Article

'Within my work environment I don't see gender as an issue': Reflections on gender from a study of criminal justice social workers in Scotland

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Abstract
Community justice professionals operate within deeply gendered territory, yet there has been little attention to how gender is understood and embodied by the workforce. Building on findings from a mixed method study, this article explores professional perceptions of how gender plays out in criminal justice social work (CJSW) in Scotland. Our findings demonstrate that gender is an important but neglected dimension of CJSW. We conclude that advancing gender in this field requires a more inclusive theorising of gender in professional education and research, a more practical commitment to gender equality in policy and practice, and more routine opportunities for dialogue on issues of gender and justice within and across these domains.

Keywords
gender, community justice, social work, probation, professional, criminal justice, practitioners

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Introduction

Criminal justice social work (CJSW) in Scotland operates within a landscape which, until the present time, has been underpinned by a set of ideas and assumptions about gender that have been largely taken-for-granted at all levels. As a social work service, it sits within a sociopolitical frame which has been characterised as a women's profession since its inception. Social Work is carried out largely by women, with women clients and with a gendered raison d'etre that places women's need for protection at its core. Criminal justice, in contrast, is traditionally cast as a male enterprise, as criminal courts and justice systems, staffed heavily by men, interact with what is a mainly, though not exclusively, male client group, including in ways shown to punish and promote hegemonic masculinities (Haney and Dao, 2018). Feminist analyses, while drawing attention to issues of power, have done little, we will argue, to unsettle binary ways of thinking, and instead, have provided new, essentialist explanations for treating women and men in the criminal justice system differently. Today, contemporary justice systems are beginning to acknowledge the need for a more inclusive approach to understanding gender, while, at the same time, grappling with particular gendered challenges in the form of increased reporting of domestic abuse, 'record levels' of sexual offences and a drive towards gender responsivity in the service's work with women (BBC, 2019; Burman and Gelsthorpe, 2017; Scottish Government, 2019). The competing agendas here are, at the very least, tricky to negotiate, if not downright contradictory, and yet gender remains an underexplored dynamic within criminal and community justice, particularly in respect of how gender is understood, experienced, and embodied by these workforces.

Our focus in this article is on the question of how gender plays out in the patterns and practices of CJSW in Scotland. The impetus for our research was the 50 year anniversary of the 1968 Social Work (Scotland) Act. In Scotland and beyond, the 1968 Act is widely recognised for bringing together disparate services into one generic social work service for the first time, oriented around a duty to promote 'social welfare'. As McAra (2008: 489) notes this included placing social work at the heart of the criminal justice enterprise by abolishing the older specialist probation service and transferring its functions to newly created local authority social work departments. Scotland's arrangements for the community supervision of people who offend remain distinctive (McCulloch and McNeill, 2010); 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 located within a frame of social welfare. However, this development was not universally welcomed at the time. There was significant opposition from the largely male probation services about joining what members saw as a largely female social work workforce. In an interview conducted in 2010, Keith Bilton, former general secretary of the Association of Child Care Officers, 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. (Ivory, 2010: 22)

We have no way of knowing how prevalent this attitude was in Scotland at the time, or of how representative Bilton's views were of mainstream probation workers across the United Kingdom. What we do know, is that as a consequence of this and other pressures, the rest of the United Kingdom did not bring probation into a generic social work service. As a result, CJSW in Scotland provides a particular context in which to explore gender, both historically and in the present day.

As CJSW and probation services across the United Kingdom and beyond continue to grapple with gendered questions of identity, purpose, and method (Porporino, 2018; Robinson et al., 2016), located within broader global debates about how to conceptualise and advance justice within post-socialist neoliberal territories – where values of individualism, responsibilisation, and social control now dominate (Arruzza et al., 2019; Fraser, 2005), we set out to ask: how do gender issues play out today in CJSW's identity and practice? We explored this question in three ways: through a review of archival, documentary, and research literature; a Scottish-wide online survey and three focus group interviews with practitioners in two local authorities in Scotland. Our findings reveal the compartmentalised, differential and contradictory ways issues of gender and justice are understood and embodied by criminal justice social workers today.

We begin with a review of the extant literature, followed by an outline of our research methodology. We then present findings from our empirical study of the views of CJSW professionals. We conclude that gender, critically conceptualised, is an important but neglected dimension of CJSW and probation. Advancing gender equality in these fields requires a more inclusive theorising of gender (and justice) in professional education and research, a more practical commitment to gender equality in justice policy and practice, and more routine opportunities for dialogue and reflection on issues of gender, equalities, and justice within and across these spaces. Fraser's (2005) theoretical work on social justice provides one integrative frame for understanding and advancing these issues, demonstrating that gender work can and should be coherently constructed as justice work.

Review of the literature

Two key concepts underpin this study – gender and work – and it is the intersections between them that inform our approach.

There has been extensive writing on gender in recent years; there is not space to do more than draw attention to key themes of primary relevance to our study. In the

1960s and early 1970s, feminist scholars first 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) (e.g. de Beauvoir, 1972; Freidan, 1963; Millett, 1971). They 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 1980s and early 1990s, feminist standpoint theory (e.g. Haraway, 1988; Harding, 1991) took this idea further, arguing that as an oppressed group, women had more complete insight and better understanding of social conditions and of knowledge as a whole. Postmodern feminists disagreed with this characterisation, drawing attention to the differences between women as well as the many experiences that women and men shared in common, as, for example, people who were also Black or gay or disabled or working class. They also challenged 'top-down' ideas of power, 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 the relationships between the two. For example, Butler (1990) argued that gender is, in reality, 'performative', and because of this, the genders 'woman' and 'man' are contingent and open to interpretation and 'resignification'. Abbott (2000), however, was more circumspect. She argued that while gendered relationships are not static and may be open to challenge, women's agency is 'constrained by structures – unequal and controlled access to opportunities' (p. 65).

The second key concept under investigation is work, that is, activities undertaken by people to pay for goods and services; it is work that enables us to live our lives and look after our families. Scholars observe that there are broadly three kinds of work: forced work, 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 (Padavic and Reskin, 2002). Feminist researchers have contributed greatly to our understandings of work in two main ways: firstly, in drawing attention to the ways women undertake a disproportionate share of unpaid work in families (housework and caring) (Oakley, 1974), and secondly, by exploring the links between gender and work. For example, in a groundbreaking study, Witz (1990) asserted that patriarchy, as well as capitalism, structures gender divisions at work in modern Western societies. She argued that the notion of 'profession' is itself gendered; 'class-privileged male actors' at particular points in history set the boundaries of what could and could not be considered a profession. Itzin (1995) took a different approach, looking inside agencies themselves. She argued gender is an integral factor within work organisations, and that organisations contain a 'gender culture' which is hierarchical, sex-segregated, and sex-discriminatory. This, Itzin asserted, is not accidental but related to the ways women are systematically denied access to important organisational networks and positions of authority. Teasing this out further, Abbott (2000) argued 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). More recently, researchers

have argued that gender is not the only social division relevant here; 'race', ethnicity, age, disability, and sexuality also all play a part, so that an individual's experience of work may be impacted by a range of intersecting factors (Padavic and Reskin, 2002).

The topic of gender and social work has come to the fore at various points over the last 40 years. In 1975, Walton drew attention to the fact that gender segregation existed in social work, vertically and horizontally. 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 leadership positions in organisations than women, despite women outnumbering men greatly across social work services. Since Walton's study, a number of studies have shown how persistent this pattern has remained (see Howe, 1986; Kadushin, 1976). In the 1990s, a new approach heralded the postmodern turn in social work literature. Cavanagh and Cree (1996) and Christie (2001) challenged what they saw as the over-determinism 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. However, how this might be achieved remains an open question. In 2015, Hicks argued that social work should adopt a focus on gender as a 'practical accomplishment that occurs within various settings or contexts' (p. 471), a finding that fits with our own appreciation of Butler's idea of gender as 'performance'. However, practical accounts of gender require a critical understanding of it. Available studies continue to suggest that social workers' understandings of gender remain superficial, diverse, and contradictory (Cree and Dean, 2015; Hicks, 2015; Orme, 2003). Relatedly, while Scottish, United Kingdom, and international social work standards explicitly reference principles of social justice as a key framework for advancing gender equality in practice (IFSW, 2014; SSSC, 2019), little attention has been given within social work scholarship to what these principles are, or to how they might be applied in practice.

Gender and CJSW

Much of the literature exploring gender in criminal justice has focused on either the gender differences in those who commit crime (men are found to be much more likely to commit all crimes) or the construction of crime as a gendered phenomenon (Carlen et al., 1985; Smart, 1989). Of the far fewer studies that explore gender in community justice, most approach gender from multiple and, often, compartmentalised viewpoints. There is no coherent conceptualisation of gender for community justice and, as in social work, commentators describe the operation of, and oscillation between, multiple and contradictory conceptualisations in practice (Holland and Scourfield, 2000; Lancaster, 1998).

A small number of UK and US studies map what has become referred to as the 'feminisation' of probation in the late 20th century, a term used to describe significant increases in the number of females entering the profession, including across senior roles, and the impacts of these shifts on probation's developing identity,

standing, and practice (Annison, 2007; Kirton and Guillaume, 2018; Mawby and Worrall, 2013; Zettler, 2019). Annual data produced by the Scottish Social Services Council indicate similar shifts in Scotland. In 2017, female criminal justice social workers outnumbered male workers by 72% to 28%. In the same period, women made up 69% of CJSW staff employed in senior roles, compared with 31% of men, though Heads of Service were still predominantly men (57% compared with 43% women) (SSSC, 2018). While it is common to locate changes in the gender composition of the CJSW workforce with the decision to locate probation within social work services in 1968, review of archival evidence on probation in Scotland and internationally makes clear that probation has *always* attracted men and women, not only as probation officers but also in the leadership and development of the profession (Bochel, 1962; Croker-King, 1915; Glover, 1956; King, 1964; Le Mesurier, 1935; Parsloe, 1967; Warner, 1929). Men held leadership positions too, and in greater numbers than women, but the sheer number of women challenges simplistic representations of probation as a male-dominated service. Relatedly, analysis of broader workforce patterns across the United Kingdom and internationally makes clear that probation has always attracted men and woman (Bochel, 1962; Croker-King, 1915; Glover, 1956; Warner, 1929) and that women's increased entry to the profession speaks to a more interactive picture of service expansion, women's increased entry in the workforce, and across public sector roles specifically (Burman, 2012; Halford et al., 1997). We note that there has been no research to date that explores the experience of criminal justice social workers/probation officers who identify as non-binary gender.

Evidence of the impact of changing gender workforce patterns on probation work in the United Kingdom and United States is mixed, and minimal. Studies show possible but inconsistent indications of differences in decision-making, staff perceptions, and experience of stress, fear, and job satisfaction (Petrillo, 2007; Zettler, 2019). More significant impacts may be at an organisational level. For example, Mawby and Worrall (2013) reported that the increasingly 'female voice' of probation may have resulted in its absence at more senior male-dominated levels of the criminal justice system. Further, Kirton and Guillaume (2018) speculate that the recent reorganisation and outsourcing of the probation service in England and Wales has served to devalue probation work, primarily now women's work, somewhat deprofessionaling it.

There are a few small-scale studies that explore probation's work with men, with a slightly increased focus in the last two decades on work with high risk men (Holland and Scourfield, 2000; Johnstone, 2001; Petrillo, 2007; Scourfield, 1998). These studies suggest recurring patterns of 'ignoring gender' in work with men and the application of limited and limiting understandings of gender in work with high risk men. As Johnstone (2001: 10) observes, beyond a tendency to seamlessly link men's high-risk offending behaviour to gender power relations, the broader gendered dynamics of men's offending behaviour 'has all too often blended into the background of the criminal justice system'. Petrillo's (2007) study also highlights the limited opportunities for workers to reflect on the relational and affective dimensions of their work with high risk men, as supervision, for workers

and clients, has become increasingly focused on the achievement of quantifiable targets.

There is a more developed body of literature on working with women who offend (Goldhill, 2016; Smart, 1978; Worrall and Gelshorpe, 2009). There is not space to do justice to the substantive literature that has emerged following Smart's groundbreaking study published in 1978. Broadly, this work continues to change criminal justice policy and practice across the Western world as governments, including in Scotland, have sought to recognise perceived differences in women's offending and lives. Community justice policy and practice today increasingly reflect this central idea and there have been few voices brave or foolhardy enough to challenge what has become an orthodoxy (though see Pullar, 2009). This work and movement has significantly advanced the application of person-centred, relationship-based, and trauma-informed approaches in community justice work with women, but its limitations include a failure to extend emerging insights and analyses across genders and its intersections.

This brief review highlights that although there is some recognition that gender plays an important part in the identity, patterns, and practices of CJSW and probation, it remains significantly under-examined. There is frequent elision between concepts of sex and gender in the literature and an absence of critical attention to gender as a plural and intersectional dynamic or to the implications of gender – constructed in this way – for developing practice. Where gender is recognised, it is often in reductive, essentialised, and binary ways, reflecting a lack of critical and applied scholarship on gender in community justice work. These findings may reflect broader limitations in community justice research (Robinson and McNeill, 2017), but they also appear to reflect a reluctance to engage with gender as an important dynamic within this field.

Research design and methodology

The research was funded by Social Work Scotland as part of activities to mark the 50th anniversary of the Social Work (Scotland) Act 1968. In terms of our own positionality, we are a group of three able-bodied, heterosexual women and one heterosexual man. Three of us are White and one is biracial. We are diverse in terms of our ages, nationalities, ethnic, and social backgrounds and, perhaps more importantly for this article, in terms of our understandings of feminism and feminist action. This has brought an interesting dimension to our study, which we hope to explore in another article.

We employed a mixed methods approach to the study, conducted from May 2018 to December 2018. Ethics permission was approved by University of Edinburgh, Social Work Scotland, and the two local authorities where focus groups were conducted. In the first phase of the study, we examined archival, documentary, and recent research from across the community justice literature in Scotland and beyond, as well as literature relating to key theoretical concepts. This provided a theoretical grounding and clarified themes to inform the empirical part of the project.

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 criminal justice social workers working between 13 June 2018 and 11 July 2018; 201 responses were received, 78% from women and 22% from men (no respondents identified as non-binary gender). This compares with a reported possible workforce population of 938 social workers, 67% of whom were women and 33% of whom were men (SSSC, 2018). Based on available data, participant response rate to the survey was 21%. Ninety-two percentage of 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 CJSW post. Although the overall response rate is slightly lower than expected for survey research, it is broadly in line with social science norms for external surveys reliant on distribution by an intermediary (Lindermann, 2019). Moreover, the representativeness of the sample is more important than the response rate per se (Baruch and Holtom, 2008). Demographically, the sample appears broadly representative, although with some overrepresentation of women compared with men. We cannot be definitive about the representativeness of our results, but they should be indicative of broad trends, as well as highlighting some of the variations among views and experiences, which could be tested by future studies. The survey consisted of 20 questions and included a mix of closed, multiple-choice, rank-order, and open-text questions. Topics were led by the research questions and covered demographics, employment patterns, motivations for CJSW, career progression, nature and distribution of work, approaches to practice, professional support, and perceived impacts of gender in practice. Open-ended questions regarding gender included: 'How does gender feature in your approach and practice as a criminal justice social worker?'; 'In your view, does gender influence workload allocation within your team. If yes, in what ways?'; 'Do you think gender influences career progression/promotion in your team/organisation. If yes, how and in what ways?'; and 'What else is relevant to understanding gender issues in the criminal justice social work workforce?'. Our aim was to examine participants' perspectives of how gender plays out in work patterns and practices.

We conducted three focus groups in July and August 2018 with criminal justice social workers from two urban local authorities. Managers were asked to invite social workers in their teams to participate in a one-off focus group to discuss gender and CJSW. Nineteen criminal justice social workers self-selected to participate. One group had three women and two men; a second group had three women and four men; and the third group was for women only and had seven women. The gender makeup of the groups generated data that included men and women discussing and comparing their experiences together, as well as providing a space for women to discuss their experiences without the presence of men to account for potential power dynamics or social pressures that might influence or limit responses (Wilkinson, 1998). A men-only focus group may have also been valuable, recognising men's minority status within the workforce, had we the resource available. Focus groups allowed us to tease out some of the areas identified in the literature review and the survey. The focus group facilitator asked participants about the

gender make-up of CJSW, the extent to which people of different genders end up in certain positions or take on certain responsibilities, views on roles or tasks in CJSW where gender is important, awareness of gender equality issues in CJSW, and their views on the causes, implications, and potential responses to these issues.

Survey data were analysed using a combination of descriptive and inferential statistics to reveal patterns within and across responses. The descriptive statistics consisted of summary descriptions of single variables and the associated survey sample of frequency and percentage response distributions. With the more limited use of inferential statistics, we analysed associations between variables and selected relationships via isolated correlations. Qualitative thematic analysis was used to analyse the qualitative survey data. Data were analysed deductively, using codes drawn from the survey questions, and inductively, from codes arising from the data. Focus group data were analysed thematically, exploring how people constructed issues of gender (Braun and Clarke, 2006). We used Nvivo 10 to code sections of the open-ended survey responses and focus group transcripts regarding topics (e.g. promotions processes, domestic abuse, dress code) and views (e.g. gender makes no difference, gender makes a difference). We then analysed the data in more detail, focusing on specific issues, examining similarities and differences between the accounts and arguments. Illustrative examples are presented in the following. All data analysis was conducted alongside group discussions between the researchers, enabling us to interrogate each other's understanding of the data (Siltanen et al., 2008).

Findings

This section presents key findings from the online survey and focus groups. Findings are reported under two overlapping headings: (i) workforce identity, patterns, and practices and (ii) perspectives on gender. Recognising the limited extant literature, our aim is to provide overview of the 'big picture' findings alongside a more nuanced account of professional perspectives on gender.

Workforce identity, patterns, and practices

We found little explicit evidence of the sexist assumptions expressed by Bilton in the introduction to this article, particularly in respect of how CJSW was perceived within the profession. Relatedly, we found few significant gendered differences in how respondents constructed their professional role and practice. Instead, our findings suggest a workforce working, mostly, with an integrative identity and approach, expressed confidently within the frames of rehabilitation, reintegration, and public protection. However, gender emerged as a significant dimension of workforce and team composition, casework, workload allocation, and career progression. Across these areas, gender appeared to function in blunt and nuanced ways, revealing divergent and developing patterns within and across local authority areas.

Workforce and team composition
Many respondents discussed gender as a significant feature of workforce and team composition with most reporting that they worked within a predominantly or exclusively female team. Although this was not always expressed as a problem, half of the survey respondents identified improving 'gender-balance' – specifically, the recruitment of more men – as a priority for the profession. Given reasons included enabling a 'good mix' of knowledge, skills, styles, and strengths; resourcing work with people convicted of sexual and domestic violence offences; team dynamics and professional reputation and standing. This finding is not unusual in professional domains where female workers significantly outnumber their male counterparts (Mawby and Worrall, 2013; Sellgren, 2016). However, the significance of this issue for respondents, and the reasons given, suggest the persistence of binary constructions of gender in CJSW, linked to concerns about service efficacy and reputation.

Casework and workload allocation
Sixty-one percentage of survey respondents described working mostly with men. Twenty-five percentage described work with a mix of men and women, 8% reported working mostly with women, and 7% were not directly involved with clients. 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.

Relatedly, gender was identified as a feature of workload allocation 'for certain cases' and in certain localities, revealing divergent practices across local authorities. Fifty-eight percentage of survey respondents reported that gender did not feature in workload allocation, while 40% reported that it did. For the latter group, just over half described a practice of women clients being allocated only to women workers, reflecting local responses to recent policy developments in respect of gender-responsive services. Around a quarter discussed gender-based allocations in relation to work with men convicted of sexual or domestic abuse offences, where mixed gender co-working was a norm. A similar number discussed gender as one of a range of risk-need-responsivity considerations applied in allocation.

Some focus group participants speculated men might be more likely to take on 'high-profile' cases that could aid promotion, whereas women might be more likely to have clients with chaotic lives that required more work but wouldn't necessarily help promotion. Focus group participants also mentioned instances where allocating female social workers was considered inappropriate, particularly for male clients who had demonstrated high levels of hostility or violence towards women.

It is clear from the above that most criminal justice social workers continue to work mostly with men, a dynamic that, though accepted, remains significantly overlooked in research (Johnstone, 2001). Male workers remain more likely than female workers to work mostly with men, while female workers remain more likely than men to work with female clients (Zettler, 2019), including a developing pattern of working *only* with female clients. Also striking is the divergent patterns of workload allocation that emerge across localities and the absence of critique on divergent and developing patterns. Respondents appeared accepting of the different/developing practices described, with a small minority voicing questions. These findings

reveal the operation of old and new forms of gender segregation in social work (Walton, 1975; Zetter, 2019), a lack of coherent direction on this issue, and limited critical engagement with these issues in research and practice. At best, the different approaches to workload allocation reflect periodic attempts to recognise the dynamics of gender in justice work; at worst, they reveal the continued application of partial, essentialised, and contradictory responses, associated loosely with shifting political discourse on gender and dominant theoretical perspectives.

Career progression and promotion
When invited to reflect on the ways in which gender plays out in career progression and promotion, again, survey responses were mixed and appeared to reflect differing perceptions and experiences across local authorities, teams, and settings. Notably, 70% of respondents reported that gender did not influence career progression within their team/organisation, while 27% believed that it did. Thirty percent of women compared to 9% of men considered gender to influence career progression. Qualitative responses echoed this mix of views with a number of respondents describing evidence of progress – demonstrated in the increased visibility of women in senior roles – and persisting barriers.

Where gender was felt to influence career progression, most considered it did so in favour of men. Identified reasons are as outlined below and mirror findings from wider research in this area (Padavic and Reskin, 2002).

- women's role in childbirth and childcare and associated impacts on career attitudes, choices and opportunities;
- a lack of flexible career pathways towards, and with in, senior roles;
- men being more: 'likely to apply for', 'confident', 'favoured', and/or 'dominant' in promotion processes; and
- persisting gender stereotypes in the workplace.

Typically, responses spoke to the interaction of these issues, some of which were felt to be particularly persistent in 'male-dominated' settings, that is, the prison:

> 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)
> 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)

These findings update existing evidence of horizontal and vertical gender segregation in social work and probation services, providing evidence of progress,

continuity, and change (Annison, 2007; Walton, 1975; Zetter, 2019). Persisting barriers indicate a need to advance gender equality in the workplace through the development of more integrative approaches, including, for example, through the use and development of socioecological models of change which enable action across exo, macro, meso, micro, and nano social and work practices.

Perspectives on gender

Eighty percentage of survey respondents reported that issues of gender featured in their professional practice, compared to 20% who said they did not. For those for whom gender was not a feature of practice, many explained this reflected an 'individualised' or 'person-centred' approach, applied 'regardless of gender':

> Gender (mine or that of the person I am working with) isn't something I think about very much. I strive to relate to and treat everybody fairly and can't think of anything that presents gender issues. (Survey respondent)

For others, gender was constructed – and thus constrained – as a female issue: 'it doesn't as my team only works with male clients' (Survey respondent).

For those who did consider gender a feature of practice, perspectives varied regarding its significance. Survey and focus group responses tended to suggest that gender was not an inherent dimension of practice but might become relevant *if* raised by the client:

> 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)

For some, gender *became* significant through opportunities to reflect on it through the research process:

> 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 a small minority, gender was 'central', reflecting, again, a construction of gender as relating to work with women: 'I work only with women ... so gender is primary in my role' (Survey respondent), or, for a few, a commitment to 'gender equality' with all clients. Across these variations, gender emerged as significant in relation to the following:

(i)   as a woman working mostly with men;
(ii)   responding to individual client needs;
(iii)   as a feature of domestic abuse and sexual offending work;

(iv)   promoting gender equality; and
(v)   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 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/exclusively with men. No respondents discussed issues related to non-binary gender. Again, for most, gender was constructed as a female issue.

For female workers, 'awareness' of gender impacted principally on building relationships with male clients, where the female worker/male client dynamic was felt to present opportunities and challenges. Relatedly, gender was identified as significant in work with men convicted of domestic abuse and sexual offences, related to the fact that the victims of these offences are predominantly female. Discussion mostly highlighted the challenges of this work for women, including relationship building; discussing offending behaviour, attitudes, and behaviours towards women and, sometimes, a heightened sense of risk and vulnerability. Some female workers reported attending closely to how they communicate, behave, dress, and set boundaries in their work with men.

Women and men highlighted that CJSW work also presented opportunities to 'use' one's gender positively. Examples typically described practices of 'challenging' gender stereotypes, typically men's 'sexist' views, through mixed gender co-working:

> 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)

Attention to gender was also discussed as a responsivity issue. Qualitative responses focused particularly on the needs, risks, and experiences of women clients, highlighting the complexity of women's needs, the significance of trauma, and the importance of gendered analyses of women's offending. Female workers in particular highlighted the importance of care, relationship-based practice, trauma-informed approaches, and strengths-based work with women. In common with findings from Zetter's (2019) study, for a small number of female respondents, being female was key to effective practice in this area.

A very small number of respondents and participants spoke to the importance of gendered analyses and responses for female *and* male clients and some expressed concern that the complexity of men's needs and behaviours were overlooked in current applications of gender-sensitive practice:

> There is an invisible majority of male service users who would benefit from the intensive services offered to women. (Survey respondent)

Some focus group participants also 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)

Notably, almost all responses centred on the performance of gender in individual-level practices; only one respondent touched on the ways gender operates in broader social, economic, and political processes:

> 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)

These findings present a conflicting picture of the ways in which gender is understood and embodied by the CJSW workforce in Scotland. Gender emerges as a seen and unseen, magnified and minimised, recognised and over-looked dimension of CJSW in Scotland. In this respect, our findings echo the 'mixed picture' that emerges from existing probation research (Mawby and Worrall, 2013; Zetter, 2019) as well as persisting patterns of absence, elision, and obfuscation of gender evident in wider social and work practices (Butler, 1990; Hicks, 2015). Further, our findings suggest an underdeveloped knowledge, skill, and confidence base among the workforce in working with gender, the persistence of reductive, essentialised, and binary accounts of gender in practice, and an absence of regular opportunity to develop more critical accounts of gender in and through justice work (Hicks, 2015).

Discussion and conclusions

Our findings provide the first empirical picture of how criminal justice social workers in Scotland understand and engage with gender in their work. In doing so, they update anecdotal constructions of how gender plays out in CJSW's identity, purpose, and practice; provide an important baseline for further and comparative United Kingdom and international research on this neglected issue; and introduce new lines of enquiry.

We found limited evidence of 'masculine' or 'feminine' cultures within CJSW. These emerged as reductive and diminishing binaries, albeit persisting in places. Relatedly, our findings suggest a workforce engaged, mostly, in comparable work, irrespective of worker gender, and one that is, on first analysis, confident in its

ability to manage the competing and gendered dimensions of that role. These findings mirror wider research findings on professional identity and practice in probation (Mawby and Worrall, 2013; Petrillo, 2007; Robinson et al., 2016). However, cross-sectional analysis suggests that professional confidence in managing the competing and gendered dimensions of justice work may be overstated, particularly in relation to the service's work with high-risk men.

In respect of workforce patterns, our findings add to developing accounts of the 'feminisation' of probation while also rejecting simplistic notions of probation as a once masculinised and now feminised endeavour. In contexts of increasingly integrated and public-facing service delivery (Pestoff et al., 2012), these findings indicate a need to develop fuller accounts of if and how gendered workforce patterns impact on the service's identity, reputation, and relationships and, by extension, its ability to deliver on shared outcomes.

Perhaps, the most significant findings from our study relate to the ways in which gender was understood and embodied by the workforce. Criminal justice social workers in Scotland appear to operate without an explicit, inclusive, or coherent recognition of the gendered dynamics of their work. Relatedly, gender appears to be conceptualised by the workforce in essentialised, differential, and, sometimes, oppressive ways. Almost all of the discussed examples of gender centred on issues or implications for *female* workers, for *female* clients or arising from work with *female* victims. Also, across examples, discussion focused on the *needs and experiences* of women and the importance of *recognising* and *supporting* women accordingly. By contrast, in the few instances where gender featured in accounts of work with men, our findings reveal a pattern of *challenging* men's gendered *attitudes* and *behaviours*, with minimal recognition of men's gendered needs and experiences, either as workers or as clients. Notably, no respondents discussed work with transgender or non-binary gender service users. This dichotomous and differential recognition of gender inevitably reflects broader public, political, and professional discourse, where there is a persisting pattern of reducing gender to 'a female issue' and of locating work with (and by) women, typically, within a welfare frame. These patterns may also reflect the fact that men are the normative user group in CJSW, or as one respondent expressed, 'the invisible majority'. However, men's majority status neither explains nor excuses CJSW's neglect of the gendered dynamics of its work with men. The service's particular reluctance to recognise the needs and experiences of high risk men may also reflect its ever complex relationship with 'welfare' and 'punishment' discourses and its tilt in recent decades towards punishment (Garland, 2001; Gelsthorpe, 2004). While we might expect services operating from a welfare or rights-based discourse to recognise the intersections of a person's individual and social identity, gender included, these intersections arguably become less relevant in discourses of punishment (beyond attention to those aspects judged to be in need of control). These are significant issues for community justice professionals whose duties span public safety, the reduction of reoffending and the promotion of social justice, for all. Essentialised and binary accounts of gender can be oppressive and erase the rights and experiences of many, including those who are gay, lesbian, transgender, and

identify as non-binary. Further research is needed to better understand the developing intersections of gender and penal philosophy in community justice, particularly in the light of the workforce's expressed confidence in navigating these complexities.

Amidst these patterns, the rise of gender-responsive services for women involved in community justice emerges in this and other studies as an important development (Burman and Gelshorpe, 2017). However, even in this area, practice on the ground appears to vary greatly and is progressing with limited critique of its merits and limitations. As a consequence, and as some respondents in this study observed, CJSW risks introducing new forms of gender-segregation, gender-stereotyping, and gender-oppression under a refreshed banner of gender-responsivity. These are complex and contentious issues. Many have argued powerfully that recognition of the particular needs and experiences of women's journeys through the criminal justice system, after decades of ignoring the same, is an important step (Worrall and Gelshorpe, 2009). We agree. Our argument is that new 'recognition' actions need to be understood and advanced within a more intersectional framework of social justice if we are to ensure that the rights and protections advanced for some are available to all, without the creation of new forms of exclusion. Fraser's theory of justice (2005) provides a helpful frame for understanding and advancing gender on these terms (see also, Carlen, 1990; Gelshorpe, 2004). Fraser's three-dimensional conception of justice, encompassing cultural justice (recognition actions), economic justice (redistribution actions), and political justice (representation actions), cuts through the individualistic focus of much developing discourse in this area, demonstrating that gender work can and should be coherently constructed as justice work.

To conclude, it is clear from our analysis that gender, critically conceptualised, ought to be a fundamental dimension of community justice work, located within an intersectional frame of social justice. Yet, many community justice professionals appear to operate without a critical or coherent understanding of the gendered dynamics of their work. Relatedly, gender appears to be embodied by the workforce in essentialised, differential, and, sometimes, oppressive ways. Feminist analyses have done little to unsettle binary ways of thinking about and 'doing gender' in community justice. Instead, these analyses have mostly been taken up to provide new, essentialist explanations for treating women and men in the criminal justice system differently. These findings appear to reflect the insidious ways in which gender is embedded and embodied in social and work patterns; community justice's often incoherent movement between social justice and social control agendas, and the limited opportunities for meaningful dialogue on gender and social justice in professional education and practice. These issues, in turn, link to broader neoliberal challenges playing out across contemporary welfare and justice systems in the United Kingdom and internationally, where traditional values of collectivism, social welfare, and social justice now jostle and collide with neoliberal values of individualism, responsibilisation, and control. Considered together, these issues require us to think differently about how to advance gender and gender equality in community justice, and society more broadly.

In the novel, *Girl, Woman, Other* (Evaristo, 2019: 437), one of the principal characters reflects that 'feminism needs tetonic plates to shift, not a trendy make-over'. Her words remind us of the folly of attempting to conclude this discussion with a 'how to' guide to change. Rather, a thread running through our analysis is a call for more inclusive accounts of gender for practice. Such accounts need to emerge from the academy *and* practice, that is, through the prism of lived experience and through the development of more inclusive and dialogic relationships between these communities. This will require more critical attention to gender, equalities, and social justice in education, across all levels, as well as more routine opportunities for practitioners to reflect on and advance understandings of gender in and through justice work. Relatedly, we need to develop more practical goals for gender equality in justice policy and practice, aligned to local, national, and global gender equality goals. Further, more practical consideration needs to be given to how to help practitioners navigate the significant challenges of advancing gender and social justice in contemporary justice contexts, beyond the articulation of quixotic professional principles.

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