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Abstract

It is well documented that women from minority ethnic backgrounds particularly women of Black African and Black Caribbean descent are over-represented in the Criminal Justice System (CJS) in England and Wales. Despite this, they are under-represented and conspicuously absent in government policy formulation and academic writing. Systemic neglect, marginalisation, misogynoir and the silencing of Black women particularly within the carceral space are prominent features of their CJS journeys. Due to this, Black women are subsequently left responsible for creating and maintaining their own supportive, nurturing, and caring spaces that promotes empowerment, agency and change. Using a Black feminist, intersectional lens, I will discuss examples of this self-help in the form of mentoring and advocacy as acts of political activism and resistance.

Positionality Statement

I will be writing in the first person as I believe this is the most appropriate approach in relation to my cultural, gendered and racialised affinity with the women in my research. I will be speaking from a position of insider/outsider namely, a Black woman and a professional in the Criminal Justice System¹. This positionality provides a unique and

¹I was a Probation Officer at the time of data collection and analysis for my thesis from which this data is drawn.

privileged opportunity as a researcher allowing for powerful reflection and interpretation of the women's experiences which is in line with Black feminist methodologies (Hill Collins, 2000; hooks, 1982; Few et al, 2003). Fine (1994) defines this as taking an activist stance, as many academics and politicians have chosen to neglect and ignore the lived experiences of Black women in the CJS. To swim against this tide is an intrinsic form of activism and a clear political position to bear witness to their traumatic experiences (Piklewicz, 2013). Due to the perpetual neglect, I intend to continue with this activist stance and draw attention to these issues as advocated by Black feminists (Hull et al, 1982; Lorde, 1984b; Hill Collins, 1989; Crenshaw, 2003).

hooks (1989:49) stated that:

“As subjects, people have the right to define their own reality, establish their own identities, name their history.”

I embrace this. My positionality gives me the intersectional lens as a researcher to offer firsthand new epistemic knowledge and validation of Black women's voices. Like them, I have often struggled under disparate and challenging circumstances with little to no support - having status as a professional does not protect against this. You are a Black woman first and foremost with any class status often an aside.

With all this in mind, I still understand that as a researcher, a CJS professional and now an academic, I was and will continue to be, in a position of authority and power dynamics are still at play (Eisner and Parmar, 2010). However, I believe that I subverted any feelings of powerlessness that may have been experienced by participants into

engendering empowerment through acknowledging, advocating and validating their voices and lived experience for its situational uniqueness.

Introduction

Clark Hine (2000) stated that the best way to examine the difference and uniqueness of Black women's lives and to really know their history of struggle and resistance is to record and listen to their personal narratives. I utilised the recording and transcribing of eight Black women's narratives of their personal CJS journeys encompassing all four agencies in England and Wales: the Police, HM Courts, HM Prison Service and the Probation Service. The focus here will be on HM Prison Service and what Neville and Hamer (2006:3) refer to as a "sites of struggle." Sites of struggle are spaces where oppression, discrimination, microaggressions and misogyny can occur such as in prisons and other related state agencies.

Johnson (2003) in her research of African American women in prison, charted their strategies for survival against significant odds during their custodial period and the transition back into the community. Survival in prison was paramount, battling structural race, gender and class oppression, whilst also aiming to project an image of themselves that they are of value and can transcend the traumas and difficulties that were instrumental in their journey to incarceration.

In my own research, these correlations existed and as part of this struggle, the women sought and found their own ways of contributing to meaningful acts of nurture, care, kindness, encouragement, advocacy and mentoring that was a shield of protection and sisterhood for them and the women they supported.

Before discussing the examples, the theoretical framework for the research will be introduced. Black Feminist Thought (Hill Collins, 2000) was utilised to analyse Black women's realities that are not routinely researched and presented alongside traditional academic discourses. By decentring Whiteness and viewing through a decolonial lens, Black feminist research aims to give Black women a safe space to discuss the multiple disadvantages they face such as being perceived as aggressive, selfish or untrustworthy (Ashley, 2014; Austin, 2003; Perez, 2020; Robson, 2021). The acts of Black women's activism that will be discussed in this chapter were instrumental in challenging and deconstructing these negativities and how despite their struggles, they coalesced around each other even at risk of their own liberty.

Pseudonyms will be used throughout, and eight women were interviewed on three separate occasions utilising Narrative Interviewing (Reissmann, 1993). From these eight, the narratives of three of the women; Naomi, Celia, and Sharon, will be discussed in relation to the theme of activism. With Naomi, it was concerning the offer of support, encouragement and advocacy in relation to mental health crisis. Black women are often seen as feigning illness or a discipline problem in some of their most vulnerable moments (Aiyegbusi, 2020). Therefore, assistance coming from those with shared intersectional identities and experiences who are not afraid to advocate and challenge the dominant power structures is crucial; invoking liberation and empowerment as will be demonstrated through Naomi's story.

In the second example, Celia campaigned and advocated on behalf of other Black women to ensure that the hair and skin products they needed were allowed into their establishment. There was no understanding of the importance these products had in

fostering self-esteem and confidence and how not having them contributed to stripping Black women of their identity and self-esteem (Weston Henriques and Manatu-Rupert, 2001).

The final example is mentoring, and this will be discussed in relation to education. Due to intersectional factors, Black women are often left behind in receiving education, training and employment (ETE) support in prison (Chigwada-Bailey, 1989; MoJ, 2016). Thus, making the transition into the community even more challenging and precarious. Sharon ensured a group of Black foreign national women were successful in their educational courses. This type of support and mentoring was vital given that a criminal record compounds the already difficult pathway into employment for formerly incarcerated Black women (Chigwada-Bailey, 1989; Stacey, 2019). The chapter will conclude with discussion of how forms of self-help and activism, focused on meeting the needs of Black women both in prison and upon release, can be encouraged and supported.

Black Feminist Thought in Qualitative Research

Black feminist epistemologies and methodologies are quite well established in the US but are still a developing field here in the UK. In researching Black women's lives, Black feminism provides the theoretical framework for producing powerful counter narratives that promote change, agency and resists racist, gendered stereotyping within the hostile environments Black women find themselves in such as prisons.

Patricia Hill Collins (2000) introduced Black Feminist Thought (BFT) and identified four dimensions for a Black feminist epistemology. These are:

“The lived experience as a criterion of meaning, the use of dialogue to assess knowledge claims, the ethic of caring, and the ethics of personal accountability”
(2000: 251).

These fundamental tenets were the tools used to understand the women as participants with agency and history. This is vitally important when researching Black women and Hill Collins asserts that as Black women, it has been necessary due to silencing and marginalisation, to develop a distinct Black feminist standpoint and do so by using alternative ways of producing and affirming knowledge. She also noted that Black women run the risk of *“being discredited as being too subjective and hence less scholarly”* (Hill Collins, 2000:19). This is a critique that has been historically levelled at Critical Race Theory (CRT) scholars, but CRT scholars push back against this dilemma by actively recognising intersectionality shapes their identity as researchers (Crenshaw, 1995).

The four dimensions of BFT helps Black feminist researchers bridge the disconnect between their personal and professional lives. It also supports them in increasing their understanding of their participants' lives particularly as it pertained to the intersections of race, class, gender, and other cultural intricacies. The first dimension, *“lived experiences as a criterion of meaning,”* situates the difference between knowledge and wisdom (Hill Collins, 2000:251). Black feminist theory is critical social theory, and from this, a researcher can craft a research methodology that aims to uncover the subjugated voices of their communities (Crenshaw, 1995). This was vital for my research

particularly as by virtue of their contact with the CJS, these women have suffered further subjugation.

BFT neatly marries qualitative research methods and feminist theory and as its focus is on intersectional inequalities and patriarchy, it is imperative that researchers are mindful and put under scrutiny their own positionality around their power and privilege as researchers (Eisner and Parmar, 2010; Few et al, 2003). Self-reflexivity is a crucial and necessary component of BFT. Reflexivity accommodates the exploration of one's positionality and I understand that my lived experience in the CJS shapes the assumptions and interpretations made regarding what I observe and hear (Dean, 2017). BFT, alongside using narratives as a research method, encourages a collaborative approach with participants to support empowerment within the research process. Furthermore, BFT espouses a Black feminist and womanist approach that can sufficiently examine, interrogate and critically analyse promoting the agency of Black women to form a bottom-up epistemology that essentially incorporates intersectionality at its core (Hudson-Weems, 2001). Thus, making Black feminist approaches the most useful and powerful theoretical framework for researching the lives of this very marginalised group within the criminal justice space (Crenshaw, 1995; Hudson-Weems, 2001; Matsuda, 1995; Schiffer, 2014).

In the next section, I will outline examples of how Black women can be and are agents of change through their acts of resistance.

Activism as resistance

Naomi

Naomi is a 27-year-old single mother of one daughter (aged seven at the time of imprisonment). Naomi had a very caring nature and would help anyone. She was acutely aware of the lack of care and attention given to Black women suffering from mental health crisis at her establishment. It is well documented that Black people often will not disclose mental health concerns as it could lead to stigmatisation, labelling, poor or no treatment, imprisonment or even death (Gajwani et al, 2016; Oppenheim, 2018; Taylor, 2017). In prison, this is particularly prevalent given its punitive nature and the embedded silencing and marginalisation of Black prisoners.

Naomi witnessed Black women she tried to help with mental health needs being routinely dehumanised and treated as difficult instead of being cared for, a common occurrence for Black women in prison and clinical institutions (Mutz et al, 2020; Richards, 2021; Sosulski et al, 2010). An example of this was when Naomi befriended Jacqui and offered her support and mentoring as she was isolated, suffering from acute mental health problems and was not being supported by staff. Prison staff perceived Jacqui as a problem to be managed in segregation rather than as vulnerable and admitted to the hospital wing. When she was not segregated, Naomi spent a lot of time with her as Jacqui was self-harming through cutting, and she was clear about how the prison staff ignored her:

“Jacqui was a Black girl; they had her down as a “troubled prisoner” not as a prisoner that needed extra support. When the White girls self-harm, they get everything, they don’t get classed as “trouble”, they get classed as “Oh, we need to keep an eye on her”. We have to put her on this amount of watch for a certain amount of time, check on her every two hours or whatever. They take them to the

side and ask “Are you alright? Do you need anything? Is there anything I can do to help” Jacqui never got that. And to the point where I shouldn’t have to be doing your job but I’m doing it because she’s Black and you’re not giving it. You can see the difference.” (Naomi, Interview 1)

Naomi clearly felt the need to support Jacqui and did so as staff were “*not giving it.*” Not only that, but she also called out staff on their racist treatment of Jacqui and that they would not treat a White woman that way. Naomi's support of Jacqui and challenging staff about their behaviour can be viewed as a form of activism and sisterhood. This is because she stepped into a position that was not occupied by staff when it should have been as a matter of course in providing the trauma-informed approach needed and what His Majesty’s Prison and Probation Service (HMPPS) claim they believe in (Bradley, 2021; Jervis, 2019). Bradley (2021) cites that trauma-informed practice has its challenges within the carceral space with which I concur. However, my data suggests that the basics of listening, acknowledging the trauma experienced and consulting and working collaboratively with the person involved was not a part of Jacqui’s experience. Further activism was present in Naomi’s determination to support Jacqui as it placed her in a vulnerable position for retribution and victimisation from staff. The 2022 HMiP Inspection into the experiences of Black male prisoners and Black staff in prisons documented that staff did not view themselves as racist and were offended by any notion that they behaved in that manner. Furthermore, research by Edgar and Tsintsadze (2017) and Charles (2022) found that Black prisoners were victimised and suffered other negative consequences when they filed complaints about racism against staff. For the sake of caring for and supporting Jacqui, Naomi was willing to take that

risk. She wanted Jacqui to see the value in herself, that her self-harming not only allowed staff to reduce her to being nothing more than ‘trouble’ and a discipline problem, but it also allowed them to dehumanise her with impunity. By empowering Jacqui to see her value and worth, she could then counter the white gaze embodying the racial stereotypes they were constantly fighting not to internalise (Du Bois, 1901; Motz et al, 2020; Willingham, 2011).

It is nothing new that Black women have actively and politically resisted dehumanising treatment such as through the slave era, colonialism right through to the present day (Elbagir, 2020; Johnson, 2003). Historically, Black women have used whatever was at their disposal including their voices like Naomi to demand to be treated with decency, dignity and respect. An example of this was within the women’s rights movement itself, whereby whilst White feminists fought patriarchy and male dominance, there was still collusion with White supremacy. On that basis, Black women did not have a seat at the table regarding gender equality and their voices were muted. Henceforth, they galvanised their voices and efforts collectively to fight for the rights of Black women. (Baca Zinn and Thornton Dill, 1994; Gray White, 1999).

In the next example, Celia gets active in using her voice and negotiating skills to secure basic provisions such as suitable hair and skin products for Black women.

Celia

Celia is single and 31 years old at the time of imprisonment. Celia had many struggles whilst in custody particularly in being heard regarding her physical and mental health. Another area of struggle was in not being able to access suitable hair and skin products.

Hair discrimination has been an issue in wider society for an exceptionally long time with Black children being excluded from school (Weale, 2022) and Black women being suspended or sacked from their place of employment for wearing natural hairstyles (Walcott, 2021). This discrimination is no different within CJS spaces whereby there is little to no acknowledgement that Afro hair and Black skin need different products.

Provision of these products within the female estate depending on location is either extremely limited or non-existent which is in a breach of Rule 54 of the Bangkok Rules (United Nations) of which the UK is a signatory². Given the overwhelming normalisation of Whiteness in the CJS, these rules are regularly flouted and results in the “othering” of Black women (Powell and Menendian, 2016) and their needs being ignored.

My research found that due to this exclusionary practice, the self-esteem of Black women was seriously affected because they often had no confidence in their appearance and were not supported in making themselves presentable. Celia stated that when she first went to prison, she wore her hair in an Afro style and so needed an Afro comb to comb her hair. She was never provided with any such combs. Leaving her feeling marginalised, isolated, and as she described, “*less than!*”:

² The Bangkok Rules stipulates clearly that provision for women in prison based on racial, ethnic, religious and cultural needs must be given (Penal Reform International, 2019)

“We were always sidelined, and we didn’t get to (thinking, pauses), what’s the word.... to engage in our cultural practices. They were all stripped of us as well so when you take all those things away from a person such things basic as a soft brush, moisturiser.... I’m walking around looking less than I should because I can’t comb my hair..... (you get) a very small (gestures size with her hands), thin comb. It would break if I tried to comb at beginning of my hair! (laughs) And a brush that would just pull in my hair. There was no cream, so you’re walking around ashy, no hair oils, so I fought every day for those things. I eventually was a part of the prison council and things like that because it just wasn’t right and that was just on a basic level.” (Celia, Interview 2).

Celia’s strategy in the face of this racist unfair practice was to use the prison processes and procedures to highlight the injustice and deal with the issue on behalf of herself and other Black women. This was an act of resistance and sisterhood. Celia had to take on an activist role to try and ensure some equity. She and other Black women felt so ashamed of their appearance and Celia related how she had to wear a headscarf to cover her hair. Aside from the trauma this caused, Celia also saw the ‘othering’ and the denial of hair products as a form of power and control over Black women that she was determined to fight against (Henriques and Manatu-Rupert, 2001; Powell and Menendian, 2016). Some of the other Black women in her establishment experiencing the same neglect, did not feel confident or empowered to complain fearing retribution. However, they supported Celia in challenging the situation and she felt emboldened by that support, and this created a bond between them. This spirit to fight has a strong tradition historically as Black women have been involved in many liberation fights such

as the suffrage, abolitionist and civil rights movements (Gyant, 1996; Terborg-Penn, 1998).

Black women can often be made to feel they are worthless and incapable of doing anything for themselves (Ashley, 2014), Celia demolished this myth and so does Sharon in a very creative way.

Sharon

Sharon is a 49- year-old mother of five (three adults and two teenagers). Sharon was very artistic and creative through the skill of knitting. Having an outlet is very important for women in prison especially in being creative and using other skillsets as it helps with self-esteem and confidence (O' Brien, 2001; Johnson, 2003a; Willingham, 2011).

Sharon used her talent for knitting to knit ducks to pass the time, relax her mind and give as gifts for those being released. However more than this, it was a form of activism as she used her craft to connect with other women and bring them together. She cited how when other women showed an interest in her craft, she would open dialogue and encourage them to get involved.

Connecting, sharing skills and helping each other grow in prison has traditionally been very strong for Black women. For example, in the US, Black female prisoners in a Louisiana prison formed "Sister Hearts" to help with opening bank accounts, finding accommodation and employment as nothing like this was coming from inside the prison.

The founder stated:

“I had to go inside myself and find something good about me.... I felt like trash...I needed help” (The Atlantic, 2019:1).

Sharon related how many of the women she met in prison had these same issues, feeling like “trash” because of their negative experiences regarding issues such as language difficulties, immigration status and a general sense of helplessness in their situation that would weigh heavy (Crenshaw, 2003; Robson, 2021). These factors are known to work against minorities especially for those that were not British or have English as a first language (Bobb-Semple, 2012; Cox and Sacks-Jones, 2017; Prison Reform Trust, 2017). Their needs were not being met as alluded to here:

“It's harder for a Black woman and English is not your first language. That I noticed was very hard for a lot of women that were there especially the African women...that English was not their main language. There were also women like from Argentina, Venezuela and English wasn't their first language. Some of them didn't even speak English at all but I found we communicated through knitting.”
(Sharon, Interview 2)

Here Sharon is finding a creative and proactive way to communicate that worked for the women. Furthermore, for some, helping others gave them a sense of self-worth and forged confidence in what they can do for each other (Joyce, 2003 cited in Johnson, 2003a). This is extremely empowering and correlates with Sharon’s activism when she took the initiative to assist in educating each other when the prison system failed them. Sharon recognised that for Black women, the support was minimal if at all and she wanted to address that in looking at the plight of Black women in prison generally and why it was so important to have support and solidarity:

“You know, they have a way of making you feel less than human. Less than a woman, less than your colour. You know and if you're not strong you take it to heart, you know and it can be a lonely place because you only have your thoughts to deal with. You know what I mean, there is no one there to sort of say, “Okay, let me hold your hand and get you through” or give you the support you need, “I can make a phone call” to sort something out or find the paperwork to help you or get you in touch with or point to you in that direction. But to fully understand and appreciate what it is as a black person your requirements are, they (prison staff) don't understand that at all, so it's a shame! (Sharon, Interview 2).

Lorde (1981) argued that no woman is free while others are shackled. Sharon was ‘free’ in the sense that she was very self-sufficient in prison but saw others were not and always sought to help them as best she could. By “*helping out*” Sharon took the initiative to involve herself and was determined that no matter what they would all get through the classes. Her self-made ‘classes’ were ad-hoc beauty and sewing sessions that she ran to supplement the prison courses as she felt additional support was needed. She was determined they were all in it together and none of them were going to fail:

“I got involved myself and took part in the course, did all the things that everybody else was doing, you know and even when they were having problems, I would put mine down and go and help....my philosophy with them was that we all started together and we're all going to finish together even with the beauty course, a lot of them were finding it difficult and I said no, I sort of looked around and said “nobody is failing this class, we're all going to finish together, we have to

all find time to help each other, then that is what we will have to do." (Sharon, Interview 2)

They were all successful in completing the class, working collectively and supporting each other. Very often, Black women are denied coaching/mentoring or any kind of self-help assistance especially within the carceral space and so need to do it for themselves, this can be seen not only in prison but also in academia and the corporate world (McDowell, 2021; Turner and Allen, 2022). Black women will actively work together to achieve a common goal against the odds and the hostile prison environment is no exception. The sense of nurturing, self-empowerment and encouragement to achieve their goals and be change agents was enabled and facilitated by Sharon, a very powerful form of activism.

Black women find they must create these supportive opportunities for themselves. As a result, strong bonds to fight the oppression they were facing were formed. Sharon found that despite language and cultural barriers between these women; they drew on what they had in common which was sharing a racialised and gendered identity that seemed to invoke an anti-Blackness response from staff and other prisoners and so supported and nurtured each other. They formed a strong bond through the joint struggles and Sharon continued to facilitate the classes and mentoring throughout her prison journey. This served to greatly empower, strengthen, embolden and using the quotation I started with from bell hooks, allow the women to "*define their own reality, establish their own identities, name their history*" (1989:49).

Conclusion

It is clear that in the face of adversity and the fight for survival in a White, masculinist and racist society; Black women are still able to be resilient, resourceful and engender sisterhood within acts of political resistance and activism (hooks, 1989; Neville and Hamer, 2006; O' Brien, 2001). That said, it is also necessary for those in the positions of power and authority over Black women, particularly in CJS spaces, to understand the issues they grapple with daily. Oppressive white power structures have a destructive and debilitating effect that Black women must work hard to resist and survive, hence their collective fight to support, encourage, advocate and mentor each other (McDowell, 2021; Turner and Allen, 2022). White CJS staff need to understand why this happens and rather than be defensive and in denial about the racist stereotyping, misogynoir and anti-blackness they engage in, accept it happens, it is a reality for Black women and then support them sufficiently and appropriately in their rehabilitation and resettlement which is not happening (HMiP, 2020).

This is extremely important for relationship building which is crucial within the hostile environment of the carceral space. If Black women feel prison staff view them as less important than anyone else, if the misogynoir and anti-Blackness which is so embedded in the CJS make White prison staff treat Black women as "*less than human*", as Sharon so powerfully stated, then the necessary relationships with staff that need to be built, nurtured and maintained, will never come to fruition. This then leads to not only an unequal and unequitable service but also to women that struggle even more than any other group of minoritised women, to resettle and go onto to build the social capital they

need to be the strong and productive members of a society that is already significantly structured against them (Cox and Sacks-Jones, 2017; Motz et al, 2020; Stacey, 2019).

As Naomi stated White prison staff are not “*giving it.*” They are not giving the same support to Black women that they do to White women, that needs to change. My advice to CJS practitioners would be to understand that due to the hegemonic, White masculinist structure that is the entire CJS and thus, the normalisation of Whiteness; Black women need you to view them through a holistic, intersectional, anti-racist and anti-sexist lens and commit to listening, believing, caring and responding to their voices. Until then, the activism continues.

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