closer look at the development of criminal justice social work services in Scotland takes us some way into understanding this better.

Developments in the 1960s

Scotland's arrangements for the community supervision of people convicted of offending behaviour are distinctive (McNeill and Whyte, 2007). In contrast not only to the rest of the UK but also to many other English-speaking countries, responsibility for providing 'offender' services to the criminal justice system – in the form of assessment, supervision and throughcare – rests with local authority social work departments. It was the 1968 Social Work (Scotland) Act that brought probation firmly within local authority social work services for the first time; legislation in England two years later did exactly the opposite, creating a separate probation service and moving work with 'juvenile offenders' into social work.

McCulloch and McNeill (2010) suggest that the decision to locate probation services within generic social work departments was *'only partly ideological. It also reflected two pragmatic concerns'* (p.23). These were firstly, the lack of a viable workload for probation officers after juveniles had been transferred out of probation services into the new social work departments; and secondly, the need for trained personnel in the new departments – probation officers were thought likely to be the best trained social workers. The White Paper, Social Work and the Community, which predated the 1968 Act makes this clear. It states:

'The Government's conclusion is that, on balance, it would be better if all the functions of the probation service in Scotland were undertaken by the local authority social work department. In reaching this view, they have had particular regard to the consideration that a separate service for the adult offender would be a small service somewhat apart from the mainstream of social work, and this might well have adverse effects on career prospects, on the recruitment of staff of the calibre required and in the development of new social work skills by the service.' (Scottish Office, 1966, p. 9-10).

David Jones, writing in 1967, explains this more fully. He argues that the case for reorganisation in Scotland was 'strengthened by the fact that many of the existing social work units of local government are too small to employ more than a few social workers'; moreover, 'existing services are undermanned and short of fully trained staff' (p.27). Furthermore, John Waterhouse (1979), reviewing the changes post-1968, suggests that the decision to relocate probation within local authority services was indicative of 'politicians' lack of interest in and neglect of Scottish criminal policy' (p.109).

Whatever the rationale, the parting of the ways with the rest of the UK was, by no means, one that could have been predicted. On the contrary, there had been calls at key moments throughout the 1960s for unification and the restructuring of social work across the UK. For example, the Ingleby Committee (1960), which led to the 1963 Children and Young Persons Act, recommended the establishment of a generic social work department; the White Paper, *The Child, the Family and the Young Offender* (1965) similarly called for the unification of social work. Harris (2008), in a historical review of state social work, states that the first person to give oral evidence to the Seebohm Committee (1965-1968) argued for the creation of accessible, comprehensive, universal departments, saying there should be 'one door on which to knock'. This was the prominent social policy academic, Professor Richard Titmuss of the London School of Economics (LSE), who had also played a pivotal role in the work that led up to the Scottish White Paper, *Social Work and the Community* in 1966 and hence the Social Work (Scotland) Act in 1968. As things turned out, the unification that took place in England and Wales created a family service *without* probation, whereas in Scotland, probation became a component part of local authority social work services. Nevertheless, probation officers

South of the border continued to see what they did as a form of 'social work', and the social work qualification continued to be the main route to professional training for probation officers in England and Wales until as late as 1995.

We find out a little more about this when we consider the creation of the British Association of Social Workers (BASW) in 1971. BASW was formed by the coming-together of eight professional social work associations; work had gone on behind the scenes during the preceding four years to achieve this. In a letter published in *Social Work* journal (Howard, 1969), we learn that, at their annual general meeting in 1967, the membership of the National Association of Probation Officers (NAPO) had initially voted in favour of merging with the proposed unified association of social workers, but expressed their wish to postpone the final decision until they had seen the constitution of the new association. The following year, this decision was reversed by a vote of 13 to 1 against joining BASW, with two abstentions. Looking back on this decision, Naish suggests that it was not reflective of the wider membership: 'In my own office, for instance, over 50 per cent hold the 'minority' view' (1967: 19). It is difficult to know what to make of this. Certainly at this time, men greatly outnumbered women in probation services in England and Wales, as Scourfield (1998) reminds us (70% of probation officers were men, as compared with only 30% women), although by 1990, the proportion had risen to 47 per cent (Home Office, 1981 and 1993).

Current research

In conducting a search for current literature, we found that very little written has been written about gender and the criminal justice social work workforce. Most of the literature that has explored gender issues in criminal justice social work more broadly has focused on either the gender differences in those who commit crime or on the construction of crime and the law as a gendered phenomenon. For example, there has been substantial research and policy interest in men's greater criminality and in whether men and women's criminal behaviour requires a different response from the justice system (Carlen, 1985 and 1988; Walklate, 2001). There has also been a long tradition, following on from Smart's (1989) seminal work, of examining the ways that the law constructs masculinity and femininity in certain ways that then become common-sense. There has also been

some exploration of policing, and specifically of women police officers. This demonstrates that, historically, police-women were more likely to gravitate towards low frequency, labour-intensive, specialist tasks, supporting, for example, victims of sexual abuse. But this was not simply as a result of their individual preference or personality; on the contrary, these were conventionally the tasks that sergeants were more likely to assign to women police officers (Brown et al. 1993). Women officers were also, unsurprisingly, much less likely to reach higher ranks within the police service (Anderson et al. 1993).

Three studies of gender and the criminal justice workforce stand out as of special interest to us; two are located in the UK and the third in the US.

Annisson (1998, 2001) interviewed 31 probation officers in England for her PhD thesis. She identifies an 'increasingly aggressive rhetoric concerning law and order throughout the 1980s and into the 1990s' (2001: 97), and yet at the same time, a surprising shift in the probation workforce took place. This was, she explains, an unintended consequence of the decision (since reversed) that probation officers should have social work qualifications, as women drew on these educational and vocational credentials 'to build their professional careers' (2001: 99). Scourfield reported on a similar study in Wales the same year. He interviewed 14 probation officers (eight men and six women) and examined 50 case files looking for evidence of concern for gender, and he identified a gap between rhetoric and practice. While most officers interviewed spoke of an interest in focusing either directly or indirectly on their clients' identity as men, files and reports found only a very small amount of this; there was much greater evidence of work that could be seen as indirectly challenging masculinities, and a tendency toward ignoring gender or even colluding with what Scourfield identified as 'oppressive masculinities'. Martin and Jurik (1996) take a different approach. They use the concept of 'doing gender' in their research on women and gender in justice system occupations in the US, arguing that until the 1970s, women in criminal justice in the US tended to work with women and children, and nobody gave this very much thought; it was the accepted norm and the 'correct' place for women to be. Although gender segregation has changed since then, the picture is not a straightforwardly positive one, because there has also been something of a 'revolving door' for women, who have moved into and out of roles and situations

where they have felt unsupported. Women have also continued to provide the bulk of domestic care in their families while entering the paid workforce in greater numbers.

Wider literature

Two main concepts underpin this study – work and gender – and it is the intersection between the two that informs the approach to the research, and also the analysis of the data.

There has been extensive writing on gender in recent years; there is not space in this brief review to do more than draw attention to the key themes that have emerged that are of primary relevance to our study. In the 1970s, feminist scholars drew attention to what they saw as a distinction between sex (a classification based on biological difference) and gender (a socially constructed categorisation that is based on, and exaggerates, biological differences). It was argued that women were discriminated against because of their gender; powerful patriarchal structures existed to keep women in their subordinate, 'second class' state. By the 1990s, post-modern theorists challenged this 'top-down' view, arguing that power is embedded at all levels in society; thus discourses (everyday ideas and practices) 'frame' what we believe to be 'true' and 'normal', including our ideas about men and women and about the relationships between the two. So, for example, the philosopher Judith Butler (1990) proposed that the distinction between sex and gender could not be sustained. She argued that sexed bodies could not exist without gender; that both sex and gender were socially constructed, and were therefore complicated by factors such as class, ethnicity, and sexuality. Butler concludes that gender is, in reality, 'performative'; it is constituted through the practice of performance, and because of this, the genders 'woman' and 'man' are contingent, open to interpretation and 'resignification'. Another feminist sociologist, Pamela Abbott is more circumspect. She argues that while gendered relationships are not static and may be open to challenge, nevertheless women's agency is 'constrained by structures – unequal and controlled access to opportunities' (p.65).

This takes us to our second main concept. Work is, historically, what people do in order to pay for goods and services; it is work that enables us to live our lives

and look after our families. Scholars point out that there are broadly three kinds of work: forced work, which is performed under compulsion for little or no pay; paid work (also called 'market' work); and unpaid work, which people may undertake for themselves or others (for example, domestic work, which is often unpaid) (Padavic and Reskin, 2002). The distinction between paid and unpaid work is a product of industrialisation. Before this time, people worked all day inside and outside their homes and few people were paid. The industrial revolution created a new separation between work and home, and with this, a massive increase in paid employment. At the same time, domestic work at home became 'devalued or invisible' (ib.id. p2). Over time, different forms of work have come to carry different levels of payment and prestige, and this has been found to be deeply impacted by social class, gender, 'race/ethnicity as well as by country-context. Although women and men today often work similar hours outside the home, women also spend a much greater percentage of their time doing domestic work and childcare (Grint and Nixon, 2015).

Feminist researchers have explored the links between gender and work extensively over the last 20 years or so. For example, in a ground-breaking study, Witz (1990) asserted that patriarchy, as well as capitalism, structures gender divisions at work in modern Western societies. She argued that the very notion of 'profession' is itself gendered; 'class-privileged male actors' at a particular point in history set the boundaries of what could and could not be considered to be a profession. From this viewpoint, professions must be understood to be 'projects of occupational closure' designed to maintain privilege and exclude others – important messages for social work as a relatively new profession. Itzin (1995) takes a different approach, looking inside agencies themselves. She argues that gender is an integral factor within work organisations, and that these organisations contain a 'gender culture' which is hierarchical, sex-segregated and sex-discriminatory; sexist language, sexual harassment and the so-called 'glass ceiling' are all illustrations of such 'gender culture'. This, she asserts, is not accidental, and instead is related to the ways in which women are systematically denied access to important organisational networks and positions of authority. Teasing this out further, Abbott (2000) argues that gender divisions reflect widely held, often unspoken, assumptions that the sexual division of labour and inequalities between women and men are 'natural and immutable' (p.55). Furthermore, they

reflect the occupational roles that are available to women, a point that is of particular relevance (as we shall see) to a discussion of social work and gender. But gender is not, of course, the only social division that should be acknowledged here; 'race' and ethnicity, as well as age, disability and sexuality also all play a part, so that an individual's experience of work may be impacted by multiple factors (Padavic and Reskin, 2002).

The topic of gender and social work has been of considerable interest at various points over the last 40 years or so. It was back in 1975 that Ronald Walton first demonstrated that gender segregation existed in social work, both vertically and horizontally. There were, of course, regional variations, but the 'big picture' was fairly clear. Put simply, there were men's jobs (probation and mental health social work) and women's jobs (child care and work with older people), and men were much more likely to be in management and leadership positions in organisations than women, in spite of the fact that women outnumbered men greatly across the social work services. Since Walton's study, there have been a number of other studies, all of which have shown a similar pattern across the board (see, for example, Kadushin 1976, Howe 1986). There has also been extensive research on the subject of male violence and sexual abuse, both of which have special significance for social work practice. In the 1990's, a new approach heralded the postmodern turn in social work literature. Hence Cavanagh and Cree (1996) and Christie (2001) challenged what they believed had been overly-deterministic in earlier writing, arguing that women and men should work together to make social work a less sexist and more equal profession, for workers and service users alike. Additionally, historians (Burman 2012) have pointed out that it is not surprising that social work is gendered, or that women outnumber men in social work, because it was by virtue of their experience within the domestic sphere that middle-class women were able to push the boundaries and enter the workforce outside the home for the first time. They made use of what they saw as their 'natural' abilities to enter new careers in nursing, medicine, social work, teaching etc.

Recent statistics produced by the Scottish Social Services Council (SSSC) (2017) demonstrate that women still greatly outnumber men in social work in Scotland today. Overall, 85% of those working in the social service workforce in Scotland in 2016 were women; only 15% were men (but the figure for social workers is slightly

higher at 21%). In some categories, the discrepancy is even higher, with 96% of day-carers being women. Only residential child care and 'offender services' were found to have a more gender-balanced workforce, although even here there were far more women than men (women outnumbered men in CJSW by 72% to 28% - notably higher than the 21% for all male social workers).

Unsurprisingly, the picture for men in management in social work looks very different. At first glance, figures might seem to be encouraging; women made up 85% of managers in 2015, as compared with 15% of men. But examined more carefully, it transpires that Directors/ Heads of Service were still overwhelmingly men (58% as compared with 42% women). This figure is especially high given the small percentage of men in social work across the board.

What this brief overview reminds us is that gender in criminal justice social work is not only about an individual's attitudes or behaviour; gender difference is structured into the systems in which women and men work, at both organisational and wider structural levels. It is this idea that we will take forward into our own current-day study of gender and criminal justice social workers in Scotland, as we explore gendered discourses (ideas and practices) and how they play out in CJSW.

Evidence from our empirical study

The study respondents

There was a very strong response to our online survey, indicating a high level of interest in the topic. Responses were received from 201 criminal justice social workers, 78% of whom were women and 22% of whom were men. This compares with a total Scottish CJSW workforce population of 911 social workers, 72% of whom are women and 28% of whom are men (SSSC, 2017). 92% of our respondents identified as White; 6% identified as Asian, Black, mixed ethnicity or other ethnic group. Response rates were well-distributed in respect of age, local authority areas, and time spent in a criminal justice social work post.

The focus groups afforded an opportunity for more detailed discussion in small groups. 19 criminal justice social workers from across two urban local authorities took part in the focus groups. One group had three women and two men; a second group had seven women only; the third group had three women and four men.

Findings: gender and the workforce

Based on our survey, men continue to be over-represented in senior roles, with 33% of those surveyed employed in senior grade roles compared to 28% of women (see also SSSC, 2017). Considered historically, both survey and focus group responses suggested that the proportion of women in CJSW has increased significantly in recent decades as has the number of women in senior roles.

61% of survey respondents described themselves as working mostly with men, while 25% described work with a mix of men and women. 8% reported working mostly with women and 7% were not directly involved with clients. As might be expected, a higher number of men reported working mostly with men (80% compared to 55% of women), while 10% of women described working mostly with women.

Gender was identified as a feature of workload allocation 'for certain cases' and in certain localities, suggesting differing and developing practices across councils. 58% of the survey respondents reported that gender did not feature in workload allocation, while 40% reported that it did. Where gender did feature, this was mostly discussed in relation to issues of client need rather than risk.

Just over 20% of survey respondents described a practice of women clients being consistently allocated to women workers, reflecting a perception that specialist women workers could better respond to the needs and experiences of women clients. Around 10% discussed gender-based allocations in relation to work with men convicted of sexual offences or domestic abuse, where mixed gender co-working appears to be the norm. A similar number discussed gender as one of a range of risk-need-responsivity considerations applied in allocation.

Only 5 survey respondents identified risk as a guiding factor in gender-based workload allocation though this may be an undiscussed factor in allocation of sexual offending and domestic violence based work. Focus group participants mentioned some instances where female social workers were considered inappropriate, particularly for male clients who had demonstrated a high level of hostility or violence towards women.

Mostly, respondents appeared content with approaches to workload allocation with a minority expressing concerns. Expressed concerns related mostly to what some considered to be ongoing gender stereotyping, i.e. women are better placed to work with women, personal and/or social needs, and/or women need to be protected from dangerous men.

Where gender was not a feature of workload allocation this mostly reflected allocation on the basis of experience and/or specialisms, a shortage of available male workers and/or a commitment to 'equal caseloads'.

Some focus group participants speculated that men might be more likely to take on 'high profile' cases that could aid a promotions application, whereas women might be more likely to have clients with chaotic lives that required more work but wouldn't necessarily help with promotion.

Regarding career progression and promotions, survey responses in this area were mixed, perhaps reflecting differences across councils, teams and settings. 70% of respondents reported that gender did not influence career progression within their team/organisation, while 27% believed that it did. Only 9% of men compared to 30% of women considered gender to influence career progression.

Where gender was felt to influence career progression, most considered that it did so in favour of men (though 5% of men thought it did so in favour of women). Identified reasons for inequity in career progression included:

- Women's role in childbirth and childcare, and associated impacts on career attitudes, choices and opportunities
- Men being more: 'likely to apply for', 'confident', 'favoured' and/or 'dominant' in promotion processes
- Persisting gender stereotypes in the workplace

As demonstrated in the survey response below, typically responses spoke to the interplay of the above noted issues:

'Our organisation does not support women coming back into the workplace following maternity leave easily. It seems to be seen as a point of 'weakness' to not return full-time. Oddly, I see women as more commonly holding these views/attitudes. A lack of reasonably priced childcare facilities is a MAJOR factor at play. Most who return to work after mat leave spend the majority of their income paying for childcare. They're literally working for nothing. It must be so demoralising and hugely disempowering.'
Survey respondent

Many of these issues were felt to be particularly persistent in male dominated work settings, including, for example, prisons:

'Yes, I think male staff can be perceived as more efficient and business-like and this can impact on career prospects. I currently work in a male-dominated setting (prison) and it does feel as if I am given less status as a female than male staff of equivalent seniority.'
Survey respondent

Within the focus groups, on the one hand, participants suggested that promotion was generally about individual ambition and experience and there was a fair representation of women in management and senior roles; on the other hand, some suggested that there might be slightly higher relative proportions of men in management and senior roles and that parental responsibilities could be a barrier for promotion,

especially for women. In line with the survey results, several participants discussed the need for part-time or flexible working hours to manage childcare responsibilities and that this could put off or prevent parents – particularly mothers – from applying for or securing management roles, which they suggested were usually full-time positions. However, in one of the focus group areas, participants suggested that part-time or flexible working would be available, so ought not to be a barrier for promotion.

Many respondents discussed gender as a feature of team composition with many reporting that they worked within a predominantly or exclusively female team. Though this was not always expressed as a problem, half of the survey respondents and some of the focus group respondents identified improving gender balance as important for an array of reasons, including: enabling 'a good mix' of knowledge, skills, styles and strengths; resourcing sex offending and domestic violence work; healthy team dynamics and professional reputation. As one respondent observes:

'Criminal justice is predominately viewed as a male profession (Prison, police, courts) and social work as female. This means that the value of social work is inherently diminished in multi-agency processes, even though the social work contribution to public protection and risk management is significant and, in many respects, outweighs the contribution of other agencies. Social work is continually viewed as being an almost 'fluffy' service and there is a potential danger of this undermining its contribution overall.'
Survey respondent

Findings: gender and CJSW practice

80% of survey respondents reported that issues of gender featured in their approach and practice, compared to 20% who said they did not. For those who did consider gender as a feature of practice, survey responses clustered around the following themes:

- As a woman/man working mostly with men
- Understanding and responding to client need
- Promoting gender equality
- Team composition and workload allocation

Just under half of female survey respondents discussed gender as a feature of their work as a woman working mostly with men. For many, this manifested in a general 'awareness' of gender dynamics in the worker/client relationship, while for others it prompted particular behaviours and actions. A much smaller proportion of men discussed the gender dynamics of working predominantly or exclusively with men, however, for many, gender appeared to be constructed as a female issue.

'My first thought was it doesn't, but really it does, especially given we work mostly with men and some of those men will have committed serious violent and/or sexual offences against women. I am often conscious of my gender whilst at work.'

Survey respondent

For women workers, issues of gender impacted principally on building relationships with clients, where the female worker/male client dynamic was felt to present opportunities and/or obstacles. Gender also emerged as a significant feature in domestic violence and sex offending work, related to the fact that the victims of these offences are predominantly female. For female workers, challenges included: relationship building, discussing offending behaviour, attitudes and behaviours towards women as well as a heightened sense of risk and vulnerability. Relatedly, in both the survey and focus groups, some female workers reported attending closely to how they dress, behave, communicate and set boundaries in their work with men:

'I am always aware of what I wear and as [I] largely work with men convicted of sexual offences and spend time in prisons, I am aware of how I present, language I use and monitoring whether clients are engaging with me for sexual reasons rather than as a professional offering a CJS service.'

Survey respondent

Women and men highlighted that the nature of this work also presented opportunities to 'use' one's gender positively, including opportunities to challenge gender stereotypes, promote gender equality, and engage in meaningful victim-focussed work. Promoting gender equality also emerged as a significant feature of women's work with men across offence types. As one woman put it: 'challenging gender stereotypes is a big part of my day to day practice'. When asked about the relevance of gender for CJSW practice, focus group participants tended to suggest the

individual's skills and practices were more critical than their gender:

'I think it's more down to individuals. I don't think that gender comes into people's preference for how they work.'

Focus group participant

Focus group participants tended to suggest that gender was not an inherent dimension of practice, but rather becomes relevant in relation to the needs of clients:

'It may be a gender issue for the person that I'm working with, they may not want to work with a female, prefer a male or whatever, and that's when gender issues would be raised for me, but within my work environment I don't see gender as an issue.'

Focus group participant

Attention to gender was also discussed as a particular responsibility issue. Again, survey responses in this area focussed particularly on the needs, risks and experiences of women clients:

'I work only with women ... so gender is primary in my role.'

Survey respondent

'It doesn't as my team only works with male clients.'

Survey respondent

Survey respondents highlighted the complexity of women's needs, the significance of trauma, and the importance of gendered analyses of and responses to women's offending. Women in particular highlighted the importance of care, relationship based practice, trauma informed approaches and strengths based work. For some women, being female was key to doing good work in this area.

Similarly, in the focus groups, one of the main areas of gender-relevant practice discussed by the participants related to services staffed only by women and provided for women, as well as the specific needs and wishes of female clients, particularly in relation to experiences of trauma.

A much smaller number of survey respondents, and some of the focus group participants, spoke to the importance of gendered analyses and responses for female and male clients and, for some, to a concern that the complexity of men's needs were being overlooked in current priorities and practice:

'There is an invisible majority of male service users who would benefit from the intensive services offered to women'.

Survey respondent

'There appears to be considerable effort placed on groups of offenders, such as women, young people, certain high risk groups, leaving the generic male criminal justice population a potentially discriminated against group, through not having a specialism which attaches to them.'

Survey respondent

Several focus group participants reflected on the differential responses to male and female clients who may request social workers of a specific gender:

'If a man said, I really don't want to work with the women, my inclination would be to say no, you'd better get on with it, but if a woman said I really want to work with the women, we'd be like, oh yeah, you've had trauma, you must get that help.'

Focus group participant

While much of this discussion was located within a person-centred or responsivity frame, a small number of survey respondents made links between individual-level analyses and broader sociological analyses:

'CJSW applies a responsivity approach to work with service users which facilitates a gendered approach. However CJSW operates within a justice system that still prosecutes females for minor matters, sentences to short term imprisonment and criminalises mental health problems and young offenders. CJSW are tasked with dealing with these decisions and working with people who in many respects shouldn't be there.'

Survey respondent

A very small number of women who responded to the survey considered that being female 'makes it easier' to work in a caring, nurturing, empathic, and trauma informed way.

A small number of survey respondents discussed promoting gender equality as a routine and important part of their practice. For women, examples included activity to develop gender responsive services for women, promotion of equality in the workplace, positive gender role modelling and challenging gender stereotypes. Male responses in this area focussed mostly on promoting gender equality in domestic violence and

sex offending work.

Survey and focus group participants highlighted the value of having male-female pairs when facilitating groupwork for addressing domestic abuse and sexual offences. They emphasised the importance of having men role-modelling constructive behaviours and challenging sexist views:

'I think a man telling a man that his behaviour is unacceptable is easier for the client than a woman telling him that his behaviour is unacceptable, because she is then merged with his female partner and becomes another nagging woman, and you have to get over that hurdle to start with before the work starts, whereas a man doesn't have to kind of get over that initial hurdle.'

Focus group participant

However, focus group participants were not unanimous in supporting this view, with some suggesting that female-female pairs could be equally effective or that male social workers could, at times, collude with clients' sexist views.

Though many survey respondents acknowledged that great strides have been made within CJSW regarding gender equality, a small number of responses highlighted that there remains work to do:

'Gender stereotypes operate subconsciously.'

Survey respondent

'While society has learnt that it is not acceptable to behave in particular overt ways towards women, elements of the old attitudes remain. What I now see, and experience, is professional men talking 'at me and 'over' me.'

Survey respondent

Notably, across the survey data, only one respondent spoke to the experiences of non-binary and transgender clients. Relatedly, no explicit attention was given to issues of intersectionality. Transgender was mentioned briefly in each of the focus groups. Participants highlighted that, to their knowledge, transgender social workers were either under-presented or absent from CJSW teams. One participant mentioned that CJSW teams should also be thinking about how to respond to clients who are transgender.

Conclusions and Discussion

If CJSW was once a male-dominated workforce (and the evidence we have presented on this is at least equivocal), the picture has since changed. Women workers are now firmly in the majority, including, though to a lesser extent, across senior roles (see also SSSC, 2017). The likely reasons for this development are as previously discussed and include both increasing opportunities for women in the workforce and 'natural' pathways for women into and through social work; they may also reflect an overall decline of men coming into social work across the board.

The survey found little evidence of a 'masculine' – or 'feminine' – culture within CJSW, challenging perhaps prevailing myths regarding the gendered particularities of CJSW and its workforce, as well as binary representations of gender and work. Although CJSW remains distinctive within social work as a workforce that continues to 'work mostly with men', attention to the gender dynamics of working with men, specifically men involved in generic offending, was notably light across the data sets. Further, 20% of survey respondents did not consider gender to be a relevant feature of their practice. For those who did discuss gender as a feature of practice, gender was mostly about women: women at work, women who offend, women working with men, women working with women, and/or women as victims of offending behaviour. The reasons for this, at times, narrow conceptualisation of gender within CJSW merit further analysis. Initial reflection suggests that reasons may include: professional complacency – CJSW has always worked mostly with men and what is particular may have become banal; recent and overdue policy and practice attention to the particular needs and experiences of women in the criminal justice system; and broader socio-political discourses in which gender continues to be constructed, often, as 'a women's issue' (Wittenberg-Cox, 2015). Importantly, there were nuances within this pattern with a small but significant minority discussing the importance of gendered analyses and responses for women and men, workers and clients, located within broader frames of responsibility and social justice. This was also apparent in the focus groups, where discussion around gender touched on the needs of men who had experienced trauma and the need to address sexist and misogynistic attitudes and behaviours among men.

The findings also reveal a developing picture of women working with women in CJSW. CJSW has a long history in this regard and historically commentators have

often 'called out' what they consider to be a pattern of gender stereotyping and gender segregation in the distribution of criminal justice work (e.g. the allocation of female workers to female clients because they are considered more likely to be able to understand/help with the kinds of personal and social problems presented). The findings outlined suggest that gender segregation may be re-emerging in CJSW in Scotland, albeit at women's behest and under a new frame of 'gender responsive services'. This may be an important development for the service but a historical lens, coupled with questions and concerns voiced tentatively in this study, suggest that we must take care to bring the same level of critique and analysis to these developments as we would to any other policy and practice initiatives developing along gendered lines.

Findings in relation to gender and career progression are broadly encouraging with many respondents describing a transforming picture in CJSW. However, CJSW is not immune from broader social patterns and the findings suggest differing cultures and patterns across councils, with work still to do. Relatedly, associated data and extant research points to a need to look beyond the 'numbers game' in career progression to also consider the intersecting cultures, practices and patterns of work and social life that enable and constrain career progression for women and men.

We conclude that CJSW presents an important space for exploring and understanding the performative dynamics of gender and work, including the particular dynamics of gender and criminal and social justice. The findings presented here challenge reductive constructions of criminal justice social work and its workforce. They also suggest some reticence within the workforce in grappling with gender as an explicit dimension of criminal justice social work – a reticence that appears at odds with the workforce's evident commitment to just and responsive social services for both women and men who are caught up in the criminal justice system.

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