SEPARATION OR MIXING: ISSUES FOR

YOUNG WOMEN PRISONERS IN AOTEAROA

NEW ZEALAND PRISONS

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Abstract

Young women who serve time in adult prisons in New Zealand mix with adult prisoners, unless it is not considered safe to do so. If they do not mix, they serve their sentence in relative isolation, unable to participate in programs, recreation or other aspects of prison life. This is in contrast to male youth in prison who are placed in have specialised youth units to mitigate against the perceived negative effects of mixing with adult prisoners. Using discursive strategies to analyse texts from semi-structured interviews with young women in Aotearoa New Zealand (NZ) prisons and focus group interviews with iwi representatives, this study offers a challenge to dominant framings of both young and adult women prisoners. The study has shown that young women prisoners' resilience is likely to be strengthened, and opportunities for health and well-being improved, within stable relationships with adults with whom they relate. Whanau-type structures in prison are in keeping with indigenous values and have the potential to provide mentoring relationships which may broaden the current limited subjectivities experienced by young women prisoners.

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Chapter 1 Part 1

Young women prisoners: Issues and questions

Introduction

Samantha is 16 and in prison for repeat property offences. She started her sentence in a CYF (Child, Youth and Family) residence, but due to her unruly and non-compliant behaviour, she was transferred back to prison. Now she is the youngest woman in Wing 2 of Christchurch Women's Prison in Aotearoa NZ. She did not really want to mix with the adult women because she thought, "They must be pretty screwed up to be oldies and still in prison." She decided to apply for permission to mix anyway as the alternative, segregation, involved solitary confinement for 23 hours. Being locked up all the time, all alone, and with nothing to do was horrible. She felt so bored and alone. She felt as if she was going crazy. Now in the adult wing, she tries to keep up her tough façade amongst the other women, lest they begin to think her an easy target. To maintain this tough image she actively engages in the gang culture of the wing. She has not been exposed to this side of life before, but being a survivor, she knows that if she does not become part of the "bully" group, she will become part of the "victim" group. 1

This case example is similar to many I encountered during my practice experience while working as the Social Work Team Leader, Southern Regional Prisons, Department of Corrections from 1998-2003. A request from the Department of Corrections to investigate if young women prisoners should be

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1 Anecdotal example only – not representing any one person.

managed separately from adults (B. White, Manager, Women's Services Division, Department of Corrections, personal communication, February 3, 2005), was the initial driver for this study. My own experience as a social worker in a women's prison also led me to question how it felt to be a young woman serving time in an adult prison, and what, if any, costs and benefits there may be to age-mixing young women in prison as well.

Aotearoa NZ is a signatory to the United Nations Convention on the Rights of the Child (UNCROC), so has obligations to comply with its stipulations. Article 37(c) specifies that young people under the age of 18 must be kept separate from adults in prison unless it is in their "best interests" to mix them, although there is a lack of clarity regarding what constitutes "best interests" for young women prisoners in the Aotearoa NZ context (Goldingay, 2007b). Young male prisoners have units built for them, there is a structured day, staff do not wear uniforms, and there is more food; programs and services are also designed for young people. It is yet to be determined if young women need such facilities in the same way that young men do. This study explores the issues facing young women in an age-mixed prison environment in Aotearoa NZ.

Aotearoa NZ has been criticised by the United Nations for continuing to mix young people with adults (Harre, 2001). In addition, in the absence of separate

facilities and with the low numbers of young women in prison, those under 18

years, who are separated prior to being given National Office (Department of

Corrections) approval to mix with adults,2 may have very limited opportunities

to mix with other prisoners and participate in programs and services (Dierck &

Tyro, 2004). The Department of Corrections does not currently have a separate

facility for young women prisoners.

In the absence of formal Aotearoa NZ research investigating young women

prisoners' experience of mixing with older women, the variables which affect

their well-being in prison with respect to age-mixing are unknown. It is not

clear how UNCROC guidelines fit the cultural and spiritual values and beliefs of

Maori3 and Pacific peoples. Maori comprise 81% of the female prison

population aged 14-19, and, in 2003, Pasifika4 peoples constituted 7.6% of this

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2 The Department of Corrections' current policy for those under 18 years in women's prisons is to be initially segregated. The young women then apply to National Office for approval to mix with older women – a process that can take several weeks.

3 The term Maori is now used to denote the indigenous people of New Zealand.

4 The term Pasifika "denotes the diverse, unique and yet connected peoples who are indigenous to the pacific. It includes, among others, those with ancestral links to the islands of Samoa, Cook Islands, Tonga, Fiji, Niue, Tokelau and Tuvalu. This includes Pacific peoples who are 'New Zealand born'" (Mafile'o, 2001, p. 12).

population (Department of Corrections, 2004). Clearly, these groups are particularly affected by stipulations concerning prison management.

Due to potential mulitiplicy of experience due to such cultural diversity, the issue of, the experiences of young women prison in an aged-mixed environment, therefore, will be addressed with a multifaceted and inclusive research paradigm. To account for a variety of worldviews and the political nature of prisons and punishment in Western society I have chosen to move the focus or "centre of gravity" (Burr, 2003, p. 107) of study away from investigating young women prisoners' cognitions and motivations (Lea & Auburn, 2001). Rather, it considers how they are positioned and position themselves along continuums of ethnicity, gender, and age (Allan, 2008; Burr, 2003; Lather, 2007), and how they are positioned and position themselves as prisoner, in the social context of the prison, through language. To consider their experience, the concept of subjectivities (Davies, 2006; Drewery, 2005; Rasmussen, 2005) will be enlisted. Subjectivity is a complex notion which works towards capturing the lived experience (Davies, 2006), the self conscious reality of a persons' situation. It is this lived experience which is of interest to me in this study as I wish to consider what will constitute quality of life for young women prisoners.Some questions which will be explored throughout this study includes:

- How do young women prisoners construct themselves through discourse, what subjectivities are enabled within these, and how does age-mixing affect these?

- Among these constructions, what discourses are enlisted around the nature of the relationships between young and adult women prisoners? How do young women construct the costs and benefits?

- How does their positioning as Maori and/or Pakeha5 and/ or Pasifika young women affect their subjectivities with regard to mixing with adult prisoners?

- How does their positioning as young women affect their subjectivities with regard to mixing with adult prisoners?

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5 The term "Pakeha" refers to a New Zealander of European or English descent.

- How do non-prisoners including prison staff, the media and community groups, construct young women prisoners, and what effect does this have on young women's subjectivities?

- Therefore, what are the dominant subjectivities and how can they be widened beyond their narrow confines in order to improve young women prisoners' well-being and quality of life?

Primary purpose of study

The primary purpose of this research, then, is to explore the prison context as experienced by young women in prison. From this, consideration will be given to structures, arrangements and rituals which may maximise potentials for well-being and quality of life, and how age-mixing may enhance this, or not. These goals are in keeping with the Aotearoa NZ Association of Social Work (ANZASW), *Competent Social Work Practice*: *A Handbook for Members of NZASW* (1993a), and with the current *Code of Ethics* (ANZASW, 1993b). Another way of framing the topic comes from Aotearoa NZ's obligation under Article 37 (c) of the *United Nations Convention on the Rights of the Child* (UNCROC), to provide for young women prisoners' "best interests" (Harre, 2001; Lynch, 2008). There may be much debate about what constitutes "best interests", so the purpose of this introductory chapter is to explore what this may mean from a social work perspective, and in keeping with the goals of biculturalism as expressed in the ANZASW *Code of Ethics* (1993). In addition, the principles of social justice, service to humanity, and value and worth of the person no matter what their crime (Severson, 1994), will guide the research. In order to meet these principles, I adopt a decolonising (Tuhiwai-Smith, 2005), feminist, and discursive approach, which will be discussed in more depth in Chapter Three, the theory section of this study. In the meantime, an overview of the chapters of this study will be outlined.

Overview of chapters

Introductory and background chapters

Chapter One has three sections or parts. Part One provides an overview of the purpose and motivations for the study of age-mixing for young women prisoners and explains the values underpinning the research. Part Two briefly discusses the theoretical orientations guiding the research: a social work strengths-based perspective (Benard, 2006; Saleebey as cited in Compton, Galaway & Cournoyer, 2005), and Foucault's post-structural notions of subject position, discursive formations and subjectivities; and discursive psychology's notion of studying discourse in a social context in order to understand the cultural norms (Wetherell & Potter, 1992). Part Three provides background information relating to statistics and legislation, policies and procedures that are relevant to young women in prison.

Chapter Two then traces the history of punishment and imprisonment in Western society. Treatment of women in prisons is a key focus of this chapter. The chapter demonstrates that failure to prioritise women in prison has a historical basis, as have concerns about the contagious or contaminatory effect of mixing young prisoners with adult prisoners. A range of literature addressing responses to crime will be discussed in order to provide an

overview of how current notions of appropriate responses to young women prisoners have come into being.

Theoretical frameworks

Chapter Three is divided into three parts: Part One discusses social work theory in relation to a study of age-mixing in prison. Part Two discusses the choices I made with respect to a post-structural, feminist, decolonising theoretical approach, and the reasons for these, and then explores these theories in more detail. Part Three discusses theories regarding "need" and ways this has been conceptualised for the study.

Literature to prepare for the findings section

Chapter Four reviews literature concerning youth and young women and seeks to deconstruct a number of dominant discourses which affect the ways these groups are constituted in society. The effects of such constitutions and implications for identity construction are explored briefly in preparation for the findings section which explores how young women experience the age-mixed prison environment.

Chapter Five also serves as a preparation chapter for the findings section. This chapter is distinct from Chapter Four in that it explores literature around conditions in prison, prisonisation processes and their effects, and how these may impact on young women in prison. The implications of these processes both for participants' responses, and for their experiences of age-mixing are considered.

Chapter Six then discusses in detail the methodological approach used for this study, including data collection, analysis, and cross-cultural partnerships. Particularly relevant in this chapter is the approach I took in regard to the Maori participants and the measures taken to respect Maori cultural traditions.

Findings section

The findings section is split into three chapters that examine young women's experiences in the age-mixed prison environment. Chapter Seven begins with a discussion of discourses in the public domain concerning women prisoners, youth, and young women prisoners. A broad consideration of the effects of these constructions is outlined, in keeping with Foucault's notion of discursive formations, since discourses form an "anchor point to what actually happens in the institution" (Foucault, 1979a, p. 222).

Chapter Eight then explores how young women constitute themselves and each other, in relation to their identity as young, as female, and as prisoners. These identity vectors (Lather, 2007) reflect the discourses circulating within the prison context, and, as such, have implications for the young women's lived experiences and subjectivities, and, consequently, their well-being in the current age-mixed prison environment.

Chapter Nine completes the discussion of the identity vectors, with an exploration of young women as members of their particular ethnic groups. A strengths-based perspective (Benard, 2006) is drawn upon in order to "shift the focus from problems or pathology to strengths, resources, and potentialities" (Maluccio as cited in Compton & Galaway, 1994, p. 224).

Summary and recommendations

Chapter Ten is the final chapter of the thesis. It brings together the threads of the previous nine chapters to consider the implications of the literature review and the findings. From the competing and contradictory discourses emanating from wider society, iwi6 groups, literature, and the young women prisoners

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6 Iwi is the Maori word for tribe. In the notion of kaitiaki (guardianship), tribes are responsible for what happens in their rohe (location or area), and, therefore, it is fitting that they be consulted about what may happen in their area.

themselves, a way forward is suggested with regard to prison regimes, in general, and age-mixing, in particular, which may improve young women prisoners' health and well-being. Such suggestions are grounded in feminist (Comack, 1994; Fraser, 1989; Reinharz, 1992; Ringrose, 2006; Taylor, 2004), strengths-based (Benard, 2006; Saleebey as cited in Compton, et al., 2005), and decolonising (Tuhiwai-Smith, 2005) theoretical frameworks. Privileging these perspectives, which were formerly not included in dominant framings, is a strategy called strategic essentialism (Miller, 2000; Spivak, Landry, & McLean, 1996). With respect to young women prisoners, this strategy means their voices are strengthened in order for their perspectives to be on equal footing with more dominant discourses influencing interventions which concern them.

The main argument of this thesis is that young women prisoners' resilience is likely to be strengthened, and opportunities for health and well-being improved, within stable relationships with adults with whom they relate. Whanau-type structures in prison are in keeping with indigenous values and have the potential to provide mentoring relationships which may broaden the current limited subjectivities experienced by young women prisoners. Material included in this thesis trace the twin intentions: First and foremost, it is a study of the situation of young women in prison. Second, it reflects the journey of the researcher, and the theoretical development which occurred as a result of

increasingly complex and contradictory material as presented by prisoners, iwi

representatives and public discourse.

Chapter 1 Part 2

Positionality: Locating the researcher in the research

Introduction

Consistent with the views of other feminist criminal justice qualitative researchers (for example, Faith, 1993; Taylor, 2004), an expression of my own values and positionality is important, in order for readers to understand researcher bias, or the lens through which I analyse data and draw conclusions. This is consistent with the notion that it is not possible to be objective in research (Guba & Lincoln, 2005), as all researchers bring their own positionality into their analytical framework. Thus, this section will discuss my positionality as a social worker, as a middle-class, 40-year-old British immigrant whose parents valued education as I was growing up. Also important to my positionality is my ethnic background, where my mother, as a child growing up in the British Midlands in the 1940s and 1950s, was called "nigger" and "golliwog", due to her African heritage.

Experiences of exclusion

The stigma and social exclusion my mother experienced as a result of being in the "othered" group, as a "half caste" and as a woman, has perhaps influenced my choice of profession. It has also led to my commitment to feminist and decolonising approaches, not only in research, but in my social work practice. It has seemed through my life so far, that the way certain people are framed through ritual, social structure and talk, influences how they experience life – their subjective experience. How they are framed may influence the extent to which they are included, understood, and valued. Not being valued or understood leads to framings which may cause people to reject, mistrust, or even abuse them. This impression of social relations has influenced my choice of methodological approach. A theoretical framework which enables an analysis of exclusionary and oppressive discursive formations, and a consideration of subjectivities seems important, if improvement in circumstances for the research participants is a goal of research.

Social work values

Consistent with social work values, I hold a belief in the intrinsic worth and dignity of all human beings. This value is especially relevant when considering those who have broken the law. All people are worthy, and have a right to

respect and assistance (if wanted), no matter what their offence history. I have spent several years working as a social worker at Christchurch Women's Prison, and conducting case management assessments. This has enabled me to ask prisoners about their lives and background, with a view of tailoring a case management plan that may be of use to them. The privilege of this experience has led me to the conclusion that a person's environment has a significant impact on the course of life events. Exposure to poverty, domestic violence, sexual, physical and/or emotional abuse and neglect, racism, drugs, alcohol, and gang association, all appear to take their toll in limiting a young woman's choices.

Other scholars, who have worked with and studied young women in prison, observe a similar pattern of disadvantage and high rates of victimisation (Albrecht, 1995; Bergesmann, 1989; Carlen & Worrall, 2004; Chesney-Lind & Pasko, 2004; Gaarder & Belknap, 2004; Redman & Fisher, 2002; Ryder, 2003; Singer, Bussey, Song, & Lunghofer, 1995; Viljoen, Jodi, O'Neill, & Sidhu, 2005; Zampese, 1997). For some women, the offence for which they serve time may have been, in their eyes, for survival – to pay for necessities, or avoid a beating from husband, father, pimp, or gang members. Some young women may offend due to drug and/or alcohol addictions (Bloom & Covington, 2001; Chesney-Lind & Pasko, 2004; Peterson, 1997; Singer et al., 1995; Willis & Rushforth, 2003), and

some drug use may serve the purpose of self medicating to alleviate the distress

of undiagnosed or diagnosed mental illness (Salamone, 2004).

My political views

A welfare state ideology holds that it is the government's role to facilitate

redistribution of wealth to ensure that every citizen has a "decent standard of

living, [there is] no great inequality between different social groups, and [there

is] solidarity among people" (Bondeson, 2005 p. 194). To a certain extent, I

subscribe to a left-wing or welfare model ideology. I agree that "the solidarity

principle should also include the less privileged; that is, the socially and

economically poorest groups, which generally are considered over-represented

in our prisons" (Friestad & Skog-Hansen as cited in Bondeson, 2005, p. 197).

Consistent with a welfare philosophy, I believe that it is the government's role to

facilitate this redistribution of wealth – although to be most effective this may

require bulk-funding community groups. This is consistent with views put

forward in speeches by the Maori Party where they suggest Maori groups be

given funds to set up services that may be more effective for Maori (Turia,

2009b).

Hence, this study that explores the needs of young women prisoners is partly

located within a welfare state perspective, where structural inequalities inherent

in society are seen to be partly responsible for their disadvantage, and, hence,

offending, as opposed to a conservative-liberal perspective which sees social problems as a "consequence of individual deviance" (Tulloch, 1978, p. 67). Not all my beliefs are consistent with the welfare perspective, however. For example, I also believe that if a person offends, those in the community have a right to be protected from them, a belief consistent with a conservative or liberal viewpoint where freedom is a paramount value (see Bondeson, 2005; Cheyne, O'Brien, & Belgrave, 2005).

I am sceptical about civil libertarian views, held by researchers such as Gaarder and Belknap (2004), and Faith (1993, 2000), that prisons should be abolished. I do, however, think they may need to be in a more responsive, open form. From my observations and experience as a social worker, some people are unsafe in the community setting at certain times in their lives. Time away to protect the community, allow them to take responsibility for their offending, address their addictions, and heal psychological problems may be of benefit to both the offender and the community.

Thus, I believe that prisons serve to protect the community in the short run by keeping offenders off the streets. Listening to narratives from some women prisoners over the years of my social work practice has indicated that some have benefited from being away from their destructive community environment,

which may have included exposure to drugs, alcohol, and violence. I am not sure that prison does rehabilitate offenders, even when all else has been tried and has failed to prevent offending, however. There is evidence that prison does not effectively address a person's offending behaviour (see O'Brien, 2001; Taylor, 2004).

Part of the reason for the ineffectiveness of prisons in preventing crime may be the involuntary nature of prison and the fact that the programs and services are set up and run by people who have very different background, experiences, and attitudes to offenders. It is all very well teaching people pro-social attitudes and behaviours (Bonta & Andrews, 2003), but this can often neglect the reality of the offender's world outside (see Ward & Brown, 2004). Furthermore, programs and services may attempt to make prisoners want to stop offending, but prisoners may not want to stop, or they may be unable desist from offending. Yet another reason, which I have begun to understand from reading Foucault and other post-structural writers and listening to iwi representatives, is that all people position themselves according to the cultural resources available in their social setting (Foucault, 1997). For some, a criminalised subject position may be one of the few they, and their friends and family, can imagine.

It appears from these descriptions that my beliefs about what is the correct response to people who break the law are contradictory, and they certainly are. On the one hand, I do not think offending is solely due to individual deviance, so from this, one may assume, I believe imprisonment is unnecessary and unjust. On the other hand, I think that prisoners need to take responsibility for their offending and make some changes to their behaviour towards, and ways of thinking and talking about, other people, in order to protect society. These contradictions in my own positionality reflect the wider contradictions within social work, as described by Epstein (1999): "It is common to state the intentions of social work as helping people to accommodate to the status quo and as challenging the status quo by trying to bring about social change. This dissonance is intrinsic to the nature of social work, to its essence" (p. 8). The prison is a workplace where the dissonance within social work is in stark relief, and advocacy for clients within the system is tempered with the need to ensure prisoners do not violate institutional rules or cultural practices. Further dissonance may be experienced, such as whether prisoners can expect "self-determination" within the prison environment. This raises the question of what the purpose of imprisonment is. It may now be timely to introduce how my own values have influenced the theoretical orientation I eventually adopted in this research.

Further contests: Fact vs. value

The words used above such as "needs", "rights", "interests", and "equality" have contested meanings with respect to social policy for this population group. This is because these words "possess both a factual and ethical content" (Tulloch, 1978, p. 70). Ideologies behind the different interpretations of these words are what cause the divergence in opinion on their meaning. These differences in interpretation of the same words are what characterise debates in social policy, and undermine clarity of purpose and meaning. To avoid the inevitable confusion between fact and value (Tulloch, 1978) that may occur in this research, dealing with such contentious issues as young women prisoners' needs with respect to age-mixing, I will continue to clarify the "structures of knowledge that influence practice" (Chambon, 1999, p. 57). Making these structures or underpinnings of each viewpoint explicit will facilitate clarity in what is driving the varying interpretations of needs.

One such structure of knowledge which may influence practice with regard to age-mixing youth with adults is the notion of criminal contamination or contagion (see Department of Corrections, 1998; Foucault, 1979a; Pratt, 1992). There seems to be a "common sense" understanding that criminality is catching, like a disease, and that young people who are mixing with adults are more likely to become diseased than adults are, or perhaps it matters more if youth "catch"

it. The extent to which this contagion notion is applied to young women prisoners in a mixed-age setting will be explored in this study, drawing from literature, media representations, the views of iwi representatives and of young women prisoner participants.

Values and perspectives in social policy with respect to young female offenders

Feminist and decolonising paradigms

My positionality regarding the needs or best interests of young women prisoners is located in an emancipatory feminist and decolonising (Tuhiwai-Smith, 2005) paradigm. This positionality is in keeping with social work values and ethics, which encompass bicultural and social justice agendas (ANZASW, 1993b). A key focus of social work is the consideration of a person in their situation, or the context within which a person or family lives their lives (van Heugten, 2001). Clearly, this value base does not fit with the "just deserts" idea of punishment of a retributive perspective, where there is "no consideration of the structural forces, situational influences and even individual psychodynamic factors under-lying the 'crime problem'" (Lynch, 2005, p. 70).

Cross-cultural research

Decolonising positionality is important for any study involving Maori in Aotearoa NZ, as traditionally, mainstream research has provided little benefit to Maori and has only served to frame them negatively (Jahnke & Taiapa, 2003). To represent them negatively without considering the structural and historical causes for their disadvantage would not benefit them. Therefore, whilst the number of Maori young women prisoners is disproportionately large, with 76% of young women prisoners aged 14-19 years identifying as Maori in 1999, and 81% in 2003 (Department of Corrections 1999, 2004), these statistics need to be listed within the historical and socioeconomic context.

Biculturalism or cross-cultural research takes considerable commitment on both sides, and for a non-Maori such as I am, needs a willingness to change and challenge personal worldviews and ways of doing research. Working within kaupapa Maori (using Maori protocol) means putting relationships and people at the forefront of all my work. This includes reciprocity, ongoing accountabilities and a commitment to nurturing ongoing relationships with those I consult with, which exist and continue "beyond the goals of research" (Harmsworth, 2001, para. 2.1).

There has been debate about the appropriateness of non-Maori (such as myself, a British immigrant) to do research with Maori. This concern is especially due to

exploitative and inaccurate research carried out by non-Maori in the past (Hepi, Foote, Marino, Rodgers, & Taimona, 2007; Jahnke & Taiapa, 2003; Te Awekotuku as cited in Cram, 2001). Such research has led to objectification and disempowerment of Maori (Edwards, McManus, & McCreanor, 2005). In keeping with Nikora (2001), however, my view is that the structural issues that have resulted from colonisation are a joint responsibility to solve – not just a Maori problem. As noted by Ihimaera (1977), Aotearoa NZ's future as an equitable bicultural nation is not just a Maori issue. He notes, "A Maori affair? Like heck it is. We're both in this waka together. Debate must continue about the best way to steer the canoe" (Ihimaera as cited in Wetherell & Potter, 1992, p. 220).

Cross-cultural collaborative research is "where research participants and the researchers are equal partners in the research process and where all parties benefit from the research" (Gibbs as cited in Hepi et al., 2007). My goal, therefore, is to operationalise genuine power sharing, and to provide resources and support for Maori to have input into the research, the recommendations, and how the final research product is presented. I am committed to acknowledging, and taking responsibility for, repairing my part in the perpetuation of colonialism. My maxim is that whilst I cannot change the past, I can have an influence on the future, and it is the "putting it right" that counts.

I have been accountable to prisoners and iwi I consulted with, and control of interpretations, and what and where information will be published, remains with those tribal representatives (Tolich, 2002). Consultation and accountability are crucial to respect and acknowledge the sacred nature of knowledge shared. My aim through the research is to make cultural factors explicit, and to steer away from negative or fragmented constructions of Maori (Jahnke & Taiapa, 2003). This is in keeping with a social work strengths perspective (Compton & Galaway, 1994; Matthews, 2000). Prominent Maori academic and commentator on criminal justice and mental health issues for Maori Dr Mason Durie notes that research should "integrate and make links between a complex range of factors including interactions between past and present; the individual and the collective; the body, mind and soul; people and their environment, political power and social and economic spheres" (as cited in Jahnke & Taiapa, 2003, p. 45). My discursive strategy, which embraces micro and macro social constructionist underpinnings, enables such linkages, since such strategies put the social (Miller, 2000), power relations (Burr, 2003), and the history of the present (Rose, 1996) at the centre of analysis.

Research has indicated that Maori women prisoners have, in line with their Aboriginal counterparts overseas, "more and higher needs in several need domains" (Poels, 2005, p. 6) than Pakeha/European female prisoners. Given the stated political position to improve their situation, and the significant proportion of young women prisoners who identify as Maori, it is even more

important to ensure that an appropriate and culturally responsive approach is used in this inquiry to "privilege indigenous knowledges, voices, experiences, reflection and analyses of their social material and spiritual conditions" (Rigney as cited in Tuhiwai-Smith, 2005, p. 87). Thus, as opposed to objectifying and "othering" Maori people (Tuhiwai-Smith, 2005), the aim of this research is to make a space for indigenous knowledge in the creation of policy, and to challenge dominant discourses about them. Even more crucially, I hope to provide a critical account of power relations and inequality (Tuhiwai-Smith, 2005), which exist in Aotearoa NZ as a result of colonialism. Most important, I intend to foreground the perspectives of young women prisoners in exploring the age-mixing question. With the absence of their voice in the debate, there is a risk that any conclusions drawn will be paternalistic, ethnocentric, andocentric, and as such, serve to further disadvantage young women prisoners. Such conclusions would be a "worse interpretation of people's needs" (Fraser, 1989, p. 182).

Conclusion: The need to consult with young women prisoners

Researcher positionality has significantly influenced the choices of theoretical approaches to be used in this study which is a feminist, decolonizing one. It will adopt discursive strategies in order to foreground discourses used by young women prisoners which generally are not included in debates about what should happen for them in prison. To date, there has not been a method of

inquiry in Aotearoa NZ that has specifically gathered young women prisoners'

views regarding age-mixing in prison.   Part Three of Chapter One, will,

therefore, consider notions of "best interests", human rights, and competing

perspectives on young women prisoners' needs; it will also introduce the

hybrid ways in which I chose to embrace this complexity.

Chapter 1 Part 3

Setting the scene: Statistics, legislation, human rights and "best interests"

Introduction

Youth prisoners are, from the Department of Corrections' point of view, those between 14-17 years of age, as stated in the Corrections Act, 2004, which came into force in June 2005. This is a change from earlier policy where prisoners were considered youth if they were younger than 20 years, and were automatically segregated until granted National Office approval to mix with adults. According to the Department of Corrections website, the "development of the new Regulations occurred with extensive input from other Groups and Services, and approved by the Departmental Corrections Act Implementation Committee" (Department of Corrections, 2006a). The Department of Corrections, Policy and Procedures Manual, section F.01, defines the upper youth age as 19 years (Department of Corrections, 2006b), however. Therefore, this study will continue to define youth prisoners as those 19 years and younger.

Aotearoa NZ's youth justice system

Department of Corrections statistics

The Public Prison Service is one of the services administered by the Department of Corrections in Aotearoa NZ. There are 17 Public Prisons, three of which are women's prisons. Four male prisons have youth units attached. Information obtained from the Department of Corrections under the Official Information Act, 1982, indicates that as of 5 July 2006, there were 30 female prisoners (both sentenced and remand) under the age of 20 years in Aotearoa NZ prisons. As the total number of female prisoners, including both sentenced and remand, was 393, the 30 youth amounted to 7.6% of the total national female prisoner population. Average sentence length for the female prisoners under 20 years was 3.02 years. Male prisoner statistics for the same day, however, show 7045 prisoners (both sentenced and remand), of which 372 were under 20 years of age (Calland, 2006). Thus, male youth amounted to 5.2% of the total male prisoner population as at 5 July 2006. The average sentence length for male prisoners under 20 years was 3.74 years (Calland, 2006).

Growing numbers of female youth

Despite the number of female youth being low in relation to male youth, the number has been growing, and the number of female inmates has in recent times been "significantly outstripping the Ministry of Justice's (MoJ) forecasts" (Calland, 2004, p. 8). In 2001, there were only nine female youth under the age of 20 in the country's prisons (Department of Corrections, 2005b). The jump from nine to 30 female inmates under 20 years constitutes a 333% increase between 2001 and 2006. Thus, it is apparent that the rate of increase of young female offenders means that they are becoming a significant minority amongst the wider population of prisoners.

In Aotearoa NZ, The Children, Young Persons and Their Family's Act, 1989, defines a young person as a "boy or girl of or over the age of 14 years but under 17 years" (CYP&F Act, 1989, p. 15). Should a young person in this age group commit a minor offence, they will generally receive immediate warning or other diversionary procedures (Ministry of Justice, 2006). For youth who have committed a more serious offence, the issue is referred to Child, Youth and Family Services who convene a Family Group Conference (FGC), which uses a process based on restorative values to seek a resolution to the offending issue (Ministry of Justice, 2006).

Penalties for those who have committed a serious offence

Those young people aged 14-17 years who have committed a serious offence such as murder or manslaughter (Ministry of Justice, 2006), however, will be tried and convicted in an adult court and may serve some, or their entire sentence, in an adult prison (Sentencing Act, 2002, part 18, s.1; Department of Corrections, 2006d). Others may be able to spend some, or their entire sentence, in an "approved Child, Youth and Family Services Residence". This will depend upon, among other things, "the nature of the young prisoner's offences," and "the ability of Child, Youth and Family Services to safely manage and detain that young prisoner within an approved Child, Youth and Family Services Residence". The legislation further states: "The regulations make provision for a cancellation of transfer agreement, if that child or young person proves to be unmanageable, or pose a serious threat to other residents" (Department of Corrections, 2006d). When this occurs, a young female prisoner will serve her time in one of the mainstream women's prisons: Christchurch Women's Prison, Arohata Prison (Wellington), or Auckland Region Women's Correctional Facility (ARWCF).

Prison facilities for young male prisoners

The Department of Corrections has set up the four youth units, referred to previously, to cater for "vulnerable young [male] offenders, away from the mainstream prison environment" (Department of Corrections, 2006f). These

units have special programs to cater for the "offending needs" (Department of Corrections, 2006f) of young male prisoners. Staff are specifically trained to work in the youth unit, and wear a uniform, which is "intentionally more casual and less military in style than the standard custodial uniform" (Department of Corrections, 2006f). A Prison Youth Vulnerability Scale (PYVS) is used to assess whether a male inmate up to the age of 19 is vulnerable enough to warrant being housed in a youth unit. Prisoners in the youth unit enjoy extended unlock hours (up to 15 hours per day), there is a structured day which includes a cognitive skills programme, recreation, education and employment, and additional fruit and snacks are also available (Department of Corrections, 2006f). These services and provisions are set up to meet the specific needs of youth.

The decision to provide separate, specialist units to deal with vulnerable young [male] prisoners in prison was a result of research conducted by nine government departments connected with youth, crime, and social policy. This research is documented in the, *Discussion Document on the Future Management of Serious Young Offenders in Custody: Getting Kids Out of Adult Prisons* (Department of Corrections, 1998, 2006f).

*Prison facilities for female prisoners*Nevertheless, in the absence of a separate youth unit, young women prisoners who have committed a serious offence, and who have the National Office of the Department of Corrections approval to mix, are managed with adult offenders (Dierck & Tyro, 2004). Remand female youth, female youth with pending applications to mix, and female youth who do not wish to mix with adults, must be in segregation, where "at best, current institutions may have a small area for youth only, or at worst, youth may be managed to minimum standards required by the Department" (Dierck & Tyro, 2004, p. 5). 7 There are no specific services, programs, or recreation provided for female youth, and they have no structured day. A Prison Youth Vulnerability Scale is not used to assess "vulnerability to victimisation" (Department of Corrections, 2008). Staff in women's prisons are not trained in working with adolescents, they do not wear a special uniform, and there are no extended unlock hours or extra fruit and snacks.

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7 Minimum standards regarding social contact and time out of the cell, as per Department of Corrections Policy and Procedures Manual, section A.10, are 23 hours per day locked in the cell, with one hour per day physical exercise out of the cell. Prisoners are permitted one 30-minute visit, and one 5-minute phone call per week, made at the prisoner's expense.

In addition, there are possible adverse consequences for young women when they are segregated in prison, should they choose not to mix with adults. The prospect of segregation may influence some young women's choice regarding age-mixing, as segregation is unpleasant and is often used as a punishment for those who do not obey prison rules. When in segregation, the ability of young women to participate in even mainstream rehabilitative programmes, education, and recreation is effectively constrained.

It was not until 1973 that the Department noted, "The time has surely come when we should extend to female crime and female offenders the same innovative, forward-looking approach that we have taken towards male offenders" (Ministerial Committee of Inquiry, 1989, p. 157). Following the traditions outlined above, however, the innovative approach for young male inmates has continued with hardly a mention about the needs and vulnerability of young women prisoners.

A number of key documents available on the Department of Corrections' website discuss the concerns for youth in prison, and the strategies to address these for young male inmates as if young women prisoners do not exist. For example, there is a fact sheet, entitled "Young Male Inmates", which states that young people are vulnerable and liable to experience bullying, abuse, gang recruitment, and self-harm. It explains that the Department has examined

"what works" locally and internationally, and because of this, a "decision to provide separate, specialist units to deal with vulnerable young offenders in prison" was made. It states: "All inmates aged under 18 years and those inmates aged under 20 years who are deemed vulnerable will be held in these units" (Department of Corrections, 2006c). While they are in these units, young inmates will receive intensive, youth-specific interventions designed to address their offending needs, together with the establishment of a "full, active and purposeful day" (Department of Corrections, 2006f). On this particular document, there is no mention of female youth at all. There is no fact sheet for Young Female Inmates.

"Goals and Objectives", a section on the Department's website, explains that the Department has "targeted young inmates because intervention in a criminal career may prevent a lifetime of further offending". Further, it explains that there are "currently four special male youth units for vulnerable young offenders, away from the mainstream prison environment" (Department of Corrections, 2006c). There is no mention on this document about female youth in prison. There are no goals and objectives for female youth or any discussion on the website about any potential vulnerability they may have.

A *Facilities and Infrastructure Operational Strategy* (July 2003-June 2008), points out that "women tend to be relatively low risk but high need"

(Department of Corrections, 2003b, p. 14). There is no analysis of the fact that the existence of high need may mean that such need should be addressed.

Notions of "best interests" for young people in prison

As noted earlier, Article 37(c) of the *United Nations Convention on the Rights of the Child* (UNCROC), dictates that young prisoners (under 18 years) must serve their sentence separated from adults unless it can be shown that age-mixing is in a young person's "best interests" (Harre, 2001; Lynch, 2008). Aotearoa NZ has been a signatory of this convention since 1990 (Lynch, 2008), and has received criticism for its reservation to the terms of Article 37(c) (Harre, 2001; Lynch, 2008). Of interest, is the lack of clarity around the term "best interests". As noted by Curran (2008), a social worker working with disabled children, the term leaves much discretion in the hands of adults making decisions as to what is to happen to children.

A particular issue in a prison setting is that the prisoner's well-being is not the primary aim of the sentence, making the notion of "best interests" even more problematic and contestable. Debate continues in criminal justice literature about what the primary aim of the sentence is, as some hold that retribution or vengeance for victims of crime is of highest priority, whilst others subscribe to the utilitarian aims of rehabilitation, deterrence and incapacitation (Taylor, 2001). These issues will be discussed further in Chapter Two. A recent study

demonstrated that deterrence and incapacitation for offenders are the most important priorities for the majority of Aotearoa NZers (Paulin, Seale, & Knaggs, 2003).

Within this environment, where rehabilitation and well-being are not at the forefront, a checklist has been designed by the Department of Corrections to make decisions about prison placements for young women prisoners according to their best interests (Department of Corrections, 2008a). In examining this checklist, it seems to deliver a rather limited view of a young woman prisoner's best interests compared to the interests served by male youth in prison, as the male youth checklist provides a gateway to a specialised youth unit. Young women may either be managed separately within the adult institution (where opportunities for programs, services, and company will be very limited) or mixed with adult prisoners. These limited provisions mean that staff making decisions about management regimes for young women in prison have been compelled to weigh up the relative costs of the perceived risk of mixing against compromised social and overall well-being if being managed in isolation. As noted by Dierck and Tyro (2004) in their study of Aotearoa NZ young women prisoners, the cost to a young woman of remaining isolated with nothing to do but stay locked in a cell is extremely high, and notable changes over time were apparent to the overall physical and mental health of those young women who were locked in this way.

This lack of opportunity and choice is justified, in part, on the grounds of small numbers of young women prisoners (Department of Corrections, 1998). The justification itself appears based on a notion that having a unit for a small number of prisoners would not be worthwhile, but there is little research about the short- or long-term effects of the current situation (Dierck & Tyro, 2004). There is also a perception amongst prison administrators and politicians that there is a lower degree of risk of violence in women's prisons (Department of Corrections, 1998; Harre, 2001). The findings section, Chapters Seven, Eight, and Nine of this study, explores participants' accounts of the prison environment, including experiences of separate management and age-mixing. Their discourses construct their experiences of power dynamics, and of the people to whom they can turn for help and support.

This discussion will shed light on the nature of the relationships between adult and young women prisoners. Such relationships may be influenced by staff, management, and politicians who enlist powerful discourses that guide how others behave towards prisoners. It will consider young women prisoners' subjectivities in relation to mixing with adult prisoners within the framework of Durie's (1998, pp. 70-71) Te Whare Tapa Wha model of well-being. This model encompasses holistic and unseen aspects of well-being such as spirituality and

whanau-type connections, as well as the traditional Western notions of physical and emotional well-being.

Thus, the study will take a broad look at well-being or "best interests" from both Western and Maori perspectives. Given the competing ideas about what should happen for young women whilst they are in prison, and how to promote their well-being, the study will acknowledge the politics of need interpretation (Fraser, 1989). As noted by Fraser, the definition of needs or best interests is political and driven by in-order-to relations (Fraser, 1989). "In-order-to relations" in this context refers to the assumptions made in defining something as a need, and the resulting decisions made about interventions that are appropriate. For example, some politicians may declare that boot camps are the solution to youth offending, due to a belief that offending occurs due to lack of discipline. Such a relation could therefore be written as: Boot camps in-order-to-be more disciplined=less offending. This framing of the problem puts the focus on the young person, whilst ignoring wider social and structural issues. It also may not be an accurate representation of the causes of youth offending. Thus, the study will consider whose viewpoint currently defines need, who decides between competing priorities of needs, and what the subjective and material effects of these are. It is hoped that such an exploration may lead to clarification of what might constitute a "better interpretation of needs" (Fraser, 1989, p. 160), with explicit reference to both individual and wider contextual in-order-to relations.

This "better interpretation" will be made according to the consequences of various need interpretations in terms of material effects. The aim of this study is to advance the situation for young women who are serving a prison sentence, and to advance it on their terms. Such advancement may include finding ways to produce a rehabilitative environment for young women prisoners, as opposed to one which intends to be retributive. Advancement may also include improving opportunities available to them, and providing a management arrangement or environment that is in keeping with an interpretation of their needs which has been made in consultation with them. Advancement may also be brought about through the clarification of society's responsibility to its more vulnerable members (Miller, 2000; Seidman, 1991). Such clarification will be generated from the material presented in this thesis concerning how young women prisoners are constructed and how they construct themselves. It will also be generated from a decolonising perspective, privileging the views of iwi in a move towards strategic essentialism (Miller, 2000; Spivak, Landry, & McLean, 1996). This will be further discussed in Chapter Three which examines theoretical frameworks. Thus, this is an invitation to readers to "walk a mile in the shoes" of young women prisoners. The study's social work agenda is to promote compassion and understanding for young women in their struggles, and reframe them in more positive ways.

Another intention of this interpretation and analysis is to enable a deepening understanding of young women prisoners' multiple subjectivities (Davies, 2006), as brought about by their material and social restrictions, the justifications for which appear as fact in the public domain. It considers the unacknowledged and subjugated discourses concerning taha wairua (spirituality) and taha whanau (family-like relationships), taha tinana (physical well-being) as well as taha hinengaro (emotional/mental well-being) (see Durie, 1998, pp. 70-71), from young women prisoners' perspectives. In exploring these, it is hoped that public discourse concerning young women prisoners will begin to reflect the complexity of humanity – humanity to which all can relate. From this discourse it can be considered what impact age-mixing has on such subjectivities, and what impact alternative arrangements might have.

Recommendations made in Chapter Ten will build on resistance discourses participants have used in their present settings to describe the limited and negative framings currently in existence. These resistance discourses are the spark on which positive change can be built (Burman, 1990). As noted in Chapter Three, where theoretical approaches are discussed, examining the discursive processes in any discursive context, enables a diagnosis of current intractable social problems (McCallum, 1997; Wetherell & Potter, 1992). Moving beyond limited framings may lead to greater possibilities for moving beyond any dominant, yet painful subjectivities, which are prevalent in the prison context, thus reducing suffering and negative consequences.

Human rights

Rights of the child

Human rights are an issue for young people under the age of 17 with respect to imprisonment. Aotearoa NZ has a responsibility to ensure that the needs, status, and special requirements of young people held in custody be taken into account under Article 37 of the *United Nations Convention on the Rights of the Child* (UNCROC). As noted earlier, this Article states that any child deprived of liberty should be separated from adults unless it is considered in the child's best interests not to do so (Dierck & Tyro 2004). UNCROC defines children in this context as those who are under the age of 17. In research conducted in Aotearoa NZ, Dierck and Tyro (two prison officers) completed a project on young female offenders for a Department of Corrections "Future Leaders Programme" in 2004. They found that "Aotearoa NZ has entered a formal reservation to Article 37 in order to be able to separate troublesome youth offenders from other youth offenders" (Second Periodic Report of Aotearoa NZ cited in Dierck & Tyro, 2004, p. 10).

Women's rights

Aotearoa NZ is also a signatory to international Human Rights laws with respect to women. The *United Nations Convention on the Elimination of All Forms of Discrimination against Women* (CEDAW) contains a number of articles that are relevant to women's rights within societal institutions in Aotearoa NZ. For example, Article 2(d) explains that signatories are "to refrain from engaging in any act of practice of discrimination against women and to ensure that public authorities and institutions shall act in conforming [with] this obligation" (Rehof, 1993, p. 18). This indicates that institutions must not in any way act in a discriminatory way towards women. Article 2(g) is even more specific in its relevance to this study as it specifies that signatories must "repeal all national penal provisions which constitute discrimination against women" (Rehof, 1993, p. 18).

Article 3 of CEDAW specifies that signatories must "ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on basis of equality with men" (Rehof, 1993, p. 18). Arguably, not having access to the same level of services, programs, facilities, and privileges for female youth as there are for male youth, could be considered discrimination against women. The lack of such services could be said to hinder their "full

development and advancement". Such inequality may hinder full development and enhancement of young women prisoners whilst they are serving their prison sentence.

A key issue for this inquiry is whether the same service will be of as much benefit for female youth as, presumably, it is for male youth. It is hoped that, should this study indicate that a separate facility would not meet the needs of young women prisoners; ideas may be generated regarding other arrangements that would enable women to enjoy the same privileges and opportunities, whilst acknowledging their unique needs as female youth in prison. As Smith (cited in Jeffries 2001, p. 168) states: "The question is whether women, being basically similar to men, require equal treatment, or being significantly different from men, require special treatment." With respect to those under 17 years of age, their rights as children further complicate the issue.

International responsibility with respect to indigenous peoples
Another issue of concern is the large percentage of young Maori women, compared with women of other ethnicities, who are in custody. Dierck and Tyro's statistics for January 2004 show that of those young women held in custody in Aotearoa NZ prisons, 58% were Maori (Dierck & Tyro 2004). There is a *United Nations Declaration on the Rights of Indigenous Peoples*, which most

countries have adopted. Recently, however, Aotearoa NZ showed opposition to this declaration, as, "No government can accept the notion of creating different classes of citizens" (Rizvi, 2006), a neoliberal view supporting the idea of "equal formal civil and political rights and equal opportunity" (Cheyne et al., 2005, p. 71). This objection seems based on a reluctance to engage in positive discrimination (Rosenfeld, 1991) to reduce inequalities between ethnic groups.

Nevertheless, in accordance with the *Declaration on the Rights of Indigenous Peoples*, Article 7, Maori, as the indigenous people of Aotearoa NZ, have the right to "prevention of and redress for any form of assimilation or integration by other cultures or ways of life imposed on them by legislative, administrative or other measures" (United Nations High Commissioner for Human Rights [UNHCHR], 1994, p. 5). The current custodial arrangements for young female offenders in prison may not be in keeping with Article 7 of the declaration referred to above. The Aotearoa NZ Ministry of Women's Affairs has already identified a "failure to accommodate Maori customs and values in justice system interactions" (Ministry of Women's Affairs, 2001, pp. 121-123). A failure such as this may have the effect of further assimilating young Maori into the dominant Pakeha culture in Aotearoa NZ.

Article 22 of the same declaration, also states: "Indigenous peoples have the right to special measures for the immediate, effective and continuing

improvement of their social conditions. Particular attention shall be paid to the rights and special needs of indigenous . . . women [and] youth . . .” (UNHCHR, 1994, p. 8). Thus, the *Declaration on the Rights of Indigenous Peoples* provides confirmation of the relevance of this research to those who are providing services for young female Maori offenders, despite the fact that Aotearoa NZ does not support the convention in its entirety. Examining whether this group have their needs met appropriately by the current custodial arrangements in the prison setting is in keeping with Aotearoa NZ's responsibilities under international conventions of the United Nations.

Responsibilities under the Treaty of Waitangi

Aotearoa NZ also has a responsibility under its own Treaty of Waitangi8 to ensure that Maori enjoy equal rights of citizenship as other Aotearoa NZers (Treaty of Waitangi, Article 3). Thus, Maori citizens have the same rights to appropriate interventions as Pakeha citizens. The Ministry of Women's Affairs (2001) points out that there is a "lack of suitable interventions specially designed to respond to young Maori women's offending", and that within the criminal justice system, there is a "lack of meaning for Maori" (pp. 121-123).

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8 The Treaty of Waitangi, signed in New Zealand in 1840, was the founding document upon which NZ society was built. It has three articles: Article 1: Cedes governance to the Queen of England. Article 2: Promises Maori sovereignty over all their treasures. Article 3: Gives the same rights of citizenship to Maori as the people of England.

From this, it is clear that further research is warranted to explore how best to incorporate Maori customs and values into the custodial setting, and how such customs and values may be relevant with respect to age-mixing young Maori offenders with adult offenders.

The Treaty of Waitangi, Article 2, promises Maori sovereignty over all their taonga (treasures). Taonga are not merely material, but cultural, social, and spiritual as well. While there is debate over the meaning of the term "sovereignty", the Maori interpretation, which is that of Te Tino Rangatiratanga, or self-determination, shall be used here, in keeping with the spirit of international conventions. Under the Treaty of Waitangi, Aotearoa NZ policy makers, service providers, and those who plan to carry out research with Maori participants have an obligation to consult with Maori to ensure their plans and interventions may benefit any Maori recipients and the Maori community as a whole (ANZASW, 1993a, 1993b; Health Research Council, 1998).

Such consultation enables Maori to influence whether service provision or research should go ahead, and in what manner it should be conducted. In keeping with this, appropriate consultation for this project was undertaken (see Chapter Six, the methodology section). The purpose of this study, then, alongside considering the local conditions for young women in prison, has been

to adopt a political orientation via decolonising (Tuhiwai-Smith, 2005) and feminist approaches. Such approaches use activism and consciousness raising, with a view to improving conditions and experiences and hence advance the situation for young women prisoners (Comack, 1999; O'Brien, 2001; Reinharz, 1992; Taylor, 2004). Now that some of the values underpinning the research have been discussed, it is time to discuss the theoretical frameworks underpinning the approach that was taken.

Conclusion

This chapter has introduced needs and rights issues pertinent to the question of mixing young women prisoners with adult prisoners in Aotearoa NZ prisoners. Existing provisions for young women prisoners have been discussed, as have the ways their needs have been interpreted in present regimes. The next chapter, Chapter Two, will draw on a wide range of literature in order explore the historical events and dominant discourses that have led to the prison conditions that young women currently serve time in. Various analyses by sociologists, feminists and psychologists of what causes crime and how it what response is appropriate will be briefly discussed.

Chapter 2

Punishment and women's experiences in the penal

system

From being an art of unbearable sensations

punishment has become an economy of suspended

rights.

(Foucault, 1979a, p.11)

Introduction

Foucault's words describe the change in emphasis in punishment techniques

from the Middle Ages to the modern day. Imprisonment has an ancient history

(Ward & Kassebaum, 1966), but it is only since the industrial era that it has been

used as a primary means of punishment (Foucault, 1979a). This chapter draws on

multiple literature sources in order to explore the history of the present forms of

punishment in Western societies, and theories of crime that underpin them. This

is to demonstrate how events may have shaped ideas and how the ideas may

have shaped the events (Epstein, 1999). Such events and discourses through

history have a significant impact on discursive formations in the present, and

conditions in which young women should serve their prison sentence. Such

notions influence ideas about age-mixing, and current (if unspoken) attitudes

and beliefs about young women who are in prison concerning their vulnerability, malleability, deservingness, and ability to be rehabilitated. They also influence the degree of priority afforded to young women in prison in the Aotearoa NZ Department of Corrections' budgetary decisions.

The penal system as we know it today, which includes prison as a key sanction for recidivists who commit an indictable offence, originated between 1700 and 1750, when Western societies became "industrialized, urbanized and constitutional" (Hudson, 1996, p. 2). This emerging penal system, with which we are now familiar, replaced the custom of public spectacles of torture, disfigurement, and/or death designed to create an example of the offender and act as a deterrent to future offenders (Foucault, 1979a). Writers have speculated that this change was brought about because in the "second half of the 18th Century . . . public execution became intolerable" (Foucault, 1979a, p. 73), and the prevailing attitude became, "instead of taking revenge, criminal justice should simply punish" (p. 74).

Priorities from 1840 to today in Aotearoa NZ

During Victorian times, there was a view that imprisonment should reform the prisoner, but this was not seen as the primary aim (Pratt, 1992). The key aim of imprisonment was deterrence, and the conditions were austere, to put prisoners off a desire to return to offending and, thus, prison. Prisoners were forced to work on treadmills and were restricted to codes of silence (Pratt,

1992). Moreover, in Victorian times, there was a concern for "economic efficiency", and it was felt that prisons were more effective if they used punishment to "transform the prisoner, not destroy them" (Pratt, 1992, p. 123). There was also a belief that prisoners should be reformed by being "taught a lesson rather than trained to be better people" (p. 196). Nevertheless, there was an expectation that offenders would be changed, and be less likely to re-offend because of their imprisonment experience. There was an emphasis on ensuring that those in prison did not enjoy more food, warmth, or other comforts and services than those who were not in prison – a concept referred to as the "less eligibility principle" (Pratt, 1992). These ideas can be seen in operation even in recent times in the media, as expressed by outrage when it is revealed that prisoners have underfloor heating (Power as cited in NZPA, 2006b).

Influence of the new penology

A significant event in Aotearoa NZ history is the 1910 "Findlay's debate", which sparked what has been termed the "New Penology" by scholars. The then Minister of Justice, Findlay, introduced a new voice to the debate about the purpose of imprisonment. He stated, "It should be a means of addressing and resolving the particular problems that were thought to have led each individual convict into crime" (as cited in Pratt, 1992, p. 169). He believed the "duty of the state towards the criminal is reformation, not punishment . . . to restore him to good citizenship, to happiness and usefulness" (Hoggins as cited in Pratt, 1992, p. 169). Hence, there was a shift in priority from

deterrence to rehabilitation within the penal system. The new penology is characterised by, among other things, the view that "the severer a punishment a man *(sic)* has undergone, the greater the degree of recidivism" (Pratt, 1992, p. 208). In other words, a prisoner will have more problems, and will be more likely to re-offend, if prison has been a harsh and debilitating experience.

Findlay began a renewed interest in approaches that emphasised the consideration of prisoners' needs, referred to above. In an issue of the *Aotearoa NZ Gazette*, 1913, Rule 30 in the new prison rules for staff was referred to, whereby officers were to "treat prisoners with kindness and humanity, to listen patiently to and report their complaints and grievances" (Pratt, 1992, p. 226). Policies began to reflect this shift in attitude, and treatment programs designed to reform prisoners through rehabilitation (not just punishment or solitude) appeared in prisons. While there are some groups and professions who continue to advocate these policies and approaches (for example, social work), they are debated by others (for example, the Sensible Sentencing Trust) who believe that prisons should be harsher, not kinder to prisoners.

Other debates in Aotearoa NZ have continued to centre on whether the primary aim of rehabilitation should be to avoid harm to the community, or to

improve the quality of prisoners' lives, thus reducing their chance of engaging in further crime against the community (Ward & Stuart, 2003). It is my belief that the latter sits better with social work, as it may lead to the reduction of the most suffering. If prisoners' well-being is enhanced, they are less likely to cause harm to others and themselves, both within the prison and once released (Ward & Stewart, 2003). This view concurs with a belief Ward and Stuart (2003) articulated, that "effective rehabilitation ultimately requires articulating a view of human well-being" (p. 126).

Such a notion is value-based and subjective, but taking a stand according to values, for the purpose of considering the consequences for prisoners of certain framings or discourses about prisoners, is advocated by a number of writers (for example, Seidman, 1991). Thus, whilst reducing re-offending is important, the well-being of all peoples, irrespective of their offending history, is important to social work as a discipline and important to me as the researcher. This view of well-being will be developed through this study, with input from prisoners, iwi representatives, and by adopting Durie's (1998) Te Whare Tapa Wha model of well-being.

As mentioned earlier, there are debates concerning the priority policy makers should give to goals of retribution, deterrence, rehabilitation, and incapacitation. From following the debates in the media, it may become clear

that there are further influences on these perspectives that will have a bearing on relative priorities given. Political standpoints, with respect to the role of the state and how people interpret welfare goals, such as freedom, justice, meeting need, equality, and citizenship (Cheyne et al., 2005), will also influence how questions raised about the provision of separate facilities for young women prisoners are answered. Such discussions relate to the distributive notion of justice (as opposed to criminal justice), concerning fairness in the allocation of the state's resources (Cheyne et al., 2005).

Present responses to prisoners

In recent times, public views on how prisoners should be treated by the justice system have moved away from an emphasis on "reforming the offender", towards an emphasis on deterrence and public safety (Department of Corrections, 2006a; Duff & Garland, 1994; Lynch, 2005; Power, 2006; Pratt & Clark, 2005). The change in public views can be illustrated by the referendum that was held in Aotearoa NZ in 1999, after an effective petition led by Norm Withers9 in 1999, which consequently led to a provision for longer sentences under the Sentencing Act, 2004. This act "emphasizes that public safety is of central importance, and now requires that the department has to consider

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9 Norm Withers' mother was brutally beaten in a burglary in the late 1990s. It was this event that sparked his campaign for tougher sentences for offenders.

victims' interests when managing offenders" (Department of Corrections, 2006a).

This "new punitiveness" (Pratt, 2005) could be said to have coincided with a resurgence in liberalism, now termed neoliberalism (Cheyne et al., 2005), in the United Kingdom, United States, and Aotearoa NZ. Neoliberal emphases on negative freedoms, including freedom from interference and freedom from harm (Cheyne et al., 2005), are thus reinforced by media focus on violent offences being committed, which has heightened public desire for vengeance against the offender (Pratt, 1992; Pratt & Clarke, 2005; Taylor, 2001). The public have seen the justice system as failing to "respond adequately to crime" (Baker & Roberts, 2005, p. 130), and, therefore, there is a demand for harsher penalties and longer prison sentences.

Of interest is the ongoing and extensive public and government support for the use of imprisonment as a punishment, despite much evidence of its failure to reduce crime (Carlen, 1998; Foucault, 1979; Home Office as cited in Smith, 2002; O'Connor, 2003). Persistence in the face of failure may have its origins in enlightenment rationality leading to constructions of the person as an individual (Rose, 1996) who, after a time of solitude and meditation on wrongs, is able to form a new way of living (O'Connor, 2003). Springing from these notions of individualism are neoliberal notions of choice and responsibility

(Balfour, 2006), where those who offend make rational decisions for which they must take ownership and suffer the consequences (Balfour, 2006). Such consequences are thought to prevent further crime in the future, where a prisoner learns his or her lesson and desists from offending (Duff & Garland, 1994a; Pratt, 1992).

In addition to the convenience of keeping problematic people out of society, prisons may be seen as a way for a criminalised person to pay their debt to society (by suffering deprivation of liberty) and somehow be changed as a result of paying this debt (O'Connor, 2003). This view of human nature is, therefore, applied to all who are criminalised to the extent of the justice system imposing a term of imprisonment, whether they are male or female, adult or youth.

Formal philosophies of punishment

Utilitarian philosophies

While prisons are seen today as a key response to crime, the way prisons operate and the way sentences are given are underpinned by some ancient schools of thought. The philosophy of utilitarianism founded by Jeremy Bentham (1798-1832) has considerably influenced penal policy (Bozovic, 1995). Those who subscribe to a utilitarian philosophy consider that "punishment (pain for the offender) is only justified if more pain (from more crime) is avoided" (Hudson, 1996, p. 18). Taylor observed that utilitarianism is concerned with "public protection and prevention from harm" and that it "considers needs

in addition to legal rights" (Taylor, 2001, p. 194). Thus, it has a bias towards "frugality in punishment" (Hudson, 1996, p. 18). The social result, then, is that a utilitarian approach supports a process which will "deter potential criminals, reform actual criminals and keep actual or potential offenders out of public circulation" (p 18). Debates continue around how much priority each of these goals should have, and which (if any) should take precedence.

Retributive philosophies

In contrast, another school of thought emphasises the retributive goals of punishment. Murphy describes these as a "rights based objection to utilitarian theories" (as cited in Duff & Garland, 1994b, p. 44). Murphy argues that utilitarian punishment "fails to respect the rights of those who are punished, treating them as mere means to some social good, rather than as 'ends in themselves'" (p. 44). A retributive claim is that "the guilty deserve to be punished, and that the punishment is justified if it inflicts on the guilty the suffering they deserve" (Duff & Garland, 1994a, p. 7).

Other philosophies include Kantian views, which state that the "values of autonomy and freedom are central", and, therefore, "punishment can only be justified by showing such coercion to be consistent with a proper respect for the offender as a rational and autonomous agent" (Duff & Garland, 1994a, p. 3). What these non-utilitarian views have in common is that they hold that

"punishment should be so severe as to put most rational people off committing crimes" (Hudson, 1996, p. 20).

Punishment and social work

Such theories have an uneasy relationship with the values underpinning social work, however. Not only do they fail to take into account the context within with people offend, but they seek to induce suffering in contrast to social work goals, which, amongst other things, seek to alleviate suffering (van Heugten, 2001). Social work is also concerned with "attempts to find solutions to poverty and injustice" (ANZASW, 1993b, p. 1), although what constitutes "justice" for any particular group is contested. For example, victims of crime and their advocates may consider a light sentence for a serious violent offender unjust. Conversely, should that offender be a young woman who has been victim of violence and poverty, retribution which causes further suffering may also be perceived as unjust (see Faith, 1993). Cheyne et al. (2005) discuss the differences between distributive justice, which relates to the fair allocation of resources, and criminal justice, influenced by Judaeo-Christian notions of retribution. Given these competing notions of justice, how the social work profession negotiates its role in the criminal justice with respect to both criminal and distributive justice may, at times, be uncertain.

Views on human nature and punishment

While in-depth exploration of crime theories is outside the scope of this thesis, a brief discussion of some prevalent ways of thinking about what causes criminal behaviour and what responses are appropriate according to these theories are relevant to this thesis. Dominant discourses which will be discussed throughout this thesis draw on popular and often emotive responses to crime which, as have been shown above, have a long history in Western society. One example of such a discourse is the notion that the infliction of pain is a common sense and justified response to an offense of any sort. Dr James Dobson, a parenting guru in the United States in the 1970s, wrote numerous books, such as *Dare to Discipline* and *Discipline While You Can,* which advocated a "thump on the head" (Dobson, 1970, p. 57) and other physical discipline for children who misbehave. The view is that such consequences will deter them from future naughtiness and even prevent later criminal behaviour.

There are also discourses emanating from Judaeo-Christian tradition as shown in the King James version of the Bible, "Withhold not correction from the child; for if thou beatest him with the rod, he shall not die. Thou shalt beat him with the rod, and shalt deliver his soul from hell" (Proverbs 23:13, 14 as cited in Dobson, 1970, p. 206), and, "He that spareth his rod hateth his son; but he that loveth him chasteneth him betimes" (Proverbs 13:24 as cited in Dobson, 1970,

p. 206). Thus the idea that miscreants must suffer pain in order to gain redemption for their misdeeds and such infliction is a way of showing care is deeply embedded in the Judaeo-Christian view, which influences responses to those who break society's rules in Euro-Western dominated Aotearoa NZ.

The discourse that frames young people as offending because they can get away with it, as punishment is not harsh enough, has been enlisted with productive effect by the Sensible Sentencing Trust. They have successfully lobbied for longer prison sentences and harsher treatment in prison. The deterrence discourse has gained significant traction in Aotearoa NZ recently, as shown by the recent policy advocated by the present Prime Minister, the Hon. John Key, concerning even longer sentences, the two strikes law, and even harsher prison conditions (Watkins, 2008). This discourse takes a rational choice view of human nature, where it is assumed each person makes a choice to commit a crime with full understanding of the risks and consequences, including the likelihood of going to jail, and the unpleasant experience they will face when they get there. Again, as mentioned earlier, this notion of responsibility with its connection with knowledge of the consequences (and hence the justification of them) is in keeping with neoliberal "processes of responsibilization" (Davies & Saltmarsh, 2007, p. 7) frameworks.

The predominance of the rational choice discourse amongst a large section in society is also made understandable when considering the dominance of rational thought for the modern age in Western societies. The search for rational explanations, as a way of taming, controlling, and understanding human nature, is especially dominant in recent neoliberal approaches to welfare by the Aotearoa NZ Government. Neoliberal forms of governance are underpinned by public choice theory discourse, which assumes that all people are "rational, self-interested, utility maximisers" (Peters & Fitzsimons, 1999, p. 33).

Thus, as human behaviour is seen to be dominated by self-interest, a resulting discourse is that offences happen because the cost of offending to the offender does not outweigh its benefits. Therefore, if the cost is increased (such as harsher punishments) then those who offend will think twice and desist. Whilst this seems to be a common-sense assumption, such a discourse does not explain why very harsh prison regimes and extensive use of imprisonment as punishment in Aotearoa NZ and overseas has not led to a reduction in prison numbers (Hamilton, 2008; Pratt & Clarke, 2005).

It appears from this that those who do offend may not weigh up risks, costs and benefits in the ways that government policy makers and the general public think they do. As such, the discourse can be seen as a simplistic way of framing

the crime phenomenon and runs the risk of obscuring the complexities of human situations and choices. The assumption that all people are motivated by individualistic self-interest is also a faulty one, especially where cultures other than Western cultures are concerned (Durie, 1998). The notion of responses to crime and the assumptions that underpin them is of interest to this thesis, where responses to young women who offend is at issue. Therefore, a brief discussion of some theories often drawn by Correctional services in Aotearoa NZ will be discussed in order to illustrate some of the influences on current thinking in literature, some of which may in turn have an influence on policy.

Sociological theories of crime

The Strain theory, control theory, and cultural deviance theories (Feldman, 1993; Smith, 1995; Wiebe, 2004) may often be reflected in various criminal justice policies today. These theories are drawn from sociology and psychology, with plenty of overlap between the theories (Smith, 1995). Strain theory holds that people are driven into deviance by a powerful strain or pressure, with such pressure due to unjust and unequal distribution of resources; thus, good people are driven to criminal acts (Smith, 1995). Strain theories suggest a "progressive, redistributive agenda" (Smith, 1995, p. 36), or, in other words, a welfare-state type of intervention that addresses material inequalities between people. The flaw in this theory is that it does

not account for the fact that many people living in poverty do not commit crime. Nevertheless, this approach may imply inadequacy of individual approaches used by contemporary criminal justice systems worldwide, where offenders are treated for psychological issues. Such interventions do not address economic pressures, social inequalities, or lack of opportunities.

Control theories, however, consider the attachments and involvements people have to conventional society, including family and institutions (Smith, 1995; Wiebe, 2004). In control theory, there is a belief in the rational choice element in crime, and that offending occurs due to an absence of controls. There is also a belief in the subjective and situationally-specific nature of the causes of crime, and an analysis of why working class and black youth may be more likely to acquire a deviant identity due to the persistent labelling of these groups (Box as cited in Smith, 1995).

Cultural deviance theories, on the other hand, observe that "what looks like deviance to an outsider, usually middle-class observer, is in fact conformity to a different set of norms and values" (Smith, 1995, p. 41; Wiebe, 2004). Recent work has acknowledged the complexity and diversity of subcultures that support, condone, or tolerate criminal activity. It also acknowledges the power of stigma in causing those who are criminalised to seek others who have been

rejected in a similar way by the dominant culture (Braithwaite as cited in Smith, 1995).

It seems from this discussion that each of these theories has something to contribute to the understanding of crime. From my observation as a social worker at Christchurch Women's Prison, the majority of prisoners were in extreme poverty, were unable to secure employment, and believed crime was necessary for financial survival. Literature written by gang members suggests the influence of cultural deviance theory (for example, Isaac & Haami, 2007), and discussion with prisoners during my time of practice, confirmed the negative effect of labelling and the impact of stigma. The consequence for them was loneliness and a search for people in similar situations.

Aspects of these theories can be seen in a number of Department of Corrections' interventions, including supporting family bonds (control theory), challenging anti-social cultural norms (cultural deviance theory), and assisting prisoners into employment and education (strain theory) (Department of Corrections, 2006c, 2006d). Unfortunately, none of these theories of crime give much attention to girls' delinquency. Reasons for this are likely to be multiple, and the neglect may be due to the small number of young women who engage in crime, and a continued belief in the unlikelihood of young girls engaging in crime (Smith, 1995).

The invisibility of young women in these traditional theories of crime appears to be reflected in the invisibility of young women prisoners in decisions made about youth in prison in Aotearoa NZ. For example, while considerable resources have been directed towards male youth in prison in the form of an in-depth literature review, resulting in a Prison Youth Vulnerability Scale (Tie & Waugh, 2001), and the establishment of male youth units in order to provide interventions in keeping with these theories, no such resources have been prioritised for young women in prison. Young women in prison continue to have restricted opportunities to participate in programs which suit their needs (Dierck & Tyro, 2004), and women prisoners in general are less able to access rehabilitative services and programs (Beals, 2004).

Feminist contributions to criminology

In response to the lack of attention to women's experience in mainstream criminological theories, feminists in the past three decades have begun to consider the impact of gender in relation to crime. An in-depth exploration of all these theories is outside the scope of this thesis, but it may be useful to briefly consider what perspectives about re-offending amongst women have been posited by feminist scholars.

A number of feminist criminal justice scholars (for example, Howe, 1994; Smart as cited in Balfour, 2006) have drawn on Foucault's notion of governmentality and micro-practices to theorise how power operates in relation to criminalised women. Such approaches have been criticised for failing to take into account the current neoliberal context, a context which has led to an increasing number of criminalised women incarcerated for dishonesty or drug offences in the face of increasing poverty, the dismantling of the welfare state, and notions of self-responsibility (Balfour, 2006).

Other feminist work in the criminal justice field offer theories that explain criminal justice responses to criminalised women in the current neoliberal risk society (for example, Beals, 2004; Hannah-Moffat, 2004; Pollack, 2000). This work makes the observation that current responses do not take contextual factors of women's offending into account. It also observes that institutions operating within the current risk society only permit definitions of women's needs that are consistent with interventions they have available, notably cognitive behavioural treatments aimed at addressing a woman's faulty cognitions (Beals, 2004; Pollack, 2000). Such treatments are reserved for those deemed to be "high risk" and, hence, many women do not receive programs at all (Beals, 2004). Instead, they may be assessed as ineligible for programs through an assessment tool designed for male prisoners, which does not capture gendered experiences of poverty and/or violence (Beals, 2004).

Alongside this, there appears to be a moral panic about the universal "mean" girl (Ringrose, 2006), where images of girls in the media construct young girls as meaner than boys (Chesney-Lind & Irwin, 2008). Within this social context of increasingly negative stereotypes about girls, punitive responses continue for those whose conduct is outside gender norms of behaviour (Corrado, Odgers, & Cohen, 2000; Jeffries, 2001). Although young people in general commit a disproportionate number of crimes compared to adults (Smith, 1995), young women's incarceration rates worldwide have risen sharply in relation to those of young men (Bloom & Covington, 2001; Corrado, et al., 2000; Singer et al., 1995; Sondheimer, 2001). It has been posited that these increases may be partially due to increasing surveillance and policing of young women (especially women of colour) and their sexual behaviour. Increasingly, custodial sentences have been given for status offences such as running away (Chesney-Lind & Sheldon as cited in Holsinger, 2000).

Nevertheless, the number of young women in Aotearoa NZ who are in prison for violent offences is significant. In a recent sample, 12 out of 13 young women were incarcerated in adult prisons for violent offences (Goldingay, 2008). Such a significant proportion may have implications for their experience of mixing with adult prisoners, as discussed later in the thesis. In the meantime, it is timely to

introduce some other key debates in the Aotearoa NZ criminal justice system with regards to responses to those who commit crime.

Crime as contagious: The age-mixing issue

Key to this thesis is the issue of mixing age groups in women's prisons. It is therefore useful to consider how the notion of separating young prisoners from adults came into being and what theory of human nature, prisoners, and youth/adult drove this. Separating young (male) prisoners from adults began in the 1800s in England (Pratt, 1992), and legislation was enacted in the 1850s and 60s to set up reformatory schools especially for young (male) prisoners (Carlebach as cited in Smith, 2002). These actions were supported by a claim that separating young men from less tractable adult male criminals would avoid them being "contaminated" (Carlebach as cited in Smith, 2002; Pratt, 1992).

This claim may have arisen from a notion that adult prisoners were incapable of change, possibly due to Western psychological theories which considered personality as fixed (Burr, 2003). It may also have arisen from fledgling notions of the corruptibility of younger people. This was summed up by Hume (Prison Inspector in the late 1800s in England) who wrote in the 1896 *Report of the Inspector of Prisons* that "the wholesome dread of that 'bogey', gaol,

has been banished from their little minds . . . and it is not long before they are inside the walls of the prison once more" (Hume cited in Pratt, 1992, p. 143). Thus, their comfort in the presence of adult offenders and in the prison itself confirmed their life-membership of the criminal fraternity in the minds of policy makers.

In spite of these new youth prisons being set up for male youth in the 1800s, they were not set up for young women prisoners. Dalley, in her doctoral thesis, wrote that "for the most part, women's incarceration stood outside the scope of major changes to the penal system" (Dalley, 1991, p. 190), which came about as a result of the reforms between 1880-1910 to set up separate institutions for young male offenders (Dalley, 1991; Taylor, 1996). It was not until 1913 that a separate institution was set up for women away from male prisoners. Dalley noted that throughout the 1890s, reports continued to comment upon the "irreclaimable and hopeless class of women for whom reform is beyond all possibility" (Dalley, 1991, p. 190).

Separating young women prisoners from the contagious "derelicts"
Interestingly, in Aotearoa NZ, the idea of the malleability of youth began to be applied to women in 1920, as authorities began to separate young women prisoners from older "less hopeful cases" and "sent to Addington, where reformatory ideals of a more advanced system of training in domestic activity"

(Ministerial Committee of Inquiry into the Prison System, 1989, p. 156) were planned. This was due to the then Minister of Justice, John Findlay's plans for reform (Taylor, 1996). Thus, in the early part of the twentieth century, there was a new focus on young women prisoners – the "more hopeful cases" (Matthews as cited in McKenzie, 2004, p. 144). It was also felt that young girls committed crime due to the bad influence of others (McKenzie, 2004), and, therefore, they needed to be separated from seasoned offenders.

This again suggests a discourse that crime is contagious, like a disease, and that young women are more likely to "catch" it than adults. Hall's work may have contributed to this idea, since he promoted the view in the 1900s that adolescence is an important life stage, one where a person is forming their identity (Drewery & Bird, 2004). Perhaps it was thought that once a young woman had "caught" a criminal identity, she would have it for life. Consequently, a borstal for 17 to 21-year-old young women prisoners was set up at Point Halswell in Wellington (Taylor, 1996).

Setting up a borstal seems at first glance to be a progressive move aimed at improving the situation for young women prisoners in these early years. Nevertheless, prevailing stereotypes about young women who commit crimes limited perceptions of them amongst the public. For example, the following

was written in an editorial in an Aotearoa NZ newspaper, the Evening Post, in 1927:

Emotionally flighty, feebly inhibited – that [is] to say she had little power of self-control – and she exercised little reasoning or critical judgment. Her crimes were usually of an impulsive nature.   (As cited in McKenzie, 2004, p. 154)

Within the borstal itself, the notion that young women were more difficult to work with prevailed. For example, one criminal justice report in 1928 observed, "The problem of dealing with young women is more difficult than with lads, largely because of their greater emotional instability" (Aotearoa NZ Appendices to the Journals of the House of Representatives [NZAJHR] as cited in McKenzie, 2004, p. 154). Such a stereotype appears to remain in some jurisdictions around the world, as evidenced by studies that demonstrate staff attitudes towards young women prisoners who are considered to be overly emotional (for example, Gaarder, Rodriguez, & Zatz, 2004; Pollock, 1984).

Another important aim of incarceration in a borstal was for young women to be trained in domestic skills in order to reform and rehabilitate them to their appropriate roles as wives and mothers (McKenzie, 2004). The answer, therefore, was a borstal "based on Sir Evelyn Ruggles-Brise's model in the UK which emphasized retraining and drill for young offenders" (Taylor, 1996, p. 66). Aftercare was also considered a priority, possibly due to the belief in the influence of others on their crimes and the need for "selected guiding

influences" (McKenzie, 2004, p. 175). It was considered that "the need of after-care is even more necessary with the girls than with lads" (NZAJHR as cited in McKenzie, 2004, p. 171). Again this relates to the idea that young women are more easily led than the young men. Thus, the Women's Borstal Association (WBA) was established, an organisation that provided weekly visits to young women whilst in prison, and continued to support them once they were released (McKenzie, 2004). The WBA's activities were curtailed because of the 1954 Criminal Justice Act, which specified that after-care services be provided by the Corrections Department Probation Service (McKenzie, 2004).

An interesting point to note is that young women were considered reformable in contrast to ideas about older women prisoners who were considered "derelicts" and "shavings from the workshops of humanity" (NZAJHR as cited in McKenzie, 2004, p. 180). This may have reflected the beginnings of youth/adult binary discourses – where youth are seen as worth investing in, but adults are seen as beyond reform.

The Point Halswell Borstal was transferred in 1945, partly due to its location, as it was required as a defence post, to Arohata Borstal in Tawa, near Wellington. By the 1950s, Arohata "changed character, as the illusion of reform faded, muster issues arose, and women from the closed Addington

Prison began to fill available space" (Ministerial Committee of Inquiry into the Prison System, 1989, p. 157). This spelt the end of the provision of separate facilities for young women in Aotearoa NZ prisons. The 1960s brought a resurgence of concern regarding the "juvenile delinquency" problem, and John Robson, the new Secretary for Justice, recommended youth prisons be built in Aotearoa NZ. However, in line with previous decisions, these were for male youth, not for young women prisoners (Taylor, 1996).

Conclusion

This chapter has traced established thought around crime, punishment, women prisoners and age-mixing in prisons. It has demonstrated that throughout history young women prisoners have not been considered a priority, as they are seen as neither deserving nor redeemable. Their low numbers are frequently used to justify lack of provision for young women prisoners (Department of Corrections, 1998; Ministerial Committee of Inquiry into the Prison Service, 1989). More recent predominance of neoliberal imperatives, including fiscal restraint and value for money, together with punitive attitudes towards young women prisoners (Pratt & Clark, 2005), has led to disdain, neglect, and a belief that it is not important to spend money on them (Beals, 2004).

As discussed in this chapter, there are tensions inherent in social work's involvement in penal services in criminal justice. This is due to the retributive element inherent in a prison sentence. Social work negotiates its way through various roles in mediating between the criminal justice system and the prisoner (Taylor, 2001), although this may place it in an adversarial position at times. Nevertheless, there is a mandate for social workers in prisons (Taylor, 1998), and the aim of this study is to use social work values, ethics and standards for practice (ANZASW, 1993a, 1993b) when considering the issues facing young women in an mixed-age prison environment. Given the different ways young women prisoners are framed by policy makers, it is important that research methods and approaches are able to capture young women prisoners' experiences. In the next chapter, Chapter Three, I will, therefore, turn to a discussion of a social work approach for studying the issue of age-mixing in prisoners, which will be followed by a more detailed discussion of the approach I eventually adopted and the reasons for this.

Chapter 3 Part 1

Approaches to social work research

Introduction

This study is grounded in the discipline of social work, which has as its core

concern "to alleviate social suffering and improve the quality of people's lives"

(van Heugten, 2001, p. 14). Values such as the dignity and worth of each

person, irrespective of their behaviour, are at its core. As mentioned in

Chapter Two, social work is, therefore, in many ways at odds with approaches

to punishment and imprisonment that have as an aim to induce suffering,

whether for deterrence or retribution. In addition, social work in general has

contradictory aims in that it seeks to challenge the status quo that leads to

inequalities or suffering for clients, whilst at the same time assists clients to

live within the status quo (Epstein, 1999). As a social worker, I sit with these

uncomfortable contradictions and uncertainty, critiquing the present system,

whilst at the same time considering ways young women prisoners may comply

with society's demands to reduce their re-offending. This chapter will briefly

trace the origins of social work in order to consider how these influence

schools of thought and practice and research today, especially in relation to

young women who break society's rules.

Origins of social work

Social work has grown out of "attempts to find solutions to poverty and

injustice" (ANZASW, 1993b, p. 1). Founders of social work in the early 1900s,

such as Mary Richmond and Jane Addams, however, were involved in the eugenics movement the aim of which was to rid society of degenerates and the feebleminded (Kennedy, 2008). Literature notes that in order for social work to develop a credible and respected identity, it adopted a person-environment dualism and embraced scientific practice methods, with an emphasis on investigation and diagnoses (Compton & Galaway, 1994; Kennedy, 2008). It has thus developed as a tool of discipline, sought to objectify people's subjectivity, and promote what is considered socially acceptable (Philp as cited in Curran, 2008). The person-environment dualism has promoted an artificial split between the individual and society, however, and may not reflect the complexities of the experiences of social work clients (Dean, 1994).

Research approaches in social work

More recently, some social workers have explored social constructionist and discursive strategies of inquiry, which frame the individual as embedded within a social context and relationships (for example, Curran, 2008; Dean, 1994; Lessa, 2006; Reynolds, 2007). Such ideas have significant implications for social work practice, since "the kinds of meanings members attach to their experiences are determined according to the limits specified in the culture itself" (Falck as cited in Dean, 1994, para. 9). All persons, including clients, can only position themselves according to the discourses available to them or in resistance to them (Burr, 2003). Adopting discourse as the focus of interest is useful to a study addressing social problems, since the use of discourse and the

effect of such usage are "central in the shaping of realities" (Burr as cited in Lessa, 2006, p. 285). Social work strategies that analyse discursive practices can, therefore, identify the processes that the powerful use to maintain their power at the expense of others, and how discursive practices may be influenced or altered to disrupt such power relationships. An analysis of discursive practices will be particularly useful in this study of the age-mixing of young women in prison, due to the complex and competing ways young women prisoners are framed, and the political nature of punishment.

Social work focus for this study

Van Heugten (2001) observes that social work is concerned with how "physical, psychological and social difficulties and differences affect a client's sense of identity and feelings of competence, self-esteem, and well-being" (van Heugten, 2001, p. 4). The notions of identity and well-being are a key focus of this investigation, which has the well-being of young women prisoners' at its heart, although the notion drawn on here is not of a fixed or unitary identity but rather one that a person constitutes out of the prevailing discourses, and how a person is constituted by others given these discourses. In addition, notions of well-being and a positive sense of self or subjectivity have been adopted from a holistic definition of well-being from Durie's (1998) Te Whare Tapa Wha model of health. This is in keeping with Maori worldviews which incorporate spiritual and family/whanau aspects of well-being, as well as physical and emotional aspects (Durie, 1998). In line with feminist aims, the study hopes to improve the situation of these young women, as at present

they are particularly marginalised and voiceless (Gaarder & Belknap, 2004),

drawing upon multiple worldviews and knowledge bases. I shall begin the next

section of the thesis with a discussion of the nature of knowledge, how it can

be gained, and why I have chosen a qualitative, discursive strategy to

investigate issues concerning responses to young women prisoners.

Chapter 3 Part 2

My journey to discourse analysis

Introduction

This chapter outlines the theoretical underpinnings that have been adopted
for the study and the process that led to their adoption. Rather than enlist just
one framework, a variety of theoretical tools have been used to address the
complex and multifaceted issues which arise from investigating age-mixing
issues for young women prisoners. This approach sits comfortably within
social work, where a variety of theoretical approaches are applied in order to
solve human problems (Payne, 2005; van Heugten, 2001). Generally, however,
the approach used here lies within the theoretical tradition of social
constructionism which underpins discursive psychology and Foucauldian
discourse analysis. In addition, feminist and decolonising (Tuhiwai-Smith,
2005) perspectives will be discussed to show how they influence
recommendations regarding age-mixing of young women prisoners with adult
prisoners. A discussion of knowledge and how it might be gained will
commence this section of the chapter.

Hybrid approaches to gaining knowledge

Ontology is the study of the nature of reality (Burr, 2003; Guba & Lincoln, 2005). Greek philosophers several centuries before Christ debated whether everything that exists depends on matter – the material pre-conditions for language and thought, or whether ideas and language are created out of the things we think are real – an idealist position (Parker, 1992; Phillips, 2000). In order to embrace the complexity in the topic of age-mixing, I have, as suggested by feminist writers, proposed a multifaceted approach which considers both positions. The approach I have chosen considers the discursive formations which circulate within a prison. Such discursive formations sustain a "regime of truth" (Foucault as cited in Riad, 2005, p. 1530). It is the rules of formation which bring about effects in the real world – how a person or a topic is constructed causes them to be treated in particular ways. A regime of truth is intimately connected to power relations within the prison, and those who are able to make their version of events the "truth" are powerful indeed.

This approach has been supported by a number of feminist scholars, because it avoids the idealist position of relativism. Relativism is a theoretical stance which holds that all perspectives are equally valid. A number of post-modern discursive approaches, such as discursive psychology, may subscribe to a relativist position (see Burr, 2003; Lather, 2003; Parker, 1992; Wetherell & Potter, 1992). The problem with this position is that it becomes difficult to work towards ameliorating the real dominance some groups have over others. Thus, relativism may render a study politically unviable due to the inability of privileging one account over another (Hook, 2001; Lea & Auburn, 2001; Miller, 2000; Parker, 1992). One way I have chosen to respond to the relativism issue is to temporarily assume a "truth" or unified stance concerning a particular group's experience or perspective of overcoming their voicelessness in public debates. This way of thinking could be termed strategic essentialism (Miller, 2000; Spivak, et al., 1996). The question then arises regarding what processes and tools to use to find this "truth".

Epistemology

Theories about how people can know about the world come under the rubric of epistemology (Burr, 2003; Guba & Lincoln, 2005). Philosophers through the ages have debated whether learning about the world comes through reason alone (rationalism – as discussed by Socrates and Plato), whether learning about the world can only occur through senses (empiricism - as discussed by

Berkeley, Locke, and Hume in the 1700s), or whether learning about the world occurs through an interpretation of what is seen from the perspective of what we have already experienced – a view which was posited by philosophers such as Kant and Hegel (Farrell, 1994). Again, rather than adopt just one position regarding ways of knowing about the world, this study will consider the relevance of each method, including using reason, senses, and normative judgements, in order to collect and decipher the many sources of information which may need to be analysed.

A similar approach is advocated by feminists Ogle and Glass (2006), where they write that "many of the limitations of singular paradigms could be strengthened with the adoption of multiple perspectives" (p. 3). Thus, adapting multiple epistemological and ontological positions is useful in order to achieve the feminist goal to which I subscribe, which is to contribute to the body of knowledge about young women prisoners' experiences and subjectivities, and, hence, facilitate some improvement in their circumstances.

Finally, as mentioned above, the approach used in this study could be termed "strategic essentialism" (Miller, 2000; Spivak et al., 1996). I intend to locate those aspects of discursive formations produced by young women prisoners and indigenous iwi representatives, which are similar, with the view of creating a temporary commonality to their experiences of selfhood. This

collective identity could then be used politically in order to produce counter discursive formations to those of the dominant (and privileged) majority. As such, these collective voices may be able to counter those framings of women prisoners that prove to be oppressive and inaccurate, and thus work towards a deeper understanding of young women prisoners' subjectivities.

I will now describe the journey that led me to the adoption of such an approach, and explore in more detail how it will be used to collect and analyse data and formulate recommendations. The usefulness of Foucault's methods, post-structuralist frameworks, and discursive psychology will be also outlined. The section concludes by outlining some limitations of the methodology, with some ideas for overcoming these.

The complexity of the research question

In the initial stages of this project, it appeared that the research question involved considering to what extent young women prisoners' needs are met by their proximity to and, therefore, relationships with, adult prisoners. I intended to explore the extent to which present mainstream procedures, programs and services available at women's prisons met young women prisoners' needs as they and others see them. Even though these questions seemed straightforward at first, the journey I travelled in attempting to define "needs" for young women prisoners led me to realise the complexity of such a question. In the early stages of the research, I discovered that there are multiple ways young women prisoners may experience their situation (Miller, 2000) in prison. Thus, the positionality I eventually adopted acknowledges a dynamic reality as experienced by young women prisoners and multiple and competing truths within a variety of understandings and perspectives (Roberts-Holmes, 2005).

I was also persuaded to look more deeply than to a simple explanation of needs, and instead lean towards a "politics of need interpretation" (Fraser, 1989, p. 163) for this group. Such an approach considers who are currently defining the needs and what their interests are in defining them this way (Fraser, 1989). It also considers what outcome such need satisfaction aims to

achieve, and whether this actually benefits young women prisoners in terms of improving their situation.

There were many examples of these competing perspectives about what should happen for young women prisoners. One was observed in the ways in which young women prisoners were constructed in file notes written by professionals in the field. Another was in policy documents regarding imprisonment, the nature of prisoners, and what was to be done with them. Yet another was the populist notions as represented by the media. These theories of truth put forward by staff and community groups appeared to be influenced by disciplines that compete for dominance of their version of the "truth" about young women prisoners.

I attended the What Works with Women Offenders conference in Italy in 2007, and was influenced by Shoshana Pollack and her colleague's paper, "*Pleading Up: The Consequences of the Myth of Women' Prisons as Treatment*". From this I realized that even with the best of intentions, work with women prisoners could become oppressive when a one-size-fits-all approach is adopted. I began thinking about how essentialising any group of people, that is, assuming they have an essence or fixed quality that is beyond language (Lye, 1997), who are disempowered, can lead to interventions which

continue to "other" and oppress them . I became wary of proposing a theory of need which would include all young women prisoners.

This sat alongside my concern, as a social worker, for improving the quality of life for young women in prison, and working towards removing barriers to their being able to realise their full potential, by adhering to social work standards and values in (ANZASW, 1993a, 1993b). In accordance with the bicultural section in the *Code of Ethics* (ANZASW, 1993b), I also wanted to seek and understand Maori perspectives on the age-mixing issue, and to involve Maori by offering them the opportunity for active participation in the research. This sparked an interest in wider community consultation, both with local Maori and with other service providers, such as prison staff and managers, lobby and interest groups, such as the Howard League for Penal Reform and Sensible Sentencing Trust, and community groups. I believed that consulting with these groups and getting a sense of their "truth regimes" or discursive formations (Riad, 2005), would enable me to have a deeper understanding of the context in which young women prisoners serve their sentences.

Initial data collection confirmed the continuing presence of the contagion notion of crime as discussed in Chapter Two of this thesis. This showed itself through professionals working in the field; where they spoke often of the

need to separate young prisoners from adults due to the negative influence seasoned prisoners have on the young. Such negative influence, it was held, would only serve to increase young women's involvement in criminal activity. Within this perspective, the way to reduce young people's offending is to separate them from adult prisoners. Others, however, believed that stable, close relationships with adults are essential for the cultural and spiritual development of young women, irrespective of the crime the adult prisoner may have committed and the time they have spent in jail. Such cultural and spiritual development, from this point of view, may lead to the overall well-being of the whole person, which, ultimately, will reduce re-offending. This alternative perspective did not appear to be the one which influenced policy decisions however. It seemed that, in accordance with Foucault's notion of power/knowledge (Foucault, 1980), it is those who are in power who are able to define what constitutes legitimate knowledge.

Foucault's writing also alerted me to the fact that "to understand power relations we must explore what power looks like and feels like for those experiencing the negative consequences of power relations" (Foucault as cited in Munford & Walsh-Tapiata, 2005, p. 103). Some of these inequities became apparent in the early stages of my research. These included the lack of input young women have in issues of concern to them, leading to powerlessness, marginalisation, and stigma. I wanted to know what power felt like to young women prisoners in an age-mixed environment. If it was oppressive in any

way I wanted to know if they engaged in any resistance strategies (Foucault as cited in Riad, 2005) to any power that circulated within prison walls, with the view that such resistance forms a spark (Foucault, 1990; Sawicki as cited in McLaughlin, 2003), which then might have the potential to dissipate some negative effects of powerlessness. Notions of resistance will be discussed in more detail later in the chapter.

Social constructionism and Foucault

I began reading about social constructionism and discourse analysis, and the productive, as well as repressive, nature of power. I could see the relevance of this for young women prisoners, as interrogating local and wider discourses held the promise of being able to understand a situation deeply and intervene at this level to improve the situation both socially and materially for this group of young women (McCallum, 1997; Wetherell & Potter, 1992). I shall, therefore, now discuss social constructionism and how Foucault's work fits within this.

A social constructionist framework, in which Foucault's work sits theoretically, acknowledges the historical and cultural relativity of "knowledge", questions the scientific assumption that objectivity is possible with human beings, sees language and other social processes as creating "knowledge", and considers how such knowledge influences the way people approach social problems

(Burr, 2003). Constructionism assumes that events may hold different meanings for different people, depending on their perspective (Fisher, 1991).

To a large extent, the paradigm guiding the current research is in keeping with a constructionist approach to human inquiry. The goal of this study is to explore what life is like for young women prisoners and how age-mixing affects them. In other words, I wish to understand the "complex world of lived experience from the point of view of those who live it" (Schwandt, 1994, p. 118). The various actors involved will interpret the meanings of events within the prison system differently, be it the young women prisoners themselves, custodial prison staff, allied professional staff, such as psychological services, Maori service providers, or social workers.

It seems that social constructionism is a useful framework to use to consider the age-mixing issue in the prison, if decolonising, feminist, and social justice goals are sought after. It allows and even embraces the multiple perspectives and realities experienced by young women prisoners. It acknowledges that theories that are given the status of "knowledge" depend much on the prevailing power relations. Knowledges such as criminology, psychology, psychiatry, and even social work, have been developed as a result of adult, Western and male worldviews, including individualism and self-interest. As

such, they may not recognise or take into account experiences of non-Westerners, young people, and women.

In addition, social constructionist theory is anti-essentialist (Burr, 2003), and so avoids the negative effects of assuming that women prisoners are all the same or have the same experience of self whilst in prison. Thus, as Cameron notes, "The focus is on specificity [looking at particular women . . . in particular settings] and complexity, looking at the interactions of gender with other kinds of identity categories and power relations" (Cameron, 1998, p. 947). Whilst discourse analysis is a theoretical and methodological approach which fits under the social constructionist umbrella (Burr, 2003), there are a number of versions of it, underpinned by different theoretical traditions. I will draw upon two versions of social constructionism as they fit my research agenda.

The first version is the discursive psychological approach, which can be considered under a micro-social constructionist umbrella (Burr, 2003). This approach considers the performative aspect of language in context, and how people construct versions of things or events (Burr, 2003). Such an approach has been used to investigate societal ideologies such as racism (Wetherell & Potter, 1992), and sexism (Gill, 1995). It can also be useful to investigate what cultural norms are present in the prison setting and how they may affect

prisoners. This approach places an emphasis on undermining truth claims, since it holds that no truth claim can be held as more real than others. Power is seen as an effect of discourse (Burr, 2003), and those who are powerful are those able to have "voice" (Gergen as cited in Burr, 2003), or, in other words, are able to have a say in how issues are framed in order to suit their own interests.

The second version is the macro-social constructionist approach which emphasises the role of language in constructing the human subject, and the centrality of the concept of power. Not only does this approach see power as an effect of discourse, but it considers the "material and social structures, social relations and institutionalised practices" (Burr, 2003, p. 22). As such, it is interested in identifying and ameliorating social inequalities – a goal in keeping with social work standards of practice and ethical codes (ANZASW, 1993a, 1993b). A Foucauldian approach comes under this umbrella and enables a consideration of the power dynamics between prisoners and the institutions that surround them. It enables an investigation into discursive formations (Foucault as cited in Riad, 2005) within the social context of the prison wings, which gave rise to the type of "selves" and subjectivities available to young women prisoners and the staff who work with them. This approach is used extensively throughout this thesis, as I explore discourses in the public domain which impact on young women prisoners' subjectivity and

material conditions. I also explore how young women prisoners construct themselves, and what meanings they give to mixing with adult prisoners.

My choice to adopt both versions of social constructionism is in line with Wetherell (1998), in order to take account of both the discourses used in local contexts, and the social structures in which discourses arise, and the material effects of both of these (Burr, 2003). Utilising both approaches enables an acknowledgement of the potential for young women prisoners to exercise personal agency (Davies, 2006), as they may adopt certain discourses or subject positions in order to further their own interests. It also enables me to take a critical approach to various, and so far intractable, social structures that limit personal agency for those who are marginalised, colonised, or in other ways oppressed. In line with other feminist writers (for example, Burman, 1994; Ogle & Glass, 2006), my concern is to acknowledge and work towards addressing social structures and discourses which cause oppressive conditions for women generally, and women prisoners, in particular.

Subjectivities are another focal point for discursive social constructionist studies. Subjectivity has not been clearly defined by Foucault, but scholars posit from his later work that it refers to the experience of self, the ability of the subject to be self-reflective and therefore not inevitably defined by power relations (Paton, 2008). Foucault discusses the notion of subject position (as

cited in Riad, 2005) where subjects are positioned by, and are positioning themselves in relation to, discourse. The fluid identities or subject positions adopted by young women prisoners, as demonstrated by the ways they both use language, and are constructed by language, seem relevant to a study which has the aim of improving the situation for participants. I thought about what the subjective experience of age-mixing might be, and thought it might be possible that this could vary depending on the young prisoners' social status and where they sit within the possible ethnic and other types of identities available within the discursive terrain of the prison environment.

Western views on identity

The view discussed is in contrast to traditional views of identity in Western society, where the self is considered a coherent identity that develops in adolescence, and a well-adjusted person's self remains stable throughout different situations (Drewery & Bird, 2004; Rose, 1996). The dominance of these traditional ideas influence all social practices, policies, and institutions, in terms of how to deal with those who are unemployed, those who break the law, and those who seek medical attention, and how to structure the workplace in factories and other workspaces. Assumptions of the need for autonomy, identity, and self-realisation operate in language as if they are the only way of framing humanity (Rose, 1996). This assumption frames those who do not participate in "responsible self advancement" (Rose, 1996, p. 145) as "the excluded or marginalised who through willful incapacity or ignorance cannot or will not exercise such responsibility" (Rose, 1996, p. 145).

Foucault's theory on identity

Foucault has challenged ideas about the self and theorised extensively about how language or discourses constitute people's identity and subjective experience. In his work, the self is not considered an "essence" but, rather, is historically constructed through developments in discourses about the self and "through established forms of knowledge and institutionalized practices" (Chambon, Irving, & Epstein, 1999, p. 278). Thus, the idea that we are all individuals working towards responsible self-advancement has developed through history, through a contingent sequence of events, which could have easily taken a different route in different circumstances. The way individuals perceive themselves is, therefore, a product of pre-existing discursive formations, and each person is a medium through which their culture can be discerned (Kvale, 1992).

The experience of self-hood or identity in a closed environment

As the prison is a closed institution (Goffman, 1961), there are not many opportunities for outside influence. This means that the prison experience is total, absorbing, and likely to cause prisoners to adapt quickly to the social environment in order to survive. I experienced this process myself when working as a social worker at Christchurch Women's Prison (1998-2001). People's identities within that setting, including my own, were fluid and

created through the language used in the setting. My own positionality as a social worker was at least partially influenced by the way social work was positioned through language, and how white, middle class, young female staff were perceived. My subject position (and resulting subjectivity or feelings), would vary in staff group settings from "woolly" social worker with no place in the prison, to effective worker making a difference in prisoners' lives and helping them reduce their offending. Such subjectivities depended on how prisoners and their nature and potentials were talked about, and how they could be "helped". I could actively resist such positioning, however, and frequently did so, by changing the discursive climate through relationship building, through institutional changes in consultation with management and through my own words and actions.

The situation for young women prisoners was different to that which I experienced as a social worker, however. As a staff member, I still maintained a level of agency and power, which was inaccessible to women prisoners. I could go home every night. If I did not wish to be part of an interaction, I could freely leave. It was not so for prisoners. Every aspect of their life was controlled: what and how much they could eat, when they could eat, when they got up, when they went to bed, who they mixed with (if at all), and what they did with their time. For them, it was difficult to escape those prisoners or staff with unpleasant or aggressive behaviours. Privileges, such as extended

unlock time, and access to programs or employment, could be withdrawn at any time.

Thus, being imprisoned may often lead to subjectivities of powerlessness, since choice is taken away in most aspects of life. Foucault (1977) writes, "Prison is the only place where power is exercised in its naked state, in its most excessive form, and where it is justified as a moral force" (p. 210). Prisoners, therefore, may be punished by other prisoners for not conforming to the culture and for their crime. They may also be punished by staff who may use words to demean and belittle (Davidson-Arad, 2005). My observation, both as a social worker and researcher, confirmed these notions, as in addition to the huge power differential between prisoners and staff, negative treatment of prisoners could be justified through populist notions of just deserts towards offenders, as will be shown in Chapter Seven in the findings section. Such notions or framing will be analysed using discourse analysis, so a more detailed discussion of it is now required.

Discourse analysis

A discourse is a way of framing or talking about an issue or topic (Hall, 2001; Jorgensen & Phillips, 2002; Perakyla, 2005; Wetherell & Potter, 1992), which "constructs an object in a particular way" (Burr, 2003, p. 202). It can consist of images, metaphors, or a dialogue between speakers (Burr, 2003). Discourses can also be thought of as sets of systematic assumptions about the way the

world should be (Parker as cited in Drewery, 2005), and, therefore, reflect power relations (Drewery, 2005).

In adopting a Foucauldian approach to discourse, I assume that "discourse transmits and produces power, which in turn continuously produces and constitutes the self" (Tracy, 2004, p. 525). This concept is central to this research, as different selves emerge in contextually specific ways as power is fragmented and constructed through the discourses available in the context (Tracy, 2004). Being aware of the discourses in the context of young women prisoners enables an insight into selfhood, a range of subjectivities and prevailing power relations. Laying bare such understandings enables researchers and policy makers to be aware of what enhances a positive, law-abiding self and what hinders it.

Discourse analysis as an appropriate approach for policy questions

This study seeks to add to current body of knowledge about young women prisoners and also seeks to work towards resolving a policy conundrum facing the Department of Corrections in Aotearoa NZ. Age-mixing young people under the age of 18 with adults is currently a pressing policy issue, because the practice of mixing young women with adults in prison is not consistent with international UNCROC guidelines (Harre, 2001). The issue is, therefore, political both nationally and internationally for Aotearoa NZ. There is strong support for the use of discourse analysis to address policy issues. For example, Fairclough

(2000) contends that "political and governmental processes are essentially linguistic processes", and, therefore, "there is a clear general rationale for using the resources of language and discourses analysis in researching politics and government" (p. 167).

Foucault's methods and the role of language are likely to be useful in considering the social context in the women's prison. Through investigating the language used by those within the culture and outside it, it is possible to gain an understanding of how institutionalised practices and the discursive resources available impact on the type of self available to young women, and, as a result, what it feels like to be in that context. From an understanding of such subjectivity, it may become clearer how to promote a healthy feeling of self-hood where health is defined in their terms - based around cultural, spiritual, physical and mental well-being. As such it will have significant implications for future policy decisions.

Discourse analytic approaches have also been used to investigate issues of gender equity in schools (Davies, 1996; Marshall, 2000). Marshall (2000) writes of the "power of discourse in framing and managing policy" (p. 126), due to complex and contradictory ways issues can be talked about. She cites Ball's contention that discourse analysis can identify ideological politics (p. 128). This

is necessary for the present study, given the competing ideologies surrounding the treatment of young women prisoners.

Discourse analysis has been used to investigate university women's commissions in the United States. These commissions were charged with the task of ensuring gender equity in university education. Elizabeth Allan (2008) works "across tensions among feminist, critical and post-structural theoretical frames" (p. 1) in a manner similar to the way I am drawing on such theoretical frames in this study of age-mixing in women's prisons. Her analysis shows that the ways the university women's commissions were writing their reports actually perpetuated images of women that they wished to ameliorate, such as women as vulnerable, passive, and needy. Allan notes "research rarely considers how well-intentioned attempts to advance equity policy may unwittingly perpetuate discourses and practices that reinforce *inequity"* (p. 1). As such, policy discourse analysis is useful in the investigation of age-mixing in women's prisons, as there are many hidden assumptions inherent in the question itself regarding young people, young women, the nature of prisoners and relationships between them. Lack of awareness of such assumptions may perpetuate dominant yet unhelpful notions about young prisoners, adult prisoners, and the relationships between them.

An Aotearoa NZ penologist has hypothesized that the successive failure of prison reforms is due to a failure to consult with prisoners (Pratt, 1999). Foucault (1977) notes that it is the "discourse of prisoners and those we call delinquents . . . that ultimately matters" (p. 209), since they are producing a counter-discourse which challenges the existing power relations. Thus, these writers advocate privileging perspectives of women prisoners if they are in conflict with perspectives of those more powerful, such as politicians, managers and professions who work with them.

Feminist standpoint theory and Foucault

This approach is consistent with feminist standpoint theories which hold that, "marginalised people have the potential to see political relationships more clearly than those who simply rely on them" (Hundleby, 1997, p. 28). In other words, as young women prisoners are in a disadvantaged and marginalised position, they can see relationships that affect them from a more accurate point of view, than prison administrators or politicians who are powerful, and may have their own vested interests. From this comes the view that interview participants should hold the key role in defining what type of custodial situation will best meet their needs as they see them. This view would also be supported by Foucault (1979a), who advocated privileging the prisoner's voices.

Alongside this view, however, it is important to acknowledge the impact that institutionalisation and marginalisation may have on participants' responses in interviews. Studies have shown that housewives in interviews may testify that the place for women is in the home. Furthermore, feminists Sprague and Zimmerman note, "Sociologists have long cited the example of the slave who claims to be happy" (1993, p. 48). Studies have also shown that the views of those who are marginalised and dominated may be distorted (Rees, 1991; Sprague & Zimmerman, 1993). Thus, we cannot necessarily assume that their responses to interviews will always represent what is in their best interests. Sprague and Zimmerman (1993) write that "taking a standpoint requires interpretation" and "to accept interview responses at face value to represent the only perspective of these young women is naïve" (p. 48). Thus, during the analysis phase of the project, responses are interpreted using resources such as knowledge of institutionalisation, my own practice knowledge, cultural knowledge and consultation, feminist perspectives, knowledge of gang culture, and peer review, from others who have worked with similar groups in similar settings.

Foucault: Examining his ideas

Some feminists have criticised Foucault's work (for example, Fraser 1989; McNay, 1992). They note that he fails to use gender inclusive language (Boyne, 1990; McLaughlin, 2003), and fails to acknowledge structural biases which affect women in negative ways (McLaughlin, 2003). Some of his work is, therefore, perceived as androcentric (Soper as cited in McLaughlin, 2003).

Further critiques hold that his work on discipline and surveillance leads "to the conclusion that disciplinary power produces social control" (Wang, 1999, p. 190). From this, some writers have concluded that Foucault's conception of power leaves no room for agency (McNay, 1992, 2000). Scholars have observed, however, that such criticism relates to his earlier work, and his more recent work, especially *History of Sexuality, Vol.1* (1990) and *Discipline and Punish* (1979a), "presents a theory of power and its relation to the body which are aspects of women's oppression" (McNay, 1992, p. 3).

Other critiques of Foucault observe that whilst he analyses oppressive power relations, he gives no direction in how to equalise them (Westwood, 2002). Absence of specific instructions or solutions in a theory of emancipation is a tactic similar to that of post-colonial writer Gayati Spivak, as her work is "more related to finding contradictions (aporias) to open up debates than to propose coherent and consistent universally applicable solutions" (Spivak as cited in Andreotti, 2006, p. 73). From a post-colonial point of view, opening up the contradiction, and leaving it to those involved in the struggle to find ways of contesting oppressive power relations, acknowledges the fragmented and pervasive nature of power. It also acknowledges that any power relation can be challenged (Sawicki, 1988), although the effective method of challenge can only be found by those in the power relationship. These post-colonial ideas will be discussed in more detail in Chapter Four.

Yet another concern raised by feminists regarding Foucault's post-structural methods is that they destabilise notions of a reality or truth, and, hence, become a-political, as there is no basis upon which to privilege accounts from groups who claim they lack power in society (McLaughlin, 2003). In answer to this, as discussed earlier, Miller (2000) explains that using post-structural or discursive analysis of situations enables groups to create strategic essentialisms, since language in use is always "irremediably strategic or political" (p. 337). Political agency, therefore, may be achieved by using generalisable terms such as "women" or "Maori" strategically, to concentrate on ways they may be shifted from powerless to powerful in discourse, whilst being aware that such emphasis on sameness is a rhetorical device, not a reflection of a fixed reality.

Thus, it seems that Foucault's work can be interpreted in a number of different ways, and this may depend on whether readers explore his early, middle, or later work. My reading of Foucault's middle and later work (1977 onwards), is that his intentions in critiquing power relations in society fit well with feminist aims to advance the situation of women, and with decolonising goals, to avoid "othering" indigenous peoples, and to work towards agency and self-determination for those who might be otherwise marginalised.

Wider feminist literature on the social context of women's prisons has critiqued earlier studies that focus on binary thinking which guided earlier research on the social context within male prisons. They observe that focusing on such opposite theories as importation, which include outside societal factors versus deprivation or the pains of imprisonment (Newbold, 1989), and the impact on the social context in prison, takes the focus from the subjective experiences women have within prisons (Bosworth, 1999). Limiting study of the women's prison context to such categorising influences prevents researchers from grasping the complexity of all influences on the social context and the interaction between them. Thus, in keeping with such work, the aim of this study is to deconstruct any binary oppositions, to break out of the limiting effect of western epistemology (Burns, 2004), and, hence, gain an understanding of realities which otherwise may not be apparent.

Power, knowledge, and discourse

In addition, as mentioned earlier, Foucault (1990) posited that all relationships are power relations, and that power can be productive as well as oppressive:

What gives power its hold, what makes it accepted, is quite simply

the fact that it does not simply weigh like a force which says no,

but that it runs through, and it produces things, it induces pleasure,

it forms knowledge, it produces discourse; it must be considered as

a productive network which runs through the entire social body

much more than as a negative instance whose function is

repression.   (Foucault, 1979b, p.

36)

Thus, by analysing the discourses used by prisoners, and used about them by

professionals, staff, management and politicians, it becomes possible to grasp

what power relations are present between young and adult prisoners and

what effects such relations have on young women prisoners' well-being. This

framework also enables the consideration of any positive, productive power

which may be present within the prison setting and may contribute to young

women prisoners' well-being.

Power in relationships in a women's prison

Social psychologists have posited that there is a dual motive inherent in all

relationships: "the motivation to attain agency/power/status versus the

motivation to attain communion/intimacy/joy" (Simpson & Tran, 2006, p. 5).

This dual motive may create tensions which render relationships complex, contradictory, and dynamic. Relationships between adult and young women may introduce more tensions and contradictions. Research amongst young and adult male prisons report on the prevalence of victimisation of youth within prisons (Maitland & Sluder, 1996; Roush & Dunlap, 1997), and that youth are "difficult to protect in traditional adult correctional settings" (McMillen & Hill, 1997, p. 102). This implies a strong tendency for relationships in men's prisons to be formed on the basis of power or status whereby older male prisoners have power over younger male prisoners. However, in some women's prisons at least, young women appear to have the "upper hand" (Ireland 1999). In Aotearoa NZ, there has been evidence of positive relationships between older and younger women prisoners (Goldingay, 2007a), indicating a motivation for communion and closeness. The questions I need to explore revolve around any power dynamics which may operate in Aotearoa NZ women's prisons. These questions can be summarised as follows:

- Who is powerful in this context?

- By what means do the women exercise power?

- What effect do power dynamics have on the powerful and the not-so-powerful women prisoners?

These questions are in line with a Foucauldian investigation of power, as he suggests that we need to ask "by what means is [power] exercised and what happens when individuals exert (as they say) power over others (Foucault, 1982, p. 217)? By considering the power dynamics, insights may be gained regarding the effect of mixing young women prisoners with adult prisoners.

Resistance and discourse

Foucault's work linking discourse and resistance is useful as he writes, "Discourse transmits and produces power; it reinforces it, but also undermines and exposes it, renders it fragile and makes it possible to thwart it" (Foucault 1990, p. 101). Such conceptions are useful for my purposes in improving the situation of young women prisoners. Therefore, the following questions are posed in this study of young women prisoners with regards to power and resistance:

- Do young women prisoners who are without power resist repressive power relations, and if so, how?

- If resistance may lead to a more positive or productive power relations, how can such resistance be strengthened?

Conclusion

This chapter has explored the theoretical traditions underpinning the research and some processes that led to their adoption. While some contention remains, there is considerable support for the use of social constructionist approaches in a feminist, decolonising study of young women in prison. It is now timely to explore literature that considers theoretical interpretations of need, and to discuss the framework used for the study. These are addressed in Part Three.

Chapter 3 Part 3

Needs

Introduction

Now that the theoretical underpinnings of this study have been discussed, it is time to introduce the issues facing young women in prison, and the various perspectives on their needs with respect to their proximity to adult prisoners and receipt of prison interventions and services designed for adult women. There are a variety of ways of looking at "needs". The second part of this section, therefore, considers the contesting ways prisoners' needs are discussed

in the public domain. This contest could be re-named the "politics of need interpretation" (Fraser, 1989, p. 163). Such contesting views are relevant to the discussions concerning whether to mix young women prisoners with adult women prisoners, due to the political nature of responses to offending as discussed above.

There may be some who think young women prisoners need an unpleasant experience – a tough love type perspective - in the belief that such an experience will help them in the long term as it will cause them to desist from offending. Others might advocate removing women from prison altogether, stating that a prison environment is incompatible with social justice (Faith, 1993, 2000). Another perspective might hold that there are compelling reasons to incarcerate and treat some young prisoners who would not choose or seek assistance, have no support, and are out of control in the community, harming themselves or others. Others may critique this notion, since "treatment" imperatives may also lead to oppressive and controlling practices towards women in the criminal justice system (see, for example, Pollack & Bernier, 2007).

Other perspectives may take a humanist perspective – advocating the rights of young women prisoners to equality with male prisoners, and their right to humane containment and to services and programs that meet their "needs".

The issue of needs, however, is contentious; such definitions depend upon who is defining them and what the purpose of what the need satisfaction is, or in other words, what the in-order-to-relation is (Fraser, 1989). Many interpretations of need will be driven by implicit assumptions about the nature of young people, the nature of women, and the nature of young women who break the law. Many members of the public, and even policy makers, may question why the well-being of those who have broken the law and hurt others is a concern at all, with the view that prisons are for punishment and containment, not care.

Neoliberal context

Today's economic-political system is to a large extent neoliberal, in that it is characterised by a focus on risk management and fiscal restraint (Cheyne et al., 2005). Within the context of fiscal restraint, services are only delivered to those deemed at most risk of re-offending (Bakker & Maynard, 1999; Beals, 2004). This means that there is a focus on maximum "impact of treatment resources" (Bakker & Maynard, 1999, p. 65), or, in other words, more value for money. In addition, according to Asadi-lari, Packham, and Gray (2003), the concept of universal provision and clinical need has been replaced by target-driven standards in areas where there is high political profile such as in the United Kingdom. They comment, "Existing definitions of 'need' seem to justify resource constraints rather than seeking to satisfy the genuine needs" (Asadi-Lari et al.,

2003, p. 7). A similar process seems to occur in Aotearoa NZ, as it follows a "risk management" ideology where the primary aim of interventions is to avoid harm to the community, not improve prisoners' quality of life (Beals, 2004; Cheyne et al., 2005; Ward & Stewart, 2003).

Feminist and decolonising paradigms

My politics regarding the needs or best interests of young women prisoners is located in an emancipatory feminist and decolonising (Tuhiwai-Smith, 2005) paradigm. Such politics are in keeping with social work values and ethics, which encompass bicultural and social justice agendas (ANZASW, 1993b). Whilst a feminist perspective aims to advance the situation of women (Comack, 1999; O'Brien, 2001; Reinharz, 1992; Taylor, 2004), a decolonising perspective in Aotearoa NZ supports the use of the worldviews of the indigenous peoples: Maori (Tuhiwai-Smith, 2005). I will discuss the decolonising approach first, and then turn to a discussion of feminist paradigms.

Cross-cultural research

Aotearoa NZ is a country colonised by British settlers from the early nineteenth century. Such colonialism involved the privileging and eventual dominance of British cultural norms, values, and ways of life (King, 2003). Therefore, to be consistent with social work bicultural values and ethics (ANZASW, 1993b), approaches to research or methodology that fit with value bases of Maori are essential when researching Maori people (Health Research Council, 1998; Tuhiwai-Smith, 1999, 2005), in order to avoid further colonising them. As

mentioned earlier, Maori make up a significant proportion of those incarcerated in Aotearoa NZ prisons. Therefore, my decolonising stance works towards including both Maori and Pakeha worldviews in the research.

Recently the Hon. Dr Pita Sharples, Co-leader of the Maori Party, indicated in an interview, that as long as Maori are underachieving, Aotearoa NZ as a nation will not reach its full potential. Having Maori in poverty, and all the negative outcomes this may cause (including poor educational and health outcomes, and criminal activity), is a problem for all Aotearoa NZ (Newstalk ZB, 2008 date needed). Thus my responsibility, as a member of the dominant and, hence, privileged group, and as a social worker committed to bicultural practice (ANZASW, 1993b), is to do my part in attempting to improve the situation for Maori. In order to do this in a way that avoids the negative results of the past, the research adopts a cross-cultural, collaborative approach. This approach is in keeping with other indigenous literature (see for example, Bishop & Glynn 1992; Stokes as cited in Jahnke & Taiapa, 2003).

Some of the issues facing Maori are a result of colonisation by the British from 1840 onwards. Despite the Treaty of Waitangi, signed in 1840, where the Maori version promised to preserve their rangatiratanga, or sovereignty over their

treasures (King, 2003; Wetherell & Potter 1992), the British worked hard to assimilate Maori and took land by force when it was not sold freely (King, 2003; Ministerial Advisory Committee, 2001; Wetherell & Potter, 1992). As noted by Nikora (2001), "Continuous breaches of the Treaty, the imposition of different value systems and institutions and major changes in the composition of the population have all contributed towards a seriously unbalanced and inequitable relationship between Maori and settler groups" (p. 380).

Because of much protest, the Waitangi Tribunal was established in 1975, to acknowledged land grievances and provide a process to address these (King, 2003). Despite these efforts, marginalisation, both materially and socially, has continued to disadvantage Maori, as it has other indigenous peoples around the world (Hogg, 2001; Kelsey as cited in Te Momo, 2004; Huriwai, Robertson, Armstrong, Kingi, & Huata, 2001; Tuhiwai-Smith, 2005). The colonisation process, which marginalises indigenous peoples, has led to an over-representation of indigenous people in negative statistics in health, justice and socio-economic status all over the world (Bishop, 2005; Te Momo, 2004; Tuhiwai-Smith, 2005; Wetherell & Potter, 1992).

A poignant expression of the process of colonisation and subsequent marginalisation was written by Helene Cixous, as she observed the marginalising process first hand in Algeria:

I learned everything from this first spectacle: I saw how the white (French), superior, plutocratic, civilized world founded its power on the repression of populations who had suddenly become 'invisible' like proletarians, immigrant workers, minorities who are not the right 'colour'. Women. Invisible as humans. But of course, perceived as tools – dirty, stupid, lazy, underhanded, etc. Thanks to some annihilating dialectical magic, I saw that the great, noble, 'advanced' countries established themselves by expelling what was 'strange'; excluding it but not dismissing it; enslaving it. A commonplace gesture of History; there have to be two races – the masters and the slaves.   (Cixous   as   cited in Young, 1990, p. 1)

Cixous speaks of the processes of being "othered" – the process of being on the wrong side of a binary that occurs when one culture colonises another. Somehow, those who are colonised are characterised as "stupid, dirty, lazy" or in other ways inferior to the dominating group. The fact that this process happens worldwide underlines much of the common experience of colonised peoples, irrespective of their ethnicity. Such discourses have significant material effects, including discrimination, which result in poverty, loss of mana (status) and, most importantly, loss of culture and power. The current situations for colonised people are discussed extensively by post-colonial writers, such as Spivak et al., (1996), and Bhabha (1994), whose notions of identities will now be elaborated upon here.

Post-colonial notions of identity

Post-colonial literature uses post-structural notions to consider the positionings and identities of those living in a post-colonial world (for example, Bhabha, 1994; Spivak et al., 1996). This is relevant to this Aotearoa NZ study as Aotearoa NZ is a colonised country. Whilst post-colonial studies are not homogenous, they share an interest in the experience of being colonised, in the discourses used in resisting colonialism, and in the issues faced by those in nations who have achieved independence from colonial rule (Spurgin, 1997).

Most importantly, they share a common focus on issues such as the fluid nature of identities (Spurgin, 1997). This issue will be taken up extensively through this thesis as I explore how young women prisoners construct themselves along the identity continuums they inhabit, such as gender, age, ethnicity, and their identity as prisoner/law-breaker. Gayatri Spivak is a post-colonial writer of particular interest to me as she uses post-structural theoretical frameworks to consider the experience of one who was once called native and how their identities are fashioned. Her term for a person whose culture and lands have been colonised is the "subaltern". Spivak (1988) writes, "Subaltern consciousness is never fully recoverable, that is always askew from its received signifiers, indeed that it is effaced even as it is disclosed, that it is irreducibly discursive" (p. 203). My interpretation of these words is that the process of

colonisation changes everyone involved forever, and the key cite of change is in the language or discourses the colonisers use.

Essentialisms: cultural vs. strategic

Whilst this concept of fluidity makes sense at one level, one debate I have discovered during this project concerns the issue of cultural essentialism (Spivak et al., 1996). Cultural essentialism holds that there are inherent traits in each culture which are unchanging over time. Cultural essentialism in the Aotearoa NZ context is often used in a strategic way by politicians or other activists, such as Hone Harawira (2009), to empower indigenous peoples by calling on a common identity or preference – a process that could be termed "strategic essentialism". Again this process may be used within a social constructionist paradigm for political ends to counteract the difficulty of privileging one account of culture over another. For example, in a recent speech, Harawira (2009) declared that "Maori have different needs" in relation to what will help reduce their offending. Whilst cultural essentialism has been seen to be dangerous and unhealthy (Spivak et al., 1996), strategic essentialism can be a way of challenging oppressive social structures and, hence, improving the quality of life for those affected by powerlessness in society.

Thus, whilst Harawira's position is unlikely to view every Maori person as having exactly the same needs, his procedure in this instance serves a useful purpose; it enables a political point to be made which empowers those who do see their

identity and, hence, their needs as different from the Pakeha majority. Miller (2000), from a feminist perspective, also advocates the use of this strategy as it enables marginalised groups to temporarily present a collective identity and privilege a particular perspective, which is then able combat narrow worldviews that do not take this perspective into account.

Culture and identity

Joseph's (2000) explanation is useful to explain culture and identities of those living in a post-colonial world. Whilst culture might indicate a shared framework or way of thinking, it is continuously changing with the development of its members, and from influences from other cultures. Culture *influences* the patterns of thinking and behaving, but it does *not determine* them (Joseph, 2000). Post-colonial writer Homi Bhabha states this succinctly when he notes that culture is "an uneven, incomplete production of meaning and value often composed of incommensurable demands and practices produced in the act of social survival" (as cited in Andreotti, 2006, p. 67). In other words, there is no pure, authentic culture, and many cultural traits may have arisen from necessity and circumstance. Once the circumstances change, such as the arrival of another cultural group, there may be changes in culture to adapt to them.

I have also used strategic essentialism in the current study in order to privilege young women prisoners' accounts in the debates around age-mixing. The complex situations in prison as experienced by young women are explored from their point of view, and recommendations made with this in mind, as this has previously been lacking in the development of policy (Gaarder & Belknap, 2004; Dierck, 2004).

Bhabha's concepts however alert people to take care that any essentialising that is engaged in remains temporary and is only used to achieve political ends. All cultures are fluid. The degree of hybridity may vary between individuals, families and communities, depending on their particular circumstances and preferences. In Aotearoa NZ, it is likely that the process of colonisation has led to both Maori and Pakeha positioning themselves in relation to each other, with borrowings occurring on both sides. This does not mean, however, that Maori people do not adopt identities that are in keeping with how they see their identities as contemporary Maori. A person's identity will always be fashioned by the way they position themselves in the world and within their social group (Burr, 2003; Davies, 1996).

Post-colonialism and identity: Young women prisoners in the third space

Another post-colonial concept that may be useful to this exploration of young women prisoners' experience of age-mixing is that of "third space". English (2005) suggests that the notion of "third" in cultural studies is "used to denote

the place where negotiation takes place, where identity is constructed and reconstructed, where life in all its ambiguity is played out" (p. 87). A third space practitioner is politically astute, and resists and troubles binaries, labels or other categories of identity.

I aim to be a third space practitioner in this study of young women in prison, by interrogating how young women are positioned as Maori, as young people, as women, and as prisoners, and what ambiguity or contest the combination of these may cause. I hope to trouble the binaries of young/adult, Maori/non-Maori, free/prisoner, masculine/feminine towards a complex conceptualisation of identities. As suggested by Viswerswaran, it is important to be "accountable to people's struggles for self-representation and self-determination" (as cited in Lather, 2007, p. 41). Therefore, I "want to move toward some place of both/and and neither/nor, where I trouble the very categories I can't think without" (Lather, 2007, p. 41).

These issues will be explored in more detail in Chapter Four, where the constructions of youth and femininity are examined, and in Chapters Seven to Nine, the findings chapters. These chapters analyse self-constructions and constructions by others, in relation to young women prisoners, along these identity continuums. Such analysis will focus on power dynamics as displayed by

discursive patterns, and consider the material and subjective effects of these dynamics on young women prisoners.

Bicultural methodology: Aiming for true partnership

Thus, I contend that a true partnership involves power sharing and mutual benefit, although in recent times, reports have demonstrated that such partnerships have proved elusive. A working paper, entitled *Communities and Government: Potential for Partnership* (2001), indicates that "genuine partnership is still to be realised" (Cheyne et al., 2005, p. 203). The paper notes that "agencies and iwi feel undervalued and disempowered in dealings with government bureaucracy, and feel excluded from key policy decisions" (p. 203). Furthermore, a Ministry of Social Development report, in 2002, identified that Maori do not trust the machineries of government in Aotearoa NZ, as the voluntary sector is not involved enough in policy development. There is a need for "an ongoing and proactive response on the part of central and local government in order to ensure that partnership has real, substantial, and significant meaning" (Cheyne et al., 2005, p. 203).

Ultimately**,** policy makers need to incorporate "the values, cultures and beliefs of the Maori people in all policies developed for the future of Aotearoa NZ" (Ministerial Advisory Committee, 2001, p. 26). This is the mandate for the study and any recommendations arising from it. Given statistics from previous years, it

is likely that a significant proportion of young women in prison may identify as Maori in the present, and in years to come.

Now that the cross-cultural decolonising approach has been discussed, it is time to consider feminist paradigms that underpin the research.

Feminist paradigms

Earlier feminists, such as Gilligan (1982) and Miller (1986), sought to discover the ways in which women are of equal value, yet different from men. As Smith has stated, the question may be asked, "Whether women, being basically similar to men, require equal treatment, or being significantly different from men, require special treatment" (as cited in Jeffries 2001, p. 168). This is particularly the case for the issue of age-mixing young women prisoners, since young male prisoners in the same age group have the opportunity to reside in youth units designed to cater for the so-called needs of male youth.

More recently however, some feminists, influenced by post-structuralism, have begun to problematise such questions, and attend to women's multiple subjectivities, as they perceive women not as a homogenous group. They are "concerned to challenge and disrupt discourses that essentialise women (and men) and differences between them" (Day et al., 2003, p. 143), where, as noted

earlier, essentialism is defined as seeking ways in which people within a certain group share the same characteristics (Cosgrove & McHugh, 2000).

Practices and power relations

Other feminists advocate for the discursive formation approach because it enables an exploration of "women's concrete conditions" (McKinnon as cited in Villmoare 1991, p. 388) and, hence, any power relations that affect them. Thus, the focus of this study is changed from exploring the ways women and men are different to looking at those micro-practices that indicate differentials of power, where women prisoners may be disadvantaged.

Criminogenic needs

Of recent times, the Aotearoa NZ Department of Corrections has adopted a criminogenic needs model based on that of Canadian psychologists Bonta and Andrews (1998). This model conceptualises those behavioural habits in prisoners that "when changed, are associated with reduced rates of recidivism" (Andrews & Bonta as cited in Ward & Stewart, 2003, p. 127). Examples of these behaviours include, "pre-offending attitudes and values, aspects of anti-social personality (e.g., impulsiveness), poor problem solving, substance abuse, high hostility and anger, and criminal associates" (p. 127). Non-criminogenic needs, on the other hand, are not considered to be associated with offending

behaviour. These attributes include degree of lack of community support, low self-esteem, anxiety, and personal distress (Andrews and Bonta as cited in Ward & Stewart, 2003). There is an implication here that such attributes, whilst impacting on offenders' quality of life, should not be the target of treatment in correctional facilities.

There has been debate about the justice and efficacy of the criminogenic needs model in constructing rehabilitation policy for prisoners (Beals, 2004; Shaw & Hannah-Moffat, 2004; Ward & Brown, 2004; Ward & Stewart, 2003). Shaw and Hannah Moffat observe that such paradigms contain the unstated assumption that offending is caused by faulty thinking or other personal deficiencies within offenders rather than more structural issues around poverty, gender and other sources of marginalization (Shaw & Hannah-Moffatt, 2004). In addition, the emphasis on risk management may lead to a dismissal of humanitarian values, such as the desire to improve the quality of life for a person who has already experienced disadvantage, marginalisation and abuse, and face issues such as lack of support in the community and levels ofpersonal distress (Ward & Stuart, 2003). Further, treatment for mental health issues, such as anxiety, may be critical for the well-being of young women who have committed a crime. For social workers, like me, improving the well-being of those who have already been victimised is a priority, not just to reduce reoffending but in terms of social justice. Therefore, a discussion of 'needs' within this social justice paradigm will follow.

Needs talk regarding women prisoners

Young women prisoners in this sample are either accused of, or convicted of, a crime. If they are under the age of 17 and in prison, as opposed to a Child, Youth and Family facility, then it is likely that the crime they have committed (or have been accused of committing) will have been a violent one, possibly involving the loss of life of, or serious harm to, another human being. As discussed in Chapter Two, many political debates discuss punishment, and how much emphasis should be placed on retribution, deterrence, rehabilitation, and community safety (Duff & Garland, 1994a; Mays & Winfree, 1998). Notwithstanding the containment and deterrent function of prisons, the original intentions of imprisonment were to teach inmates self-control through the enforced control of the body (Rose, 1996). Such intervention was based on the assumption that people commit crime because they lack self-control or discipline. More recently, as noted earlier, the issue of how society should respond to those who break the law has been a site of contest regarding the purpose of imprisonment, the causes of crime, the differences between those who are sentenced and on remand, and the nature of prisoners.

Further debates relate to penology or prison arrangements and surround the conditions in which prisoners should spend time on remand or serve their sentence. For the women in this study, who were very young (14-19 years), the

issue is even more complex. In Western society, there are powerful ways of talking about young people. These range from their need for protection and separation from adults (Kiro as cited in Steward, 2007), to their need for boot camps and other interventions designed to instill conformity and discipline (Harawira, 2009; Key as cited in Espiner, 2008).

Overseas scholars have observed that the majority of young women prisoners in their samples were from disadvantaged backgrounds (Carlen & Worrall, 2004; Chesney-Lind & Pasko, 2004; Gaardner & Belknap, 2004). Further, researchers have identified a high prevalence of mental health problems, self-harm, trauma, and substance abuse amongst women offenders (Morash, Bynum, & Koons as cited in Poels, 2005). In one British study conducted in 1992, 80% of women in prisons had been victims of sexual or physical violence (Home Office as cited in Bosworth, 1999, p. 2). In another more recent study, the percentage of those women prisoners who had been victim to physical and/or sexual abuse at some point in their lifetime has been cited as being as high as 81% (Ambrose, Simkins, & Levic as cited in Chesney-Lind & Irwin, 2008, p. 168). A similar result has been noted in Aotearoa NZ (for example, Moth & Hudson as cited in Taylor, 2007; Taylor as cited in Taylor, 2007). Given these findings, the line between offender and victim becomes blurred (Turia, 2009a). A significant number of young women prisoners are clearly victims themselves, so there is a moral and ethical imperative to provide support in order to help them heal from their difficult life circumstances.

Conclusion

There are multiple and contesting definitions of what young women prisoners need, driven by a variety of perspectives on the role of prison, what causes offending, and what could prevent offending in the future. Interventions are thus planned according to what "meeting the need" intends to achieve. Subjective aims such as the need to improve the quality of prisoners' lives and improve their well-being in accordance with feminist and decolonizing frameworks are important to this study. This leads me to a consideration of young people's subjectivities and identities in the 21st century, and of the practices and differentials of power in an age-mixed prison environment.

Chapter 4 Part 1

Young women in prison: Discourses on identity

Introduction

In this chapter, I will discuss the development of discourses on, and theories about, adolescence as these have developed through Euro-Western history. I will then discuss alternative views in keeping with feminist and decolonising epistemology (Tuhiwai-Smith, 2005), and post-structuralist ontology and epistemology (Burr, 2003; Davies, 1996; McLaughlin, 2003; Miller, 2000). Key themes in this chapter cover the prominence of identity development and the separation of youth from adults in Western discourses and practices for this age group. I will discuss literature which investigates the social context in women's prisons, and literature which considers age-mixing in women's prison. As discussed in Chapter Three, in keeping with post-structural frameworks, the notion of "subject positions" (Burr, 2003) is used instead of identity or essential personality to analyse how a participant may think, feel and behave in any given moment.

Another tenet of post-structuralism, as discussed in the previous chapter, is that a person's identity is not considered an enduring and stable phenomenon which one develops in adolescence, but, rather, is negotiated at all times and ages through language (Weedon, 1996). Such an approach enables a

researcher to embrace the many tensions inherent in asking a question about the sort of relationships and experiences of self-hood young women should have, or do have, in prison. Tensions surround issues such as the purpose of imprisonment, the usefulness of imprisonment, and the vulnerability (or not) of young women prisoners in relation to older women prisoners. In addition, it enables a consideration of the power relations (Burr, 2003) both within and outside the prison. Understanding such power relations enables a complex view of how the social system in the women's prison works, and what effect this has on young women imprisoned there.

In adopting a post-structuralist stance, I draw on Foucault's notion of historical specificity to show that discourses that govern our current common-sense of view of young people aged 14-19 has not always been as it is now. It is, therefore, useful to consider and review major theorists, as they are responsible for the dominant ways of constructing young people in recent times. More recently, such dominant theories influence how young people are portrayed in the media, and the majority of public policy responses to young people (Bywaters, 2007; Mayall, 1999).

The "discovery" of adolescence

Prior to the 1800s, young people were integrated at a young age into the adult world. Epstein (2007) writes, "Ability, need and opportunity were the forces that determined where [in professions or education] young people turned up;

age seemed to be completely irrelevant" (p. 29). It was only in the late 1800s that the practice of separating young people from adults began, due to new sets of cultural practices and laws, which saw young people in industrialised countries being abused in the paid work setting. It may, however, also have been due to a growing view that young people were incapable of handling adult responsibilities (Epstein, 2007). The discovery of adolescence occurred not long after, and is often attributed to G. Stanley Hall's 1904 work (Denphy, 1969; Drewery & Bird, 2004; Heaven, 2001), as he "alerted the scientific community to the importance of adolescence as a life stage" (Denphy, 1969, p. 2). Hall's work promoted the view that young people experience a period of "stress . . . when forming their identity . . . and work towards personal autonomy" (Hepburn, 1997, p. 26). He postulated that adolescence is a period of "tension and turmoil" (Drewery & Bird, 2004, p. 226).

Hall's view may have been developed with the best of intentions, in order to protect young people from exploitation in the emerging capitalist society. It may also be supported by experience during the time of Hall's writing, due to the prevailing expectation that parents (Pollock, 1996) forcefully control children. Such strict controls during childhood may have led to conflict when such relations were disturbed and young people were expected to be in charge of their own lives. More recent writing gives the opinion that Hall's theory is a "narrow and medicalised view of youth" (Drewery & Bird, 2004, p. 226) and that he "borrowed heavily from the past" (Heaven, 2001, p. 3). Critics further

observe that he "failed to see that adolescence was culturally conditioned" (Denphy, 1969, p. 6). Such opinions may be the result of looking at theories developed in past times through a modern lens.

At the time that theories about adolescence were being developed, however, they fitted with views of the person at that time. Writers such as Anna Freud and Erik Erikson then further developed them. Erikson's 1950s stage theory has led to a widespread common-sense belief that youth is the most important period of identity construction (Crawford, Johnson, Sneed, & Brook, 2004; Noller & Callan, 1991; Santrock, 2004; Wyn & Harris, 2004, p. 275). This notion implies that failure to develop a stable identity in adolescence will lead to deficiencies, such as personality disorders, and an inability to cope with adult life (Crawford et al., 2004).

One consequence of the prevalence of notions of identity formation in adolescence is that "many people believe it is a fact about adolescence, rather than a theoretical idea" (Drewery & Bird, 2004, p. 245). Over time, such common-sense notions in the public arena may have led to institutions and practices that create and re-create adolescence as a phenomenon. Edward Shorter (as cited in Epstein, 2007) believes that in Western countries, young people become alienated from their place in the eternal order of things. He notes that this is due to the prevalence of institutions such as schools, which

socialise young people separately from their parents. Such institutions overtly or covertly may encourage young people to become independent of their parents and to have their own identity. This is in contrast with young people's identity in ancient times, which was understood to develop through a process of progression of earlier generations (as cited in Epstein, 2007).

Today, emphasis is placed on the need for control of, and intervention with, troublesome youth. There is fear that without control and intervention, young people will have a lifetime of delinquency and crime (Griffin, 1993). The media reflects such discourses, culminating in a moral panic about young people who are out of control (Beals, 2006). In addition, notions that young people are incompetent and helpless can lead to their having little say or influence in their own affairs (Beals, 2006). Unfortunately, such controls may add to, or even create the problem they are trying to solve. Epstein (2007) notes that such restriction of teenage behaviour stimulates "more extreme forms of misbehaviour in teens" (p. 23).

Construction of identity: A product of Western culture, history, and economic system

The present theories are a product of their times; where child development theorists have attempted to find the "truth" about adolescence. Unsurprisingly then, an analysis of the impact of culture, and economic and historical context

is not present in these accounts. This is because capitalist Western culture tends to place an emphasis on "individual achievement, competitiveness and impersonal relations" (Rokach, 1999, p. 218), as opposed to a consideration of a person in their social, historical, and economic context. Thus, self-sufficiency and independence may be particularly prized, although, again, such values are taken for granted, as opposed to being seen as a product of a historical and cultural context.

McPherson notes that a "great deal of Euro-Western political, social and even personal life is built on the idea that the autonomous individual is the basic building block of society" (as cited in Drewery & Bird, 2004, p. 250). In such a world, the need for the development of personal autonomy and individualism seems important. The manifestation of success is the accumulation of material wealth and status gained through such individual achievement as well.

This emphasis on autonomous decision-making and achievement can be quite different from non-Western cultures that may "prioritise connectedness with others instead of individual gain in wealth and status" (Drewery & Bird, 2004, p. 250). For Aotearoa NZ Maori, for example, commitments to others in the form of whanaungatanga (family relationships) and manaakitanga (care and support) are values that are highly prized (Drewery & Bird, 2004). Durie (1998) notes that for Maori, the emphasis on individual achievement and

accumulation of material wealth is not highly esteemed, and credibility in the

Maori world is based on "the individual being able to make links and

demonstrate active whanau and tribal support" (p. 74). Durie also notes that

"Western regard for development of independence in teenagers as a critical

developmental task of adolescence clashes with Maori values" and the "regard

for self-sufficiency and independence is not considered healthy to Maori" (p.

73).

For teenagers from non-Western cultures, including Maori or Pasifika,

collective identity may be more important than individual achievements for

self-gain. As Durie (1994) notes, "a sense of personal identity derives as much

if not more from family characteristics than from occupation or place of

residence" (p. 73). Wally Penetito observes that for Maori, identity is a

collective process that is never completed (as cited in Drewery & Bird, 2004).

The implication here is that for some people in Aotearoa NZ, the development

of individual, autonomous, independent identity during adolescence makes no

sense. Marcia (1994), a more traditional theorist, notes that "researchers now

agree that identity formulation is a life-long process" (as cited in Crawford et

al., 2004, p. 374). Thus, it is now accepted that Western stage theories may not

fit all people. Nor does the quest for an autonomous identity and individual

achievements fit some young people in 21st century Aotearoa NZ.

Nevertheless, these discourses constitute common-sense understandings in

many settings (Beals, 2006).

Importance of adults

The importance of teenagers' relationships with adults also does not seem to feature prominently in traditional Western theories of adolescent development. Epstein (2007) writes that the Western practice of isolating young people from adults has a number of negative effects, including lack of intellectual nourishment, infantilisation, drugs and alcohol abuse, and the negative impact of peers. Ka'ai and Higgins (2004) note that connection with elders is important for Maori well-being on a spiritual dimension, regardless of age. Reverence is shown to older persons and the sacred knowledge they possess. Connection with the spirits of ancestors, through stories and whakapapa (genealogy) handed down from elders to young people, is a key dimension in Maori cultural and spiritual well-being (Ka'ai & Higgins, 2004). Further, young women's relationships with older women have an important developmental role for Maori. Some Maori scholars have talked about the tradition of respect that young women learn from older women (Te Awekotuku as cited in Goldingay, 2007b). These notions may be important to consider when contemplating the age-mixing question for young women in prison, because, from this viewpoint, separation from adults, for some young prisoners, may hinder their cultural and spiritual development. Such development may be important to consider in their overall well-being and quality of life.

Development for young women: Constructions of femininity

Another aspect not present in theories developed by Hall and Erikson is the influence of gender on human development (Arber as cited in Bywaters, 2007). In these theories, it appears that "higher levels of development (for example, self-reliance or self-dependence) are associated with masculinity and less development associated with femininity" (Burman, 1995, p. 52), thus rendering a view that women are child-like and less developed than men. Challenging this framing, Gilligan (1993) notes that young women may have a different life trajectory from young men and may not necessarily strive for autonomy. Rather, they may seek connection and interdependence as opposed to independence, in preparation for their roles as wives and mothers. Further, Gilligan notes that women may shy away from the achievement and autonomy model so taken-for-granted in Western culture because their fear is that "in standing out or being set apart by success, they will be left alone" (p. 41). She concludes that there is an "absence of women from accounts of adult development" (p. 15).

Such ideas are echoed by Jean Baker Miller (1986) who notes that the threat of disruption of connections with others may be perceived "as something closer to a total loss of self" (p. 83). Thus, women may choose maintenance of a relationship over material success, status, or self-enhancement. Other writers

working with young women (for example, Kenny & Donaldson as cited in Cretzmeyer, 2003), and women prisoners (for example, Calhoun, Bottolomucci, & McLean, 2005; Gaarder et al., 2004; King, 2005), have further built on these notions of women's focus on relationships and connections with others.

While such theories may be useful to debunk myths about women as perpetuated by male-biased research, they are not unproblematic for the study of young women in Aotearoa NZ prisons. Theories such as Gilligan's, which universalise or essentialise young women's experience, fail to take into account the historical context in which young women negotiate their identities. Recent theories suggest that young people are increasingly more fluid in their identities (Wyn & White as cited in Wyn & Harris, 2004). Cultural differences, for example, have an impact on the kinds of identity available for young people (Burr, 2003). Social structure and prevailing cultural norms influence what is considered appropriate development in any setting, and what is appropriate behaviour. In addition, power relations may have an impact on the available subject positions a young woman can adopt (Goodwin, 2006). What is considered a viable identity will depend on the prevailing power relations and what those in power may consider is acceptable. This may or may not be the traditional feminine role, as discussed above. This issue of identity will be discussed later in the chapter.

Thus, in a post-structuralist view, femininity and masculinity are not essential parts of a person, but rather are subject positions that people adopt, through discursive and non-discursive action. Femininity and masculinity are seen to be "constantly in process" (Weedon, 1996, p. 96). Thus, the way in which a young woman may position herself along the masculinity/femininity continuum may vary depending on the social context in which she is located. The same might be said for young Maori in today's post-colonial world where some Maori may have adopted some Pakeha cultural values and practices, and some Pakeha may have adopted some Maori ones. This issue has been discussed in more depth in Chapter Three, Part Three.

In keeping with this, Samoan scholar Anne-Marie Tupuola (2004) notes that dominant stage theories of human development did not fit her experience as a young Samoan woman either, but warns that it is important to "move beyond simplified cross-cultural binaries to acknowledge the heterogeneous makeup of both [Samoan and Euro-Western] groups" (p. 123). This notion is very important to this post-structural study of young women prisoners in Aotearoa NZ prisons as the group have diverse experiences and cultural backgrounds. Essentialising Maori, Pasifika, or young women, just as essentialising women in general, can have detrimental effects, as the reality of these young women's lives is much more complex than unitary notions of identity can capture.

Thus, the aim of this study is to take into account the challenges, and move beyond binaries of male/female, Maori/Pakeha, Pasifika/Palangi, masculine/feminine, free/criminalised, unwell/sane, and youth/adult to consider the diversities and complexities of human experience. Such complexities can be managed by embracing the 'and' instead of the 'either/or of' culture, gender or age (Lather, 2007) towards the consideration of a third space (Bhabha, 1994, English, 2005). These theoretical concepts have been discussed in more depth in Chapter Three, Part Two.

The essentialisms proposed by Gilligan (1993), Miller (1986), and even Durie (1998), can be seen then and valued through the lens of this complexity. This is especially the case in the 21st century environment of diversity and globalisation in Aotearoa NZ. To take account of the diversity and complexity, it is useful to consider feminist and indigenous paradigms, as discussed above, which provide a perspective not visible from traditional Western worldviews. Western views of adolescent development tend to promote separation of youth from adults.

Such separation is reinforced through Western schooling practices where children are separated into age groups. This often extends to later teenage-

hood where young people need to stay at school to receive the necessary qualifications to secure a well-paid job. There have been recent critiques of this process, as some believe the expectation for teenagers to stay in school for extended periods may help produce "forever young teenagers" (Lesko, 2001, p. 147). Epstein's (2007) opinion is that today's teen problems can be attributed to the separation of youth from adults as a result of "Western educational practices, labour restrictions and the media" (p. 75).

Conclusion

In light of these perspectives, and different views on how a person should position themselves in the world, Western systems of schooling can be seen to promote individual achievement, which may be at the expense of honouring commitments to whanau (family). Young Maori, and others who do not relate to this model, may be at a disadvantage (Durie, 1998; Julian, 1970). Such disadvantage could have far-reaching effects in today's world, where qualifications are the key to "success" in material terms and may lead to a feeling of alienation. Understanding the diversity of priorities, experience, and developmental needs of young women in Aotearoa NZ has implications for how the Corrections Department may respond to them in prison. Part Two of this chapter will now consider literature exploring the experience of women in prison, and how age-mixing is experienced by women in prison.

Chapter 4 Part 2

Young women in prison: Age-mixing, relationships, and vulnerability

Introduction

Young women in prison are affected by current notions of youth, yet face the additional complexities arising from being prisoners. This chapter will explore literature which focuses on research with women prisoners, with the view of considering their lived experience and subjectivities which arise from this. Literature which explores the experience of being a young woman in an adult prison will also be included. Contradictory findings in the research about age-mixing have become apparent and will be discussed. Current Aotearoa NZ Department of Corrections policies with regards to age-mixing and the implications of these for young women will also be included.

Young women in prison

The prison culture

Since prisons began, theorists have attempted to account for the type of subculture that has been observed in male prison settings which involves anti-

social behaviour and a mistrust of prison authorities. Aotearoa NZ research notes that the most esteemed prisoners are the ones who are able to be the most violent (Newbold, 1989; Tie & Waugh, 2001). Other scholars (for example, Irwin & Cressey as cited in Petersen, 1997), have promoted the importation theory, which postulates that prison culture is as it is, due to the general culture amongst those who commit crimes in the outside world. Others subscribe to the deprivation model, which holds that prison subcultures develop due to the loss of autonomy in prison (Goldstein & Wright as cited in Peterson, 1997). Whilst interesting, such studies that attempt to describe theories couched in binaries, such as importation/deprivation, may tend to miss the "small-scale negotiations which characterise daily prison life and disguise the way prisoners themselves contribute to the configuration of power inside" (Bosworth, 1999, p. 10).

Studies from the 1960s and 70s of the social context in a women's prison note that women adapt to prison by creating pseudo-families which mimic heterosexual families in the outside world (Giallombardo, 1966; Heffernan, 1972; Ward & Kassebaum, 1965). More recent studies note, however, that such research is "based on traditional gender stereotypes" (Bosworth as cited in Severance, 2005, p. 345). Whilst women prisoners may create motherly and sisterly relationships in prison, they do not necessarily mimic sex roles. Rather, they develop for the purpose of social and emotional support (Severance, 2005).

Recent research has attempted to move beyond such stereotypes and binaries to understand the ways women prisoners survive the prison experience and negotiate the power relations inside. For example, Bosworth (1999) notes, "power in prison is negotiated on the level of identity" (p. 3). Bosworth also notes that women resist the pains of imprisonment by fashioning "an alternative self-identity to the passive femininity fostered by the institution" (p. 6). Thus, women are able to position themselves in ways that are more favourable to them, and exercise "agency in creating prison life" (p. 20). Agency in any context can be conceptualised as the way a person positions themselves according to moral values, habits, and attitudes of that context, in order to be in a favourable position (Davies, 1990).

Nevertheless, as noted by the studies of violence and bullying in the international studies in men's and women's prisons above, some prisoners exercise less agency and power than others. A number of studies have discussed bullying and victimisation in women's prisons (see, for example, Gaarder & Belknap, 2004; Howard League, 1997; and in Aotearoa NZ, Goldingay, 2007a). Severance (2005) has discussed forms of bullying such as stand-overs, manipulation and gossip. Pogrebin and Dodge's (2001) study discusses anxiety and fear of violence. A Aotearoa NZ study notes that victims

of stand-overs and gossip have been termed "bums" and "bunnies" by other prisoners (Goldingay, 2007a).

These findings raise the question of whether those who exercise less power and agency in prison are younger, and if their maturity level is related to vulnerability, to victimisation, or to contamination. From the literature, it appears even maturity has been a contested notion. For example, Saphira (2002) believes that "adults easily coerce immature young people" due to "young people's limited social, emotional and intellectual development" (p. 8). Another study implies that young people's coping strategies reflect lower levels of self-awareness and impulse control than older people's (Diehl et al. as cited in Crawford et al., 2004, p. 374). Conversely, Epstein (2007) notes that teenagers' level of reasoning (and hence maturity) is equal to that of adults, and at a level at which very few adults could ever advance beyond.

Another issue is the effect lack of so-called maturity has on a young woman who is serving a prison sentence. In Aotearoa NZ, Principal Youth Court Judge Andrew Becroft states the view that young people in prison are more vulnerable to learning prison culture than adults, as their character is not yet formed. He further notes that this immaturity will make them more likely to be victimised if they are mixed with adults in prison (Becroft & Thompson, 2006).

What is at issue here is how young people's maturity is demonstrated (or not) in the prison environment, and to what effects. As noted earlier, the most esteemed prisoners may be those who are the most violent – indicating that impulse control and reasoning may not be valued traits in this setting. One scholar has noted that "socializing a criminal in prison . . . is like trying to dry out a drunk in a bar" because "rigid routines and repression of individuality makes it the worst place to help people reach maturity" (Halstead, 1997, p. 31). Thus, what is mature or adaptive behaviour in a prison may not be considered mature in the outside world, and vice versa. It is, therefore, timely to consider national literature which investigates age-mixing to find out what contributes to the possibility of power and agency in a women's prison, and if age is a factor.

Current constructions of young women prisoners

In Aotearoa NZ, the Children's Commissioner, Dr Cindy Kiro, in her role as child advocate, has recently called to separate girl prisoners from adult prisoners while they serve a prison sentence (Steward, 2007). Such a call is based on dominant discourses from across the globe, which frame young women prisoners as vulnerable to corruption and victimisation from adult prisoners. Examples of those who promote such views include the Howard League for

Penal Reform, a United Kingdom-based group, and the United Nations Committee on the Rights of the Child (UNCROC).

While influential, such discourses may not take into account some indigenous values. They also may not take into account the complex relationships amongst prisoners and how young women prisoners may position themselves in powerful ways. Maher argues that there is a need to move beyond such binaries of young people as victims/adults as aggressors, since "girls are resistant and complex actors struggling to manage the environment in which they move and make choices" (as cited in Gaarder & Belknap, 2002, p. 507)

From the above discussion, it appears that separating young people from adults is a Western practice, and one that may not necessarily lead to positive outcomes for all young people. Of interest is the degree to which young women are vulnerable to corruption and victimisation and how much they may benefit from being mixed with adults. In order to consider young women prisoners' experiences of self-hood, their vulnerability in relation to adults, and their general well-being, it is necessary to take a closer look at the contexts in which they live their lives, and to consider how this may influence their experiences of life.

Young women in trouble with the law

It is undeniable that the number of young women being sentenced to prison in Aotearoa NZ is growing (Ministry of Women's Affairs, 2005). Overseas, it has been noted that there has been a "significant increase in female numbers in prisons compared to males" (Bloom & Covington, 2001, p. 1; Corrado et al., 2000; Kim, 2003; Singer et al., 1995; Sondheimer, 2001). Literature has also attested to the experiences of poverty amongst women prisoners (Belknap et al., 1997; Calhoun et al., 2005), which is mirrored in Aotearoa NZ prisons (Taylor, 2008). Overseas literature has further noted that young women in prison experience educational underachievement (Belknap et al., 1997; Bergesmann, 1989; Chesney-Lind & Irwin, 2008), and come from broken homes (Morris, 1964; Ryder, 2003). A Aotearoa NZ study has noted the high number of young female offenders who as children had involvement with child welfare services (Maxwell & Kingi, 2001).

As noted in Chapter Three Part Three, overseas studies have noted that a very large percentage of female prisoners have suffered sexual and physical abuse. Many have mental health issues (Bloom & Covington, 2001; Singer et al., 1995). Suicide attempts, self-harm and drug addiction are common (Bergesmann, 1989; Kim, 2003; Watt & Tomnay, 2000). Some may have been involved in sex work to sustain drug habits or for mere survival (Chesney-Lind & Pasko, 2004; Saphira, 2002; Singer et al., 1995). In Aotearoa NZ, forensic

psychiatrist, Associate Professor Phil Brinded and colleagues found high rates of substance abuse (as high as 84.4%) and rates of mental illness much higher than in the community amongst Aotearoa NZ prison populations (Simpson, Brinded, Laidlow, Fairley, & Malcolm, 1999). Other Aotearoa NZ literature observes that in addition to being sexually and physically abused, a large number of women prisoners have been exposed to drug use (Moth & Hudson as cited in Taylor 2008), and parental violence (Fergusson & Horwood 1998).

Overseas researchers observe that gang membership may be a precursor to subsequent illegal activities (Miller, 1998; Wilson as cited in De Zolt, Schmidt, & Gilcher, 1996). Aotearoa NZ researcher Glenys Dennehy (2000) has noted that young women may be enticed into gangs prior to imprisonment due to a "lack of stability and family cohesion forcing refuge in a new 'family' – the gang", while those vulnerable to joining a gang are from "homes that have been in chronic crisis, resulting from economic hardships, prevalence of drug and alcohol abuse, single parenthood, marital discord, domestic violence and/or sexual abuse" (p. 8). More recent research in Aotearoa NZ notes, however, that youth gangs and criminal offending are not necessarily synonymous, although this study was with males only (J. Gilbert, personal communication, May 26, 2008). From this it appears that more research is needed into female youth gangs, and the experiences of young women in Aotearoa NZ who are in trouble with the law. I will now turn to the situations young women prisoners currently face in the prison context.

The social context in a women's prison

There is a substantial body of research documenting how damaging prison can be for young people (Epstein, 2007) and especially for young women (Chesney-Lind & Irwin, 2004; Gaarder & Belknap, 2004; Miller, Trapani, Fejes-Mendoza, Eggleston, & Dwiggins, 1995). Earlier research notes that even if the "prison environment is nice and the staff kind and friendly prison is a frightening and denigrating experience" (Ward & Kassebaum, 1965, p. 31). Such pains of imprisonment are identified as being due to lack of "privacy, safety, structure, support, emotional feedback, social stimulation, activity and freedom" (Toch as cited in Wooldredge, 1999, p. 236). One study notes that women suffer more due to the social isolation, and are bothered more by the lack of privacy (Paulus & Dzindolet, 1993), whilst another declares that women cooperate with and support one another in prison (Severance, 2005). Some studies note that the social environment in a women's prison is not as harsh as in men's, due to less violence, racial tensions and gang activity (for example, Greer, 2000; Owen, 1998). Others note that the most pressing concern for women prisoners is "dealing with the fear and violence" (Pogrebin & Dodge, 2001, p. 540). From these contesting accounts of social conditions and power dynamics in women's prisons, it is important to consider research that explores women and violence.

Young women and violence in prison

In the 1970s, scholars believed that violence and bullying were rare amongst female adolescents, and, therefore, research in prisons regarding this was limited to males (Ireland, 2001). More recent studies note that "females are as aggressive as males, as far as the motivation to hurt is concerned" (Bjorkqvist & Niemela as cited in Matthews, 1999, p. 12). Researchers have reported that in general, females tend to exercise indirect (or relational) means of aggression and bullying to hurt their victims, such as gossiping, spreading rumours, social exclusion and ostracism (Connell & Farrington, 1996; Ireland 1999; Smith & Gross, 2006; Viljoen, et al., 2005). There are debates around the seriousness of such acts, with some writers contending that ostracism and social exclusion are more damaging to victim's mental health and personality development compared to more direct types of bullying (Baldry, 2004; Newman, Holden, & Delville, 2005). Other scholars dismiss this contention as it is seen as yet another way to vilify girls and detract from the serious problems facing young women (Chesney-Lind & Irwin, 2008).

Research on the perpetrators of violence in women's prisons

Researchers overseas have identified that extortion, threats, and verbal aggression (Ireland, 1999, 2001; Viljoen et al., 2005) occur in women's prisons. In such studies, it was the young women prisoners who bullied, not the adults (Ireland, 1999, 2001; Viljoen et al., 2005). Thus, in comparison with young women prisoners, adult women were involved in less bullying with "more adults than young offenders classified as pure victims" (Ireland, 1999, p. 43). A

similar trend has been found in some international research with male youth (Connell & Farrington, 1996; Ireland, 1999; Palmer & Farmer, 2002; Power, Dyson, & Wozniak, 1997), calling into question UNCROC guidelines. The notion that it is youth who are violent, as opposed to adults, is supported in a Aotearoa NZ study where male youth units were shown to be "generally more violent than others" (Zampese, 1997, p. 44).

These findings have been contested in other studies which note the prevalence of victimisation of youth by adult prisoners within prisons (Maitland & Sluder, 1996; Roush & Dunlap, 1997; Ziedenbert & Schiraldi, 2002). Writers note that youth are "easy prey" for incarcerated adults and "difficult to protect in traditional adult correctional settings" (McMillan & Hill, 1997, pp. 101-102). These studies have all been with male youth, however. In women's prisons in the United Kingdom, the Howard League (1997), and in the United States, Gaarder and Belknap (2004) note that young women are bullied and manipulated by older women prisoners. Thus, there appear to be a variety of experiences across prison settings. Even within one prison context it is possible that there are a variety of experiences for both male and female young prisoners. It is, therefore, useful to consider in depth some research on the social context in prisons.

Literature about age-mixing in prisons

Aotearoa NZ literature

In 1998, the Aotearoa NZ Department of Corrections produced the report: *Discussion Document on the Future Management of Serious Young Offenders in Custody: Getting Kids out of Adult Prisons.* The report states "victimisation and bullying . . . is a problem in all prisons, although less so in women's prisons" (p. 2), and that "older women can befriend and 'mother' younger women inmates" (p. 8). Further, the writer supports the view that "mixing is a stabilising, rather than a contaminating influence" (p. 6) in women's prisons. There is no reference list attached to this document, however, and its sources of information are unclear. It is possible that such views are anecdotal and reflect staff and managers' observations across the prison sites. There may also be fewer incident reports and fewer physical injuries in women's prisons in comparison with men's prisons, but this may not reflect levels of psychological abuse in either setting.

There have been two studies in Aotearoa NZ that specifically focus on mixing young offenders with adults. These are the Grey Matter Research Ltd (GMRL) 1996 report, *Age Mixing in Aotearoa NZ Prisons*, and the more recent Appendix 17 to the *Report to the United Nations* presented by the Action for Children and Youth Aotearoa (ACYA), in 2003. The GMRL study used both male and female samples, and used a mix of qualitative and quantitative methods

for its inquiry; although the report did not identify the methods as such. Focus group and interview guide strategies were employed, as well as attempting to generate representative samples by choosing "sample prisons to ensure good representation" (GMRL, 1996, p. ii). Analysis of the data appears, from the executive summary and other discussion, to consist of counting the numbers and presenting as a percentage the numbers of participants who said "yes" or "no" to the set questions, such as, "Do you think older inmates teach anything to younger ones?" (Question 10). The report did use participants' words to describe their experiences in some places, however, indicating a qualitative approach designed to capture the context of the response. For example, some female participants' comments about staff were included, as were comments from one older female participant about how younger women are different from older women (GMRL, 1996, p. 21).

The GMRL (1996) researchers interviewed eight young female inmates, and reported that "all the women thought it was better to mix younger and older women in prison" (p. 26). The researchers comment, however, that this was "probably because all had experienced this situation" (p. 26). They note that "both inmates and staff agreed that [older women befriending and mothering younger female inmates] is relatively rare, and friendship is a much greater feature of youth in youth units" (p. 50). GMRL also comment that "gang pressures exist in [male] youth units as well as mixed units" (p. 50), and all in the mixed units stated they "learnt far more positive than negative things from

older inmates (p. ii). The researchers further conclude that analysis of the results regarding not wanting a special youth unit "needs to be discussed in context because inmates and staff are just going by experience as to how facilities exist now or existed in the past" (p. 55). I interpret this particular comment as a call for a more in-depth qualitative approach, with the use of open-ended questions, which will enable participants to discuss in detail their perspective on their needs.

Whilst the interview schedule in the GMRL study is termed an "Interview Guideline", it appears that the questions are closed, in that they invite categorical answers and then ask "why?". It is possible that this closed question approach may have alienated participants in that it was led by the interviewer and may have failed to grasp the complexities of the relationships and culture in prison. More open questions, consistent with a qualitative paradigm of research, may have generated fuller responses regarding young women's experiences in prison. The researcher herself acknowledged that "gathering information may require a different approach" (GMRL, 1996, p. 55), to get a full picture of the complex situation faced by young women prisoners.

Another aspect of this research, which may have hindered the depth of relationship required for participants to speak openly, is that researchers were contracted by the Ministry of Justice, and consulted participants' files, without

permission, prior to the interview (GMRL, 1996, p. ii). This procedure seems to communicate a view to participants that their status as prisoners leads to a negation of their rights to have a say about who has access to their personal information and for what purpose. It is possible that this knowledge made participants feel antipathy and suspicion towards the researchers, and undermined the potential for building positive relationships, which could enable free and frank discussion.

The ACYA study, conducted in 2003, also interviewed young offenders (male and female) in prison about their experiences, and views and opinions on mixing with adults. They describe their approach as "qualitative", and used a "Structured Interview Schedule".[10] The questions were open-ended and generally avoided a yes/no response. In keeping with a qualitative approach, the resulting report features verbatim quotes from young prisoners. The use of language in the report, such as the description of the interview process as "consulting with young people" in order to give them "voice" (p. 1), indicates a collaborative and empowering approach similar to that of the current research.

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10 Title on Appendix 1, obtained on request from John Harrington.

Unfortunately, it became clear from reading the ACYA report and discussions I had (J. Harrington, personal communication, April 7, 2005),[11] that researchers did not separate the female from the male responses. Thus, it is not possible to ascertain the views of the female as distinct from the male participants. Furthermore, the percentage of female participants in the study was very low: only ten percent of participants. Hence, the results have a male bias and may not apply to the wider young female offender population in prison. Nevertheless, ACYA (2003) found that "the majority of youth offenders said they would prefer to be with the mainstream adult population" (p. 4), due to greater privileges, and a certain level of protection being provided for some younger prisoners by some older prisoners. On the other hand, 23 of the 40 (57.5%) respondents said mixing led to "entirely negative consequences often centered on antisocial/criminal behaviour" (p. 4).

Clearly, there are a number of contradictions and tensions raised here, which are important to explore in a study of age-mixing in prison. The impact of institutionalisation on participants' responses is one, and will be discussed in Chapter Five. An investigation into how much age-mixing contributes to the

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11 John Harrington was the coordinator for the Youth Justice section of the ACYA Report to the United Nations. In a telephone discussion on April 7, 2005, he provided me with information regarding the processes ACYA used in their study and, in particular, the processes used in gathering information from young female participants.

negative outcomes described in the literature above is also important. It is entirely possible that age-mixing may have provided a buffer against such negative consequences, and there may have been worse outcomes for youth had they been separated from adults in prison.

International literature on age-mixing in women's prisons

A small number of studies have been conducted overseas that have looked specifically at age-mixing in women's prisons. A study by Genders and Player (1986) is extensive, as it interviewed 254 women prisoners of all ages as well as 134 prison staff. The researchers posed two questions: One was, "How well are adult women fulfilling the roles expected of them?" and the other, "How far is the women's system structurally capable of accommodating the requirements of the policy?" and asked participants to comment on these questions (p. 360). The intention of the study was to "explore the consequences of the youth custody policy for the women's prison system" (p. 360). Prevalent beliefs in the United Kingdom penal system, at the time, held that "adult women would be able to offer help and advice to the youth custody trainees . . . and to offer them support and exercise some control over their behaviour within the institution" (p. 359). The study notes, however, that this "represents a reversal of the long-standing and widespread penological assumption that older prisoners will have a bad influence on young prisoners by contaminating them with criminal values and knowledge" (p. 359).

Genders and Player (1986) found that a "vindication of the belief that adult women were either willing and/or able to provide a 'maternal' influence inside prison was not apparent" (p. 360). Older women were not considered suitably respected or qualified by the young offenders to offer advice, and were often looked upon with pity rather than admiration. Regarding criminal contamination, the majority of the youth custody trainees who said that they had learned new offending skills in prison claimed that they had acquired this information from girls of their own age. There was "no evidence at all to suggest that the youth custody trainees were learning any 'techniques of violence'" (p. 364) from the older women. Whether they learnt any other unhelpful behaviour was not addressed by the study.

Given that Genders and Players' (1986) research was conducted over 20 years ago, in England, the relevance of their findings to the Aotearoa NZ situation today needs to be explored. It is possible that the influence of Maori culture in prisons may make recommendations emenating from the United Kingdom not as relevant to Aotearoa NZ. Furthermore, it appears, from the information given in the report, that participants were asked if adult prisoners were fulfilling roles expected of them. This approach may have failed to grasp the complexities of the relationships and culture in prison. There are limitations to the type of knowledge that can be gained from short survey research. The

approach may also have alienated participants, as they may not have related

to the concepts presented to them. More open questions may have generated

fuller responses regarding their experiences in prison.

Gaarder and Belknap (2004) conducted a qualitative study specifically looking

at age-mixing in women's prisons in the United States. Their study was with a

small number of participants (22 youth and 4 staff) and involved intensive

interviews, all conducted in one women's prison in the Midwest. Its purpose

was to answer the questions: "What is it like to be a girl in a women's prison?"

and "What kinds of special services and programming do girls in prison need?"

(p. 52). Gaarder and Belknap conclude that despite the evidence that some

young participants discussed how older women inmates may "play an

important part in both . . . healing and coping" (p. 66), that it is more

appropriate to house female youth separately from adults because of a

"greater assurance of safety, separate staff trained to work with juvenile

populations, the possibility of different rules and programming, and an

environment where the needs of girls are recognized as different from

women" (p. 76). Separation was further advocated because, "the possibility of

older women prisoners abusing, harassing or manipulating the girls indicates a

strong need for separate housing" (p. 63), as adult prisoners "wield negative

influence over impressionable youth" (p. 64) and young women are "taken

advantage of" (p. 65).

Gaarder and Belknap's conclusions address important issues concerning young women's experiences; the embodied experience of youth who have a preference for activity, structure, and exercise. Such preferences may possibly differ from the majority of adult women, who may be grateful for the chance for rest. Another issue raised by Gaarder and Belknap is that of adults having the power to abuse young women prisoners. This was also a concern of the Howard League (1997). In their study, conducted in the United Kingdom, researchers interviewed girls, adult prisoners, staff and governors within the prison service. The report from their inquiry notes:

> By being in adult prisons, girls are exposed to many dangers and influences, which were likely to damage their lives further and make rehabilitation more difficult . . . girls in the system are simply 'tacked-on' to the adult regime attracting no measures adapted for their care and needs. (Howard League, 1997, p. 29)

It is not clear what paradigm the researchers for the Howard League were drawing from, as it is a report and not a scholarly study. From their inquiry, however, and in keeping with conclusions drawn by Gaarder and Belknap, the Howard League (1997) conclude that despite evidence that "older women had

a calming effect" and "did play a mothering role . . . there were too many damaging and negative aspects of prison to warrant mixing the youngsters with adults" (p. 29). Furthermore, older prisoners interviewed in the study warned, "Mothering sometimes hides exploitative relationships where a youngster is in fact being bullied" (p. 8).

Of interest is the implication by each of these studies that only adult prisoners do the bullying and only young women are the victims. The findings section of this thesis will attempt to move beyond the binaries of aggressive/passive, young/adult in a quest for even deeper understanding of the power dynamics as they operate in women's prisons.

Debates in the United States regarding mixing young male prisoners with adult prisoners

Raising the issue of maturity again, other scholars and practitioners in the United States working with male youth observe that violent juveniles are "too young and emotionally immature to be incarcerated in adult prisons" (McMillen & Hill, 1997, p. 100). There is an implication that in United States prisons, rehabilitation does not occur because spending time in an adult prison "prevents reconciliation and healing . . . and juveniles [are] much more likely to be sexually or physically assaulted in an adult prison . . . and have higher rates of recidivism" (Redding, 1999; Roush & Dunlap, 1997, p. 21). Also noted is that

young people in adult prisons typically receive far fewer age-appropriate rehabilitative, medical, mental health and educational services than they would in a juvenile facility" (Redding, 1999, p. 98).

These American scholars hold the view that young offenders (as opposed to adults) are "still open to positive influences . . . which might enable their safe and effective return to the community" (McMillen & Hill, 1997, p. 102). Such writers, therefore, assert that they should not be housed with adults where presumably it is assumed there are no positive influences, while another implicit assumption is that only young people are open to positive influences. Unfortunately, these scholars make no mention of female youth in prison. All the sample groups referred to are male. From these articles, it appears that there are differences between the Aotearoa NZ and the United States prison systems; for example, rehabilitative programs are available for adult prisoners in Aotearoa NZ (Department of Corrections, 2008).

It is clear, given the contradictory and incomplete nature of the perspectives outlined above, that more research needs to be done in this area, in order to move towards defining what is in young women prisoners' best interests with regards to age-mixing. The Department of Justice, in its *Ministerial Committee of Inquiry into the Prisons System Appendices to The Submission of the Department of Justice* (1989), draws attention to the fact that "care must be

taken in extrapolating from overseas findings to the New Zealand situation" (p. 5). Whilst the age-mixing studies in prisons overseas point clearly to the dangers and disadvantages of mixing young offenders with adults, and minimise any potential benefits, it is possible that the findings in this Aotearoa NZ study may demonstrate quite a different view of young women in prison.

Methodologies that focus on young women prisoners as a group, to ascertain their experiences of, and opinions on, age-mixing, may provide quite different perspectives. The current qualitative, discursive study, which explores the context as described by the women using open-ended questions in an interview guide, may enable the study to "unravel complicated relationships" (Rubin & Rubin, 1995, p. 50). An explicit intention to find ways to produce a rehabilitative environment for young women prisoners, as opposed to one which intends to be retributive, may yield different results. There is an opportunity through the semi-structured interview guide based on Maori notions of well-being, Te Whare Tapa Wha (Durie, 1998), for participants to voice their unique perspectives on their needs and experiences in prison. Consulting with iwi representatives in those regions where women's prisons are located provides alternative worldviews through which to assess young women's needs in prison.

There is also the need to clarify priorities and ideologies with respect to prison interventions. In the absence of any analysis of the politics of need interpretation, these studies do not make clear the implicit in-order-to relations (Fraser, 1989), which underpin their statements of what young female offenders need (or do not need) in prison. Being clear about the frameworks behind the contested definition of needs, and why such a definition will advance the situation for young women, will enable us to understand if such a definition is indeed a "better" or "worse" interpretation of need for this group. These issues will be explored in Chapter Ten, when the implications and recommendations that have emerged from the study will be discussed.

The current Aotearoa NZ situation

As mentioned earlier, Aotearoa NZ has been criticised for continuing to mix young women prisoners with adults (Harre, 2001). The Committee on the Rights of the Child (2003) has recommended that Aotearoa NZ withdraw the reservation made to UNCROC (1989) in relation to not mixing adult and young offenders due to "victimisation and bullying, suicide/self-harm and gang recruitment" (Human Rights Committee, 2008). The Ministry of Youth Development has commenced a five-year work program, which discusses the reservation Aotearoa NZ has placed in relation to Article 37(c) of the Convention. The Ministry states that youth units have now been built for

young prisoners, enabling Aotearoa NZ to remove the reservation to Article 37(c). It also notes that placing vulnerable young males 18-19 years in these youth units is also acceptable to under the terms of UNCROC (Ministry of Youth Development, 2004). What is striking about this information is that it does not include young women prisoners at all. There is no mention of the lack of facilities for female youth, and no mention that most continue to mix unless placed in solitary conditions.

In the meantime, the Department of Corrections (2008) has developed a female checklist for young women under 18 in prison (see Appendix 1). There is no mention of young women 18 and 19 years of age, although there is no reason given for this difference in opportunities between men and women.[12] This checklist states that safety is the first consideration when determining what is in the prisoners' "best interests", with respect to mixing with adults. Avoiding isolation and ensuring access to facilities and services is the second most important consideration. The ability to meet sentence plan objectives is the third most important consideration when deciding where to place a young female prisoner. The checklist includes questions around the number of prisoners in the placement, the presence of potentially dangerous prisoners, access to work, programs, education, health, unlock times, constructive and

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12 Males aged 17-19 are assessed and if found sufficiently vulnerable are also placed in youth units.

other activities, and how the placement may meet rehabilitation and reintegration objectives.

Presumably, this enables administrators using this checklist to demonstrate that they are considering young women prisoners' best interests. While there is value in having a tool especially for women, there remains the problem that young women are left with very limited options in which to consider their best interests. Either they choose to mix with adults or they are placed in very limited conditions, sometimes managed to minimum standards.[13] A fuller understanding of how social situations affect young women in prison would enable a more informed view. It is, therefore, important that an investigation into what constitutes "best interests" is conducted so that it can guide policy development. This investigation will look at the ways participants in focus group and prisoner participants talked about young people and punishment: "If systems of reasoning, or discourses, are the source of action and change, they must also be the focus of inquiry" (Burr, 2003, p. 8).

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13 Minimum standards involve being locked in a cell for 23 hours a day with 1 hour for bathing and exercise.

Conclusion

This chapter has explored literature that attends to the lived experience of women prisoners, and some of the difficulties they face both within the prison and in the community. It has examined the small body of literature that looks at young women prisoners' experience of age-mixing, although contradictory findings have emerged. Therefore, a more detailed understanding women prisoners' behaviour, relationships, and approach to life is important, as this will also have an impact on their experiences of age-mixing. Chapter Five will, therefore, review literature about prisonisation or institutionalisation.

Chapter 5

Institutionalised identities

Introduction

In Chapter Two, the background chapter to this thesis, I discussed the birth of the prison (Foucault, 1979a), and historical and contemporary modes of its operation and philosophy. I now turn to the social context and dynamics of a women's prison setting. While there may be a dominant cultural ideology in Aotearoa NZ and elsewhere about femininity which assumes behaviour which is nurturing and caring, such so-called femininity may or may not be in keeping with dominant social contexts in the women'sprison setting.In addition literature examining the social context of prison and institutionalization processes has only focused on male prisoners (Tie & Waugh, 2001). Thus there are some issues to clarify in relation to processes that occur in women's prisons in Aotearoa NZ.

This chapter, therefore, will discuss how prisonisation (also called institutionalisation) and staff-prisoner dynamics are discussed in literature. It is relevant to consider the types of self available to women prisoners and how this may impact on one's institutionalised self. It is useful to begin by considering literature which discusses the relationships between prisoners and staff and the power relations within a prison. Literature on prisoner

discourses focusing on relationships and the effects of these will also be explored. Of interest is the paradox created by the utility of relationships between prisoners for their well-being, in contrast to the tendency for relationships with other prisoners to facilitate the prisonisation process, and, hence, cause them to be more anti-social.

Power relations

As noted in Chapter Three, Part Two, Foucault (1977) has written, "Prison is the only place where power is exercised in its naked state, in its most excessive form, and where it is justified as a moral force" (p. 210). Unfortunately, there is a risk that exercising such power may cause some staff to demean, denigrate, and abuse prisoners in their care. Zimbardo, Maslach, and Haney, who conducted the Stanford Prison experiment in 1971, have documented the growing incidence of abuse of power in institutional settings. In their experiment, male college students screened for their normality were randomly assigned roles as either officer or prisoner. What shocked the researchers and prompted them to cancel the experiment after six days was that those assigned to officer roles became abusive towards those in prisoner roles very shortly after the experiment began. Student "officers" humiliated and dehumanised the student "prisoners", with such tactics becoming more blatant day by day (Zimbardo et al., 1999). Effects of such abuse on those in the role of prisoner, also screened for their normality,

included "crying, screaming, cursing, and irrational actions that seemed to be pathological" (p. 7).

A conclusion from this, shared by Zimbardo and his colleagues, is that the way prisoners or staff act in prison settings, which Goffman (1961) terms "total institutions", has little to do with any in-built personality or personal deficiency. Goffman (1961) defines total institutions as those settings which have little outside influence. Being immersed in a total institution may make people behave in brutal, pathological, or anti-social ways depending on where they are placed in a power dynamic.

In the Stanford Prison experiment, situational pressures on those in prisoner and officer roles transformed them all. Even the very few who identified as "good" officers did not intervene when observing a prisoner being abused. Those in the role of prisoner developed a prison culture which was equally destructive and lacking in humanitarian values. In debriefing sessions at the conclusion of the experiment, participants reported that they found themselves "corrupting their own innermost beliefs and feelings" (Zimbardo et al., 1999. p. 11) while immersed in the experiment. With these power dynamics borne in mind, it is useful to consider the discursive formations produced in such an environment.

Dividing practices

Klare (1960) observed that the public and the staff may talk about prisoners as if they "must be bad, because prison is a place where bad men *(sic)* are locked away" (p. 16). Goffman's (1961) research revealed that amongst staff, entrance to prison was spoken of as "prima facie evidence that one must be the kind of person the institution was set up to handle" (p. 82). As such discourses about prisoners reflect this view, possibly resulting in unfavourable treatment of them; this may create a hostile situation where both prisoners and staff hold narrow views of each other. Staff may see prisoners as subhuman and as "bitter, secretive, [and] untrustworthy" (p. 18).

Being positioned in this way may also make prisoners "feel inferior, weak, blameworthy and guilty" (Goffman, 1961, p. 18). Staff may be seen by prisoners as "condescending, highhanded and mean and [staff may] feel superior and righteous" (p. 18). Such positioning may be due to relationships between prisoners and staff that are characterised by unequal and possibly exercising repressive power. Foucault (1982) observed this phenomenon, writing that repressive power may lead to dividing practices which serve to "objectivize" (p. 208) those who are powerless and put them in a category that is less than, or inferior to, those not objectivised.

Prisoner discourses and violence in prison

The discourses adopted by prisoners and resulting behaviours are also key to understanding the social context in a women's prison. In Aotearoa NZ, male prison culture has been observed to be a place where "violence between inmates is now so common that it is considered a norm of the convict world" (Tie & Waugh, 2001, p. 2). The esteemed prisoners are those who "demonstrate the most machismo attitudes and behaviours" (p. 3). It is not clear whether there is a similar esteem for machismo attitudes and behaviours in Aotearoa NZ women's prisons, but Annabel Taylor's work indicates that there are instances of violence in women's prisons and lack of confidence in prison complaints systems to deal with these (Taylor, 2004).

Material conditions and effects on availability of discourses

Another important issue is how prisonisation and norms of prison culture may affect prisoners' responses in research interviews regarding the social context in general, and age-mixing in particular. Whilst this study aims to give participants a voice and to consider how they talk about their needs, some feminists observe that the "perspective of those who are marginalised and dominated [such as participants who are in prison] may be distorted" (Rees, 1991; Sprague & Zimmerman, 1993, p. 265). Formal and informal structures in prison may be "moulding responses" (Forsyth, 2003, p. 271), and prisoners'

own construction of their needs may not represent what will actually lead to their well-being, especially in the long term.

Sprague and Zimmerman's viewpoint ties into notions of discourse analysis since participants' responses need to be interpreted and understood within their social context. How issues are framed in that context also needs to be understood. In this study, it needs to be remembered that many young women prisoners may have served significant time in prison, and, hence, their discourses will have little outside influence. Such a lack of new conversations (O'Connor, 2003) is a direct result of physical restraint in the form of incarceration. Participants' interests will be tied into the social context where the majority will seek to use the accepted discourses in ways that are acceptable to the powerful groups. This does not mean, however, that participants' constructions of themselves and their needs will not be taken seriously during this study. Analysis will involve identifying dominant discourses and interests in the prison context and considering which discourse a participant may be enlisting, and for what purpose.

Thus, participants' responses will be carefully considered in the light of the material environment, both past and present, and current power relations. Exploring the underlying discourses in transcript texts and the contradictions between them, may enable a new and fuller understanding of their

experiences and dilemmas. As noted above, prison may be a place where coercion and violence between prisoners (Tie & Waugh, 2001), and even between staff and/or prisoners (Davidson-Arad, 2005), are standard. Prisons are "essentially authoritarian environments" (Ireland as cited in Jennifer, Cowie, & Ananiadou, 2003, p. 491), and it has been suggested that such environments create a higher risk of bullying and victimisation (Leymann as cited in Jennifer et al., 2003). As shown in numerous studies, many prisoners are victims of bullying and abuse from fellow prisoners (Archer, Ireland, & Power, 2007) and staff (Davidson-Arad, 2005), in women's prisons (Davidson-Arad, 2005; Goldingay, 2007; Ireland, 1999, 2001; Viljoen et al., 2005). Of interest, is the effect such dynamics have on prisoners' relationships, and their responses in interviews about age-mixing.

Effects of abuse on prisoner discourses: The Stockholm syndrome

One possibility is that prisoners may be affected by the Stockholm syndrome. This is a phenomenon that occurs when a person, immersed in a situation with little outside contact, identifies with his or her abusers (Brook, 2006; Carver, 2002). Such immersion and lack of outside contact also occurs in a prison - a total institution (Goffman, 1961). Total institutions are designed to totally lose or repress prisoners' sense of self and identity (Paterline & Petersen, 1999). It is possible that the environment is such that young women prisoners quickly adapt by identifying and forming an attachment with older prisoners who may abuse them, so that the threat of being separated from them (such as in an interview about age-mixing with a university researcher)

causes them to vehemently advocate for certain prison regimes which they may not otherwise support. Such attachments may, therefore, cause participants to adopt discourses promoted by those in power, the dominant discourses or common sense explanations of events and relationships.

Overseas research on the social context in a women's prison

Barbara Owen (1998) in her study, describes the social context in women's prisons as "markedly different from the degradation, violence and predatory structure of male prison life" (p. 3). In contrast to this, Davidson-Arad (2005) found that "both inmates and staff [who worked in both male and female facilities] reported similar levels of violence and staff abuse in the facilities for the two genders" (p. 556). Whilst Bosworth (1999) testifies to the agency women prisoners enjoy in creating prison life, Davidson-Arad (2005) notes, "levels of violence in the facilities for girls were similar to those in the facilities for boys" (p. 557). One study notes that "women do not as readily become part of an inmate subculture and do not adhere as rigidly to an inmate code" (Bell as cited in Greer, 2000, p. 445). Another study observed the contempt shown by the women's prison majority to so-called weak prisoners, who remained non-confrontational when picked on and the vilification of those who attempted to use prison staff for protection (Pogrebin & Dodge, 2001). These seem to be signs of a strict adherence to a

prison code. Such diversity of experience offers the possibility of unique prison experiences which do not reflect wider examples.

Overseas research: Close interpersonal relationships

While there are clear differences between these studies, one thing upon which all studies agree, is that women prisoners have "an overwhelming need . . . to establish affectual relationships" (Larson & Nelson, 1984, p. 604), that there is a prevalence of family-like (Foster, 1975; Giallombardo, 1966) and highly emotional (Klare, 1960) relationships, especially between younger and older women prisoners (Giallombardo, 1974). Earlier studies attested to the formation of family ties based on homosexual connections (Giallombardo, 1974; Ward & Kassebaum, 1965), although later research notes that these researchers confused the issue of family-like relationships with homosexuality (Bowker as cited in Larson & Nelson, 1984). The early research has also been criticised for perpetuating stereotypes about women, which are no longer relevant today, and for failing to consider the diversity and complexities of women's identities and experiences (Bosworth, 1999; Greer, 2000). Recent research has revealed the existence of some family-like connections, especially amongst the younger prisoners, some of whom have a jail mum (Greer, 2000; Owen, 1998; Severance, 2005). Such relationships have been noted to offer social, economic, and emotional support, vital for the well-being of women whilst in prison (Severance, 2005).

The existence of family-like relationships, where older prisoners give advice and assistance to their younger jail "daughters", has been described by one writer as a "non-pathological response to institutionalisation", which enables women prisoners to develop a viable and acceptable identity in response to the depersonalising experience of custody (Foster, 1975, p. 72). Another author has observed that from these relationships, women prisoners might gain affection, security, friendship, advice, and a substitute for their own family (Giallombardo, 1966), particularly when biological families may have failed to provide such things (Owen, 1998). Questions have arisen, however, regarding why family-like relationships do not occur in male institutions (Foster, 1975). Pollock (1984) writes that women's prison staff who were interviewed in her study believed that women prisoners do not feel obliged to conform to the "stoic norm" (p. 90) as men in prison do, and that it is more acceptable for women to demonstrate love and friendliness to other prisoners. Of interest to this study has been the degree to which women prisoners in Aotearoa NZ adhere to stoic codes of behaviour, and whether there are other norms and values which guide their behaviour in relationships. This may have an effect on young women prisoners' age-mixing experience.

Overseas studies further discuss the fact that even though women prisoners develop friendships with each other, participants said the environment was "based on manipulation and mistrust" (Greer, 2000, p. 447). Greer notes that in her study the social context was tainted with "dishonesty, paranoia and hostility" (p. 447) although this "did not prevent them from developing friendships" (p. 451). Severance (2005) writes that seeking and providing companionship and social support is evident in women's prisons but not in men's. Therefore, women participate in friendships despite not trusting their prison friends. The pressure women may feel in prison to connect with others may be one of the possible reasons for this. Upon arrival in prison, women may realise that those who are socially isolated are most vulnerable to being victimised in prison; a wise prisoner can connect with others and participate in prison culture, as the consequences of being isolated and disconnected could include stand-overs and constant harassment (Pogrebin & Dodge, 2001). Close relationships can offer protection to prisoners and may also provide a buffer against the detrimental effects of any abuse received.

Close relationships and the prisonisation paradox

Research has noted that formation of family-like relationships may make prisoners more likely to be prisonised; that is, more likely to adhere to an anti-social prison code (Heffernan as cited in Foster, 1975; Larson & Nelson, 1984; Redman & Fisher, 2002), and adopt a criminal identity (Larson &

Nelson, 1984). Paradoxically, as been noted above, such relationships may also increase a woman prisoner's well-being and, hence, improve success in treatment (Foster, 1975; Redman & Fisher, 2002). Such paradoxes are central to this study of age-mixing as it has been argued in Aotearoa NZ that mixing with adult prisoners may hinder rehabilitation due to criminal contamination and abuse (Kiro as cited in Steward, 2007; Tie & Waugh, 2001). The extent to which age-mixing, and, hence, forming close relationships with adults, increases young prisoners' well-being and a non-criminal identity is at issue in the current study.

Cultural norms may be used to explain, justify and rationalise participants' behaviour and relationships in prison. Discursive resources may be used to negotiate any ideological dilemmas or contradictions in beliefs and ideas around these relationships in participants' talk (Burman & Parker, 1993; Wetherell & Potter, 1992; Willig, 2001). For a study of age-mixing of women in prison, local discourses and the purposes they serve are of interest (discursive psychology) as they give an indication of what is important in that particular social context. Consideration of the power relationships and subjectivity available in that context (Foucauldian discourse analysis) is also important in terms of the forces that are acting on young women, and what effects these have both in terms of identity and for material conditions. Young women prisoners are both constituted by these discourses and have agency in constituting them. Thus, using these techniques, I may be able to

work towards understanding the complex and dynamic forces impacting on women prisoners.

Discourses of dangerousness

As noted in Chapter Four Part Two, which has explored literature concerning young women prisoners' experience of age-mixing, violence perpetrated by young people was a factor of prison life. This factor does not seem to have been previously acknowledged by authorities; neither internationally by the United Nations Committee on the Rights of the Child (UNCROC), nor in Aotearoa NZ by the Children's Commissioner, Dr Cindy Kiro. Both recommend that young prisoners be held separate from adults (Steward, 2007). The idea that separating young prisoners from adults will keep them safe seems to have been one shared by prison administrators for over a century (Dalley, 1991; McKenzie, 2004; Pratt, 1992). There seems to have been reluctance to acknowledge the impact of social context on a person's dangerousness or vulnerability. Attributing youth as a sole factor in vulnerability may be due to a dominant Western paradigm that blends individualism (that is, attributing vulnerability or dangerousness to individual characteristics as opposed to group pressures) with the culture of separating the young from adults, in the belief that it is only adults who may abuse the young.

Discourses of difference: Young male and young women prisoners

Klare, writing in the 1960s, believed that women prisoners were more individualistic and passive than men and that there were no women gang members. The situation is quite different today as women clearly do participate in gang life (Dennehy, 2006). Klare (1960) also believed women prisoners were competitive and "deeply disturbed and abnormal" (p. 37), although this may be a reflection of the sexist attitudes of that time. Some bullying behaviours amongst young people in prison (such as those discussed by Ireland, 1999, 2001; Viljoen et al., 2005) are similar to those observed in schools (for example, Owens, Shute, & Slee, 2000; Terasahjo & Salmivalli, 2003), suggesting that such behaviours are far from abnormal in young people. Some differences between prison and school bullying may be due to the closed nature of a prison as an institution, and the large number of women prisoners for whom substance abuse is an issue (see Goldingay, 2007a, 2008).

Staff discourses in Aotearoa NZ prisoners

The role staff play in putting forward such discourses is also relevant. As noted earlier in the chapter, research attests to the stereotypes officers may hold regarding women prisoners. Such stereotypes may include that women are harder to work with and generally more trouble (Alder as cited in Bloom & Covington, 2001, p. 9). This is of particular concern as UNCROC, holds, in Article 37(c), that young people should not be punished beyond their

incarceration (Davidson-Arad, 2005); furthermore, "no child should be subjected to inhuman or degrading treatment or punishment" (UNCROC as cited in Becroft, 2006, p. 7). Contrary to popular feeling on the matter, international codes of human rights dictate that "even though young prisoners have broken the law and may be violent themselves, they are entitled to the same safety and protection as any other young person" (Davidson-Arad, 2005, p. 556).

Research in Australian women's prisons notes that staff turn a blind eye to violence (Sim, 2002). Reasons for staff failure to act could be numerous, and include dominant discourses about prisoners deserving to be victimised, a view that may even be supported by the community (O'Connor, 2003). It is possible that such violence controls the prison wing and makes life easier for staff. In the eyes of some, perhaps young prisoners are being taught an appropriate lesson at the hands of violent prisoners. Of even more concern is that, as one study in Canada has found, correctional officers bribe some prisoners to attack other prisoners (Peterson-Badali & Koegl, 2002). In the study of Australian women's prisons, Sim (2002) observed that staff prioritised their own interests instead of caring for, and controlling, prisoners. It is likely that some prisoners may react to such power abuses. Other writers writers have noted that powerlessness in prison is associated with solidarity with other prisoners against authorities – adopting a criminal identity (Larson & Nelson, 1984). Thus, it may not be that young people are volatile or more

easily influenced, solely due to their youth. It may be that power relations with staff contribute to their violent and anti-social behaviour.

Conclusion

Literature suggests prison can be damaging as it strips skills and creates a stigma which is difficult to overcome in the community. With regard to the social context, literature offers contradictory perspectives on the issues of safety, relationships with prison officers, and who it is that young people need to be kept safe from. Literature suggests that power relations with staff have a significant impact on the types of self available to young women prisoners. Lacking in power, they may adopt criminal or anti-social identities in solidarity with other prisoners. Lack of resources may cause more powerful prisoners to stand over new and/or powerless others to obtain sought after items. Lack of connection with, and support from, people outside prison, may intensify the degree of solidarity between prisoners, leading to a more pronounced degree of prisonisation. For the study of age-mixing, the contradictory texts can be analysed by considering these issues carefully and weighing up any damage as a result of mixing young with adult prisoners against the advantages of support, guidance, and protection received as a result of mixing. Understanding of the prison social context will also be deepened by considering how prisoners exercise agency and power in this

setting. Chapter Six will now discuss the methodological approaches and tools

used in this study.

Chapter 6

Methodology: Tools and approaches

Introduction

This chapter will discuss the methodological approach used in the study, including the qualitative approach, the data collection methods, analytical tools, and methods for working with difference. As mentioned throughout this thesis, the study aims to provide understanding of young women prisoners' experience of age-mixing, and consider what sorts of identities are possible within an age-mixed environment in prison. It is hoped that this understanding will give an indication of what the costs and benefits of age-mixing might be to young women prisoners' well-being as young women prisoners would define it. Thus, the methodological approach attempts to collect data in such a way as to privilege the perspectives of young women prisoners, whilst at the same time considering the discursive climate within which they constitute themselves and are constituted by others, both within and outside prison walls. It attempts to broaden the existing dominant Western knowledge base, the 'accepted wisdom' derived from Western cultural values, to encompass Maori ways of knowing. There is also a commitment to incorporate young people's ways of knowing, in order to add to dominant traditional knowledge

bases concerning the nature of youth and how to respond to them which is often promoted by policy makers. Thus, this chapter will provide an explanation of the methods used in the study and dilemmas found in forming relationships with participants and indigenous consultants who had input into the research.

Qualitative methods for studying issues for prisoners

A number of researchers who study women prisoners observe that qualitative methods are effective in capturing the complexity of the prison experience, and, hence, this has influenced my choice to work within a qualitative framework. This is in contrast to quantitative methods which, while excellent for measuring things in the physical world may struggle to account for the complexity and diversity of the human experience of imprisonment (Bosworth, 1999; Leibling, 1999).

A dialogic and dialectical approach (Guba & Lincoln, 2005), which is a key approach in qualitative research, can enable incarcerated young women to describe their "values, meanings and intentions" (Clarke, 1990, p. 16), and, therefore, educate readers and debunk myths and misunderstandings (Guba & Lincoln, 2005). Peterson (1997) also worked within a qualitative paradigm in her dissertation *Inmate Subcultures of Female Youth: An Examination of Social Systems and Gang Behaviour* where she conducted in-depth interviews with

young women in prison. Peterson notes the appropriateness of qualitative research in using in-depth interviewing for researching groups and topics because the situation for young women prisoners is relatively unknown and little understood. In addition, social work literature notes that understanding people and their situation will occur best through developing relationships with them (Compton & Galaway, 1994).

The importance of context in interpretation of data

As discussed above, gaining the perspective of the young women prisoners themselves is the key priority for this study, as their voice has been absent in the interpretations of their needs. As also noted, this notion is contentious since the context in which they have lived their lives may colour their interpretation of what will be useful to them long-term. There is, therefore, a need for "multiple methods to gather and generate theories about women and crime" (Daly as cited in Gaarder & Belknap, 2002, p. 490), and to understand girls' experiences "from their own point of view, and place these experiences within their particular historical, political and social contexts" (p. 490). In other words, it is likely, due to the closed nature of prisons, that discourses produced by young women prisoners may reflect dominant discourses of the prison and outside, not mearly be a view into their inner world. Some issues in analysing transcripts from young women are explained well by Harrison (1992), where she notes for her young women participants, their:

lived experience . . . were not the same as their articulation of the

experiences. Their articulated experiences were always mediated

by their different personal histories and the way they each related

to me (in different ways at times) as feminist, middle aged and

heterosexual; a woman/ researcher.   (p. 497)

Thus, while some young people may give responses according to what they

think I want to hear, or according to what they think they 'should' be saying;

for others, difficult upbringing and incarceration may make their vision for

their future more limited than it would be otherwise and hence affect their

response. For some, violence may be all they have ever known, and they

cannot imagine a world without it (Goldingay, 2008). Such discourses may at

times conflict with each other, so that one participant's transcript is likely to

present tensions and contradictions. The points of tension are noteworthy in

themselves. They do not need to be resolved, just acknowledged and explored

for their implications.

These issues introduce tension for me, as a white, 40-year-old, middle-class

feminist and decolonising social work researcher, as I want to take all

participants' words at face value.

Just as there are tensions surrounding privileging young women's voices from a feminist standpoint, there are tensions inherent in privileging indigenous voices – as they are subject to dominant discourses and, hence, position themselves in relation to them. Post-colonial writer Gayatri Spivak's writing supports this as she points out that a colonised person does not "necessarily have a privileged insight into her own predicament – a pure or essential form of self-consciousness independent from the colonial" (as cited in Andreotti, 2006, p. 74).

One method of taking into account indigenous worldviews, whilst acknowledging the impact of colonisation and avoiding essentialism, is to consider concepts that may be lacking or presented differently in Western frameworks. Such concepts may be present in modern day Maori frameworks, although the degree to which those who identify as Maori adopt these frameworks may vary. Maori writers have noted that such key concepts or worldviews include whanaunagatanga, or importance of building family-like relationships, and wairuatanga, which is an acknowledgment of the interconnection between the physical, human and spiritual dimensions (Cheyne et al., 2005; Durie, 2001; McFarlane, 2006; Reilly, 2004).

As the majority of the participant group was Maori, part-Maori, part-Pasifika, I attempted to consider their words within these concepts where relevant;

alongside post-structural frameworks of analysis, discussed in Chapter Three. As a discursive study, I examined how young women position themselves according to their experiences and the "continuous play of history, culture and power" (Pietikainen & Dufva, 2006, p. 211), from within the discourses available to them. The young women prisoners, and iwi representatives I consulted, also enlisted concepts of whanaunagatanga and wairuatanga during interviews and focus group discussions, and these concepts will be elaborated in Chapter Nine. I will now turn to the processes used to collect data, followed by a discussion of analysis methods.

Collection of data: The perspectives on the interpretation of needs

While I have sought to collect data that provides the perspectives of the various interest groups with a stake or interest in the issue of age-mixing young women prisoners, the primary sources of such interpretations of the needs of young women prisoners have been from within the three women's prison sites: Christchurch Women's Prison, Arohata Prison, and the new Auckland Regional Women's Correctional Facility (ARWCF). A major source of data has been from transcripts from interviews conducted by Ms Marcia Marriott (of Ngati Kahugnunu and Nga Puhi descent) and myself, of young women prisoners who were incarcerated in these three prisons at the time of data collection (see semistructured interview guide, Appendix seven). The age range of 14-19 years has been chosen due to the particular constraints in

international legal conventions regarding young prisoners, and the privileges extended to male youth 14-19 years of age as a result of this. At the time of data collection, however, there were no young women aged 14-16 years currently in prison, although a number of participants had been in the prison since they were 14 years old.

Focus groups with iwi representatives

Other textual data, analysed for its interpretation of young women prisoners' experiences, were transcripts from focus group discussions with iwi representatives (see Interview Guide, Appendix Eight), who were in the same location as that where the data was collected (i.e. either Auckland, Wellington or Christchurch, in that area where the prison is located). These groups have mana whenua over the area, or in other words, have responsibility for what happens in their area. Focus group participants were recruited through word of mouth, either through contacts I had in Christchurch through my previous social work roles or through contacts I had in the Department of Corrections.

I was not able to meet with all iwi in each area during data collection, however. Meeting iwi representatives in some areas was more challenging and required an even more considered approach. I discovered that some iwi representatives were reluctant to meet with me. Reasons given for this reluctance included lack of trust in Pakeha researchers and a concern that

what they said would be misinterpreted. To take account of this, I drafted a contract between myself and each iwi (see Appendix 13) to guarantee that everything that was published would be shown to them first to ensure it was written correctly.

I was very fortunate to have Mr Bill Simpson, then Department of Corrections Regional Advisor, Maori Service Development, for the Wellington Region, to advocate on my behalf with some iwi groups in Wellington, and through his support, managed to meet with those who were reluctant. A number of times those with mana whenua who agreed to participate invited others who they thought would add to the discussion. During focus group meetings, I listened to the history of each area, and they told me about mountains and rivers that were significant to them, and their experiences of the devastating effect of colonialism on these treasures. I told them about my research, the processes I would use, and received some feedback that I incorporated into my methodology and paperwork. If I had already collected data by the time of my first meeting with them, we talked about the data from their area as well, and what they might explain, or add to, in relation to the discourses that were emerging.

During focus group meetings I also concentrated on the notion of reciprocity and the development of relationships beyond the goals of the research. I

talked about myself, my family, my personal commitment to decolonising practice. While the majority of the time was spent in building relationships and shared understandings, the group was further facilitated by asking the questions in the interview guide (Appendix Eight), and in later consultations supplemented this with a newspaper article citing Cindy Kiro recommending that young women not be mixed and asked focus group participants to comment.

Composition of focus groups and processes used

Altogether there were ten female iwi focus group members and three male. All members were aged over 30 years of age, with the majority in their senior years. Focus group discussions generally lasted 2 hours and were tape recorded and transcribed. Transcripts (or a summary of content where requested) were sent back to each participant to ensure the material was correct. This process proved very important as there were a number of times where I had misinterpreted speech due to not fully understanding some aspects of the cultural context. Once these transcripts had been signed off, I gathered the data together into themes, and then identified the discourses presented in them (see Appendix Ten for exerpt of analysis categories). With this process complete, the text, which represented these ways of framing the issues that were identified, was then incorporated into Chapter Nine alongside young women prisoners' discourses, to support them and provide further contextual understanding.

Use of focus groups by other scholars working with prisoners

The technique of using focus groups alongside individual interviews with participants was also used by Pollack (2003), in order to understand cross-cultural experiences of power in correctional institutions in Canada. Pollack observes that feminist researchers support using both individual and focus group interviews, to get a fuller understanding of participants' lives in their gendered and colonised contexts. In a similar way as that advocated by Wilkinson (as cited in Pollack, 2003), in the current study, analysis and writing up of the two sets of data occurred simultaneously, in a didactic relationship, so that discourses about marginalised groups could be examined and countered. Analysis will be discussed a little later in the chapter.

Interview framework: Exploration of ethnic differences in needs definition

In keeping with the decolonising (Tuhiwai-Smith, 2005) approach that informs this study, the influences of ethnic identification on participants' experiences and definitions of their own needs are of interest. As indicated previously, this focus is in keeping with Aotearoa NZ's responsibilities under the Treaty of Waitangi. To ensure the research takes into account a view of well-being that does not exclude Maori peoples, I tailored the interview guide for use with prisoners around Durie's (1998) representation of hauora (well-being), as described in Chapter Three, Part Three. Thus, questions in the semi-structured

interview guide (Appendix Seven) were based around, and attended to, the four areas of physical, mental and emotional, spiritual, and family and social well-being. A mixture of open-ended questions ensured that participants described their situations and feeling in relation to these four areas, while a small number of closed questions gave an initial framework to assist the participant to feel confident and engage with the interviewer.

Initial consultations with Maori: Building the research framework

Also in accordance with the Treaty of Waitangi, Aotearoa NZ policy makers, service providers and those who plan to carry out research with Maori participants have an obligation to consult with Maori to ensure their plans and interventions may benefit any Maori recipients, and the Maori community as a whole. Such consultation enables Maori to influence whether service provision or research should go ahead, and in what manner it should be conducted.

In keeping with this, I consulted a key member of the local Ngai Tahu Runanga,[14] Mrs Kiwa Hutchen, in the planning of this project. Mrs Hutchen has extensive experience working with women's prisoners and is regarded as a person of significant wisdom and status within Ngai Tahu. I sought and took into account her view on whether this research would benefit Maori women, what types of questions to ask, how to invite young women to participate, and

14 A runanga is a body of people appointed for the purpose of administering the affairs of the tribe as a whole (Barlow, 2005, p. 117)

how to present information regarding the project to Maori participants. Furthermore, in keeping with my commitment to consult with local Maori, I kept Mrs Hutchen informed about publications I was preparing as a result of the study, and sent her copies, followed up with a phone call to receive feedback. All feedback she and her family gave me was incorporated into each publication or presentation, and has been included in this thesis.

Recruitment of co-interviewers and cultural support

   Processes of recruiting a co-worker

Gaarder and Belknap (2002) report in their study of young women in prison that "African American girls who did participate may have been more open with an African American researcher, particularly regarding racism in the system both in and outside the prison" (p. 490). They also note that participants talked more and had a longer interview with the younger researcher. I, therefore, hoped to find interviewers who could identify as Maori and as Pasifika so that participants would feel comfortable and able to tell their stories. What I had initially envisaged as being straightforward became complex, as a number of people I approached for this task signalled their unavailability. I learnt through this process how stretched people in the Maori community were, and realised I would need to pay more than $50 per hour to recruit a suitable person, instead of the $20 that I budgeted.

Finally, one person I approached gave me some very useful advice, which was to contact one of the Maori stakeholders at the prison, and my suggestion of Barry Baker (the then Maori Advisor, Service Development, Southern Region) was met with approval. Mr Baker indicated that I should recruit a suitably qualified person as a supervisor to provide support and training to both my potential co-worker and me. I then contacted Ms Tania Mataki, daughter of Mrs Hutchen, and a colleague I had worked alongside at Christchurch Women's Prison while she was an ACC counsellor. I had been reluctant to contact her as I knew how busy she was. Nevertheless, when I did meet with her, she recommended Ms Marcia Marriot as someone who would be interested in working alongside me in data collection and also offered to take the role of supervisor for Ms Marriott and myself (by telephone whilst away from Christchurch). I met with Ms Marriott, and she agreed to work alongside me, interviewing young women in Christchurch Women's Prison, and collecting data at the Wellington and Auckland women's prison sites.   The strict protocols required in the prison setting and the sensitive nature of the material collected called for a clear contract and code of conduct which I drafted up for my new colleague to sign (see Appendix Five).

In hindsight, and from feedback from Ms Marriott herself part-way through interviewing, appointing a "Maori interviewer" could be construed as tokenism and highly offensive. This was something I had not imagined when planning the project. While I knew that my reasons for appointing a Maori person to

work alongside me were to ensure young women prisoners had access to culturally appropriate services in accordance with the *Code of Ethics* (ANZASW, 1993b), I realised that I had not grasped the complexity of being Maori in the 21st century in Aotearoa NZ. The reality is that different tribes have different protocols, and to enlist the appropriate cultural protocol, I would need to have an interviewer from each tribal area. Should I do a similar project in the future, I would, therefore, inquire as to how to recruit mana whenua (people of the land) to interview those in their area. One impact that failing to do this had, in the first instance, was that Ms Marriott was as unaware as I was about local protocols in some areas. This, I believe, put her in an awkward position, and she bore the brunt of criticism for this despite the fact that it was my oversight.

Another issue arose with regard to enabling any Pasifika participants the choice of having a Pasifika interviewer, for similar reasons as Maori participants. I imagined in the planning stages that there would be certain protocols and ways of approaching issues that may be unique for Pasifika peoples as well. Again, I found this to be a simplistic notion, and realised that, to do this properly, I would need to have an interviewer from each of the Pacific nations available. If funding and time permit this in the future, I would consider setting this up. Nevertheless, at the time of interviewing, links with Pasifika groups were made through Ms Yvonne Crichton-Hill, Chair of Pacific Trust Canterbury, and Asenati Lole Taylor, Regional Advisor, Pacific Northern

Region, and a process to recruit a Pacific interviewer was formulated should the need arose.

Process of participant recruitment

Turning now to interviews with prisoner participants, I hoped to recruit up to ten young women prisoners at each prison site. This number was constrained, however, by the small number of young women in the age range (three) in Arohata Prison. The final number of young women prisoner participants was 20, a smaller sample than intended due to time pressures and difficulty in accessing some young participants. In order to engage with participants in a culturally appropriate manner, my colleague, Ms Marriott, and I made a preliminary visit to each site and met with all youth who were interested in participating in research about youth, as a group. The unit manager was asked to tell the young women that the meeting was about participating in research about youth and that attendance was voluntary.

We introduced ourselves according to Maori protocol at each group meeting, which gave potential participants the opportunity to introduce themselves in a way that they felt comfortable with. We then introduced the research and its purpose, and invited participation. We talked about the interview questions, information sheet and consent form, let potential participants look at these, and let them know that they could choose either of us, or a woman from a

Pacific nation, as an interviewer. We also showed them the certificate they would receive in recognition of their participation.

At the Women's Prison in Christchurch, we passed individual pieces of paper around to enable prospective participants to write down their names, their choice of interviewer, and their favored interview day and time. They thus had the option of keeping their choices private. This process also enabled them to choose participation without feeling pressured and enabled them to choose their interviewer without awkwardness. The situation was different in Auckland and Wellington, however. In Wellington, there were only three young women in the age range, one of whom did not wish to join our group, which left us with only two potential participants. In Auckland, participants were scattered across the facility, and were also unable to mix. A large number of young women were in our age range, but we only had time to interview seven, as it was important to also transcribe the material and enable participants to comment on the themes we saw arising from the text (See Transcripts section following). The choice of those who could participate, therefore, depended on which unit was convenient for us to enter at the prison at the time. Thus, as noted earlier, our final number of participants we interviewed in women's prisons was 20.

Interviewing

I arranged interview times and places through the unit manager at the prisons to ensure there was a suitable room available and that the participant would be available at that time. At the start of each interview, participants were asked if there was any way that they would like to start, for example with a karakia.[15] The information about the study and the consent form were given to each participant again, and they were asked how they like would like to finish the interview, for example, if they would like a karakia or other closure process. Interviews were taped, and after each interview, Ms Marriott and I recorded our thoughts, feelings and impressions either by tape to be transcribed later, or in a field journal. This process was consistent with Bogdan and Biklen's protocol of recording personal thoughts such as "speculation, feelings, problems, ideas, hunches, impressions and prejudices" (as cited in Creswell, 1994, p. 152), and was a further source of data during the analysis phase.

Koha, certificates and thank you letters

Maori with whom I consulted at the start of the project suggested the giving of koha (gift) to participants. This is consistent with traditional practices where

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15 By the use of karakia or prayer, a bond is established between the person praying and the spiritual dimension, or source of power. Karakia also confirm the sacredness of a person (Barlow, 2005, p. 37).

"formerly when people attended Hui, they would, as a matter of custom, take with them some koha or contribution" (Barlow, 2005. p. 49). I did this with the first 11 participants from Christchurch and deposited a $20 cheque into each of their prison accounts after I had finished the interviewing. Unfortunately, new Corrections' policy means that research participants who are in custody are not permitted to receive "monetary gifts or gifts that may have tradable value" (J. Dugdale, Senior Policy Analyst, Department of Corrections, personal communication, July 30, 2006). The women in Arohata Prison and ARWCF could, therefore, only received a certificate of appreciation and a thank you letter after data collection at the site was complete.

Other data sources

To a much lesser extent, the notes written immediately after my colleague's, or my informal discussions with Department of Corrections staff were a source of data. The journalling helped me clarify my thoughts in the midst of what seemed at times to be overwhelmingly conflicting information. I also collected texts from various mass media sources on related issues discussed in the public arena between 2006 and 2008 and analysed these for the ways they constructed young women prisoners, with the view of considering the material effects of these, and the implications for age-mixing. The intention of data collection was not to generate one theory of women's needs. Rather, it was to embrace the wider social discourses influencing the research question and participants' responses to the questions.

Use of participants' files

Another source of data was participants' files (with their permission). The initial purpose of requesting to consult participants' files was to account for discursive formations enlisted by professionals working with young women prisoners, to give an even wider view of the discursive context. Thus, the consent forms signed by each participant had the option of giving permission for me to view her prison file to access pre-sentence reports, the judge's sentencing notes, and notes made by prison staff. Thirteen out of 20 participants gave permission for me to view their prison files.

The notes I made in the short time I had access to files centred on how prison staff portrayed the young women, how prison staff framed the age-mixing issue with respect to individual prisoners, and how Community Corrections (Probation Services) had portrayed prisoners' backgrounds prior to sentencing. I looked for issues to do with family background, strengths and weaknesses identified in family units and the individual prisoner, and how they were framed generally. Despite having very limited time with each file (due to time pressures for me in each location, as I also wanted to type each transcript prior to departure in order to show it to the participant), I gleaned a wealth of information, most of which has not been used for this thesis, as it would be too long.

Information which has been incorporated into the thesis (see Chapter Eight), included ethnic identification, age, family background, type of offence for which they were convicted, previous history of contact with Child, Youth and Family and Youth Justice services, gang membership, mental health, drug and alcohol problems, and history of sexual abuse or other victimisation. While such information could have been gathered through the interviews, I suspected that asking questions about very personal, painful and private issues might be alienating and unpleasant for participants, especially as we were not acting as therapists, but as researchers. To me, communicating respect and affording dignity and comfort in the research process was a high priority. My experience as a social worker in prisons, where I was well aware of the high degree of exploitation and abuse already suffered by women prisoners, added to this view.

Transcripts

Checking transcripts: Collaborative approach to interpretation of text

The transcript was typed promptly after each interview and each participant was offered the option of a further visit from the interviewer, to look through the transcript and discuss it – an option which they all took up. This further meeting had a dual purpose. Firstly, to ensure the transcript was accurate, and, secondly, to enable me to discuss and seek approval of the preliminary themes that appeared to emerge from the transcript. Seeking participants' approval of,

and input into, the identified themes was consistent with a culturally appropriate and empowering process used by Rickard (1998) in her qualitative study of Maori families' attitudes to disciplinary practices. It was also consistent with the empowerment focus of feminist research, which takes a collaborative stance with participants (Cosgrove & McHugh, 2000; Morash, 2006; O'Brien, 2001).

In addition, this reflexive approach has been used with children and young people in other research. For example, when "reporting back to their child informants to check the accuracy of findings and of interpretations: reporting back, more widely to groups not involved in the research to discuss with them implications of findings" (Mayall, 1999, p. 21). In order to understand the condition of childhood, it is necessary to explore children's own knowledge and understandings. The data can help in the construction of a child standpoint. As observed by Mayall, "Complementary theoretical work is required on children's political and socioeconomic positioning and on the structures that condition or intersect with children's agency" (p. 21), this is similar to the issues facing women and indigenous peoples and their positioning and agency.

Maintenance of confidentiality

Once the participant signed off her transcript, a record was kept of this and then her name abbreviated to initials only on her material. During the coding phase, responses were drawn into themes, which identified the age and ethnicity of the participant and the prison in which she was located. I had initially wanted to remove any identifying information from transcripts once participants had approved them, so that I did not inadvertently give away any identifying information in the finished thesis. It was pointed out to me in supervision, however, that this would preclude participants' withdrawing their information, and impedes the use of contextual data such as age, ethnicity, or other factors which may be useful in analysis.

Use of pseudonyms

Confidentiality was a priority for this research, especially since material collected was sensitive, and could bring repercussions to participants if their identity was revealed. Talking to others about the prison subculture, especially if it is in a negative light, may be particularly risky, since narking[16] is vilified in the prison setting. Therefore, care was taken with the use and presentation of information, to avoid participants being identified in any way. The group was small, and any collection of statements together could identify a participant, if

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16 Narking is a prison term for telling others, especially prison staff or other authority figures, about bad or subversive things that other prisoners do.

other prisoners or close associates read the resulting thesis. Despite these issues, a sense of who these young women were was also important to the study, in order to help readers understand their multiple subjectivities and lived experiences. I, therefore, chose pseudonyms from a list of Maori, Pasifika and Pakeha names that I obtained from the internet baby names sites. In order to give readers a sense of the general ethnicity of the participant group, these names were assigned randomly, but in proportion to how many participants identified with each ethnicity – whether it be Pakeha, Maori, Tongan, Samoan, Fijian, Pakeha, or any combination of these. All information relating to the transcripts and participants was stored in a locked cabinet at my office at the University of Canterbury.

Ethical issues

Issues around interviewing minors

Some comments from other researchers in the field suggested I needed to have parental permission and input whilst interviewing young women prisoners, as some were minors. I also had concerns about this; however, due to the fact that young women prisoners are generally already a disempowered group, enabling parents to veto their participation or speak for them may have further rendered them even more powerless and voiceless. They are not owned by their parents and there are thorny issues concerning parents controlling their children's lives (Mayall, 1999). There is also the fact that they

are in the custody of the Department of Corrections, so the need for parental permission is overridden.

In addition to this, it was my view that I needed to avoid silencing young people on the grounds that they are young, since they are considered old enough by society to incarcerate them with adult prisoners. As noted by Mayall, "It is because of the specific character of their political minority status that children cannot access public debate except through adults. As children, they are not regarded as having a legitimate independent voice" (p. 20). As a social worker, one practice standard is to ensure client's participation in decisions affecting them (ANZASW, 1993a). Thus, my contention was that young women prisoners should have a voice in the debates on issues that concerned them.

Vulnerability of participant group

Another ethical issue that arose from research with prisoners is the vulnerability of participants. From my previous practice experience at Christchurch Women's Prison, I had observed that women can be particularly vulnerable through having lost their liberty. Another scholar researching offenders also noted the vulnerability that was experienced with this group due to their being subject to "discrimination, stigmatization and marginalization" (Peternelj-Taylor, 2005, p. 345). In the past, women prisoners

had talked to me about their feelings of powerlessness and insecurity once they became prisoners. It is possible that young women feel even more powerless than adult women, in relation to being interviewed by my colleague and me, who were both in our 40s. I have considered this vulnerability in the design of the information presented to the women and in the process used when interviewing them. The interview guide was just a guide, and participants were invited to read the questions before the interview and choose not to answer questions if they wished. Participants were able to choose to begin and end the interview as they wished and a number chose to either sing (waiata) or pray (karakia) at the start and/or the conclusion of their interview.

A further aspect of young women prisoners' vulnerability is their "dependency status within the correctional system" and as such they may be "especially vulnerable to coercion" (Peternelj-Taylor, 2005, p. 348). This issue was factored into the design of the research, as it was made very clear that participation was entirely optional, and one young woman at Arohata Prison did choose not to participate. They could also choose between myself, from Rugby, England, and Ms Marriott, of Nga Puhi and Ngati Kahugnunu, or an interviewer from a Pacific nation. The women could indicate if they agreed for me to consult their prison file by ticking the appropriate box on the consent form. They were also asked if they gave permission to have the interview taped, which all of them did.

Disclosure of life-threatening situations

Given the vulnerability and possible mental health issues of this group, and my knowledge from practice experience of the violent environment in the prison wings, consideration was given for processes to be put in place should an inmate disclose that either they, or another person/s were, or could be, at risk of being harmed. As I was in a research role, as opposed to the role of social work practitioner in the prison environment, I decided to take action only if a participant disclosed that a person's life was in danger. Fortunately this did not happen, but if it had, I had planned to alert an appropriate prison staff member. I wrote this limit of confidentiality on the consent form that each participant signed (see Appendices One and Two). I also designed a form acknowledging that a prisoner may consent to me making a referral to the prison social worker or another suitable staff member, who may make a further referral to specialist assistance, such as sensitive claims assistance,[17] should a participant want me to take action on issues other than those that are life threatening (see Appendix four).

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17 Sensitive claims may be made by those who have suffered sexual abuse, and the cost of such claims, for counselling and other medical expenses, is funded by Accident Compensation Corporation in Aotearoa NZ.

Ownership of transcripts

One issue that arose from data collection was that a participant requested a copy of her transcript. This presented a dilemma due to the possibly sensitive information about prison staff or other inmates contained therein, which when discovered by others could have led to harm to the participant. There was a tension around this, as in normal circumstances, a participant owns the information given in the interview and has a right to a copy of it. When this occurred in the Christchurch data collection process, and following discussion with my academic supervisor, careful inspection of the transcript, and consultation with prison unit management regarding how to ensure the envelope would not be opened, I sent the transcript to the participant at her request with "Confidential" written all over it. Should this situation arise again, I will again consider carefully the nature of the information within the transcript, and discuss this with the participant. I could also discuss how a transcript could be stored safely until a participant is released. In anticipation of this happening in Auckland or Wellington, I created a consent form indicating where participants would like a transcript sent, should they have requested it.

The issue of providing koha to participants (discussed earlier) also provided significant ethical tensions during data collection at Christchurch Women's

Prison. Whilst wanting to follow the advice of those who advocated its use, I was aware of the vulnerability of the participants to coercion within the prison setting. I wanted to convey to participants the value of their input and treat them as I would want to be treated, with respect to remuneration for time spent on a project. At the same time, I certainly did not want them to participate in something they really did not feel comfortable with, due to desperation for money. I went ahead with providing koha to participants at Christchurch Women's Prison, but as stated earlier, the Department of Corrections has since prohibited the practice of providing money to research participants who are in prison, and this will not be an issue for further data collection.

Analysis methods

In this research, data was collected using a semi-structured, face-to-face interview format with no prior hypothesis. Once collected and transcribed, data was categorised into themes (thematic analysis), and then a rigorous process of identifying the different ways in which each theme was *talked about* was employed. In keeping with Willot and Griffin (1997, p. 111), and Day et al. (2003), the process then involved analysing data using discursive tools. Chunking was used to place material into categories or themes that related to a single word or phrase that is used repeatedly by participants. It has also been used for phrases used repeatedly in professional, scholarly, media, and

Department of Corrections' reports and documents. These were the non-theoretical representations used to organise the data ready for analysis.

I then identified the ways each of these phrases was talked about by participants and other groups. I mapped out relationships between the different ways of talking about the issues, to produce a structure of main and sub-categories, and the interrelations between them. Once I identified all the ways the issue was talked about, I used external resources, such as previous reading, practical experience and political standpoints of feminism and decolonisation, to analyse what I saw as the recurrent discursive patterns (Willot & Griffin, 1997, pp. 112-113). In this way, the material was broken down from "themes' towards 'discursive patterns" (p. 114). These discursive patterns were then organised into cultural norms that speakers draw on to make sense of their lives and situations, and dilemmas or contradictions that people need to negotiate through their talk (Burman & Parker, 1993). Issues such as how speakers position themselves, and what functions their talk serve, are key foci for analysis. A key question throughout the Findings chapters, therefore, is concerned with "how participants construct themselves in relation to the categories laid on them/demanded of them" (Lather, 2007, p. 40) as women in prison. Therefore, the identity vectors of youth, female, prisoner and ethnicity were used as a framework in the analysis and in the presentation of the findings sections (see appendices 10, 11 and 12). These vectors were used as categories to consider the experience of self-hood within

the opportunities and limitations the vector provided in terms of positioning. Cross referencing between the vectors during analysis enabled an emerging and dynamic picture of what it means to simultaneously be young, female, Maori /Pasifika/Pakeha and a prisoner.

Whilst the interview guide is semistructured and assuming no prior hypothesis (bottom up), as mentioned earlier, young women prisoners' representations may occasionally not represent what would constitute their well-being, and may be affected by power/knowledge discourses (Foucault, 1980) circulating in the prison. Such discourses bring about truth claims that are in the interests of powerful prison administrators, or other prisoners, rather than the young women themselves. Without using a top-down standpoint drawing on feminist and decolonizing frameworks, the research would be in danger of perpetuating relations of dominance due to the power differentials between those who hold divergent views (Fraser & Nicholson, 1990; Mantilla, 1999; Miller, 2000). Thus, I have used both bottom-up and top-down approaches for feminist ends (Cosgrove, 2000).

Triangulation

Another question that might be raised about this methodological approach concerns the necessity for triangulation to verify data. However, the methodology I have adopted engaged in continuous comparisons of data that

represented the various perspectives. The conclusions that directly address the research question compared these perspectives with each other and then with feminist and decolonising agendas. As my values and political agendas have been explicit throughout this research, in keeping with other researchers using a similar method, such as Day et al., (2003), Lea and Auburn, (2001), Weatherall and Priestley (2001), and Willot and Griffin (1997), my aim has been to conduct a transparent, reflexive, and accountable piece of research. In addition, I sought ongoing feedback from iwi and Pasifika representatives, who generously spent time reviewing publications, presentations, and, finally, this thesis, and giving feedback on them.

Limitations of the methodological approach used in this study

One limitation in using these methods is the inability in some cases to gather information from professionals about what they saw were participants' needs, as in some cases, participants did not give permission for me to consult their files. Due to this, and to the significant issues raised by the other data sources, I chose not to include material about need interpretation from participants' files in this thesis. The material obtained from participants, mass media sources, and iwi representatives, more than provided enough material to work with for this thesis. I may use the remaining material for another publication in the future.

Another issue that represents a limitation to this study was the possibility that young women may be bullied or manipulated by others into giving certain responses. In addition, there is always the possibility that despite the fact that this research is independent, inmates will be guarded in their responses. This may be especially true, regarding incidents of violence and abuse that may occur and that staff do not witness. In my experience, the culture within prisons vilifies "narks", and some women may fear repercussions from telling anyone about abuse or bullying they have suffered. These are aspects of the study of young women in prison that will need further consideration in the future.

I hoped that the opportunity to choose the ethnicity of the interviewer would assist participants to feel comfortable and talk freely about their experiences. As noted earlier, ethnic identification is not as simple as I first assumed, due to tribal differences and the process of colonisation which influences the way participants may fashion their identity.

Conclusion

This study has adopted an approach to data collection with no prior hypothesis. Post-structural analytical tools were enlisted to interrogate and trouble the binaries created by language that may lead to unfavorable conditions for young women prisoners. Qualitative discursive strategies have

the potential to enable a deep understanding of what it means to be young, female and in prison. It is hoped that such understanding may lead to a more informed response to young women prisoners, hence work towards alleviating any discrimination or disadvantage they may face. Feminist and decolonizing approaches provide additional power sharing mechanisms designed to maximize participant input into interpretations and recommendations. Now that the methodology used in this study has been discussed, it is time to introduce the findings that emerged from the analysis. These will be examined in the findings section consisting of Chapters Seven, Eight, and Nine.

Chapter 7

Young women prisoners: Discourses in the public domain

Introduction

This chapter is the first of three chapters that discuss the findings. It will explore the ways young women prisoners are constituted by others in the news and entertainment media, in speeches and reports from politicians in Aotearoa NZ, and in public forums on the internet. It will consider the effects of these on legal processes, material conditions and resources, and the treatment prisoners receive at the hands of prison staff. Other feminist criminal justice scholars have suggested that such approaches are useful because "examining the images of females can help us understand how they are viewed and treated by the crime-processing system" (Belknap as cited in Cecil, 2006, p. 64). This chapter will explore the images found in the public domain in this quest for understanding, and set the stage for Chapter Eight, which will consider how young women prisoners construct themselves, what discursive formations they draw on, from what sources, and to what effect. Chapter Nine will continue the discussion by examining the findings relating to ethnicity and how integrating non-Western worldviews may lead to a more holistic approach to the subjective experiences and well-being of young women prisoners.

This chapter will be organised around identity vectors (Allan, 2008; Lather, 2007), of woman, youth, prisoner, and member of an ethnic group. "Identity vectors" are aspects of the self within which people are constituted, and constitute themselves, with respect to prevailing discourses (Allan, 2008). A circular, self-reinforcing process therefore occurs which brings about the experience of selfhood for a person in relation to these aspects. For young women prisoners, a sense of self is thus brought about by their experience of multiple subjectivities in relation to the identity vectors of prisoner, of women/girls, of young people, and of members of particular ethnic or social groups.

While identity vectors reflect the prevailing discourses within the prison context, they also construct who prisoners are and how they can be: the positionings available to prisoners who are young and female, in a mutually constitutive process. Therefore, in this chapter, constructions of women in general will be discussed, then the constructions of adult women prisoners in the media. The final part of the chapter will consider constructions of young women offenders as prisoners.

This way of understanding the social dynamics in prison is useful, as it is underpinned by post-structural and post-colonial assumptions of the fluidity and contingency of identity. From this, it is possible to see the potentials for

identities to be fashioned in ways that may lead to well-being. The notion of "subject position" is discussed by Foucault (1997), who posits that "practices of the self" are "patterns that are proposed, suggested and imposed on him *[sic]* by his culture, his society and his social group" (p. 291). Such positionings may constitute how prisoners can act and what discourses they can work within to construct a viable and acceptable identity, an identity which will have material and subjective effects (Allan, 2008). This means that practices of self-hood amongst young women prisoners will be, in part, constituted by the social norms present there, and, in part, constituted by the possibilities of being young, female, and a prisoner. This notion will be also explored in relation to young women prisoners' self-constructions in Chapter Eight.

Discourses and their effects

As previously noted, discourses regarding prisoners in the public domain form an "anchor point to what actually happens in the institution" (Foucault, 1979a, p. 222). These discourses will have an impact on the social norms, and on practices of the self. Here in Aotearoa NZ, the public domain may include newsprint and broadcast media, such as newspapers, magazines, television, and radio, entertainment media, such as film, and the internet. The public

domain also encompasses the myriad private conversations and meetings, reports, public documents, and internet blogs where various discourses, or ways of framing issues, are circulated and accepted; and, ultimately, used to guide decisions about, and treatment of, prisoners. Those acting in the public domain include academics, politicians, members of the judiciary, lobby groups, such as the Howard League for Penal Reform and the Sensible Sentencing Trust, and Department of Corrections' administrators and staff, as well as members of the general public. Analyses from academics will be discussed first, to separate analysis material from the subject of analysis.

Millibank's analysis brings attention to the fact that in addition to receiving a sentence of incarceration for a crime they have committed, women in prison may be further punished due to stereotypes in circulation through the media, television and movies (Millibank, 2004). Overseas, media images have been reported as depicting women prisoners as "expendable", "evil", "women gone bad", "not really 'women'", and "incapable of change" (Singer et al., 1995, p. 103). Discourses about women prisoners that have prominence may be that they are "aggressive lesbians" (Farr as cited in Millibank, 2004, p. 157).

This phenomena also seems prevalent in Aotearoa NZ, as Rosemary McLeod (2006), a well-known journalist, writes that women prisoners "might not mind being called lesbians". An effect of this construction might be a devalued and

masculinised representation of femininity for this group. Other stereotypes may be that they are promiscuous, manipulative and dangerous, as depicted in the BBC *Bad Girls* television series. Millibank (2004) has observed, "It is noteworthy that the fictional genre of women in prison itself grew out of, and subsequently influenced, material conditions in women's prisons" (p. 160). Such material conditions may include high security, minimal privileges, and stereotyped notions of what such women "need". Of interest is whether fiction has influenced conditions here in Aotearoa NZ women's prisons, in terms of the conditions of buildings, attitudes of staff, privileges, and punishments. Such conditions will be explored through analysing the discourses used by prisoners when discussing their prison experiences.

Stereotyped images of prisoners promoted by the media may cause the public to have little understanding or knowledge of the realities or complexities of prisoners' lives (Sloop as cited in O'Connor, 2003; Surette as cited in Cecil, 2006). Nevertheless, such images may have considerable influence on the subjective experience of women prisoners, and influence both the material conditions and the social context. For example, Pogrebin and Dodge (2001) observe that women prisoners are punished more often for minor misdemeanours compared with male prisoners. Policy makers, management and staff may draw on these discourses to frame their treatment of young women prisoners. Such framings may affect social norms and the relationships between staff and prisoners, the attitudes of prisoners, and possibly their

identification with a criminal subculture, thereby impeding rehabilitation efforts.

Here in Aotearoa NZ, scholars have noted that the dominant discourses adopted by lay people have, of recent times, had significant impacts upon legal processes and prison conditions (Pratt & Clark, 2005). Of note is the growing dominance of punitive discourses that have held sway since the 1990s. The public, fed by media sources, have talked about crime as if it were increasing when in fact it is stabilising (Pratt & Clark, 2005). This has been reinforced by the media focus on violent offences which heightened public desire for vengeance towards the offender (Pratt, 1992).

Harsh sentences have begun to be talked about as if they were a way of showing respect to victims, as a result of lobbying by victims' advocate Norm Withers and by Garth McVicar of the Sensible Sentencing Trust (Pratt & Clark, 2005). Whilst academics and criminal justice officials speak of the difficulties prisoners experience once released and the contextual factors which led to offending in the first place, such views are not readily accepted by the general public. Some commentators have complained that people in "ivory towers", who promote such views, are not listening to the views of the Aotearoa NZ public (for example, see Coddington, 2008; and for a critique of this, Gordon, 2007). Thus, calls for tougher sentences, harsh prison conditions and limited

parole provisions have become the norm (Pratt & Clark, 2005). With the public desire for revenge and retribution comes the pressure on governments to restrict funds spent on prisoners and provide the bare minimum standards of rehabilitation and care (see, for example, Aotearoa NZ Press Association [NZPA], 2006; Cheyne et al., 2005).

Some scholars in Aotearoa NZ have further theorized the impact of how young people are constructed in the media, and how this may affect policy made concerning them. This is also relevant to the discussion of how young prisoners may be constructed, and the effects of these. For example, Fiona Beals, who investigated government, academic and media texts dealing with deviant youth, observed that young people in general are constructed as "not quite human" (as cited in Anonymous, 2008c). In the public mind, they do not exist in the present, as all interventions, including school, are designed to have an effect on their future productivity or economic usefulness. Such a view is echoed by other scholars, who observe that discourses construct young people as "deficient . . . as adults in the making . . . only of value because of the adults they will become" (Wyn & Harris, 2004, p. 276). This view leads government officials to make policies that are aimed at controlling and shaping young people's development, while they fail to consult young people on matters that affect them (Beals, 2006).

It appears then that other scholars have observed the impact of the way prisoners, women and young people are portrayed in the media. Of interest to this study are what discourses circulate outside the prison system and which ones dominate within the prison. The following discussion will therefore be divided into two sections: 'Outside perceptions', investigating discourses circulating in wider society; and 'Behind prison bars', which considers discourses circulating within the prison.

Outside perceptions

Prisoners-as-scumbags-and-low-lifes[18]

In the 1960s, writers observed the cool reception ex-prisoners received from the community once released, almost as if they were dirty, polluted, and contaminated (Goffman, 1960; Klare, 1960). Such stigma would affect their relationships and opportunities for housing and jobs (Goffman, 1961). From this, the loss of social position may make re-offending and re-imprisonment more likely, due to inability to be employed, housed and accepted in mainstream society (Foucault, 1979a).

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18 Headings in this section use hyphens when they are introducing a discourse used about prisoners, women, or youth.

Media articles, collected between 2006 and 2008 in Aotearoa NZ, citing politicians, and the articles in the "Opinion" column of *The Press* at that time indicate that similar discourses circulate in modern society. Terms used for those in prison by politicians include the then Minister of Justice, Hon. Phil Goff's word "scumbags" (NZPA, 2007a). This discourse gives the view that prisoners are worthless, since scumbags are dirty, useless and full of "scum" or waste product. Nothing can be done with them but to throw them away like a bag of rubbish. Another high profile politician, Minister of Corrections, the Hon. Damien O'Connor (2006) said, that prisoners were "stubborn and display poverty of mind and spirit" In other words, they spurn the chance for a better life and offending is a lifestyle choice. Due to a deliberate choice to offend, they need to "repay society". This discourse addresses the overall defectiveness of prisoners, who deliberately and obstinately choose not to conform to society's expectations, hence their need to pay the price.

Of note is the influential position each of these politicians has on matters to do with prisons and prisoners. Other people under their authority, such as chief executives, senior managers, and prison staff are likely to be influenced by the discourses circulated by them, and may adopt and circulate such discourses themselves. As an example, Corrections Chief Executive Barry Matthews said, "There is always the possibility of prisoners, for some real or imagined grievance, agitating and stirring up some of the other prisoners" (as cited in NZPA, 2007b). With these particular points of view, prisoners are constructed

as undeserving and unredeemable, and capable of making trouble for the sake of it. In addition, having a grievance implies a certain level of rights, hence the poignant statement "imagined grievance".

Several articles in the "Opinion" column of *The Press*, in Christchurch, indicate that many people in the wider public domain also consider any prisoner to be a "low-life" (Tanner, 2008), who needs to be "chucked in a bottomless pit" (Orchard, 2008). As such, they should be "subject to public revenge and outrage" (McLeod, 2008), or, in other words, harsh punishment, vilification, and rejection. As with the discourses used by politicians from the Ministry of Justice and Department of Corrections, these discourses convey a view of prisoners as worthless, as rubbish (to be thrown in a pit). In addition, there is an inferiority conveyed by these discourses, that somehow prisoners are less than human, not deserving of normal human rights, a notion echoed by Fiona Beal's analysis previously with regards to young people who are seen as a 'problem'. Michael Laws (2008), whose article is entitled, "Gang Rights are Silly Sophistry", summed up this view. Victims' advocates declare that "charity" (or kindness, compassion, and help) for prisoners is "misplaced", and, again, the implication is that prisoners deliberately choose a lazy life, characterised by a lack of discipline and hard work (Alexander, 2006). These comments are in keeping with those of the then Minister of Corrections, Damien O'Connor, as cited above.

As Minister of Justice in 2007, the Hon. Phil Goff, also declared that anything a prisoner says needs to be "taken with skepticism" (NZPA, 2007a). In other words, "never trust a prisoner; whatever they have to say is not worth listening to". Whilst these constructions are not made gender specific by the speakers, dominant discourses about prisoners including that they are untrustworthy, worthless, lazy, scumbag, and "low-life", may influence the position accorded to women prisoners within prisons. There may be additional discourses which incorporate a feminine and youth version of the generic male prisoner.

I will now discuss how women are constructed as feminine, in the past and in the present day, before turning to how women prisoners are constructed by the media.

Women-as-feminine

Traditionally, women have been expected to be the upholders of morality (for example, Duggan & Hunter, 2006; Klatch, 1987; Weiss & Rinear, 2001) in families and communities. Arguably, it may still be an unstated expectation, due to the "altruism and self-sacrifice associated with the female role" (Katch, 1987, p. 34). Such expectations are based on images of women as the "nurturing and emotional caregiver" (Allan, 2008, p. 107), with a "capacity for

unconditional emotional support" (Liebling, 1999, p. 160). The ideal, traditional, feminine woman is thus constructed as "fragile, submissive, emotionally and physically weak and vulnerable, helpless, powerless and in need of protection and care" (Allan, 2008, pp. 100-113).

While feminism and the presence of women in the paid work force challenge these essentialist notions of women, traditionally, ideals of femininity have centred on ideas of "docility, passivity, dependence and irrationality" (Klatch, 1987, p. 34). Modesty, moral sensitivity, emotionality, introspection (awareness of inner life), neurosis, and lack of dominance and aggression, are still considered to be female traits (Constantinople, 2005). Although these appear to be endearing, as they are passive and non-threatening, women who do engage in conflict with others may be constructed as drama queens, making something big out of something insignificant – seeking attention, and manipulating others through excessive dramatics and emotionality (Pollick, 2009). They also may be vilified for challenging these notions of femininity, as shown by the ways in which women prisoners are vilified in the media, as discussed below.

Women prisoners: Not real women

The existence of women who are prisoners and who have committed either serious crimes, or a large number of crimes, is, therefore, an anomaly. Not only have such women broken the law, they have violated a code of femininity

which requires care of others – the antithesis of crime, as crime could be seen as an activity of self-interest at the expense of others. Scholars have noted that crime is considered a masculine behaviour, so that when a woman commits an offence, she is "punished for the crime and for exceeding the bounds of gender appropriate behaviour" (Bishop & Frazier as cited in Jeffries, 2001, p. 8). The material and discursive effects of such violations of appropriate behaviour will, therefore, be explored in this section.

During 2006-2008, there were a small number of articles in the news media which featured women prisoners. I will first focus on an article about women in prison in general and then consider media depictions in articles written about two women who have been released after serving life sentences. The first article, "Pitbull Women – A New Breed", is by opinion columnist Rosemary McLeod (2006). McLeod writes, "female offenders have become increasingly vile." Vile is an interesting word to use to describe human beings as it conjures up images of uncleanness, as if women in prison are repellent and revolting. There is a sense that women prisoners are getting more and more repulsive and despicable, yet worthless and pathetic at the same time. McLeod notes that these women are "just a band of female thugs who have read too many comics". She concludes that Aotearoa NZ is lucky in that these "vile thugs" are "mostly locked up". Thug is a word that conveys images of toughness, masculinity, and may be used to describe heavy gangsters and ruffians. To use the word when discussing women, who have read too many comics, makes

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them a joke, women trying to be something they are not, women playing at being like men.

I will now examine two articles which discuss two women prisoners who served life sentences in Aotearoa NZ. I have chosen the two on the basis of the seriousness of the crimes for which they were convicted and the length of time spent in prison. The articles have drawn some interesting comment and debate in the public arena. In this subset of two, each has made considerable rehabilitative progress. One earned a university degree (*The Press,* 2008a), and one has been in stable work since release, has re-married and was involved in childbirth at the time the articles were written. It is important to note that the following discussion concerns the nature of media depictions and material effects, not the actual details of the legal case against the prisoners themselves.

Women-prisoners-as-agentic: She can help herself if she really wants to

In the first article, "Self-help Wins Release" (*The Press*, 2008a), the writer is focusing on a middle-aged Pakeha woman, convicted of inciting a young man to commit murder. The article notes that the woman lived a life of drug addiction and prostitution prior to her conviction. The title of the article is of interest as it draws on a level playing field discourse – a neoliberal notion of equality of opportunity (Cheyne et al., 2005). The discourse promotes the view that if women prisoners just tried hard enough and helped themselves, they

could live as law-abiding citizens and be able to "win" in the same way as those who do not break the law.

This is a contentious notion, however, as counter discourses to it are ignored. Such counter discourses may discuss disadvantages arising from increasing social inequalities in Aotearoa NZ (Cheyne et al., 2005), which some have suggested may contribute to offending. In particular, such inequalities include destructive cycles of poverty, drug abuse, and crime, as noted by other commentators in the media (Consedine, 2008; Gordon, 2008; Minto, 2007). Structural disadvantages due to gender are also ignored, including financial pressures in single motherhood, which may lead to poverty and desperate measures (Bloom & Covington as cited in Poels, 2005; Pollack, 2000). An analysis of powerlessness, as manifest in domestic victimisation, including abuse from parents and/or intimate partners (Kalder, Inkster, & Britt as cited in Poels, 2005), is also missing.

Another discourse of interest in the article is the focus on the woman prisoner's university studies. The fact that a woman prisoner earning a degree is newsworthy indicates a strong dominant public discourse about prisoners: the unlikeliness of a prisoner giving up a life of crime and pursuing academic studies. This woman is notable because self-help and self-improvement, coupled with desire to make a positive contribution to society, are the

antithesis of the dominant discourse of lazy, low-life, scumbag prisoner, widely circulating in the media. Those who offend and fail to pursue self-improvement may be seen as defective in Aotearoa NZ's modern neoliberal meritocracy, and, hence, deserving of punishment. Thus the title "Self-help Wins Release" taps into the competitive meritocracy of winning as a result of hard work. It also may relate to Western competitiveness, self-maximisation, and individualism (Lal, 2002).

There are some tensions inherent in discourses about this woman's prospective release, academic achievements, and victory over her addictions. Other media sources discuss the outrage felt by her victim's family prior to her parole hearing (*Timaru Herald*, 2006). Such outrage suggests that for them, and for other victims of crime, the degree of suffering experienced by the prisoner must be profound, must be prolonged, with forgiveness impossible. It is possible that some members of the general public are not interested in the fact that she is working towards moving away from criminal activities. No matter what she does, she may be considered unworthy by such people. To them, her very presence in the community appears to rekindles their anger.

It seems that the implication of this discourse is that the parole board that is considering her release is incompetent and insensitive. This suggests an intractable binary about prisoners and offending in modern public discourse:

those who do not want to make the offender continue to suffer are seen as caring more about criminals than victims, thereby sanctioning grave injustice and demonstrating incompetence. One implication of this binary is that some staff working with prisoners may find it difficult to treat a prisoner with due regard. This may impact on the types of care staff are able to deliver within the prison setting, which will be explored in the next section of this chapter, "Behind prison bars". Ways of looking at the goals of modern punishment, including retributive, utilitarian and rehabilitative, were traversed in Chapter Two.

I will now turn to the next article, which focuses on a Maori woman released from prison some years earlier. Captions included, "Delcelia's Killer has Another Daughter" (Martin, 2008a), and, "Woman who Tortured Baby Gives Birth Again" (NZPA, 2008). In these articles, the woman prisoner is constructed as callous, a cold-blooded and sexually perverted child killer. Efforts are made by the writers to incite disgust by sentences such as, "Evidence presented at trial showed she had kept notes about her sexual gratification even as her child suffered" (Martin, 2008a; NZPA, 2008). It is also noted that the woman suffered domestic violence at the hands of her co-accused. Nevertheless, this issue is not explored and appears to be overshadowed in the articles by the revelation that the woman kept sex notes.

It appears from these articles that two issues have been collapsed together in public discourses as a result of the conviction: the criminal neglect issue that the prisoner did not get help for her daughter; and the personal issue that she was sexually stimulated by her partner. While not in any way minimising the tragedy and horror of the child's suffering and death, it appears there are issues that this representation obscures. Firstly, it does not consider the difficulties in leaving a violent partner. Violent partners may threaten to kill those who leave them, or threaten to hurt or kill family or friends.

Secondly, the representation fails to consider the political and structural issues occurring at the time. The conviction occurred in 1991, the same year that benefit levels, including the Domestic Purposes Benefit available to women living alone with their children, were drastically reduced (Cheyne et al., 2005). Such dramatic reductions in income and circumstance may have added significant stress and reduced options for many families at this time. Despite this, the way the media articles cover the story does not take these factors into account. Instead, the portrayal of the woman is of a perverted, disgusting and callous woman who stayed with her abusive partner for the exciting sex. Such constructions have a salacious "bad girl" flavour which contrasts with, and challenges, traditional femininities discussed earlier in the chapter.

In terms of public portrayals of women prisoners, it seems that there is an unwillingness to engage less dominant discourses around the circumstances of offending, which would enable a level of understanding of women offenders as complex yet fallible human beings as all human beings are. Zimbardo and his colleagues (1999), as a result of their Stanford Prison Experiment in 1971, observed that good ordinary people do bad things when placed in extremely negative circumstances. Nevertheless, whilst some researchers have challenged dominant discourses of disgusting and perverted women prisoners (for example, Chesney-Lind & Irwin, 2008; O'Brien, 2001; Worrall, 2004), few challenges to this representation appear in the mass media.

Sentiments of public horror and outrage are further incited towards this woman as the article concludes, "She left prison in the back of a chauffeur-driven stretch limousine" (Martin, 2008a). Those who consider any prisoner, especially one who is convicted of child abuse, to be a scumbag low-life (as discussed earlier in the chapter) will take issue with this as limousines are generally reserved for heroes, for celebrities, and the wealthy. A possible intention or effect of this discourse is to stimulate further public vilification and rejection, thus serving to put the woman back in her (lowly) place amongst the dregs of society. The fact that she has managed to keep stable employment, marry, and stay away from crime in such a hostile community is truly remarkable, yet never remarked upon. Whilst recovery of her life from domestic violence, loss of a child, and a lengthy prison sentence is indeed

heroic, she, and other women prisoners like her, remain demeaned and despised figures in discourses circulating in the media.

Women-prisoners-as-dogs

Prior to the publication of the articles discussed above, women prisoners were already demeaned and despised in the media. In the article discussed earlier, "Pitbull Women – A New Breed", McLeod uses canine imagery, reducing and dehumanising the subjects in question, women prisoners, to the status of dogs. The women's prison is called a "kennel" and women prisoners are discussed as the pitbulls who are in charge of it. It is interesting that whilst male or generic prisoners are reduced to "lazy low-lifes", which at least are still human, women prisoners are subject to an even more degrading construction as an animal – a dog. This seems to be an ancient way of demeaning and denigrating women, as shown by the use of the word "bitch" and "dog" to demean women and imply unfavourable characteristics, such as ugliness or nastiness.

Returning to McLeod's article, the view her portrayal promotes is that criminalised women are getting worse, more vile and more animal-like, and, as such, this downward trend for women prisoners must be stopped or discouraged. This is an example of a moral panic about girls acting like boys (Pearce, 2004), which destabilises established gender roles, causes outrage,

and a desire for punishment by wider society. The effect of such moral panic may be to incite further desire on the part of policy makers, management and staff alike, to control and punish these deviant women who are out of control. Such desires may cause more punitive policies and treatment within prison, which may have implications for the type of self available for women prisoners. The type of self available may, in turn, have implications for interpersonal relationships between older and younger prisoners and, hence, have implications for the study of age-mixing.

I shall now turn to constructions of young women offenders and prisoners, and young people in general, as depicted in the media, before considering the discursive world behind prison bars, and age-mixing young women with adult prisoners in more detail.

Young-women-as-Barbie-bitches-and-cats

Media articles focusing on young women's deviance further continue to use dehumanising constructions of animal imagery – this time as "Barbie bitches" in the school yard who complain, are immature and catty. Such catty Barbie bitches are said to be defiant, engaging in premeditated violence being emotionally violent, and using others to gain or cement power pejoratively further reduce such girls to insect status: "queen bee" (*The Press*, 2008b). As

such, they are truly evil, as opposed to males who randomly "lash out" (*The World Today*, 2008).

Thus, girls who engage in anti-social acts are at the same time suggested to be powerful yet of low status, dangerous, as animal-insects to be squashed, or dog-cats to be controlled. Constructing young women who commit violent acts as animals may have a dehumanising effect – reducing a subject to an object. Once human status is stripped from a person, it is possible for others to ignore their inherent dignity and worth. Structural and gender inequalities which make power a problematic commodity for young women may also be ignored, with the focus remaining on their behaviour, instead of the environmental context.

In addition, young people may be constructed as irresponsible (McCrone, 2008) and a threat to community peace (Panelli, 2002). They are seen as likely to engage in dangerous and risky behaviour and in need of control (as analysed by Beals, 2006; Wyn & Harris, 2004). Young people have been described as "streetwise thugs" who terrorise innocent people (Mark, 2006). More recently, discourses about young people being coddled (Abramowitz, 2008), cosetted and cocooned (McCrone, 2008) have also been circulated. These discourses imply that lack of discipline in the home has led to irresponsible and disrespectful behaviour by young people.

What speakers of such discourses may not realise is that this way of framing younger generations has been used since 350BC to negate the parenting practices of the parents and the behaviour of the children of the current generation. Colin Espiner includes in his article a quote by the philosopher Aristotle, who in 350BC declared, "The youth of today are hot-tempered, fickle, idle, disobedient, headstrong and foolish. They ignore what their elders tell them" (as cited in Espiner, 2008a). It is this age-old discourse, promoting the need for increased discipline and control of wayward young people, that is enlisted by public speakers, such as the Leader of the National Party, Hon. John Key (cited in Espiner, 2008a, 2008c) and others, who promote the need for punitive treatment for young people who are out of control (Mark, 2006). This is coupled with the neoliberal emphasis on negative freedoms, or, in other words, freedom from interference and freedom to keep control of one's assets (Cheyne et al., 2005).

Young-women-as-a-public-menace

The ways young women's deviance is constructed in the media conveys even more anxiety about what is perceived as their increasingly uncontrollable behaviour. For example, young women offenders are constructed as a "public menace" (Judge John Wild as cited in *The Press*, 2007), "teenaged terrors", or "brazen and streetwise teenage girls responsible for an increasing share of the violent crime in Aotearoa NZ", and even "sexually experienced beyond their

years" (Becroft as cited in Thomas, 2005). Interestingly, few such statements about sexuality are made about male youth.

One possibility for the difference in treatment deemed suitable for young women compared to young men may stem from history. The eugenics movement in the 19th century led to a desire to control young women's sexuality, and, hence, large numbers of young women were incarcerated (Kennedy, 2008; McKenzie, 2004). Today, this discourse concerning young women's sexual practices still has a connection with the criminal justice system. Somehow, young women's "rampant" sexuality conveys criminal tendencies, violence and dangerousness. Perhaps it is this type of discourse that led to early academic studies focusing on women prisoners' sexuality, confusing family-like, mother-daughter-sister relationships with sexual roles (see, for example, Giallombardo, 1966; Ward & Kassebaum, 1965).

Overseas, young women as "violent girls" is a new category in British penal discourse, and such young women have been constructed as "troublesome" and "nasty little madams" (Worrall, 2004, p. 41). Such constructions are challenged by Worrall, however, as she notes that rather than becoming more violent, young women are "increasingly exposed to social contextual influences where violence is a risk" (p. 42).

Now that some of the images of women prisoners, young women prisoners, and youth that circulate in wider society have been discussed, it may be useful to consider constructions of women prisoners by staff and other prison administrators behind prison bars.

Behind prison bars

Women-prisoners-as-manipulative

One prominent discourse about prisoners enlisted by prison staff, echoes that of politicians (for example, the previous Minister of Justice, Hon. Phil Goff, see above), and concerns the trustworthiness and manipulativeness of prisoners (Tracy, 2004). This way of thinking is instilled in the training of all new prison staff, as a risk-aversive move to avoid officers bringing contraband for prisoners. Prisoners are described in this training manual as "the most unscrupulous and manipulative people in Aotearoa NZ" (Department of Corrections, 2007b).

Unfortunately, it is likely that women prisoners are constructed by staff as even more manipulative than their male counterparts, due to dominant notions about women. For example, a quick search on an internet blog indicates that 11 out of 13 people think women are more manipulative than

men (Anonymous, 2008b). An American research centre confirms this result by reporting that participants in a research study perceived women (52%) rather than men (26%), as more manipulative, a two-to-one margin (Pew Research Center, 2008). This popular stereotype of the manipulative woman may be magnified in the prison setting, especially due to institutional processes. Zimbardo, Maslach, and Haney (1999), describe processes whereby prison staff assume that all prisoners are manipulative and out "to pull the wool over" staff eyes. In Easteal's (1992) investigation into women's needs in prison, she states that it was important for her to contact prison staff in order to "substantiate the prisoners' perspective" (p. 1); this suggests that even though she was a researcher, she assumed prisoners would most likely lie to her.

Women-prisoners-as-demanding

Another discourse about women prisoners is that they are more demanding than male prisoners. During the 1990s, popular speaker Celia Lashlie became a well-known commentator on women prisoners. One discourse she adopted concerns the differences between men and women prisoners. Lashlie (1999) notes from her experience as a warden in men's and women's prisons, and a manager in a women's prison, that women prisoners are prone to "asking more questions than male prisoners". As such, women prisoners are seen to be insubordinate, as they refuse to know their place, and are "pests", since they hound staff for information.

This discourse of the difficult and demanding woman prisoner appears common amongst wider Department of Corrections' staff with whom I mixed during my research, and seemed especially so with respect to young women prisoners. The following is an excerpt from my journal written whilst I was in the data collection phase of my study:

An allied professional staff member told me at lunch today that she has worked with male youth and she finds young women harder to work with and more demanding than male youth in prison. They demand things immediately. She told me they are 'horrible'. Journal, December 5, 2006

It seemed clear from the ease with which she talked this way in the lunchroom that she is merely reflecting the usual way staff may speak about young women prisoners. Staff offices and lunchrooms across the institution might be filled with such talk. Ways of talking about women as being more demanding, harder to work with, and "horrible" appear to reflect common-sense wisdom.

Research overseas demonstrates a similar stigma, where young women prisoners are talked about by prison staff as "more difficult to work with" (Banes & Alder as cited in Chesney-Lind & Irwin, 2008, p. 170; Belknap et al.,

1997; Gaarder et al., 2004; Pollock, 1984), "criers, liars and manipulators" (Gaarder et al., 2004, p. 547), and "hysterical and verbally aggressive" (Alder as cited in Bloom & Covington, 2001, p. 9). In 1984, Pollock exclaimed that prison officers had a very good understanding of prisons because they constructed women prisoners as "emotional, temperamental, complaining, moody, quarrelsome, demanding and changeable" (p. 85). From this, the writer implies that if people construct women prisoners in anything other than these negative ways they must be naïve and lack understanding about prisoners. Curiously, such a way of talking is prevalent here in Aotearoa NZ as well. An internet blog response to an article I wrote in 2007 about the ways older women prisoners may support younger prisoners was dismissed as naïve self-fulfilling nonsense (Mitchell, 2008).

Cultural norms

Accepted notions about prisoners, once circulated, may then become part of a cultural norm, where prisoners are constructed and construct themselves a bothersome, annoying, worthless, manipulative, and in need of being ignored and dismissed, much as some may dismiss a demanding child. There seems to be a cultural norm where every prisoner is treated with suspicion and is rarely believed. Such norms may become a self-fulfilling reality, where prisoners begin to use manipulative methods to get what they need, as more direct methods are ineffective. They may become angry and demanding as a result of being ignored, as their powerless state prohibits them from doing most things they would do outside prison. Such things may be as normal as getting one's

mail, getting food, clothes, telephone calls, and organising one's day. The issue of phone calls is especially pressing for many women in prison as they may be desperate to speak with their children and/or their children's caregivers (Pogrebin & Dodge, 2001).

Effects of the discourse: Women-prisoners-as-manipulative-and-demanding

The stereotype of a manipulative and demanding woman may have far-reaching effects on prisoner-staff relations and prisoner well-being. It is not only custodial staff who adopt such discourses, health and welfare staff (such as, chaplains and social workers) may also adopt them (Sim, 2002). As documented by a number of writers (for example, Easteal, 1992; George, 2002; Pogrebin & Dodge, 2001; Sim, 2002), it is easy to undermine and dismiss a prisoner's concerns, feelings, and even health needs, which can result in negative health outcomes. Such undermining may at times have serious consequences (Pogrebin & Dodge, 2001), not just related to the prisoner's health, but to her children or other family members as well. Being unable to contact family and have visits from them may be especially damaging to the well-being of both the prisoner and her children. In addition, isolation and powerlessness may have a negative effect on mental health and overall functioning.

Furthermore, being positioned as manipulative, demanding and "horrible" restricts other types of being and subjective experience for young women prisoners. Such labelling is demeaning, and renders women prisoners powerless. Other ways of being, or other identities they try to adopt may be less viable and, as such, may be harder to bring off convincingly (Burr, 2003). Nevertheless, young women may exercise agency by using such constructions to their advantage, or by challenging them (Batchelor, 2005). As prisoners, however, they are prohibited from exercising agency in their lives directly. Any methods they use to attempt to have agency in their personal lives may be met with scorn and derision from staff, and they may be written-off as manipulative or as even "acting out" (Belknap et al., 1997).

Prisoners are also constructed as dishonest and unscrupulous, as discussed earlier in the chapter. There is a sense that prisoners are constantly trying to undermine the institution and conduct criminal activities. Given the pre-occupation with security, another result of such ways of depicting prisoners may be sanctions or mortifications that are justified on the grounds of maintaining this security (Goffman, 1961; Klare, 1960). As prisoners are assumed to be constantly trying to breach security, intrusive body cavity searches may be conducted (Pogrebin & Dodge, 2001). Non-contact visits with children, and monitored telephone calls and mail may add to these intrusive and humiliating practices.

In response to wider discourses in society, prison administrators may also be guided by public images of women prisoners who, as noted earlier, are catty-Barbie-bitches, who are callous, horrible teenaged terrors, who are a public menace. Women prisoners' concerns may not be taken seriously and their well-being may be neglected. Such neglect may have a further effect, as they may be given low priority when decisions are made about funding programs, services, or facilities.

Young-women-prisoners-as-not-a-priority

One example of the low priority given to women prisoners is demonstrated in the lack of funds directed towards programs and rehabilitation (Beals, 2004). This is particularly so in the Aotearoa NZ context where a recent neoliberal paradigm has led to funds being directed to where it is considered that there is the most value for money. In the case of prisons, funding is directed at those prisoners assessed as being of high risk of re-offending (Beals, 2004). Women are assessed as being of less risk, for a number of reasons, including more general discourses about women in society and an incredulity that women offend at all (Maxwell as cited in Steere, 2006). In addition, the assessment tool in prison is designed for men, and, hence, fails to capture issues such as spousal abuse and financial pressures, while issues for those who are mothers are not captured by such tools (Beals, 2004).

Other ways in which their low position is demonstrated in the government's and Department of Corrections' priority lists is the state of the buildings, especially at Arohata Prison and Christchurch Women's Prison. Prisoners who took part in the study spoke extensively about their dilapidated, pest infested and unclean environments. The new Auckland Region Women's Corrections Facility is seen as a paradise compared with the other prisons, although there are tensions inherent in providing pleasant surroundings in a building designed for punishment. Nevertheless, young male prisoners have been provided with new youth units, whereas young women prisoners have not.

Although recent neoliberal policy directions have exacerbated these problems, women prisoners were low priority well before this. In the late 1980s, few thought research about women prisoners was important. Such sentiments are summed up by Aotearoa NZ criminal justice academic Dr Greg Newbold (1989) where he writes, "the most important contemporary research into the social code of criminals comes from men's prisons" (p. 263). The fact that there is "little information" about women prisoners justifies continued absence of understanding and lack of priority.

Thus, in Aotearoa NZ historically and in the present, women prisoners have been "rendered invisible . . . not regarded as a cost-effective option worth the investment of the department's resources" (Beals, 2004, p. 239). A similar

situation is found overseas where even though numbers are larger than here in Aotearoa NZ, women prisoners are a low priority for funding (Bergesmann, 1989; Easteal, 1992; Gaarder et al., 2004), and their needs are assessed by procedures designed for males (Albrecht, 1995). There is an exception to this in Scotland, however, as a high number of suicides in women's prisons in the early 2000s led to a number of government inquiries (Dr A. Taylor, personal communication, September 9, 2008).

Young-Maori-women-prisoners-as-violent–gang- members

Gang membership adds yet another dimension to the ways young women prisoners may be constructed inside and outside prison walls. Many sources in the media agree that gang members are predominantly Maori (Laws, 2008; Sharples as cited in van Beynen, 2008; Taonui, 2007). This association with gang membership and being Maori leads to an image of Maori people as violent and criminal. From this, commentators such as Michael Laws (2008) call gang members "kiwi losers". People who have not "made it", people who are "down-and-outs". Worse, they are constructed as borrowing ideas from the "badlands and ghettoes of LA". Even their difference from mainstream society is not original but is copied from somewhere else, in this instance, Los Angeles. These discourses may contribute to stereotypical views of Maori in Aotearoa NZ, which may also lead to discrimination in areas such as employment and housing, and in social settings.

Department of Corrections' psychologists write that young Maori women are over-represented in the offender population (Poels, 2005). This appears to be an understatement, since as noted in Chapter Three, Part Three, the percentage of young women prisoners aged 14-19 years who identify as Maori was 76% in 1999, and 81% in 2003 (Department of Corrections, 1999, 2003a). Young Maori women are simultaneously constructed by these psychologists as more violent (Poels, 2005) and having higher needs than their Pakeha counterparts (King, 2005). Of interest is that their violence is seen as being gang-related (Department of Corrections, 2003b). With this construction, melded with images of young Maori gang members promoted by police as being "hungry for action and notoriety" (Goddard as cited in Welham, 2007) a complex picture emerges. Young Maori are seen as enjoying brutality (Corkery, 2008), are keen to be known for it and take pride in their ability to be dangerous and intimidating. Again, such constructions may have discriminatory effects as discussed above.

Ambivalent constructions: Young-women-prisoners-as-dangerous vs. young-women-prisoners-as-vulnerable

Intriguingly, the views that support the image of young Maori as dangerous contrasts sharply with discourses about young prisoners who actually are serving time in prison alongside adults; at least young male prisoners.

Examination of speeches made in 1999 from the then Minister of Corrections, and from a youth court judge, and information contained in Department of Corrections' documents show discourses of corruptibility a seem to only be in relation to young male prisoners. For example, Minister of Corrections, Hon. Clem Simich, at the opening of the new youth units for males, said in his speech that "it is vital . . . we get young [male] inmates away from the influence of hardened criminals" (as cited in Kinsella, 1999).

Such a construction implies that young male prisoners are vulnerable, malleable, and innocent. Principal Youth Court Judge Becroft noted at a conference in Toronto that young prisoners "are more vulnerable to provocation, duress or threatening behaviour" (Becroft & Thompson, 2006) in prison, or in other words, are unable to fight back and protect themselves. A fact sheet available on the Department of Corrections' website notes that young [male] prisoners are "vulnerable and easily led" (Department of Corrections, 2005a). Thus, from being violent young thugs (*Dominion Post*, 2006; Mark, 2006; Steere, 2006c) who are dangerous and streetwise, young male prisoners have become fragile, in need of protection.

Whilst adult women in prison are constructed as worthless, disgusting, perverted and animal-like in the media and by public figures, young women prisoners are not portrayed with the same vulnerability to the influences of

adult women prisoners as young male prisoners are in relation to adult male prisoners. For example, Laila Harre (2001), who was at the time Minister of Youth Affairs, writes that young women prisoners are less likely to be stood over or otherwise victimised in women's prisons. This echoes earlier anecdotal statements by the Department of Corrections (1998) that bullying and victimisation are less of a problem in women's prisons than in men's. Kathy Dunstall, from the Aotearoa NZ Howard League for Penal Reform, concedes in an article that "risks [to young prisoners] in women's prison [are] less" (as cited in Steward, 2007) [than the risks to young men in men's prisons]. Therefore, adult women prisoners are constructed as not as abusive as adult male prisoners.

Such contrasts between discourses that show less concern regarding mixing young women with adult women, and more concern about mixing young males with adult men, are of interest here. It is possible that dominant notions of women as naturally nurturing are evoked, despite wider discourses about women prisoners as being vile, manipulative, perverted, and animal-like. While in prison, administrators appear to begin to enlist discourses about the unnaturalness of women victimising others. There seems to be an assumption that there is less gang activity in women's prisons and fewer incidences of older prisoners standing over younger prisoners to bring in drugs (Harre, 2001). This assumption seems to be made despite evidence that drug

problems are significant in women's prisons (Moth & Hudson as cited in Taylor, 2008) and that there is a prevalence of brutal gang activity (McLeod, 2006).

Another discourse to add to the debate is the degree of negative influence young people are subject to from adults. Harre (2001) supports the construction that young male prisoners are negatively influenced by adult prisoners, but young women prisoners are not so negatively influenced by their adult female prisoner counterparts. In contrast to this, some research indicates that it is more likely that the young women prisoners are a negative influence on the adults, as opposed to adult prisoners influencing the young women negatively. For example, Collie and Polaschek's (2003) research into misconduct in women's prisons demonstrates that young women are involved in significantly more violence, alcohol and drug use, and disruptive/destructive incidents than adult women prisoners. Their study echoes research overseas that has also found that young people, in general, are more likely to be involved in institutional misconduct (for example, Harer & Langan as cited in Collie & Polaschek, 2003, p. 107). In another study, it was found that it was the violent behaviour of the younger women that was the problem in women's prisons (Pollock-Byrne as cited in Pogrebin & Dodge, 2001).

Thus, the discourse of adult prisoners being more hardened and more anti-social than younger prisoners also persists despite research which has found

that it is young people whose behaviour is more anti-social in prison. The reason for these discourses being drawn on, with regard to management of female youth in prison, can be explained by considering the purposes of framing women prisoners in certain ways. As noted by Wetherell and Potter (1992), certain discourses may be drawn on strategically to justify certain arrangements which otherwise may appear inequitable, especially in lieu of credible alternatives. Youth units have been set up for male youth, but not female youth in prison. The argument that it is not "economically viable" (Department of Corrections, 2008d) to provide a similar service for young women as young men receive appears thin and inhumane without also drawing on discourses of women as nurturers and protectors. In addition, public discourses remain silent on the source of negative influence: youth or adults.

Conclusion

Thus, while women are generally framed as emotional nurturers responsible for upholding morality, young women who are in trouble with the law are portrayed in the media and elsewhere as "thugs" who are a public menace. Women prisoners are portrayed as manipulative, demanding, and untrustworthy, yet young women prisoners are seen as relatively safe from danger and corruption in an age-mixed prison setting. This portrayal contrasts with constructions of young males in men's prisons, who are seen as at

significant risk of negative influence. At this point, without knowing how young women prisoners frame their own experiences of prison, policy makers will need to continue to, rightly or wrongly, draw on existing common sense (Wetherell & Potter, 1992), yet unproven, discourses about how women behave in prison. Chapter Eight will now explore how young women prisoners construct themselves and their age-mixing relationships.

Chapter 8

Young women prisoners: Self constructions

Introduction

This chapter will introduce the young women prisoners who participated in the study, and consider the ways they constructed themselves along the identity vectors of youth, femininity, criminality, and ethnicity, with a view of investigating the multiple subjectivities available in the prison setting. Of particular interest are the dominant subjectivities brought about by discourses in the prison context that may be limiting to and/or damaging to young women prisoners' well-being and quality of life. From here, ways of moving beyond constraining dominant subjectivities, with reference to feminist and decolonising frameworks (Tuhiwai-Smith, 2005), will be considered. Lather (2007) suggests that it is important to consider how participants "construct themselves in relation to the categories laid on them/demanded of them" (p. 40) as prisoners, as youth, and as women. I will consider how young women prisoners employ "practices of the self" (Foucault, 1997, p. 21), or, in other words, how they construct their identities from the cultural resources available to them (Davies, 1996) in their prison context. As such, the purpose is to improve the situation for these young women according to their perspectives of improvement, bearing in mind their life experiences so far and the length of their prison sentence. Most importantly, in keeping with decolonising

methodology (Tuhiwai-Smith, 2005), the chapter seeks to promote indigenous views of well-being alongside Western perspectives.

This part of the thesis introduces demographic and background information about participants and includes extracts from young women prisoners' transcripts. The reason for introducing demographic information here, and not in the methodology section, is to enable readers' understanding of participants to unfold, much like it might in an interpersonal relationship generally. I hope to guide readers towards feeling they have spent a day in the life of young women prisoners, to get a glimpse of their multiple subjectivities in order to reverse the cycle of dehumanisation and othering that may occur to criminalised women. As such, the aim is to contribute to consciousness-raising, to debunk myths, and to challenge unsaid, yet pervasive, stereotypes that limit how young women prisoners are talked about and treated. Thus, I first inform readers of demographic details, such as age and ethnicity, and then proceed to reveal information about background, upbringing, and current situations. This will be followed by introducing discourses identified in participants' transcripts that give a glimpse of dominant subjectivities in the prison context.

The participants: Demographics and background

During the data collection phase of my study, my colleague Ms Marcia Marriott and I interviewed 20 young women prisoners, aged 17-19 years, across the three Aotearoa NZ women's prisons, and had access to 13 complete personal files (with the permission of the women). The study was designed to interview women between the ages of 14-19 years (as discussed in Chapter One, Part Three), but at the time of interviewing, there were no women of that age group who were willing or available to participate in the study. This meant, as noted earlier, the final participant sample was smaller than I had hoped. My discursive strategy was to investigate the sorts of discourses that were used by participants and what these said about the prevailing social norms and power relations within women's prisons, not how many times or how many people used such discourses. As a brief description of the young women prisoners from their personal files, eight (67%) identified as Maori, three (23%) from a Pacific nation (or Pasifika) as well as Maori, and two as part-Maori, part-Pakeha (15%).

Pre-sentence reports showed that 12 out of the 13 women (who gave permission for me to view their files) were imprisoned for a violent offence, and of these, nine (75%) were under the influence of alcohol and/or drugs at the time of the violent offending. Furthermore, pre-sentence reports for 12 out of the 13 (92%) women showed that alcohol and/or drug dependence was an ongoing problem for them. These rates, albeit from a small sample, seem much higher than those in other jurisdictions. For example, a study in Idaho,

United States, notes that from 25-40% of violent crimes were committed when the offender was using drugs or alcohol at the time of the crime or just before committing it (Kifer, 2005). Similar findings have been found in Aotearoa NZ studies of adult women prisoners (Moth & Hudson, 1999; Taylor, 2008). Thus it appears that alcohol and drug dependence rates are much higher for young women prisoners than they are for adult women prisoners. This may have implications for young women prisoners' mental health, and their physical and emotional well-being, irrespective of age-mixing. Of interest is how substance abuse issues impact on cultural norms in the prison setting, and the implications these may have on age-mixing young women in prison.

Consideration of issues such as violence and drug addiction are important to this study of age-mixing young women in prison. That 12 out of the 13 women, whose files I consulted, had convictions for a violent offence, indicates that this is a particularly large proportion and may also have implications for the way the young women may construct themselves in prison. For example, violent responses to difficulties encountered are likely to be normalised in the context from which they came. The same percentage had a substance dependency issue prior to sentencing, suggesting a strong link between violence, drug use and imprisonment, and normalisation of substance dependency (see Goldingay, 2008) for young women prisoners.

Whilst the above information is from participants' personal files, face-to-face discussions gave slightly different figures regarding ethnicity. Out of the 20 women participants who were interviewed, 12 identified as Maori alone (60%), four identified as Maori and from a Pacific nation (20%), one identified as both Maori and Pakeha (5%). The remaining two included one who identified as European (Pakeha) and one who was from an overseas country. It is interesting that at least one participant told authorities upon reception into prison that she identified as Pakeha, even though she identified as Maori when she met with me four months later. This may suggest an acceptance of Maori identity in the prison, which may not be present in wider mainstream society.

With respect to age, out of the group of 20, three young women were 17 years of age, 10 were 18, and the remaining seven were 19 years of age. Although there were none in the 14 to 16 years age group, one had entered at 14 years of age and had already spent five years in prison. Two had spent over three years in prison, whilst one had spent less than one month. The remainder had spent between four months and three years in prison.

Returning to information from 13 of the participants' personal files, Community Probation pre-sentence reports discussed the young women's situations prior to this prison sentence. Such reports showed that two had been in foster care, and six had served time in youth justice facilities. A number

of reports described difficult family situations: five had fathers who were gang members, four reported being a victim of sexual abuse or rape during their young lives (although it was unclear at what age this had occurred), and six had a history of child protection service involvement. Five young women in this sample of 13 were reported to have mental health disabilities. Three young women had engaged in sex work to support themselves and to obtain drugs; two before their 15th birthday (12 years and 14 years respectively). At the time of interviewing, three young women were pregnant and five already had a child, including one who had two children. I will now turn to how these young women constructed themselves and how they engaged in practices of the self.

Practices of the self

> The subject constitutes himself (*sic*) in an active fashion, by the practices of self, these practices are nevertheless not something that the individual invents by himself *(sic)*. They are patterns that he *(sic)* finds in his culture and which are proposed, suggested and imposed on him by his culture, his society and his social group. (Foucault, 1997, p. 291)

This section of the chapter will explore the concrete aspects and materiality of the daily lives of young women prisoners as a result of the discourses (and hence power relations) circulating amongst them. The aim is to consider how young women construct themselves and each other, what types of identities they may adopt, and to what effect in terms of materiality and subjective

experience. The next two sections will then consider the ways in which the young women construct their relationships with adults, what the cultural norms are, what identities age-mixing makes available, and what the costs and benefits of these may be. The discussion will go on to consider what wider discourses these identities reflect, and what discourses are unique to prison culture. Issues of concern to women prisoners will also be identified. From there, it is hoped that strategies to improve the material conditions and subjective experience of women prisoners can emerge, especially in regards to what, if any, form of contact young prisoners should have with adult prisoners. Such strategies will be in line with feminist aims to improve the situation for the young women, and decolonising aims to include indigenous notions of "best interests".

Foucault's quotation (see above) sums up one of the key ideas of post-structuralism as discussed in Chapter Three: the notion of a fragmented, non-unitary and shifting self that is constructed from the discourses available in the cultures in which people live. Such socially constructed understandings challenge the long-held humanist assumption that our words are a transparent medium to our inner world and that our personality is fixed and coherent (Burr, 2003). Instead, the social world and people's place in it are seen as far more interdependent, and each person could be considered a medium through which cultural and discursive practices can be discerned (Davies, 1996; Gergen, 1992). As such, according to this view, people in all social situations, including

participants in this study, construct, and are constructed by, the discourses in the society that enable certain identities to be available and lived (Allen, 2008; Burr, 2003).

Such a notion is contentious as it "throws the whole project of mainstream psychology into question" (Burr 2003, p. 178). As noted in Chapters Three and Four, generally in Western society, personality and other facets of people's psyche, including cognitive abilities, are seen to be fixed. Nevertheless, it is my argument that personality, cognitive ability, and behaviour are context-related. This notion also gives rise to the notion of agency, since if a criminalised person's social environment is altered, there is the possibility that their offending behaviour may alter as well. Nevertheless, there are areas of biological determinism and heredity that are not taken into account in this explanation. This will be discussed further in Chapter Ten.

Despite the limitations, feminist scholars have increasingly embraced this view for a number of reasons that are similar to my own. Firstly, it opens up the possibility of activism (Kvale, 1992), because it provides a means of understanding power relations as a function of discourse. From this it is possible to "identify areas and strategies for change" (Weedon as cited in Gavey, 1989, p. 460). As discursive practices are a "constant site of struggle over power" (Weedon as cited in Allan, 2008, p. 16), power relations can be

altered through the discursive construction of what is defined as truth or common sense.

It may be important to consider the impact of the prison as an institution on the narratives prisoners offer during the analysis phase (Waldram, 2008). Understanding what cultural norms are predominant (Butler as cited in Davies, 1996) in that setting may enable an understanding of what sort of self is valued, and why. It may enable an understanding of any dominant subjectivities, and possible effects of these on young women prisoners' well-being. Both these discursive approaches are important in order to understand the complex and dynamic forces impacting on women prisoners and to explore some of the ways forward in terms of moving beyond any limiting dominant subjectivities that may occur as a result of the discursive formations present in that setting. Using the two approaches, Foucauldian discourse analysis and discursive psychology, in tandem means being able to counterbalance some of the limitations of each approach (Burr, 2003; Willig, 2001).

It is now time to introduce the analysis of young women prisoners' texts about themselves. As discussed in Chapter Six, names have been changed to protect the identity of participants, and names have been drawn out of a list of Maori and Pacific baby names from the internet in proportion to the numbers of that particular ethnicity in the sample. To further protect participants' identity,

ethnic names do not necessarily match the actual ethnicity of the speaker. Rather they are used to convey a sense of the proportion of that ethnicity in the sample.

Young women participants as prisoners

Young-prisoners-as-incorrigible-misfits-who-should-have- known-better

Young women prisoners enlisted a number of discourses in their constructions of themselves as prisoners. Some focused on blame and fault: young people knowingly and wilfully breaking the law and in need of punishment, not help. As such, they construct each other as needing to be "fixed", as having things wrong with them that need to be corrected. For example, Marika, Ana, and Jessica, in the following excerpts, adopt a punishment and blame discourse, constructing themselves as incorrigible and deserving of punishment. This discourse speaks of young women who wilfully did the wrong thing, who knew that what they were doing would lead to prison, and who wanted to be in prison. As such, they "deserve all they get":

Like everyone in here got themselves into the shit, and they shouldn't of. (Marika)

I'm not going to be here to help them, they're here cos they wanted it, that's what you get, you know. (Ana)

They commit the crimes, they know where they're going, they know

where they'll find themselves, and this is what you get when you . .

you know . . . (Jessica)

Of interest is that such statements are in the third person, referring to others, not the self. Those others referred to do not deserve help, since they have brought the situation on themselves. This notion may have arisen from a number of sources in the discursive environment in which young women prisoners are located. Firstly, it may relate to neoliberal notions of self-responsibility, which have been prominent in the 1990s and early 21st century. Thus, those who knowingly and willing fail to make the "right" choice are "discursively constituted as fully responsible for management of the self in the myriad competitive, choice-making activities that make up life under neo-liberal governance" (Davies, 2007, p. 7). Secondly, it may relate to a notion of self-discipline referred to by Foucault (1979a) as the assumption that everyone has internalised the disciplinary practices and must be wholly defective if they have not. Thus, when referring to the self, it is again at a distance; for example, rather than saying, "I've got myself to blame", Renata observes that "you've only got yourself to blame":

I suppose it's just each person's fault, you know, for being in here . .

you've only got yourself to blame in here. (Renata)

Thinking of other prisoners as blameworthy and in need of punishment creates a position where unfavourable treatment of any sort can be justified. Thus, it may have an unfavourable concrete outcome or material effect. Examples of these unfavourable, unpleasant, or damaging material effects abound in participants' discussions, as some crimes are viewed as more blameworthy than others. For example, Mele alludes to the fact that those who have convictions for child abuse may well be less safe in prison:

The safety for people in here is women that are mean to their kids,

that are bashing their kids, that are in here for bashing their kids

and stuff, they're always . . . you know, we get . . . (Mele)

Mele has adjusted her speech to suit the interview, showing her understanding of what constitutes acceptable social norms in prison are likely to be different from other contexts. She has failed to spell out the details of how "we get", although the meaning is alluded to, given the context of her discussion of the safety of those with such convictions. Should the interviewer challenge or question further, she has the choice of diluting the impact of her words to make them sound more acceptable.

Jessica echoes the cultural norm which has the effect of making those convicted of crimes against children unsafe:

Yeah . . things happen in prison . . They doesn't happen for no reason . . there's always a reason why things happen, you know, but, yeah . . [Int: What do you think those reasons are?] Like, for instance, there's a girl here and, um, she's in here for harming her baby . . things like that . . There's always a reason why things happen to her, like crime related . . cos we got kids ourselves. (Jessica)

Jessica's identification of the mother identity here enables her to justify the "things" that happen to certain prisoners who have committed offences against children; victimising, violent things that happen to other prisoners, which she appears to be involved in. It seems universal in prison that those who offend against children are persecuted, thereby becoming scapegoats and targets for other prisoners (Tie & Waugh, 2001). It is likely that discourses that support such vilification can lead to a considerable lack of safety for such prisoners. This raises the issue of violence and safety in women's prisons, and indicates that those targeted may be victimised due to their crime, not their age.

Discourses of deterrence

It is noteworthy that prisoners also discussed a need for "tough love" or some pain in order to put them off returning to prison. Samantha and Renata enlisted deterrence discourses about themselves and other young prisoners, discourses that hold that harsh consequences will make them and others desist from offending, and, as such, are a natural response to wilful and lawless behaviour in the young.

Yeah, you know, and, um, I think that pushing us, getting us into the hard stuff would teach us, and then they don't wanna come back, because what they have to come back to? (Samantha)

Cos they, like coming back to jail, cos it's just a laid back place where the jail aren't making it tough enough. (Renata)

Again, participants refer to other prisoners, not themselves: note the prevalence of the word "they" as opposed to "we" or "I" in the second quote, suggesting a rhetorical distancing from the topic. In addition, both Samantha and Renata refer to the authorities needing to make prison tough. It is not the role of other prisoners to do this. Nevertheless, it seems that it is the prisoners' job to provide retribution to the most heinous offenders, but prison administrators' responsibility to provide deterrence mechanisms, in a similar

way to parents who provide deterrence to their children for miscreant behaviour.

It is understandable that young prisoners enlist these discourses since, as discussed in Chapter Seven, it is also dominant in Aotearoa NZ society at large.

Young-prisoners-as-hapless-victims

Another discourse enlisted by participants, which seems rational but remains simplistic and unable to account for why some people offend and some do not, is the discourse of young prisoners as hapless victims of their incompetent and deficient families. Despite enlisting discourses of blame and culpability about other prisoners, the same participants enlisted the following, more charitable statements when talking about the self. Here, discourses construct their self part of a dysfunctional system that led them into prison, as Marika and Kura suggest:

> *I wouldn't be in the position I'm in if they'd [family] just give me a little bit of support. (Marika)*

> *Dad's alright, he's just fine, but he's the reason I came back in here, it was violence, you know, it just never stops. (Kura)*

The effect of this discourse is twofold. Firstly, it mobilises a view of offending which does not focus directly on the wilful lawlessness and rational choices that are often implied by the media and in politicians' responses to crime by young people. Instead, young offenders are seen in this discourse as hapless victims: they do not choose the family they are born to, yet it is they who suffer the consequences in terms of the punishment they receive. They are blank slates, soaking up the dysfunctional culture into which they are born. The culture is to blame, not the young person.

The second effect of this discourse is that by constructing young prisoners as victims, not choosing or being responsible and blameworthy, a compassionate, understanding and helpful approach is invited, not punishment. This tension between "self to blame" and "self not to blame" persists through all the young women's transcripts and appears to be used strategically to justify something bad happening to the self or others, or to appeal for help and treatment. Nevertheless, very few participants enlisted the hapless victim discourse about other prisoners; it was reserved only for the self, just as the retributive discourse was never applied to the self, but applied to other prisoners. This is a natural consequence of the human desire to be seen in a positive light, to receive understanding, not judgement, from others (Wetherell & Potter, 1992).

Young-prisoners-as-down-and-outs

The same prisoners who drew on discourses about themselves as hapless, and their prison friends as culpable, also drew on discourses that constructed them as deficient in skills and opportunities. Some prisoners discussed how their crime was just for survival and how they saw themselves as having no other options until the "system" taught them legitimate skills that they could use in the labour market. Young women prisoners constructed themselves as unable to be economically self-sufficient without crime, and lacking the agency or willingness to come up with alternatives without crime. As Marika and Renata's words indicate, this discourse holds the justice system responsible for fixing the problem for them:

They often just think of us as crims . but it's just survival, you know . that's why they're down and out, and car thefts and everything. (Marika)

Sometimes a living, you know, the crimes we did, it's just a living and, you know, jail can teach you better from that living if they give us, support us in that way, like, give us, teach us, schooling and all that, all the things that some of us never had on the outside . . we should be treated better. (Renata)

The effect of this discourse is an expectation that prison courses and programs will enable a young person to turn away from a life of crime. Unfortunately, as research suggests, even with courses and skill development in prison, the impact of that first prison sentence is usually another prison sentence (Zampese, 1997), as Moana confirms:

And some of my mates that I've met here, that were in here before me, had been in and out three time, four times. (Moana)

Numerous discourses are used by prisoners to account for this revolving door of repeat imprisonment episodes. Hine enlists the following discourse that centres on the dependency created by imprisonment and skill reduction as a result of the prison sentence:

That's why people like coming back to jail, cos there's nothing to do, and when they get out there, they won't know how to live, because everyone thinks it's free in here, except your smokes, but what I mean is everything is free, and they rely on that when they get out there. (Hine)

A second discourse concerning repeat imprisonment frames young women prisoners' return to prison as a result of their access in prison to a measure of power and status with little effort, which is not available on the outside:

That's why they come back to jail, straight up, cos they love it, cos

it's they do nothing but laze around (laughs), beat up new people

that come in (laughs). (Renata)

A third and rather disturbing discourse expressed by Miria positions young women as choosing to re-offend and, hence, come back to jail because they feel accepted in jail, whereas they do not have social support or acceptance in the community:

You know, a lot of people ask other people who keep coming to

jail all the time, "Why do you keep coming to jail, you know, why

can't you stay out of jail?" You know, a lot of women come to jail

because they feel nice . . . . jail, I know that's upsetting to say but .

. . [Int: Why would it be upsetting?] Because they should have that

thing, that family on the outside, as well as the inside. [] They

should have that support, regardless of what they've done, where

they've been. They should all have that tautuku[19] no matter what.

(Miria)

---

19 Tautuku is a Maori word for support.

As Miria observes, her statement is upsetting, as there should be support for young people in the community, and this seems to be lacking. The suggestion here is that the only place young women prisoners feel supported and accepted is in prison. These discourses construct a hopeless situation for these young women prisoners. Once imprisoned, the only viable identity is a criminal one, and the only source of social and financial support appears to be in the criminal community – in prison. Prisoners' construction of outside free society is that it is hostile and unaccepting. They see it as failing to provide opportunities for young women who have been involved in crime to develop non-criminal skills that could help them earn a living wage. These discourses sit alongside the paradoxical discourse that the prison system should provide the means for prisoners to gain acceptance from society by developing relationship management and academic skills. With respect to deterrence, the discourse that harsh punishment may cause them to develop a viable alternative lifestyle for themselves, and earn the acceptance and economic self-sufficiency in the community that they crave, seems particularly unrealistic.

One reason for this paradox of discourses failing to reflect reality may be because they locate the problem of offending in the individual prisoner. This is in line with predominant Western legal and political discourses, which see each person "as a rational and self-determining entity" (Cheyne et al., 2005, p. 140). Such discourses, however, may obscure the wider issues of socio-structural

disadvantage, racism, and stigma associated with being young, Polynesian, and female with a criminal record. Unfortunately, it is unlikely that helping a young woman to develop marketable skills will completely dissipate the damaging effect of having been in prison, or the other stigmas she may face. As discussed in Chapter Seven, discourses in the public domain may often frame prisoners as "worthless scumbags and low-lifes".

In addition, a prison sentence is likely to weaken and possibly break family and community bonds, not build them, leaving the prisoner even more alienated and alone. High profile retributive discourses may have the material effect of lowering levels of support from family and community. It may well be that the only source of belonging and acceptance for these young women is to be found in jail. This issue will be developed later in the chapter.

It appears from some discourses enlisted by participants that ex-prisoners encounter a similar social exclusion to that experienced by those who have mental health disabilities – a stigma the government is trying to counteract with public awareness campaigns (for example the *Like Minds, Like Mine* program run by the Mental Health Foundation). Unfortunately, the government is not making efforts to counteract the stigma of imprisonment. In some ways some politicians, such as the Hon. Phil Goff (now Leader of the opposition Labour Party), who, in the past, has called prisoners "scumbags",

exacerbate the stigma. Being labelled a "scumbag criminal" for the rest of one's life may bring about a particularly unpleasant feeling.

One prisoner participant in this study, Ana, refused to accept the dominant discourse amongst participants that once a prisoner, always a prisoner, as she explains a frequent conversation she has with other prisoners:

And every time I say, when I tell them, "Oh, this is my first and my last time," and they're like, "No no, that's what I said, that's what I said, but you'll be back". [] But that's right, aye? People are different, aye? (Ana)

This young woman's discourse is a plaintive request for the ability to adopt an identity that is more than just as a prisoner or criminal. She is making the effort in her words to adopt another position, a position of difference to the identity adopted by her prison friends. Other prisoners have tried hard to construct themselves and her as hapless victims of the criminalisation process, but she appeals to the interviewer for confirmation that such a process does not have an inevitable outcome. It is possible that other prisoners may adopt the criminalisation discourse to bring about the effect of increasing their sense of solidarity with each other and against society (Pogrebin & Dodge, 2001). If it

happens to all of them, then the fault lies in the free world where acceptance, belonging, and opportunity are lacking. Thus, it is the mainstream law abiding society that must be shunned and rejected, before it shuns and rejects them.

Young-prisoners-as-in-need-of-adult prisoners

Whilst considering the issue of solidarity amongst prisoners, another notable discourse enlisted by prisoners (although there were exceptions) was one that constructed adult prisoners as superior to non-prisoner adults. Prisoner adults were constructed as genuine, understanding, and effective guides and supports to young prisoners still trying to find their way. For example, Samantha observes:

> *And there's a lot of people who you can trust in here, and I know*
>
> *that how long I've known them for, they haven't lied once . . and,*
>
> *like, one of the adults in here . . she's like . . she wanted to adopt*
>
> *me . . . like, as her daughter. [] Ever since I got into this prison,*
>
> *she's been 100%, even when I've stuffed up, gone to the pound,*
>
> *you know, she's not stopped talking to me, she still tells me right*
>
> *from wrong, you know. (Kura)*

The trustworthiness of adult prisoners and their capacities for giving unconditional emotional support are rarely talked about in a positive sense in public spaces. Ability to teach right from wrong and provide positive moral guidance is also not a discourse often used about prisoners in policy documents and the media. Yet, a number of young women prisoners, including Huia and Pania, adopted this discourse to account for their appreciation and respect for adult prisoners, as shown below:

It's a privilege to be in a wing with older women, cos they can give

us their wisdom, you know, you learn from them, you learn from

the mistakes you make, they've got a lot of knowledge. (Huia)

These accounts construct young prisoners as in need of what adult prisoners have to offer: understanding, protection, and guidance. The guidance is constructed as relevant, helpful, and pro-social – learning from mistakes and fostering respect for others. The discourse of respecting elders will be discussed in more depth in Chapter Nine which explores young women's ethnic identities. In the meantime, discussion will now turn to how young prisoners construct themselves as young and what this means in terms of needs, positionings, experiences of the self, and material effects.

Young- prisoners-as-young-people

    Young-people-as-needing-help-and-support-from-those-to-whom-they-

can-relate

As noted above, young prisoners construct themselves as in need of adults, with a preference for proximity to adult prisoners. Young women prisoners are quite explicit about their needs and how older prisoners meet these, as shown by Lani

Cos one lady has helped me out, and I sort of see her as a second mum, and yeah . . . [Int: Do they do things differently from younger women?] Cos they listen to the younger ones, like, when we have problems and stuff, cos a lot of them have experienced some of it or the same thing . . . So, you know, they can relate to us as the young ones can't, so, um, some women in here are good role models. (Lani)

Lani is constructing young prisoners as having problems and needing a listening ear, needing understanding. She notes that young people are unable to provide this support for each other. She also constructs them as still forming, and, hence, needing a person to emulate – an identity to copy. She notes young prisoners' need for a role model to which they can relate; people from a similar social world who have shared similar experiences, and according to her, a lot of adult prisoners are able to fulfil this role.

While this may at first seem counter-intuitive, as prisoners would be unlikely to be considered by most as model or ideal citizens, this discourse is supported by the majority of participants. Role models who have not lived in a similar world,

who have not experienced the same difficulties, are, in young women prisoners' eyes, unable to effectively guide young people as they are perceived as having no understanding of the complexities of these young people's lived experiences, as Jessica, Renata, and Marika explain:

Yep, but a lot of people here . . have they been here? Have they done that? That's what it is . . they don't know what it's like. (Jessica)

Cos a lot of people on the outside, they haven't run through the experience. (Renata)

[Int: So you'd listen to someone who's been through it?] To someone who's got no . . . someone who knows what they're talking about, because when I listen to someone that hasn't been through it, you know, how do they know about it? So I'll go and try it. (Marika)

Ngaio notes that staff members are generally inadequate in providing advice and support, due to not being able to relate to young women prisoners. For example:

Yep, yep . um, with us young ones, we don't turn to the staff for help, we turn to the inmates . . . yeah, um, I mean, with me, when I was here a while ago I turned to old laggers in here, the people who have been here for ages. (Ngaio)

The effect of this discourse is an inability to confide in and trust in the advice given by non-prisoners, staff or others outside their social sphere in prison. Whilst this seems a self-defeating discourse, limiting the ability of professionals to help, it does open opportunities to enlist the skills of those who have "been there, done that" to guide young people away from the negative effects of repeated jail sentences. Huia constructs adult prisoners as living proof of wasted years, of separation from children and family, of broken relationships, loneliness and alienation, and, hence, as ideal people to mix with to gain insight into what younger prisoners may face should they continue on the same path:

Yeah, it's actually a good thing, because, um, they've been through that hard life, and they're trying to tell us how it's going to be like; they let us know how their life was, you know, and how they don't want us to go through exactly the same path, sort of thing. That's what a lot of the older ones in here actually teach . . don't run that same path that they've run. (Huia)

The insight discourse is articulated even more clearly by Lani, below, as she implies that for herself and others, mixing with adults may make it more likely that they will receive the deterrent effect of prison. Her statement that she gained more insight into her worries could be referring to adult prisoners' ability to provide useful counsel, and young people's ability and willingness to seek this from them:

I reckon it's good how it is . . . I like it how it is, because it's more insight into what they are facing, and there's more insight into what they will face if they come back. Having them in a youth wing is not really going to help. Having to come to jail and mix with all these big people is quite good, I reckon, cos it gave me an insight into my worries when I come in here. Going to a youth wing would just be, you know, just won't, just won't be happening, I don't think. (Lani)

The other aspect of this discourse, echoing Pania's point earlier, is that young prisoners are not able to provide each other with the counsel that is so needed by these lost and alienated young people. According to this discourse, they are unable to support and help each other due to their immaturity. As explained

by Kowhai, some see this inability to be mature as a key reason why they need

to be with the adult prisoners:

But, oh, I can only relate to the older rather than the younger,

anyway. Because they're younger women, I find they're immature,

and the older women, you know, are more sensible and that.

(Kowhai)

Young-people-as-immature-and-lost-in-conflict-without-adults.

The construction of young women as immature was a much enlisted discourse,

and such immaturity was noted as causing mayhem and conflict:

[Int: If this was a youth wing right now, what would it be like?] A

jungle! [Int: (laughs) A jungle . . . what does that mean?] Far out! (.)

heaps of youth . . I can imagine that (laugh), it would be cool.

Worser than the adults. It would be worse, cos they won't be

mature then. (Pania)

This jungle notion, discussed in a mischievous and benign manner by Pania, is a

humorous way of enlisting the discourse of unruly and harmful conflict

amongst young prisoners. Other participants, such as Huia and Te Marino, expressed it in stronger language:

It's good . . I think if it was all youth, it would be all immature, lots of shit would be happening, fighting. (Te Marino)

Cos if you're with your own age group, there's just gossip . . and then have fights, and what not. But here, with older people, we can sort things out without fists, yeah, and that's good. (Huia)

This discourse of violent conflict (with fists) amongst youth if they have no adult prisoners in their midst, is rarely used amongst prison administrators or politicians about young prisoners. Youth units for males are designed specifically to protect vulnerable young prisoners from violence (Department of Corrections, 1998; Harre, 2001). Administrators espouse the discourse that young people will be safe if away from adults, as it is assumed that young people are innocent and vulnerable to harm in the face of adult prisoners, not in terms of being engaged in uncontrollable violent conflict without them, as described by these participants.

Young-people-as-in-need-of-comfort-and-aroha (love)

Another discourse enlisted by young prisoners is their need for love and comfort, since their world in prison involves considerable pain and loss. They must deal with imprisonment and ongoing punishment and judgement. As such, they have much need for comfort and acceptance and for people to give them time, attention, and allow them space to cry. The people that do this for them in their world are generally the adult prisoners, as discussed by Kataraina:

> *I like to socialise with older women, sometimes, cos they're, like, more comforting, not so immature, and they help you out with a lot of things. Just gives me a lot of love, a lot of aroha, um, you know, when I wanna cry, I'll go to her, and I'll just give her a big hug and just cry on her, and she'll just comfort me the whole way. (Kataraina)*

Older prisoners, as suggested by Amiria, are more able than staff to fulfil these needs for nurturing as they are able to take a more hands-on approach as one would expect from a parent figure:

> *[Int: If you need support when you're upset or down, do you go to your aunties or the officers?] Either one. Yep. They're usually there*

for the cuddles and all that . . The guards are there to take you into

a room and just get over it, kind of thing. (Amiria)

Again, the effect of this discourse is a reliance on adult prisoners for the upbringing they long for, comforting, unconditional support and love that parenting books worldwide declare young people need in order to develop into healthy adults (for example, Kohn, 2005). As such, this is a popular and dominant discourse enlisted by young people both inside and outside prison. As noted in Amiria's discourse, prison officers were reported as taking the "just get over it" approach, or, in other words, an approach lacking in compassion and support. Prisoners clearly do not expect sympathy and comfort from prison officers, and given discourses possibly circulating amongst prison officers about prisoners (see Chapter Seven), they are unlikely to provide it.

As also discussed in Chapter Seven, there is little mention in policy documents about young prisoners' need for adult prisoners, except briefly and then based on anecdotal evidence that older women prisoners mother younger prisoners and keep them calm (Department of Corrections, 1998). In general, adult prisoners are described by top level administrators as untrustworthy and manipulative (Department of Corrections, 2007b). Certainly not the sort of people who can help young people sort out their conflicts productively. Despite this, young prisoners construct adult prisoners as willing and able to intervene effectively in conflicts, and able to support the young person in the

development of a mature, pro-social, non-violent self who is respectful of others, a self that may not be possible otherwise, given their history and background as discussed earlier.

Young-prisoners-as-needing-(and-wanting)-adult-help-to-behave

The longing for those able to make them behave and be their best self is a prevalent discourse used by young women prisoners. The inference that young people are unable to sort out their conflicts without violence is of interest, and the discourse is expressed clearly by Aroha below:

A bunch of teenagers together is just trouble, I reckon. [] Cos teenagers, they tend to fight over little things, and I don't reckon that they should be locked up in a small room, like in a unit, just with each other, because they need some, I don't know, they need some older ones . . keep them straight, and stuff. (Aroha)

The discourse of needing adults to stay "straight" constructs the young people as unruly, out of control; desperate for someone to set up the boundaries and provide guidelines for behaviour. Many young women prisoners enlisted this discourse. It is noteworthy that whilst the dominant discourse in society about young prisoners is that they are teenage terrors and streetwise thugs, who

shun discipline and authority so that they can act how they like, young people like Whina, Ngaio, and Tariana, construct themselves as longing for discipline and the company of those who can use authority effectively:

What, mixing? It's better. Heaps better . cos they keep you in line. They keep an eye out for you. [Int: They keep you in line . . what does that mean?] Um, growl at you, give you a whip. (Whina)

[Int: An, um, what do you think of the idea of separating the older from the younger?] It SUCKS because we need the older women to keep us in line . . (laughs). (Ngaio)

I don't know . . I think we just need that one person that will keep us in order . . keep us in check, you know, all the time. [] The one that says, "Hey, cut that out." . . The one that'll do that, because we need that . . otherwise we'll just run a mile. (Tariana)

Thus, for these young women prisoners, discipline is better, and lack of discipline, in Ngaio's words, "sucks". Having a person with sufficient authority to say, "Hey, cut that out", is admired and appreciated. Even more noteworthy is that some young participants want staff to be stricter, and complain that staff do not give clear or strict enough boundaries, as Kataraina explains:

When you're soft, I mean, you can be soft, but there should also be a limit to it, because people are going to think, you know, they're

going to walk all over you or officers, cos they get people, young

people that just go off at them, you know, like that, and um, you

know, I think they should be a bit . . not too much, but, like, hard, a

bit strict. [Int: You think they're a bit too wishy-washy?] Yeah, . . but

they're really good, and, you know, if they can do that, they'll

probably get a lot more respect, you know. (Kataraina)

Contrary to expectations, this construction depicts young prisoners as wanting

to be able to respect staff – not wanting to walk all over and manipulate them,

as staff and administrators construct them. Nevertheless, young people do not

construct themselves as faultless, as indicated by Kataraina's mention of them

"going off" at staff. One key fault that seems to stand out is a concern that if

left unchecked, young prisoners' failings will lead to conflict, violence, and

harm, as will be discussed below.

Young-people-as-power-seekers

The construction of young prisoners as power and status seekers was one

discourse that builds on the one about young people harming each other, as

discussed earlier. Whina talks about egos, and quests to be the best and most

powerful, and how, without adult guidance, this would lead to trouble

amongst young women prisoners:

. It's different in here, it's just, like, like it would be wrong for some of us young ones to be separated from the older women, because some girls come in here and egos will clash, and pride and stuff, and there's no older women there to look up to . . to see how to . . you know, . . not just grow up, but be mature about it . . your decisions and stuff. [] Yeah. [] For young people, we just need that guidance, otherwise everybody is just at everyone. (Whina)

Young people construct each other as angry and violent – trying to be the boss, trying to be the toughest. Without older people who are sensible, mature, and beyond the need to "staunch other prisoners out", they construct themselves as unable to stop engaging in fights and power plays leading to harm, as discussed by Miria, Pania, and Aroha:

I wouldn't put all youngsters into one unit . . they'll clash. They'll just clash when they get put together, cos they're young and angry! . . They'll clash! We are the bosses of this youth wing . . . we're the oldest, or we're the toughest . . we're the mobster gang, whatever, they're still going to clash, cos that's what young ones do. . That's why some people clash now, just because they're . . . older, older people . . you need a balance in life. (Miria)

Miria again refers to others, not herself, as she uses the word "they" instead of "me" or "us". She is referring to the others who are "young and angry", others who are trying to be the toughest and the bosses of the wing. Pania also notes that "they want to be tough, want to staunch each other out". It seems that it is easy to discuss the tough, staunch, violent behaviour if referring to others, but more difficult if referring to oneself:

But adults, you know, they've past all the . . . I just think that if . . it would be wrong just to stick, um, youth in with youth, because there'd be lots of fights, they'd be, you know, like, want to be tough, you know, like, want to staunch each other out. (Pania)

Nevertheless, both Miria and Pania appear to agree that older prisoners are needed to stem the tide of violence that would occur amongst young women in prison. There is an implication in these discourses that young women prisoners are looking for people they can look up to and model themselves on in order to contain what seems to be their uncontrollable violence. Aroha supports these discourses as well, and refers to the competitiveness and hierarchical behaviour that young people engage in, implying that adult prisoners help to contain this:

[Int: And we've talked about what you think about the idea of separating, you know, the young people from the adults, and that you don't think it's a good idea?] No, I don't think so. (Laughs) Well, you don't want everyone fighting, all the young ones fighting, thinking who's better than who, and, um, yeah. I don't think it's a good idea. (Aroha)

Young-prisoners-as-neglected-and-isolated

Another discourse espoused by young women prisoners was one that constructed them as neglected and bored. The material effect of this, as described by them, is that they suffer a significant decline in their health and well-being. For example, Renata discusses the perpetual tiredness the young women experience due to their isolation and lack of activity:

Because we're isolated most of the time, or we're just in our cells, just watching TV, and it's not really, yeah. People like us young ones get a lot tired, because we're so bored, that all we want to do is sleep. . . Most of us young ones just want to sleep, we don't want to get up and go anywhere . . . because we're so used to it, doing nothing. (Renata)

Ana constructs young women as suffering profound sadness due to the lack of programs and structure:

It's usually what brings you down, is your, um, there's nothing for

us here . . nothink to do, and that kicks in, all your emotions, you

know. . . If you got somethink . . keep your mind occupied, you

won't care so much about being sad. (Ana)

The suggestion here is that there is very little provided for young women prisoners. An interesting discourse enlisted by young prisoners is that in the adult jail they are treated like old ladies, and they do not like it at all, as discussed by Miria:

Um, it's a bit boring . . cos we're treated like old ladies, like them,

you know (laughs) and there's not enough things. [Int: When you

say they treat you like old ladies, what is happening?] Like, um, we

get locked a lot, and I don't think that's healthy for us, you know,

just cos they like getting locked and all that . . Like, older women,

they say, "Oh, yeah, it's alright to get locked," and we'll be

moaning, all the young ones, cos, you know, that's not us, we don't

like to laze around in bed all day . . we want things to do . . that's

what I need. (Miria)

Young women as needing age-appropriate levels of activity and structure: Embodied realities

Such a significant percentage of women enlisting such talk suggests that in many ways, the current situation of age-mixing is not working for them. Whilst adult prisoners are happy to sit around and watch television, or be locked in a cell, young women construct themselves as in need of much more activity, exercise, and structure, as discussed by Te Marino:

> *A lot of older people, they like sitting around, they don't like activities* or *sports and stuff, so, and the young ones, they want to be active, and, yeah. (Te Marino)*

Samantha agrees with this construction, and indicates that young women are far more motivated to be involved in constructive activities and would rather have some activity than engage in trouble to relieve the boredom:

> *I get bored all the time, I just want to do something, but the adults aren't motivated enough, you know, and they won't play, and they stick to their ground, and they won't play. And it's the young people that want to get out and do things, you know, and there's nothing for them to do, you know, and if we are running about, we're not getting into trouble. (Samantha)*

A major issue at some prisons at the time of interviewing was the extensive time young women were locked in their cell, as discussed by Kowhai:

Well, since I've come to prison, I've become lazy, like, um, cos we get locked for so many hours, and you're locked up at five at night, and, you know, on the outside, we're not. And I mean, there is an advantage that I'm in here, because on the outside, I'm always on the go, um, but, yeah, but in here you just become lazy, you don't have the energy to do anything. (Kowhai)

And from Kura:

[Int: And what about exercise and stuff?] No, we get locked up, straight after breakfast, then lunch, then locked up again, for an hour, then locked up after tea for the rest of the night again, no opportunities. (Kura)

These discourses of difference and different levels of need are of interest to the study of age-mixing. There is physicality, an embodied reality, experienced by these young women that has not so far been discussed in the public domain in Aotearoa NZ. The discourse of young women as in need of activity, structure and opportunities, is possibly grounded in a mix of biology and social construction, as young women constitute themselves at the start of their lives,

not the end, and they are constituted as such by society as well. In addition to this, there is pressing and inescapable bodily reality about age and energy levels that has not been acknowledged in policy concerning young women prisoners. This physical aspect also concerns the energy levels of older women, where biologically, body clocks slow down and energy levels wane with age. One young women's comment implied that most older women are happy to relax in their cell. Although this is not necessarily so, it may be a way young women may explain some differences that they observe between themselves and older women. Young women, on the other hand, may position themselves as opposite to what they see as an adult subjectivity. Their positioning may be an attempt to show that they have little desire for such relaxation and laziness. While this may be one way of attempting to understand the differerences, it is possible that physical realities such as energy levels and biological stage may impact on relative differences in preferences between younger and older women in a prison setting. As the institution is designed for adult women, such bodily realities experienced by young women are not taken into account by management regimes.

In addition, there is a social reality which occurs as a result of the physical deprivation. As Marika and Mele observe, young people make trouble due to their lack of activity and structure:

Cos we get up to mischief, you know, like (speaks in a lower voice)

what I find in jail . . is that you have to do naughty things to be

occupied. (Marika)

I mean, the young people, they're going to make trouble in here,

cos they're bored, and that's the main thing is the boredom for

them and, um, that's all it comes down to, really. (Mele)

Thus, another consequence of lack of activity and structure for young people is the perpetuation of habits which may ill-equip them for life once released. Some young women react by becoming lethargic, whilst others engage in behaviour which is anti-social and damaging to others. Of interest is that young women's discourses suggest that such anti-social behaviour would be much worse if it were not for some adult prisoners present on the wing, as will now be discussed.

Young-people-as-mischievous-troublemakers-without-adult-prisoners

Young women did not only attribute their naughtiness to lack of programs and structure however. Another key discourse enlisted by young prisoners about themselves as being young was their tendency to get up to mischief and, hence, need supervision and guidance from competent adults. Ana implies a need for close supervision:

Yeah, just keep an eye on the younger ones. . . Like, a closer eye . .

yeah . . cos the younger ones . . like, they get up to stuff. (Ana)

Power in the age-mixed women's prison environment

To add to the complexity in the age-mixed social environment in these women's prisons, a number of young participants indicated that not all adult prisoners were worthy of enough respect to be listened to by young prisoners. In the power stakes, it was the young prisoners who "ran the place" due to their fearless attitude, as discussed by Moana:

Nah, [] mostly it's kind of, like, you . . you'd think the adults would

be, kind of like, running the place, or how you want to put it, but

really the young ones, how they are now, they don't give a shit,

they don't care if they get a hiding or not, that's the attitude, just

like my attitude used to be. (Moana)

The "don't care" attitude from young people seems to make them invincible, as Lashlie (2007) has noted, some adolescents think they are "ten foot tall and bulletproof". In addition, some adults behave in immature ways, much to the discomfort of the younger people who look to them for guidance, as explained by Hine and Marika:

Yep. what blows me away is I think I'm a little bit mature, but

then, when I see other people being immature, it makes me real

cut up. Oh, my god, here they are so much older than me, and

they're still acting like a kid. . . Man, snap out of that shit, that's

not on. (Hine)

Hine appears to expect a level of leadership and maturity from adult prisoners, and is disappointed when this does not happen. Of particular interest is that Marika suspects the older prisoners' bad behaviour could be caused by the influence of the younger prisoners:

But there's 20s and 36-year-olds in here, and it's like, what? You

know, there are immature ones in here, but it could be caused by

the younger ones, you know, saying. (Marika)

The most abject adult woman prisoners are those who try to be part of the mischief and trouble (and hence power and status) that the young women prisoners are engaged in, as discussed by Kataraina:

Um, yep, you get some older women that try to act like us, if you

know what I mean. . . You know, think they're young (sniggers).

You know it doesn't work like that (laughs). You're an adult, you

know, get back in your room. You can't get us to mischief, you

know, cos we get up to mischief. (Kataraina)

As such, there appears to be a protocol based on age and who can be "in" and connected with the action and who needs to stay in their room, quietly. It seems somehow that the young women prisoners have been able to grasp power by making the discourse of the prison subculture their own (Davies et al. as cited in Davies, Edwards, Gannon, & Laws, 2007). The cultural norm is that mischief and trouble are valued, and there are strict rules on who can engage in this. This is explained by Amiria as she discusses that young women have "got it going on" and hence are cool, powerful and accepted:

Adults, they just, I don't know, most of them are past the stage,

they, um, lashing out or whatever, but the young people they're

energetic and they, um, they just, they've kind of got it going on.

[Int: The young people have got more energy?] And it's because

there's a group of them, you know, and they're all mates, and

stuff like that, and you got them dis-ing older people because they

can, and because they're not learning anything, and it's not a

good place to be, you know. (Amiria)

It appears, therefore, that older prisoners are only accepted if they can command enough respect. Causes of this respect will be discussed in the next chapter which explores ethnic identities. From considering Amiria's words, it appears that younger people gain power through their close camaraderie with each other, their energy, and their willingness to engage in behaviour that undermines the prison institution. The cultural norms, as expressed by these

young women, are similar to those described in men's prisons in Aotearoa NZ. For example, it has been observed that a subculture in Aotearoa NZ men's prisoners exists where "antisocial values are applauded, might is right, the most esteemed inmates demonstrate the most machismo attitudes and behaviours" (Riley as cited in Tie & Waugh, 2001, p. 3). As young women prisoners appear to engage in these macho-like behaviours, as Amiria notes, it is the young people who are powerful. It is they who set the tone of behaviour in prison, not the adults. As discussed above, their physical energy levels, their anger, and their fearlessness all contribute to the status they command in prison.

Thus, different young women prisoners have different subjective and physical experiences of the power relations in prison, and these are constructed differently as well, depending on their behaviour and belongingness to particular social groups. Such constructions have significant material effects. If people are in the dominant cultural group, they may get social and emotional support, cigarettes and material goods from those who are from the same location, due to discourses which support such practices. Some (who are seen by others as immature) may seek power in the hierarchy by "staunching other prisoners out" and fighting with them. Others may seek attention and notoriety by acting up and being naughty - a way of defying the authorities and seeming more cool. Whilst Riley's observation earlier concerning machismo and "might is right" was made in male prisons, the degree to which masculinity

or being male-like is valued in women's prisons is yet to be explored in Aotearoa NZ research. Therefore, discussion will turn to how young women prisoners construct themselves as female in a prison, a place that has traditionally been seen as a male environment (Chesney-Lind & Irwin, 2008)

Young women prisoners as female

Petite attitudes that ends up being "macho mans"

Young women prisoners seem to also be subject to prison discourses which value macho attitudes and behaviours, despite appearing not to support such attitudes in interviews. Tariana articulated her observations of the process of becoming like a man in prison as follows:

Cos our attitudes will change, it's attitudes, you know, macho man attitudes and, erm, got petite attitudes that ends up being macho mans, you know, like that . . . (Tariana)

Tariana is using the analogy of "macho man" to describe the tough behaviours expected of women in order to be accepted. Young women's ability to show their feminine "petite" side becomes overshadowed by this. Huia also talks of the need to work oneself up to a level of toughness to avoid being considered an easy target and hence victimised:

Yeah, I feel safe. Now, I feel safe. Before I didn't feel safe. I made

my, put my . . like I said, I worked myself to the level where I am

now, so I can just imagine how those new bunnies feel when they

come in. (Huia)

Thus, this discourse constitutes new prisoners as being soft, feminine, and easily used, like a playboy bunny in pornography perhaps. A factor in the privileging of macho attitudes and behaviours in prison may be the prevalence of gang members, and the power they are able to exert over others through violence and intimidation. Research on ethnic gangs in Aotearoa NZ suggests that femininity and softness are seen as weak, and those seen as weak are deserving of punishment and exploitation. Thus, those who are favoured and powerful will be those who exhibit masculine values and behaviour, as women in gangs are considered "weak, pathetic and unreliable, easily frightened, unpredictable, likely to breakdown under pressure and prone to gossip" (Dennehy, 2006, p. 98). Knowledge of these discourses concerning women in gangs is useful in order to analyse how young women in prison construct themselves and are constructed by other prisoners, since as explained earlier, a significant number have been brought up in gang families.

Young women such as Lani, also challenge dominant notions of femininity which were discussed in Chapter Seven. Lani explains that some young girls are

hedonistic and keen to make trouble, contrary to the passive, gentle image of girls which may be dominant:

> *Nah, . . like, just being by themselves . . I think more conflict would happen with just young girls, because some can be like that . . I've come across that, just out for whatever, do anything mischief, I don't know, nah, you need elders like older people to guide you. (Lani)*

Such challenge works towards an appreciation of the complexities in human nature, complexities that may be made invisible through dominant notions of gender. In a similar way as observed in other research with young women in prison (for example, Davidson-Arad, 2005; Pogrebin & Dodge, 2001), data from these young women's transcripts indicate that they are engaged in power seeking and abuse of others. Their youth and gender may make this harder to acknowledge and deal with, due to dominant notions of the gentle and passive young female. Nevertheless, the effect of this construction of mischief maker is an invitation for adults to provide guidance and discipline, or in other words, to take a parenting role. It may also resonate with the way they are constructed in society and the media, by journalists such as McLeod (2006), as becoming "increasingly vile", as discussed in the previous chapter. Thus, young women construct themselves as lost in violent, destructive conflict and mischief without the guidance of those they respect and relate to.

Drama queens and cats

In keeping with dominant discourses about women, as discussed in Chapter
Seven, young women prisoners were not complimentary about the conflict
they observed other young women prisoners engaged in. Interestingly, young
women prisoners construct other young women prisoners as catty drama
queens: picking fights over little things, over-reacting, fighting, bitching, being
manipulative and overly emotional. They talk about girls as if they were worse
than the boys, in a similar way as staff were reported as referring to them, as
Marika explains:

> *Cos, I notice with girls, there's more dramas. [Int: That's*
> *interesting.] Yeah, at the unit prison . . with the boys, it's alright,*
> *it's pretty cruisy, they don't seem to have dramas, and that, but*
> *with girls, they seem to, yeah . . have dramas and that. (Marika)*

As also discussed in Chapter Seven, implying that young women prisoners are
engaging in manipulation and "drama" makes it easy to dismiss an angry
woman's concerns. Their issues are pretend, enacted, rather than real. My
interpretation of this, from considering how prisoners are framed in wider
discourse as causing a fuss about nothing (see chapter 7), is that any concern
or gripe held by a prisoner is framed as something insignificant. As discussed
earlier, Corrections Chief Executive Barry Matthews (2007) notes, their gripes

are "imagined". Pania cleverly takes this metaphor of acting or lack of authenticity even further, noting that a youth wing for women would be "Boulevard Hollywood", alluding to the tourist attraction in California known for its actors in the famous "Walk of Fame":

Nah, we shouldn't be separated, and if we were, it would just be shit. . There'd be fights, there'd be dramas, there'd be, oh boy. . . instead of . . oh, youth wing for women . . . that would be shit. . . Boulevard Hollywood, or something, that's what it would be . . too much drama . . cos, like, we got a lot of young people in our wing, and, oh, there's so much drama . . just not even the same people . . people just gotta get over themselves . . yeah. (Pania)

Prisoner-staff dividing practices

The material effects of this discourse of women as drama queens may be quite significant. As observed in Chapter Seven, staff are likely to ignore women who are expressing what they need. As noted by Amiria, in some prisons, "windows" are often "slammed shut" in prisoners' faces, although not in the new Auckland prison:

The guards up here are all real approachable for you to ask stuff,

not like at Waikeria, you just get the window slammed in your

face, aye. (Amiria)

Approachability of staff is likely to be related to the way prisoners are talked about by staff as manipulative, whiny, and over-dramatising, which may enable staff to ignore and neglect prisoners' questions and concerns. Being dismissed, ignored, or having concerns minimised, appeared to be the experience of Renata, Moana, and Te Marino, as they discuss their experiences with staff. Renata explains:

You have to be a hater's favourite for, you know, for you to be

able to do whatever you want . . but, nah, . . it shouldn't even

fuckin be like that . . it should be . . the whole thing, everywhere.

(Renata)

The use of the word "hater" is of interest as it suggests someone who is negative or hateful, going against the women prisoners instead of being on their side. It appears that the phenomenon observed by Goffman (1961), Klare (1960), Foucault (1979), and Zimbardo and colleagues (1999) continues to exist

today. Both prisoners and staff engage in dividing practices which cause hostility, misunderstanding, and lack of empathy on both sides.

Lani, and other prisoners, constructed staff as negligent and lazy, or in her words koretake (Maori for useless):

> Yeah, and we get a case manager, but, you know, my case manager's koretake, as well . . you try and call her, like, their supposed to come to you as soon as they're asked for them, my . . nah . . oh shit . . hoha [Int: Can you explain, like for Sophie, like koretake?] Oh, koretake means useless (quiet laughter). (Lani)

Others declared that officers are not doing it right, as discussed by Kowhai:

> I don't feel they're doing it right. [Int: Perhaps they need more training?] Yeah, they do need training, because, um . . if we have a question or something we want done, and we go to them, and we ask them, they say, "Oh, yeah, I'll get back to you soon," and then nothing happens . . you know . . If you want to make a complaint . . like, this one time, this girl wanted to put in a

complaint about the hours. [Int: Lock up hours?] Yeah, and it went

to the PCO, and, um, the PCO said, "Oh this can't go through,

because it doesn't make sense." . . You know. (Kowhai)

Kowhai's extract demonstrates the immense power staff have over the environment. Prisoners have little say concerning how things are run, and any attempt to improve the situation may lead to a dead end. Such power is likely to breed resentment among prisoners, as Goffman predicted in 1961. In the present sample, discourses constituting staff as haters or as people to be fought against were prevalent amongst this sample of young women prisoners. A small number expressed concern that staff did not provide adequate discipline or protection for vulnerable prisoners, and even may pick on some prisoners, as expressed by Te Marino:

Well, the only thing to worry about is that some people can get

away with smashing someone over, and you get to the point

where they . . officers have a person that they pick on . . simply

because the officers . . they can . . this can put their self-esteem

down. I think it is the staff that need to be disciplined. (Te Marino)

It is interesting that the research about prison cultural norms in male prisons shows an adherence to an inmate code, which prohibits informing officers of the misdoings of other inmates (Riley as cited in Tie & Waugh, 2001, p. 3). It seems from Renata and Te Marino's words that staff are not seen as willing or

able to help in some women's prisons. Those young women who do not feel accepted and understood by staff, may choose the option of positioning themselves as anti-social, violent and mischievous in order to get a sense of agency (Davies, 2006). As such, their behaviour signifies their abjection (Davies, 2006) to the authorities and, hence, the society that has seen fit to imprison them. Young women, in particular, may act against the authorities frequently, as demonstrated by Collie and Polaschek's (2003) work, which notes that young women prisoners have a high rate of institutional misconduct.

Returning now to the issue of the construction by others and of each other as those who cause "drama", it may be that prisoners feel the need to compete for staff attention in various ways, due to being ignored or neglected. These ways may not necessarily be helpful and may have negative consequences. As often said by parenting experts, from a young person's perspective, any attention is good attention (Severe, 2000). The prevalence of institutional misconduct amongst young women prisoners in Aotearoa NZ prisons (Collie & Polaschek, 2003) may be one consequence of this need for attention.

Framing each other as those who create "drama" may also have consequences for young women prisoners' subjective experience of self. Framed as worthy only of being ignored, and lacking in authenticity, may make one's life feel

pointless. Real and justified feelings of anger, sadness and disappointment may be dismissed. Relationships with each may seem inauthentic, and trust in others, the "prerequisite for social relations" (Cheyne, et al., 2005, p. 237) may prove elusive. A number of young women spoke of their inability to trust each other, which may be due to their earlier experiences outside prison, and the ways they are framed by dominant discourses inside, as expressed by Aroha, Samantha, and Kowhai.

I've got some friends in here . . . but, um, in here, you don't know who to trust. (Aroha)

You know, there is just so many fake people in here, it's not funny. (Kowhai)

Honestly? I don't trust no-one in here, and for my own reasons. (Samantha)

This discourse of young women causing dramas, not being trustworthy or able to trust each other, introduces a further dimension to their construction of themselves as needing adult prisoners. Young women note that they do trust adult prisoners; they do confide in them, and are able to act authentically, as Marika observes:

[Int: Who looks after that stuff, when you're happy, when you're sad, you want to share something that . . .] An older lady, yep, older than me, she's a good friend . that's who I talk to about my

feelings, yeah, she helps me out if she can . . yeah, cos I get real,

yeah, when I'm angry. (Marika)

Young women prisoners construct each other as not worthy of friendship, which suggests that friendships are generally with those who are older:

Older, oh, all my mates in here are older. [Int: Do you have any

that are younger?] Um, I couldn't say as a friend, no. (Kura)

[Int: OK, um, who do you go to for help or awhi if you're upset?] In

prison, um, older ladies, my mates, an older person, or yeah,

yeah. [Int: And how does she help you?] Like, counsels me, like

counselling me, yeah, like that, and asks me why I'm angry or

what's bringing me down, and then we'll do something fun after

it, like, have a coffee and a laugh. (Renata)

Thus, adult prisoners are depicted here as capable guides to help young women prisoners deal with their feelings productively and enable a viable, authentic and valued sense of self. Such a self deals with anger without violence and connects with others in meaningful ways. Arguably, adopting such a positive sense of self may have a rehabilitative effect, especially if the offence was violence-related. As noted, young women prisoners have more institutional misconducts than adult prisoners. If adults are able to provide

effective counsel, such misconducts and conflict will be minimised and negative habits less likely to be formed.

Women and violence in prison

The issue of conflict was talked about often by young women prisoners, as were gender norms. Generally, there were dichotomous and competing discourses about women prisoners' capacity for violence. In some instances, women were constructed as not aggressive, and, therefore, young women prisoners were seen as safe with adult women prisoners. For example, Kura constructs women as using non-violent conflict resolution skills, in contrast to men, who use their fists:

> *But if we were all put in the same wing, like a youth prison, that*
>
> *would SUCK, so I mean, in the men's, like, I understand why they*
>
> *have it, because, um, men work differently to women, cos women*
>
> *they listen, we use our heads, they use their fists . . (laughs), any*
>
> *easy way of putting it. (Kura)*

Kura constructs women here as the nurturing sex in a gendered nurturer/aggressor dichotomy. Such a construction of the nurturing, nice woman prisoner is echoed by Miria:

But we don't, like, I . . in the men's prison, I understand why the

older ones, why the older ones and younger ones are separated;

men's prisons are much different to what you find here. [Int: Do

you think everyone's got that motherly instinct?] No, but I haven't

come across anyone who is older that I've find difficult, they've

been really nice, and you can ask them a question if you've got

one, if you're not certain of something, and they'll help you out

with whatever you're trying to do. (Miria)

In other instances, a competing construction of women prisoners - both young

and not so young, is of their intense capacity for violence, thus challenging the

dominant notion of supportive, nurturing, and caring women:

Like, I've seen a couple of mean fights, and this one time, this girl

got a hiding just cos she was red, and all our wing up at The

Mount was blue, and she got the meanest hiding ever, aye. I felt

sorry for her, but they were all youth, though, all youths, so that's

just youths against youths, and that's just a waste of time putting

a youth wing up. (Whina)

Of note is Whina's observation that young women can be just as violent as older women, thus challenging a dominant discourse that older people are aggressors and younger people victims. This challenge sits alongside an implicit broader challenge about women and violence. It appears that young women are capable of giving "mean hidings", contrary to popular notions of women as supportive, warm, and sensitive. Whina's quote will be used again in analysis of gang violence in Chapter Nine.

In the meantime, returning to the issue of women and violence, the common-sense notion that women are only nurturing and supportive is also challenged by Renata, who observes that women "have a go" at each other, especially if there is little structure to keep them gainfully occupied:

Yeah, this place drives me mad (laughs), because there's nothing

to do, there's honestly nothing here. We need more for us to do,

and that's how all those malicious rumours and gossip start, and,

you know, all the fights, because women have go. (Renata)

Some young women, including Hine, below, also adopted gendered constructions of the conflict between young women which may be present in settings outside prison as well as behind prison behinds. For example, research in school playgrounds suggested that young girls exhibit a passive-

aggressive type of relational violence (Owen, Shute, & Slee, 2000; Terasahjo & Salmivalli, 2003). This type of bullying causes harm through exclusion, and has been increasingly attributed to young girls, as discussed by Chesney-Lind and Irwin (2008) and Ringrose (2006). Hine explained her perspective on this, adopting the gendered "cat" metaphor which has been shown to be used by media sources discussed in Chapter Seven:

> *Yeah, I find the younger girls, like my age, too (.) catty for me.*
> *Like, I'm not into, oh, you're all friends, and pull everyone aside*
> *and make them all hate that one, and it goes round in round in*
> *circles . . I'm not into that. (Hine)*

The use of the "cat" discourse here seems to suggest a smallness or pettiness about young women's conflicts. Again this discourse may construct young women as making a fuss about nothing, or causing trouble for no reason.

Conclusion

From the analysis of the data from their transcripts, it is clear that some young women prisoners construct themselves and each other as catty gossips, unable to stop themselves from stirring conflict and perpetuating hate campaigns against each other. A paradox is that young women also construct themselves as both to blame for their offending, as they have free choice, and as victims of a difficult upbringing, including abuse and lack of support, thus, are not

necessarily to blame for their offending. They construct themselves as in need of more physical activity and structure than adults, yet they also construct themselves as in need of adults to control their wayward and violent behaviour. To move forward, therefore, there is a need to move beyond the binaries, as "girls [are] resistant and complex actors struggling to manage the environment in which they move and make choices" (Gaarder & Belknap, 2002, p. 507). It is important to acknowledge the complexity inherent in the prison context for young women, and the diverse roles they may adopt, which may not necessarily conform to traditional stereotypes of gender and age.

A key question, therefore, is how ethnic culture might intersect with these gender-based constructions. Thus, how young women construct themselves according to their ethnicity will be explored in Chapter Nine, and what implications this may have for the discussion of age-mixing young women in prison will be examined.

Chapter 9

Ethnic subjectivities

To raurau toku raurau ka ora te iwi

With my knowledge and your knowledge we can grow together.

Introduction

This chapter is the final chapter in the findings section. It seeks to explicitly integrate Maori and Pasifika worldviews and knowledge into the investigation of age-mixing. It focuses specifically on how young women prisoners construct themselves in relation to their ethnicity, and the social and material effects of this. A strengths perspective (Benard, 2006) is drawn upon, with an emphasis on "knowing them in a more holistic way: acknowledging their hopes and dreams, their needs, their resources and the resources around them, their accomplishments, their capacities, and their gifts" (Saleebey as cited in Compton et al., 2005, p. 337). Thus, the chapter considers personal qualities and virtues, talents, cultural rituals, beliefs, hopes, dreams, and spirituality (Saleebey as cited in Compton et al., 2005), with the aim of broadening the possibilities for young women's subjective experiences, and, hence, well-being, whilst in prison.

The whakatauki[20] above is one given to me at the inception of the study by Mrs Kiwa Hutchen, kuia, to represent the philosophy underpinning the research: the acknowledgement and joining together of a variety of knowledge bases from those present in this country in order to solve an issue that affects all Aotearoa NZers. This is important and in line with the decolonising (Tuhiwai-Smith, 2005) aims of the research, and in keeping with the bicultural section in the *Code of Ethics* (ANZASW, 1993b), to work towards social justice for Maori in Aotearoa NZ. More detail about justice issues for Maori is included in Chapter Three.

Pasifika views have also been incorporated in this study as a number of women who identified as Pasifika participated in the research. Also, there appear to be a number of Pasifika young women prisoners in the statisics provided in Department of Corrections' census findings (1999, 2003). In addition, there are aspects of Maori culture generally, which may have things in common with Pacific nations by nature of a shared Polynesian heritage. Nevertheless, as Aotearoa NZ is founded on the Treaty of Waitangi, it is a bicultural nation first, and, thus, Maori worldviews will be explored more extensively than those of Pacific nations.

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20 A whakatauki is a Maori proverb or saying.

This chapter begins by exploring two aspects of Durie's Te Whare Tapa Wha framework for well-being, which may not be prevalent in Western frameworks, namely, spirituality (wairuatanga) and family connection (whanaunagatanga). I then explore how young women prisoners construct themselves in the age-mixing environment and how ethnicity may inform this self-construction and resulting subjectivities. This section draws on ideas from Pollack's *Focus-group Methodology with Incarcerated Women: Race, Power, and Collective Experience* (2003), as discussed in Chapter Six, where material from interviews and focus groups are combined to avoid reproducing colonising discourses, and hence enable individual experiences to be seen within a structural context

Thus, as noted in this chapter, power has been given to those researched by drawing on collective constructions of ethnicity, and young women participants' experiences, supported by those of iwi representatives through a process of weaving the extracts together in a "didactic relationship" (Pollack, 2003, p. 462). The purpose is to incorporate Maori values and worldviews into the research, to "validate indigenous ways of knowing and being" (McFarlane, 2006, p. 42). Thus, analysis of prisoners' transcripts has been considered in relation to ahi kaa, which means with reference to those who keep the home fires burning (Kana & Tamatea as cited in McFarlane, 2006), In this way, I have been able to "elicit a deeper and more complete picture of the participants' lives" (Pollack, 2003, p. 462). Iwi representatives' extracts will be written in bold to distinguish them from young women prisoners' extracts. Please refer

to the glossary at the end of this chapter for translations of Maori words and concepts.

Colonial processes and the influence these may have had on material and social conditions for Maori have influenced Maori people's thinking and behaviour in a variety of ways. Writers note a loss of cultural and material well-being resulting from colonialism (Durie, 1999, 2001, 2003; Edwards, McCreanor, & Moewaka-Barnes, 2007; Mikaere, 1994; Morris, 1955; Reilly, 2004). Maori, therefore, may have constructed myriad resulting discourses to frame and understand their experiences and loss. Further, evidence suggests that they have enlisted a number of resistance strategies, which have enabled the survival of Maori culture despite assimilatory efforts by colonists (Reilly, 2004).

Springing from this commitment to take into account alternative priorities and worldviews to the dominant Western individual paradigms, comes the concern about what exactly a Maori worldview might be, or a Pasifika worldview might be, and if these are the same for all Polynesians living in Aotearoa NZ. A helpful analogy is used by Joseph who notes, "Culture is to the group what personality is to the individual" (Royal Commission on Bilingualism and Biculturalism as cited in Joseph, 2000, p. 6). This analogy relates to the fluidity and contingency of the ways people may adopt certain aspects of culture. In a focus group

discussion, a Pasifika consultant also gave a helpful way of understanding how a cultural identity is adopted amongst Pasifika people:

> *The other thing we have to be mindful of is that while we're talking Pacific Island, I think we really need to understand that Tongans are Tongans, Samoans are Samoans, and there is no way they could expect to have a Tongan, Samoan, and Fijian, and expect them to be . . . cos that's very unfair . . their cultural protocols and their perspectives may be similar, but it doesn't make their cultural identity, um, the same as everybody else's.*
> *(Pasifika community liaison, Auckland)*

In some cultures, there may be emphasis on some concepts that are not given as much emphasis in others, and different ways of fashioning one's identity from the cultural resources available. Nevertheless, how people identify culturally appears to be important. From studying Durie's Te Whare Tapa Wha model of well-being, and reading wider literature that the concepts of family relationships (whakawhanaungatanga) and spirituality (wairuatanga), it would seem the emphasis is more on conceptualisations of well-being for Maori (Ruwhiu & Ruwhiu, 2005) and Pasifika (Newport, 2001), compared to Western constructions. I will, therefore, in this chapter, elaborate on these concepts in relation to how young women prisoners, and iwi and Pasifika representatives enlisted these notions during interviews and focus group discussions.

Wairuatanga

Bearing in mind the fluidity of culture and the way culture may influence
worldviews and discourses, but not determine them, one important aspect of a
Maori worldview is that of spirituality or wairuatanga (Durie, 2001; Ruwhiu &
Ruwhiu, 2005). Whilst non-Maori religions may consider spirituality to mean a
relationship with one omnipotent creator, and virtues, as expounded by Jesus
Christ, Mohammed, or other manifestations of God, Maori conceptions of
wairuatanga or spirituality are much broader and more central to everyday life
and the environment (Tioke, n.d.). A direct translation of wairua shows that
"wai" means water and "rua" means two; in other words, the spiritual world is
the stream running parallel to the physical world which humankind inhabits
(Ruwhiu & Ruwhiu, 2005). Thus, wairuatanga incorporates the unseen aspects
of life, encompassing communion with the natural world (Milne, 2005) and the
kinship relationships between all things, animate and inanimate (Mikaere,
1994; Ruwhiu & Ruwhiu, 2005). Spirits of ancestors are revered and
acknowledged alongside the wairua of the living, with a focus on the
interconnectedness between the spiritual and human dimensions (Ruwhiu &
Ruwhiu, 2005).

From this interrelationship, comes the question of how peoples' spirituality
may permeate everyday life. One notion which comes to mind is that of virtues
as enacted towards others which acknowledge the intrinsic worth and

sacredness of people; *e te tangata, he tapu (*for man *(sic)* is sacred) (Tioke, n.d., p. 22). Social workers, Canda and Furman note that compassion and unconditional positive regard, awareness of suffering, and hope in the possibilities of resiliency and social justice are some ways that spirituality may influence their practice (as cited in Ruwhiu & Ruwhiu, 2005); although, such virtues are not limited to those in professional roles.

Maori feminist Stewart-Harawira (2007) discusses Maori notions of spirituality which encompass the value of the feminine principle that includes "compassion, spirituality, [and] sustaining and providing life" (p. 125). She notes that to do this, one must honour the "sacredness inherent in all things and all beings, to recognize the truth of our inherent interconnectedness and to act in the world and towards each other appropriately" (p. 134). Looking through this lens and analysing young women prisoners' transcripts indicates that some young women prisoners enact and adopt discourses arising from such notions of spirituality and the feminine principle. For example, Marika notes the compassion other prisoners may show to new prisoners who are feeling scared:

> *Just if someone new comes in and stays in her room, we're thinking*
>
> *that she's scared, and if it's her first time, then we'll know how it*
>
> *feels like, so we just go in there and tell her to come out,and yeah,*
>
> *just hard out talk to her. (Marika)*

Marika thus constructs herself and her peers as able to be aware of others' suffering, to have compassion, and to take an active role in alleviating the suffering through processes of inclusion and relationship building, no matter what crime a prisoner may be in prison for. The discourse of acceptance of other prisoners is particularly poignant as expressed by Samantha:

We did crimes . . you know, we did some crimes. But, um . . when

we talk with each other, it's like you see past their crimes, and, you

know, they're a good person. (Samantha)

Samantha adopts a discourse of unconditional regard often considered essential in a variety of religions' conception of spiritual growth (see, for example, Roehlkepartain, 2005; Topper, 2003). Her words represent a stark contrast to the recent punitive attitudes of the public in Aotearoa NZ generally (Hassall as cited in Hartevelt, 2008), and disregard and hatred shown by many people (Pratt & Clark, 2005) towards those who offend.

Miria, in another prison, notes a similar process of compassionate awareness and unconditional positive regard for new prisoners:

All the people that may have been here, that understand, you

know, especially in a place like here, I reckon, and they see that

you're down and out, and come along . . and that's where it puts

you in place, and the next person that walks through the door

that's younger . . younger than yourself . . so you think . how can I

help them . . so you go and look after that person. It just works.

(Miria)

Again, Miria constructs herself and other prisoners as compassionate, non-judgemental, kind, and actively supportive of those less fortunate by virtue of having newly entered prison.

Reciprocity as relevant for Maori today

Miria also speaks of reciprocity; she is giving back because she has been given to, and her discourse speaks of concepts of tuakana and teina,the reciprocal relationship and responsibility shown by siblings or older people towards younger people (Edwards et al., 2007). The elder sibling, the tuakana, had responsibilities for "leadership, protection and advice" whilst the younger sibling, teina, was required to "serve and provide" (para. 13). Such roles support the well-being of the wider whanau group. Other writers note that this concept also influences modern day thinking, as "reciprocity . . . continues to guide thinking and interaction in contemporary times" (Durie, 2001, p. 78; Reilly, 2004), and "traces of the traditional culture resonate in contemporary Maori beliefs and practices" (Henry & Pene, 2001, p. 235; Reilly, 2004). Further, the notion of reciprocity continues to resonate on a spiritual

dimension for Maori as "spirituality is demonstrated through gift-exchange and reciprocity" (Henry & Pene, 2001, p. 235).

Whakawhanaungatanga

Another "fundamental category of knowledge" (Reilly, 2004, p. 63) for Maori is the notion of kinship or whanaungatanga. "Whakawhanaungatanga" has been defined as the process of building family-like relationships (McFarlane et al., 2008). As noted by Tania Mataki, of Ngai Tahu, Ngati Mamoe, and Te Whanau Apanui descent:

> ***Whanau, and the practice of whakawhanaungatanga, is an integral part of Maori identity and culture. It is a collective responsibility we have to each other. (Tania)21***

Young women prisoners discussed the family-like relationships they had built with older prisoners, and constructed themselves as being children, able to receive nurturing and discipline from all those who take an "aunty" or mother role for them. This is in contrast to a Western conception where an aunt or other adult may not be considered able to exert authority over a niece, as this role is reserved for biological parents only. The role of aunty is discussed

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21 In contrast to Western convention in research, where anonymity is preserved, I have been informed that for Maori, it is important that the identity of the iwi consultant is made evident (Bradley, 1994). Nevertheless, some iwi representatives preferred to not be personally named, so their iwi is named instead.

clearly by Kowhai, as she explains how the "aunties" help control the behaviour of young women prisoners:

[Int: What about other Maoris around here . . do they support you?] Yep. In here? Maoris in here? Yeah, (laughs) they take the aunty . . You better watch out . . Kick you up the arse. . . They do that kind of thing . . they keep you in line. . . But they're all Maori aunties to us anyway. . . It's alright . oh, yeah, whatever []. . I'm the baby one here . . yep, um . . um, it's like normal. [Int: What's normal?] These are all aunties to me (laughs), yeah, so. [Int: Are they older than you?] Yep. [Int: Much older?] Yeah. Oh, in their 30s, 20s, 30s up (giggles). (Kowhai)

Kowhai adopts the discourse that constructs all Maori women as having collective responsibility for her and her peers' appropriate behaviour and manners. The discourse of needing to be "kept in line" has been a dominant one throughout this study, as shown in Chapter Eight. In considering how Kowhai constructs herself in relation to other Maori women, she appears to see herself as subject to their discipline and guidance. The discourse of physical discipline as necessary (less acceptable in some circles due to recent publicity and law change) appears taken for granted by Kowhai, who says, "It's alright, whatever". Even those slightly older than her (in their twenties) are

seen as aunties who tell her to "watch out" and are legitimately able to "kick

her up the arse" should she step out of line.

Young women as daughters

Thus, it appears that for these young women, whanau and whanau

responsibility is not limited to immediate blood lines as in some Western

families. It may incorporate any nurturing or reciprocal friendship or

relationship in a similar manner to Maori cultural practices, as discussed by

other writers (for example, Mikaere, 1994). Another example of

whakawhanaungatanga as demonstrated by participants is how they construct

themselves in daughter- or sister-type relationships with older prisoners. For

example, Renata notes she gets awhi (or help and support) from one particular

older woman, but other older women (lifers) also may construct her as a

daughter and, hence, provide support for her:

> *[Int: What about, um, . . if you're upset or anything like that . . who*
>
> *would you go to, to get some awhi, some support?] Um, my jail*
>
> *mum or my (xxxx) . . like, most of the lifers . . . like, they're*
>
> *awesome, man. (Renata)*

Renata thus constructs herself as in the care of those who are serving life

sentences (and, hence, usually older), or her especially designated jail mum

(for a more detailed discussion on the role of "jail mum", see Goldingay,

2007b). Ngaire also constructs herself as in gratitude to those who mother and care for her. The phrase "too much" in this context appears to mean that it is more than expected, and, hence, really good:

[Int: With the other wahine22 there . . do any of them . . sort a treat . . you know, how . . (. . / . .) does that happen for you?] A couple of them mother you, yep. . . Yeah, she's been in here for 10 years. [Int: That's all good and it's . . ?] Yep . . too much. [Int: And she's much older or . . .?] Yep, she's like 40. (Ngaire)

Interestingly, Ngaire again notes that she is able to receive "mothering" from more than one adult, as discussed above. In the following extract, Lani also adopts the discourse of older jail mums providing comfort and understanding, much the same way a mother would for her child. She thus constructs herself in this discourse as in need, as reliant on her jail mum for emotional needs and subsequent well-being:

[Int: Who do you turn to when you're . . . for awhi and manaaki?] My jail mum. [Int: Yep, your jail mum, is she older?] Yes, yeah, I turn to her because she's been through a lot and she knows what I'm going through, you know, cos she's had years of experience with it . . . and, um, she makes me feel better. (Lani)

22 Wahine is Maori for woman.

Manaaki is another key concept for Maori and encompasses notions of "reciprocity, of giving and receiving" (Reilly, 2004, p. 68). Lani readily understood these terms used by the interviewer, just as she also understood the language or concept of awhi or care, thus suggesting the current usage of such concepts amongst young Maori.

Constructions of whanau

Notions of whanau and the connection with giving and receiving (manaaki) is discussed by Lani, as she notes how she gets all she wants because she is from the same area as other, powerful prisoners:

> *[Int: Are they like whanau?] Yeah. Hard out. Yep. Cos most of them*
> *are from my location, and I know all of them, and, you know, if I*
> *want anything, they'll do it for me, or, you know, they'll buy my*
> *smokes for me, and, just, yeah, I don't know, just expect me to talk*
> *to them and that. (Lani)*

Concepts of mum and aunty are thus familiar to the social landscape of the women's prison, and such relationships appear to offer comfort to young women prisoners. Other prisoners note their "family" is other prisoners, as discussed by Renata:

We got some family inside, we've actually got them as each other.

(Renata)

Unfortunately, not all prisoners are included in this family, and those who are different in some way, especially with regards to ethnicity, construct themselves as outcast, isolated and alone, as observed by Justine:

I still do feel outcast . . because I am from a different country, and a

lot of people don't like that . . they don't like foreigners. (Justine)

Other prisoners who are constructed as foreign discuss being similarly isolated. In the extract below, Mele is responding to a question about mothering from adult prisoners. She notes that it is possible that some young prisoners are supported and protected by a jail mum, but such a privilege is not open to all in the current cultural context. Instead, whanau-like connections tend to happen amongst those who share a common heritage or lineage:

Nah. That's not what happens. [Int: Do you think it happens for

anyone?] Probably some. [Int: If they're in the right gang or

something like that?] Yeah. Like, probably if they're too from the

same tribal area or something . . yeah. [Int: So it's like a location

issue and maybe cultural?] Yeah. Probably, culture and that . . cos I

think I'm the only [ethnic group] here. (Mele)

Young women prisoners as younger sisters: Tuakana and teina

Most young women adopt the discourse of older women as supporting, nurturing and understanding, or, rather, of their being in the mutually reciprocal relationship, irrespective of their ethnicity. Such relationships appear to be characterised by the giving and receiving of manaaki between younger and older prisoners (Reilly, 2004). This discourse may draw its common sense power from dominant discourses framing older women as having the desire and the ability to support and nurture, and embodying the feminine principle, as discussed by Stewart-Harawira earlier. The discourse gains additional power from the notion that young people are in need of such support and nurturance (Edwards et al., 2007). Young women prisoners continue this discourse with the effect of making them engage in reciprocal whanau-type relationships. Whakawhanaungatanga and the roles of tuakana and teina, where older sisters support and provide leadership to their younger sisters, also appear to provide structure and meaning for these young women. Pania continues the discourse of jail sister providing care for her younger jail siblings:

> *And my jail sister . . [Interruption from the jail-sister tapping on the window][Int: OK, how do they help you?] Just gives me a lot of love, a lot of aroha, um, you know, when I wanna cry, I'll go to her, and I'll just give her a big hug and just cry on her, and she'll just comfort me the whole way. (Pania)*

The ability for older jail sisters, aunties or mums to provide physical comfort and affection appeared important to a number of participants, as some observed that officers were unable to provide physical comfort such as hugs or cuddles. The knowledge, wisdom, comfort, and care provided by older women prisoners has also been discussed in Chapter Eight (see also Goldingay, 2007b).

Reciprocity: Respect in return for care

In keeping with the discourse of reciprocity as discussed earlier in the chapter, Lani notes the reciprocity between older and younger women, where she affords one older prisoner "mother" status and looks up to her (respect) whilst the "mother" provides emotional support and understanding, even role modelling:

> *I don't know, just some of the women I've looked up to . . cos one lady has helped me out and I sort of see her as a second mum, and yeah. (Lani)*

Amiria also adopts this discourse of looking up to her elders in return for being protected, supported and cared for, and echoes a tuakana–teina reciprocal relationship discourse; older women provide protection and care, and in return, Amiria gives her elders respect:

Since I've been in prison, they have helped me, like, they sort of look

out for you, like, from the other women, and they sort of take you

under their wing, and just look after you and supports you, which is

good. And cos, for me, I look up to my elders and all that, and

they're more understanding and, you know, cool, primo. (Amiria)

The familiarity and "rightness" of such reciprocal arrangements are discussed by Ana:

Yep, I like being the youngest. Well, these girls here is all older than

me, and it's good. . And that's the way I've been brought up, cos

the youngest have got to respect everybody else that's older than

me, and blah, blah, blah. . . [Int: So this is familiar to you?] Yep,

quite good, though, I like it. (Ana)

Respect

The notion of respect for elders appears prominent in traditional Maori society and springs from elders' special role to "transmit traditional values, beliefs, knowledge, skills and customary practices" (Ka'ai & Higgins, 2004, p. 22). It may be expected that such a notion might be diluted, given Western society does not demonstrate such respect for the value, knowledge, and authority of older people (Pope, n.d). Nevertheless, despite colonial assimilatory processes over the last 150 years, the prevalence of the discourse of respect amongst

these young women prisoners was very much present. Of particular interest is the ways in which young women spoke of seeking out those they trusted to guide them and keep them "out of trouble". For example, Kowhai notes:

If I want to play up . . if I get a bit fucked off and I want to play up, and I get in trouble, then I'll go straight to one of my aunties (laughs), and I'll just sit by them, because I know that . (. . ./ . .) . they'll give me a whack (laughs). So, yeah. (Kowhai)

While it is not clear if the "whack" is in a literal sense, Kowhai is constructing herself as firmly under the influence of her elders. In contrast to what one might expect, Kowhai deliberately seeks out those she respects and expects them to help her control her behaviour. In a similar way to the other young women in this sample, she thus constructs herself as in need of discipline, in need of control. The power of elders to create a calm atmosphere was also discussed by iwi representatives who participated in focus groups. For example, in meeting with members of the Ngati Toa tribe, who regularly visit young women prisoners, I was told of the significance of elders, and how their very presence lends calm and respect in a meeting with prisoners:

Mum used to come with me. She'd sit in the corner and crochet. As soon as the girl comes in . . sees mum . . their whole attitude CHANGES. Because she's sitting in the corner. And I know that when I was on my own, the girls would just be way out of control.

. so there is a difference with the older person there. (Ngati Toa

representative, Wellington region).

Thus, tribal representatives also constructed young women prisoners as "out of control". Such out of control behaviour could include mischievous and naughty behaviour, lack of respect or even aggressiveness. These are all discourses drawn on by prisoners to construct themselves as well. This focus group participant also constructed young women as under the influence of their elders, and as subject to them. An implication is that despite an expected lack of traditional Maori values in the prison setting, young women continue to hold such values, and these exert influence over their behaviour.

Role of elders for young Maori

The discourse of the importance of elders was an important one for young Maori women in prison. Reasons for this became clearer from talking with tribal representatives from the area of the Auckland Regional CorrectionsFacility (a hapu[23] of Tainui known as Puukaki ki te Aakitai). One representative noted that kaumatua and kuia are the ones who pass on spiritual knowledge, hence their importance in the lives of young Maori:

The kaumatua and kuia . . talk about things papatuanuku, talk

about things whenua . . talk about things atua . . all those things

---

23 A hapu is a sub-tribe.

that they know so well. . they just need. . sometimes . . people

that remind them. The tikanga . . it all comes from the elders, it's

what's handed down, and not the other way around. (Puukaki ki

te Aakitai representative)

Thus, this discourse constructs modern young Maori as subject to their elders, as in need of learning about the interrelationships between the spiritual and material worlds, about god(s) (atua), and about the kinship-like relationship Maori treasure between themselves and the land (papatuanuku, whenua). Such knowledge, the representative notes, is always passed from those older to those younger, never younger to older. Most young women also constructed themselves as in need of this learning and guidance from elders, and incapable of providing or receiving such guidance from young people or, in other words, each other:

[Int: Do they do things differently from younger women?] Cos they

listen to the younger ones, like, when we have problems and stuff,

cos a lot of them have experienced some of it, or the same thing . . .

so you know they can relate to us as the young ones can't, so, um,

some women in here are a good role model, but others in here

(voice drops) just don't want to. (Makarita)

Makarita here introduces another discourse, one which indicates that whilst some older women are supportive and provide needed guidance and discipline, others are not. Other prisoners also used this discourse, indicating

that some older prisoners manipulate younger ones and take advantage of them:

> *I seen though, I seen . . sorry, but I seen that, um, I've seen some of the older women, they take advantage of the new, the younger ones. What I mean is, like, erm, to do things for them, buy things off buy ups, like, stand-over tactics, more or less what I'm saying. . . I've seen it, I've seen it, but I don't let it get to me. (Aperira)*

Aperira discusses how older prisoners coerce younger or newer prisoners to give them sought after items such as food and toiletries. Her apology is noteworthy and may indicate a sense that she is somehow telling us something we do not want to hear, or perhaps indicating a negative aspect of older women (such as our research team, both women in our 40s) that may somehow be offensive. She does not discuss drug stand-overs, possibly because to do so would make her a "nark", or someone who tells the authorities about illegal activities committed by other prisoners. This notion of manipulation is echoed by a focus group member, who is also a member of the Ngati Tama and Ngati Maniapoto tribes in Wellington:

> **I don't know if I'd use the word abuse, the manipulation is probably the word. . Cos any young kids, and, you know, um, . . they come from various backgrounds, you know, I haven't met these young girls, but I did know one young person, she came from a background of gangs, but by the time she left here, she**

wasn't herself, and someone said to me, "Look, when she come

in, she never knew what a drug looked like, and now she's one of

the biggest . . ." And I said, "Why do you say that?" And it was,

like, "Oh, you know, when she was released the girls relied on

her, cos that's what they gave her." So I think . . I don't think they

got much of a choice do they. . . So they feel that's what they

should be, because they got no choice. . . (Ngati Maniopoto, Ngati

Tama)

This discourse reflects the concern commentators have for the contaminatory aspect of prison relationships, where older prisoners manipulate and abuse younger prisoners (Department of Corrections, 1998; Tie & Waugh, 2001). It also reflects discourses concerning the vulnerability of young people to the influence of older people. While this discourse has achieved the status of common sense, young prisoners often noted that it was the younger prisoners who had the most control over new prisoners who came in, and the older ones tried to mediate this, as discussed in Chapter Eight. Again, the excerpt reflects discourses attempting to account for material realities, such as power and coercion in the prison setting and how this intersects with untreated drug addictions (see Taylor, 2008). Thus, there appears to be some tension and complexity around power and choice, and what sort of people have power (and, hence, choice) in a prison setting. This way of framing the issue suggests that the young woman referred to had no choice in becoming involved in

drugs. It is likely that powerful cultural norms coerce many prisoners into its fold, because to do otherwise would be to risk ostracism and victimisation.

Prison/gang culture vs. tikanga Maori

Manipulation, lack of choice, and criminal contamination seem to represent very different subjectivities to the mutually reciprocal and reverent spirituality that influences Maori culture, as discussed earlier in the chapter. The sharp contrast may be understood, in part, by considering the social and material realities in a prison setting. Processes of institutionalisation are designed to totally lose or repress prisoners' sense of self and identity (Paterline & Petersen, 1999). The resulting subjectivities experienced by prisoners may be adaptations, or survival mechanisms, in the prison environment. For the young woman referred to above, becoming involved in drugs and drug dealing was one way she was able to survive her situation and develop a viable and acceptable positioning amongst fellow prisoners.

Thus, how young women construct themselves as Maori in this environment is inevitably in conflict. Some young women spoke to these conflicts and tensions. For example, Huia discusses the values she knows, yet observes how difficult it can be to put such values into practice in the prison setting. For example:

Whanau, awhi, when we come here, we're all whanau, we're all

meant to be whanau and look after each other and feel safe, you

know, cos we were in that same situation. . . When the new bunny

came in, we were in that situation, the same situation as them . .

and we should think about it, but some of the women don't think

about it . . That's what I mean, that's whanau. . . Treat them like

whanau, don't treat them like an outsider. (Huia)

The use of the word "bunny" to denote new (and, hence, vulnerable) women prisoners who are likely to be victimised is discussed in more depth in Goldingay (2007a). It is noteworthy that Huia's statement suggests that she is well aware of wairuatanga, manaakitanga, and whakawhanaungatanga. Her discussion of understanding and caring for those who are walking in similar pathways demonstrates that she is aware of what "should" be happening. Nevertheless, the prison culture, as it is, appears to be a barrier to living within these tika or core beliefs. For one reason or another, "new bunnies" get victimised until they learn to adopt an acceptable prison identity complete with its set of behaviours (see Goldingay, 2007a). Durie (2003) shares Huia's reflection of the reality in prison:

The culture of the prison, with its demoralising and dehumanising

forces, can be replaced with an environment which builds on the

notions of positive development and the acquisition of a secure

identity. However, one of the difficulties in promoting a positive

cultural identity within the prison environment is that the overall

prison culture, even when reformed, inevitably contradicts the

values and belief systems which form the basis of a Maori

philosophy. Maori understandings of reciprocity, mutuality, respect

for difference, space and time considerations, and the use of Maori

language, find little endorsement in most prisons. (para. 6)

Durie is referring to cultural norms in prison. The degeneration in the

behaviour of both prisoners and staff occurs due to the closed nature of

prisons and the nature of the power relations that exist there (Goffman, 1961;

Zimbardo et al., 1999). Power abuses and authoritarianism are the antithesis of

the reciprocal, collective, respectful environment which characterise the ideals

of tikanga Maori.

Another issue is that the prison system itself is imported from Britain, and in

many ways is the antithesis of indigenous ways of dealing with those who

offend, as it alienates the offender from the victims, as opposed to restorative

processes which align more closely to Maori preferences (Ministerial Advisory

Committee, 2001). The Hon. Tariana Turia (Co-Leader of the Maori Party)

(2006) notes that some iwi do not want Maori culture associated with prisons

and alludes to the fact that prisons are not good for Maori as they separate

them from their whanau.

Some prisoners spoke with sadness at the prevailing social atmosphere in the prison, which forced them to act in ways that interfered with their ability to practise their values. Aroha discusses how she has stood over others to obtain banned items (such as drugs) knowing it was wrong and inconsistent with her values, but apparently unable to avoid participating in such victimisation of others:

So, getting them to get things when they need it, and stuff like that,

I mean. I don't know how people can do that, because . . people

have done that for me, but I don't feel good doing that. (Aroha)

Aroha's use of contradictory discourses gives an indication of the internal conflict some young women may face in prison. The negative culture appears fuelled by chronic addictions (to alcohol, drugs or cigarettes) and lack of resources (see Goldingay, 2007a). The authoritarian and hierarchical nature of prisons creates an environment characterised by oppressive power relations (Foucault, 1977b; Jennifer et al., 2003).

The issue of lack of structure and programs, leading to victimisation and other unhealthy practices amongst young women in Aotearoa NZ prisoners, has been discussed in Chapter Eight (see also Goldingay, 2007a). What is not often considered by the public in their quest for harsher prison conditions (Pratt &

Clark, 2005), is that prison is an unpleasant, mortifying experience, "disorienting, threatening and total" (Gaucher, 2002). Klare (1960) observes the need to conform to standards and values of prevailing prison culture to be accepted in prison. He notes, "It would be a grave mistake to underrate the kind of pressure he *(sic)* may experience" (p. 35). As Mele reports, prisoners adopted a rotation of bullying discourse to justify the need to act tough and even participate in the bullying, hence acting like "someone else" to avoid being victimised:

> *[Int: Do you think there is a strong reason why they might want to act as if they are someone else?] Yeah . . . I understand that, though, cos, I mean . . I used to be like that, um . . . they need to look after themselves. . . I mean, they end up being the bum . . . a bum . . that other people . . . or people who have been here longer, they start . . [Int: Could you just tell me about that word bum, sorry?] Well, like, er, a prospect . . . (laughs). [Int: Right, I understand]. So, getting them to get things when they need it, and stuff like that, I mean. (Mele)*

Mele is discussing the role of the prospect in gang culture. A prospect (or bum) must do dangerous and/or unpleasant things in order to be accepted into the group. Her words suggest that gang culture has been imported into the prison environment. The imported gang culture is likely to be premised on power and intimidation (Dennehy, 2006), and may have the effect of precipitating fear

and violence. In her research, Dennehy spent time talking with women who were in gangs outside prison, and found that there were powerful codes of silence maintained through the threat of violence. Such violence appeared extreme, and women in gangs tended to normalise and justify violence, which they "endure as an everyday fact of life" (p. 99).

This may be so for gang members outside prison, but some participants in this study seemed to consider it noteworthy enough to mention to my colleague in an interview. One example of this is given by Whina, who discussed a horrific act of violence she witnessed between young women caused by tensions between rival youth gangs the Bloods (red) and Crips (blue) in (the now defunct) Mt Eden women's prison (The Mount). As noted in Chapter Eight, this excerpt has been analysed for its challenge to dominant discourses about femininity and youth:

> Like, I've seen a couple of mean fights, and this one time, this girl
>
> got a hiding just 'cos she was red, and all our wing up at The Mount
>
> was blue, and she got the meanest hiding ever, aye. I felt sorry for
>
> her . . but they were all youth, though, . . all youths against youths.
>
> So, waste of time putting a youth wing up. (Whina)

It is possible that those who engaged in this violence would see this as normal and expected behaviour. Whina's sympathy for the victim does not mask the indication that such violence is inevitable, however, as the final part of her

sentence suggests that it will continue in the future. The inevitability of the prevalence of the gang culture is echoed by Kowhai, who observes the disparity and incongruity between tikanga Maori and gang culture:

[Int: Like, your social support, you know, that culture of being Maori within here . . you know, how we . . . {Kowhai starts to shake her head} [Int: Oh, it doesn't happen?] Nah, nah, in here it's mostly gang . . um, . . you know, the mongrel mob's over here, and the niggers over there, but, um, yeah, me, I run about with my dogs24 that are in here, cos, um, we all from the same area, like xxxxx, yep, we're all together, um, yeah, we all go as a group so . . .[Int: So it's not the culture of being Maori, it's the culture of the gang? That's the social support that you have?] Yeah. That's basically what everyone has in here. (Kowhai)

Kowhai's reference to "niggers" here does not mean Negroes with African origins, but members of the Black Power gang. Her use of the pejorative "'nigger"' may be the usual way of talking about Black Power members amongst her family of origin (who belong to the Mongrel Mob gang) due to the longstanding rivalry between the two gangs. It appears that the discourse as presented by Kowhai represents a tacit understanding that in prison, gang culture is dominant.

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24 "Dog" in this context refers to a mongrel mob (New Zealand ethnic gang) associate

The hierarchy that new prisoners may face when they first enter prison (Davidson-Arad, 2005; Pogrebin & Dodge, 2001), is a reality that may be hard to imagine for those lucky enough not to have to experience it. Gang membership complicates these hierarchies and may create a violent, antagonistic atmosphere where powerful gang members have the ability to rule through controlling other prisoners. Such hierarchies may thrive where there is lack of alternative structure, as a kaiwhakamana[25] who spends much time supporting young prisoners, notes:

So they need structure . . structure . . they do . . they do . . and sometimes, sometimes in mainstream, you've got the matriarch . . . and quite often those matriarchs come down gang related. (Kaiwhakamana, Wellington Region)

The kaiwhakamana is raising two issues here, which may be related to a certain extent. The lack of structure, as discussed extensively by participants (see Chapter Eight), is blamed, by both prisoners and those who help them, for the power gangs are able to hold over culture in prison. The issue of providing a youth unit for men, but not for women, was a concern for both the

25 A kaiwhakamana is a Maori elder who provides support pan-tribally, as opposed to only supporting those in their own tribe.

kaiwhakamana and the iwi groups I interviewed, whose members work closely with young women prisoners in Wellington. They noted the unfairness to young women, and the lack of programs and services for young women who are mixed with adults, and the fact that gang life becomes re-created in prison. The following extract is from my focus-group discussion with representatives of the Ngati Toa tribe who work with prisoners at Arohata Prison:

Rep. One: Yes. They should be separated. Definitely separated. From the older ones . . I can't understand . . how . like the youth centre we used to go to . . the boys . . they had the boys, youth separated from the men . . and that wasn't too bad.

Rep. Two: It was good.

Rep. One: When some of them . . when some of them were due to go . when they turned a certain age, they had to go to mainstream, and they didn't want to go. . .

Rep. Two: No.

Int: Oh, so they were happier in the youth unit?

Rep. Two: They were much happier.

Rep. One: I can't understand why they mix the young ones with

the older ones in the women's prison. . .

Rep. Two: Cos of the programs that they have . . the programs

that they had . . they liked . . Whereas when they get over there,

they gotta earn their this, and they gotta earn their rights, and all

this carry on . . just like being in a gang.

It is possible that, among other things, justifications for not providing separate facilities for young women prisoners are due to a belief that women do not engage in gang rivalry and violence as these activities are reserved for men (Department of Corrections, 1998). The discourses adopted by both women prisoners and those who work with them, as shown above, challenge the notions that gang tensions occur less often in women's prisons, or that women are not "serious" gang members. The discourses adopted by Ngati Toa representatives begin with ideas concerning the need for equality between boys and girls: boys and girls should have equal opportunity to services and privileges. Discourses of prisoners' preferences are also enlisted, further reinforcing the undesirability of mainstream. The material reality of mainstream is also discussed, whereby the lack of programs and structure leading to a hierarchy and structure is developed by default by prisoners, a structure similar to their knowledge of gang life.

This account contrasts with those put forward by other iwi, as it suggests the need to separate young women prisoners from adult prisoners, due to concerns for their safety and well-being. This sits alongside the discourse that young women are easily manipulated by adult prisoners. These strands are an important part of the thread that constitutes the complex tangle of subjectivities and materiality in prison. Some young women appear to be manipulated in the present regime and are forced to be the "bum". As suggested by other participants, a number of young women are unsafe in the prison setting, and have the lowly status of bunny, the one who is victimised and ostracised. This is particularly so if they are new to prison life. The physical reality of lack of programs, opportunities, and structure for young women who are mixed, contrasts sharply with the extensive provision of these facilities in the specialised units designed for young male prisoners in Aotearoa NZ.

Age-mixing in a prison setting: Tensions and contradictions

It would appear from discussions with iwi representatives and with young women prisoners, that continuing to mix with young with adult prisoners is at least partially consistent with the notion of whakawhanaungatanga. Age-mixing may support reciprocal relationships between older and younger women, which may lead to subjectivities that support positive cultural positioning, and achievement of the four dimensions of well-being according to Te Whare Tapa Wha (Durie, 1998). Nevertheless, in its existing form, as

discussed above, it appears that prison culture, with its lack of positive guidance, structure, and rehabilitative programs, interferes with young women prisoners' expression and the practice of the cultural values of whakawhanaungatanga and wairuatanga, and, therefore, negatively impacts on their well-being. Efforts to survive the culture force prisoners to act contrary to their values in order to fit in. Failure to do so may make a prisoner liable to become a victim, a bum, stood over to obtain contraband, and to carry the risks associated with this. From the excerpts from iwi who provide services to prisoners, and comments from Durie (2003), it is apparent that Maori culture and prison culture are in great conflict.

Interestingly, discussions with iwi representatives drew out the competing discourses concerning whether it is possible for tikanga Maori to exist in a prison setting, and in particular if whakawhanaungatanga could exist in the prison setting. The following excerpt from a transcript of my discussion with representatives of Nga Puhi, Te Ati Awa and Ngati Tama iwi address these challenges (names have been removed as permission has not been received to use these):

Rep. Five: So, how do we teach them to be whanau if we're not going to start . . . to teach them inside the walls?

Rep. Three: Yeah, but they're not whanau as such inside the walls!

Rep. Four: But their psyche gives them that!

Rep. Three: Don't you think there's a danger they'll adopt the same mentality, . . you know?

Rep. Five: Yeah, but that's a Pakeha viewpoint! Whanau, the culture of whanau is . . .

Rep. Four: They're all mixed.

Focus group member one opens the discursive exchange by considering the need to teach indigenous values in indigenous structures, such as in the whanau context. This notion is countered by the tension, discussed earlier, that the culture of prison is not that of whanau. Counterpoised to this, again, is the discourse that whanau, or whakawhanaungatanga, is intrinsic to all Maori, and part of their psychological/spiritual/social makeup, although this discourse is countered further by the possibility of contamination, including criminal contamination as discussed above. The consensus, however, is that this fear of contamination only arises from Pakeha thinking, and, therefore, mixing in a

whanau structure is the most favourable, as it is consistent with indigenous preferences according to Maori worldviews.

These contradictory discourses are understandable considering the impact of colonisation on Maori peoples and the multiple and competing discourses that are now in circulation. As Moore-Gilbert (1997) observes, "Any notion of a 'pure' or 'original' form of postcolonial (or subaltern) consciousness and identity implies that (neo)colonialism has had no role in constructing the identity of its subjects" (p. 86). The above exchange shows some of the ways in which colonialism has introduced new and different aspects into what could be considered original Maori consciousness or identity.

One unfortunate effect of colonialism is the widespread perception amongst both Maori and non-Maori of the erroneous stereotype that being Maori equates to being anti-social. This perception is furthered by media representations of crime in Aotearoa NZ. This perception, in turn, may be exacerbated by the rise of gangs such as the Mongrel Mob, who engage in criminal and anti-social activity. A former gang member describes it as "a society of hatred" and "public enemy number one" (Isaac & Haami, 2007). The following description shows how different aspects of gang culture are to the aspects of Maori culture described earlier:

The gang patch worn on our backs was a mark of acceptance into the brotherhood of the Mob. Possessing it meant you had proved yourself a member worthy to wear the symbol of mongrelism, the dog, and all the hatred that went with it. The prerequisite for obtaining a patch meant taking on a lag as a prospect where you did whatever you were told to do, from cleaning floors and robbery to fighting, together with a grab-bag of anti-social behaviour and crime. Some of this was disgusting to say the least.

(Isaac & Haami, 2007, para.1.)

Contradiction, as discussed by Moore-Gilbert above, is echoed by Isaac and Haami in their book, *True Red* (2007). It seems intrinsic to what the Mongrel Mob stands for. It is a society of contradiction: of hatred towards the colonial processes that have oppressed Maori, hence, taking on the Nazi symbol, as Naziism could be defined as an enemy of Britain, the consuming colonial oppressor. Isaac and Haami observe that gang members feel that everyone hates them, so they reflect that hatred back.

Thus, gang society, possibly arising as a result of poverty and social exclusion as a result of colonialism, is likely to contaminate the practices of whanaungatanga and wairuatanga for Maori. These are not the only contaminates, however. The discourse of Western values and structures

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contaminating young people is one adopted by iwi representatives in one focus group discussion. For example, a Western system has developed to separate young people from adults as they grow, but Maori worldviews promote the ongoing close relationship and proximity between young people and adults:

Non-mixing Western ideologies will saturate and contaminate our already vulnerable Maori women to the detriment of their well-being. [Age] mixing is a whanau concept that determines the way we think, behave, socialise, utilising basic tikanga practices as a vehicle to making good wholesome decisions from a Maori worldview. (Puukaki ki te Aakitai focus group member)

This perspective sheds new light on notions of what young people need. Western individualism, which advocates the separation of young people from adults, is contrasted with what are seen as wholesome values, those which prioritise mixing young people with adults. As Tania Mataki notes earlier in the chapter, "Whanau, and the practice of whakawhanaungatanga, is an integral part of Maori identity and culture." Housing young people away from adults, therefore, is not seen as promoting values held dear to Maori and not serving their interests as Maori. Members of another northern iwi echoed such notions:

They talk about increasing whanau hapu and iwi support, right?
And then you look at a separate unit like that, and keep them
away from what they're trying to create! (Representative of Nga
Puhi in conversation with representatives from Te Ati Awa and
Ngati Tama)

Thus, the importance of teaching young Maori to be whanau is not disregarded because the young person in prison. If anything, it may be more important.

Tagata Pasifika discourses

Another focus group discussion gave the impression that separating young people from adults in a prison setting may not be in keeping with some tagata Pasifika values either. For example, a Pasifika consultant I spoke with noted that the *Convention on the Rights of the Child* (UNCROC), which dictates the separation of young prisoners from adult prisoners, is not appropriate for Pacific cultures:

[Int: At the moment UN has a convention that says that young
people under the age of 18 need to be kept separate from adults.]
That might be right for other cultures, but not for Pacific Island! []
But when you are putting all the young ones separate from the
older ones, well, how do you expect them to grow and how do
you expect them to learn? . . All you're doing is making things

worse. . Might as well put them in the prison and forget about them. [] You can't expect them to be separated from their . . . it's when they look after . it's respect . . also a sense of accountability and ownership and that's very important . . if they need to feel responsible for giving back what they have received from their parents, you know. (Pasifika community representative)

Thus, it appears that close proximity to adults is consistent with tikanga Maori and in some tagata Pasifika environments; and such environments are believed to be the healthiest, especially with respect to wider conceptions of health as depicted in Te Whare Tapa Wha (Durie, 1998). There seem to be a number of resonant notes between tikanga Maori and Pasifika cultural values. For example, Christina Newport (2001) writes of the reverence for ancestors and spirituality amongst Pasifika worldviews, and the importance of holistic conceptualisations of well-being.

The importance of being connected with elders who are able to provide leadership and guidance was talked in the focus group, as discussed below:

I do think having a role model, depending on the kind of crime . . . buddying up a younger person with an older person is probably a good idea . . but then you have to really make sure that you know the older person first, and that their role . . . . you can trust that person to be a leader for the young one . . somebody that has

really learnt. (Pasifika community representative, Auckland

Region)

The notion that role models are essential for young people seems common then for both Maori and Pasifika focus group members, although as noted in this discourse, there is a tension around a current prisoner providing role modelling. The process of adopting alternative subjectivities to those associated with criminality is complex, and observing if a person has moved beyond criminal subjectivities ("has really learnt") difficult to discern in a prison setting. Nevertheless, the importance of cultural protocols, history, and genealogy is important to the development of a Pasifika identity:

And when we're talking mentor . . . remember that mentor is an

English word. . . But a lot of things of Pacific . . it means coming in

. . coaching that person about the culture protocols, telling them

about the culture, what happened in the old days. . . Find out the

cultural identity of this person . . if it's Pacific Island . . and

research, oh, where the father and the mother came from, and so

on, because a lot of them, you find, they don't know. (Pasifika

community representative, Auckland Region)

Thus, there appears to be support for Pasifika elders to be involved in mentoring young prisoners, in order to nurture their identification with Pasifika culture as they develop. Tracie Mafile'o (2001) discusses some of the foundation concepts for fa'asamoa (Samoan culture), which include "to

mutually respect and maintain the sacred space within relationships" (p. 11).

Emeline Afeaki (2001) writes of the importance for young people to "undertake a process of positive Pacific self-identity and Pacific communal identity in order to achieve holistic development" (p. 36). Thus, literature and community consultation support the notion that well-being is based on the development of a wide range of subjectivities which contribute to holistic development.

Pakeha as not acceptable/accepted

Much of the chapter so far has focused on how Maori women prisoners construct and are constructed as Maori, and to a lesser degree, how Pasifika women construct themselves as Pasifika in prison. There was only one participant who identified as only Pakeha in this sample, although statistics indicate generally a higher percentage of European offenders in prison (see Dierck & Tyro, 2004). In the extract below, Hine confirms the similarity between those of Polynesian heritage, and then introduces a new discourse: Pakeha as untrustworthy. There are many layers to this, as Hine notes a Pakeha tendency to be "slimy": to fail to be up-front, to betray, to be unsupportive of the collective (which in this case is the prison subculture):

Maori . . Cook island, Tongan . . um, not Pakehas. I'm not racist or

anything, but, oh, I don't know, I just tell them to fuck off, but the

Pakehas in here, they're just, like, they nark on things . . and all that

stuff, they just nark, most of the Pakeha girls that I've come across,

they've narked on me, or, you know, are telling everyone things I've

been talking about to someone else, when I welcomed them in my

room you know . . and they've gone out and narked and told

someone else . . yeah, I don't know . . [Int: Do you think that's a

Pakeha thing or . .] I don't know, I can just tell by looking at them if

they're slimy, or I can tell by just looking at them. (Hine)

Hine's account is of interest as Pakeha are not seen as part of inmate subculture. It is almost as if Pakeha prisoners represent the very power that prisoners align themselves against. Another point of note is the disclaimer used by Hine about not being "racist". Wetherall and Potter (1992) observe that this is a common disclaimer used by Pakeha prior to a racist and potentially offensive statement about Maori. As noted by the Ministerial Advisory Committee (2001), "Racist attitudes on the part of disadvantaged minorities towards those they perceive as advantaged or oppressive are nonetheless racist. They are however understandable and should be seen generally as defensive responses by those suffering inequality" (p. 19). How such inequalities in wider society should be addressed are far greater issues than a study about management regimes in women's prisons, and relate to the dominant neoliberal political, economic, and social system (Cheyne et al., 2005). Thus, in order to address such inequalities, and improve the social context in a group of Maori and non-Maori women, racist attitudes of the

dominant majority, and social and economic policies that are individualistic and materialistic may need to be reconsidered.

Another discourse that appeared in use amongst young women prisoners is the cultural divide between Maori and Pakeha. This made the counsel from older Pakeha women unintelligible to young Maori, as Pania explains:

Like, one of the older Maori ladies, they tell me something so I know what it means, I do have respect for Maori elders . . I do with any elders, but not so much Pakeha, because I don't understand them. (Pania)

Pania takes up, therefore, the discourse of being subject to Maori women, consistent with whakawhanaungatanga as discussed above, but appears to resist being positioned as subject to Pakeha women; her reason being their inability to frame their leadership in understandable terms. In focus group discussions, Maori iwi representatives I talked with confirmed the heterogeneity of Maori; for example, Nga Puhi is not the same as Ngati Toa. Some iwi representatives noted that a key mistake made by policy makers is to "lump all Maoridom up in one package" (for example, Ngai Tahu and Te Ati Awa). The same may be said for those who identify as Pasifika, as even within one Pacific nation there may be differences in approach to some issues.

Conclusion

Analysis of the extracts included in this chapter above indicate shared respect for, and acknowledgement of, the role of elders in young people's lives for both Maori and Pasifika young women prisoners. They also indicate knowledge of, and respect for, indigenous values, and the ways these may be put into practice in the prison setting. This view is echoed by a representative of Puukaki ki te Aakitai, the sub-tribe of Tainui, which is located in the area where the Auckland Region Women's Corrections Facility is situated. She notes:

> *From the moment they are born . . they're born to whanau,*
>
> *they're born to hapu, they're born to whenua, you know, so,*
>
> *all of those Tikanga things that you talk about, because*
>
> *they've been born to that life, they take it with them all the*
>
> *way through.   (Representative, Puukaki ki te Aakitai)*

The challenge, therefore, is to consider how it might be possible to support tikanga Maori and Pasifika values for young women in prison, whilst minimising negative institutional processes and the influence of gang culture. This will be discussed in Chapter Ten where the implications and recommendations that have emerged from this study will be explored.

Chapter 10

Implications and recommendations

The life stories of the resilient youngsters now grown into adulthood teach us that competence, confidence, and caring can flourish, even under adverse circumstances, if children encounter persons who provide them with the secure basis for the development of trust, autonomy, and initiative.

(Werner & Smith as cited in Benard, 2006, p. 199)

Introduction

This study of young women prisoners' experiences in an age-mixed prison environment has been grounded in the discipline of social work, which has social justice and alleviation of suffering as its core goals (van Heugten, 2001). As shown by this study, there are complexities in the social work task, as it has competing foci: the critique of oppressive social structures, and work that assists client groups to fit within society's (possibly oppressive) expectations and social structures. Further complexities arise as a result of the competing aims of imprisonment, where young women prisoners' well-being may not be the primary aim of the delivery of penal services, leading to questions around the politics of need interpretation. Importantly, the sorts of social environments that will be useful to all young women prisoners is unlikely to be homogenous, leading to difficulties in making pragmatic policy

recommendations for all young women prisoners. Therefore, recommendations from this study, discussed later in this chapter, will, therefore, reflect these competing aims and tensions.

The study has explored how young women prisoners constitute themselves and are constituted, both in the prison environment and in the wider society. It has considered women's rights, children's rights and the rights of indigenous peoples to have services and structures that are of benefit to them. From this, a decolonising and feminist approach has been used to privilege young women prisoners' voices concerning age-mixing using strategic essentialsm (Miller, 2000, Spivak, et al., 1996). Young women's rights with respect to UNCROC and age-mixing with adults has also been discussed to consider notions of 'best interest' and a paradox has been noted with respect to the competing paradigms of punishment and best interest leading to notions of 'best interest' that was perhaps not intended by UNCROC.

Further, the exploration has revealed that they are portrayed as manipulative, untrustworthy, and demanding by prison administrators. They are portrayed as undeserving teenaged terrors and thugs by the media, and out of control, violent and cruel drama queens by each other. Effects of these constitutions have been discussed, and include demeaned prisonised selves with subjectivities limited by the very few types of self that have legitimacy in the

environment. One type is the macho youngster who stands over and victimises others, the other type the victim: the bum/bunny who is despised and blamed for her victimisation.

Despite these limitations, and the lack of programs, structure, and activity that further compromise young women prisoners' well-being, young women prisoners in this study resisted limiting subjectivities, especially through their relationships with adult prisoners. Within these relationships, young women experienced, perhaps for the first time, positive guidance, role modelling, and acceptance. From these secure bases, young women were more resilient in the face of their adversity, and were able to experience trust, personal growth, and the development of life and relationship competencies previously not possible. I argue that these relationships with adult prisoners, if managed carefully and in a positive environment, may, from both Western and indigenous perspectives, have the potential to promote the best interests, and, hence, enhance the situation of these young women prisoners.

This chapter will begin by reviewing the literature and findings sections explored by this thesis, and will conclude with some policy and practice recommendations, a discussion of the limitations of the study, and recommendations for further research.

Literature summary

Young-women-as-irredeemable-and-hopelessly-damaged

Literature discussed in Chapter Two investigated the historical context of imprisonment in colonial Aotearoa NZ. This literature review has been useful for considering the origin of some of these intractable common sense yet now-unspoken framings of young women prisoners. As discussed in this study, separation of young prisoners from adult prisoners has historically been due to beliefs about the contagious nature of criminal behaviours and attitudes, and the possibility that young prisoners may still be "hopeful cases" (McKenzie, 2004). The current lack of interventions designed especially for young women prisoners could, therefore, be due to a number of assumptions. Some assumptions have persisted from Victorian times. These include that young women offenders are irredeemable so it will not matter if they are "contaminated" or damaged further by their prison experience, as they are damaged anyway. As also discussed, women prisoners through Victorian times were seen as undeserving of help, also due to the belief that they were beyond reform (Dalley, 1991; McKenzie, 2004).

Penology literature

Literature discussed in the thesis demonstrated that earlier notions of a rehabilitative approach in prisons has been overshadowed, more recently, by a renewed retributive philosophy that has spread globally and reached Aotearoa NZ (Hirst, 1994; Pratt & Clarke, 2005), fuelled by general public awareness through continuous media coverage of horrific crimes (Pratt, 1992; Pratt & Clarke, 2005). Such coverage has served to cause fear, disgust and hatred in the minds of the public towards those who offend, leading to a desire for retribution (Pratt & Clarke, 2005). As a result, dominant public framings have led to legislative change and pressure on the judiciary to impose longer prison sentences with less opportunity for parole, and harsher prison conditions (Pratt & Clark, 2005) with fewer, more targeted rehabilitative programs and services (Beals, 2004).

Social work: More contradictions

In contrast to discourses of deterrence and punishment, this study, as discussed in Chapter Three, Part One, is grounded in the discipline of social work, with its core concern "to alleviate social suffering and improve the quality of people's lives" (van Heugten, 2001, p. 14). As discussed throughout this study, social work operates under a number of paradoxes in the criminal justice setting, including tensions between self determination and empowerment, and has a role which demands it to simulateously help clients

both conform to to society's expectations yet challenge societal inequalities (Taylor, 2001).

Portrayals and effects

This section of the chapter will now summarise the findings chapters that explored how others constituted young women prisoners, and how they constituted themselves.   It will consider the effect of powerlessness and embodied realities as experienced by young women prisoners, and the types of self that is possible to fashion within in the prevailing discourses.

Effect of powerlessness

It needs to be noted at this point that while the theoretical orientation allows for the concept of agency for young women in the ways they position themselves in relation to dominant constructions of themselves, their actual ability to change their current situation by themselves is very limited. The effect of loss of liberty may make them vulnerable and powerless, as seen in overseas studies (for example, Gaarder & Belknap, 2002; Paternelj-Taylor, 2005). They may have little say in prison processes or management, and, as shown in the findings, complaints are often dismissed and ignored, as also indicated overseas (for example, Sim, 2002).

In addition, prevailing discourses about prisoners in general go unchallenged, as there are few opportunities for prisoners to speak publicly about the reality of their lives (Pratt, 1999). Thus, unfair and limited judgements are made of them, and they are categorised as manipulative, untrustworthy, undeserving, dirty and contaminated. Women prisoners are constructed as all these, yet more manipulative and demanding, and even harder to work with than male prisoners. Such constructions may restrict the types of selves available to young women prisoners, and serve to dehumanise, and justify negative treatment, of them.

With regard to self-constructions, young women prisoners in this study appeared to constitute themselves as out-of-control "drama queens" who were unable to support each other. The image of a "drama queen" is of a woman who "blows things out of proportion" or has imagined "gripes", and this image may further reinforce an undeservingness that may not be felt by young male prisoners. The young women also constructed themselves as incapable of preventing their own, or each other's destructive behaviours, without the close proximity of adult prisoners. This is a similar finding to research with girls in the criminal justice system in the United States (for example, Goodkind, Ruffolo, Bybee, & Sarri, 2008), where young girls declared they were unable to get along with each other. The researchers believed this was due to their being so devalued that they were unable to value and support each other (Goodkind et al., 2008). It is possible that this belief is relevant to

the current study as well; the study has shown that young women prisoners are devalued by the ways they are constituted by themselves and others, so their options for acting outside these constructions are limited.

Young women prisoners also constructed themselves as violent and cruel to each other without the guidance of adults. They saw themselves and each other as still "forming" and this was related to not being skilled in self-control, not knowing how to solve their problems without violence, and generally being anti-social and volatile. Negative constructions of them by staff were internalised, and at times they spoke about themselves as naughty and deserving to be punished. The prison context thus appears to create a demeaned, criminalised, and stigmatised "prisonised self'" characterised by strong association with othered subjectivities. Prisonisation as a process could be said to be a way of resisting such constructions, of (re)claiming one's humanity in the face of such denigration and lack of alternative viable subjectivities, although it appears that becoming a prison-self may have its costs in the form of regret and guilt.

Embodied realities of being a young woman in prison

Unclean and dilapidated buildings, frequent lock-ups, and lack of programs, services, and structure, may have also create a feeling of abandonment, of not being a priority, amongst some young women prisoners. The experience of being a young woman in an institution that is not designed to take their bodily

realities of youth and exuberance into account was duly noted by the sample

of young women prisoners, and some iwi representatives who work with them.

Older women prisoners were content with the lack of activity and structure,

but young women were adversely affected by it, as shown by lack of energy,

profound sadness, boredom, and the need to cause trouble and victimise

others. Young women discussed the unpleasantness of isolation, and the

adverse effect this had on their health and well-being. Their eagerness to

participate in courses that may help them not re-offend in the future was at

times thwarted by lack of opportunity.

Despite these difficulties and barriers to well-being, however, as noted by

Foucault (1990), present systems, supported by dominant discourses, are not

fixed, necessary or even inevitable, and thus they can be changed (Dreyfus &

Rabinow as cited in Curran, 2008; Foucault, 1990; Sawicki as cited in

McLaughlin, 2003). Drawing on and strengthening the ways that prisoners

resist the negative constructions may offer a path towards positive

transformation (Foucault as cited in Miller, 2000). Changing the ways others

construct them may also be likely to change the structures within which they

live. Ideas for change within the prison and in wider societal structures will be

discussed later in the chapter. In the meantime, the ways young women

resisted negative constructions and their resulting subjectivities will be

discussed.

Young women as kind protectors vs. "macho mans"

As shown in the findings chapters of this study, few prisoners resisted constructions of themselves as out of control drama queens, or invincible toughies, afraid of nothing and no one. A small number did resist constructions that depicted them as uncaring, or lacking in ethics, however. Some positioned themselves in interviews as those who protect prisoners who are less fortunate or less powerful than themselves. A small number conformed to prevalent societal discourses concerning the innocence and vulnerability of young prisoners, implying that victimisation is less likely in a unit for young women. This notion was strongly contested by others, who noted that the young women are more violent, angry, and status seeking than the adults, and, hence, prone to more ruthless, violent behaviour.

As mentioned earlier, cultural norms amongst young women prisoners appeared to make any construction of oneself as weak, or new to prison, abject (Chanter, 2008); earning the name "bum" or "bunny". Such terms, used by the young women prisoners in this study, suggest that it is notions of vulnerability, and inability or unwillingness to fight back if being victimised, that are most despised. This is similar to findings in Pogrebin and Dodge's (2001) study. Thus, those who were victimised were blamed for their victimisation. Participants also positioned themselves in various ways relative to punishment and blame discourses, constructing themselves simultaneously

as innocent victims of a heartless society, and as incorrigible misfits who should have known better.

Relationships with adult prisoners: A stable base

The word "immature" was used often by young women prisoners about each other's behaviour, and their general approach to life. In this context, it related to notions, as discussed earlier, that young women were not "formed" and, therefore, were unable to control their violent impulses or stop behaving in ways that damaged themselves or others. It is possible that the violent, "immature" cultural norm amongst young women (as opposed to adult women) was dominant due to young women's ability to use physical and/or psychological violence to mobilise and display power in a number of different forms. These may include repression/coercion, manipulation and strategy, power/knowledge, discipline and governance, or even seduction (Westwood, 2002). Young women prisoners were seen as holding the most desirable traits in the prison setting: being tough, violent, macho, and holding high status. Those who stood outside these norms seemed to have few opportunities for adopting valued subject positions. Those with the desirable traits seemed able to punish those who stepped outside the norms, and were able to form powerful cliques that supported their version of how things should be run.

Even though the findings suggest that constructing oneself as tough or masculine is necessary for social status, and, hence, survival in the women's

prison context (see also Goldingay, 2007a), resistance to this unitary and limiting self construction seemed available within the young women's relationships with adult prisoners. For example, a significant number had successfully formed close relationships that facilitated non-violent conflict resolution and inspiration for positive visions for the future. While there appeared to be pressure to conform to violent cultural norms, this did not prevent them from forming relationships where they could be involved in compassionate and caring relationships with those they respected. Further, within these relationships, young women appeared to learn to trust others, something that, hitherto, they had not experienced. Within these stable bases, young women prisoners developed self-control, initiative, and insight into their lives, and learnt ways to make positive changes. They became resilient in the face of adversity, and learnt to care for others within the reciprocal notions of tuakana (older sister) and teina (younger sister).

Another aspect of the social context for young women prisoners, which has become clearer from this study, concerns power relations, and who is powerful and why. Common-sense beliefs amongst policy makers and politicians regarding young male prisoners concern their vulnerability, helplessness, and malleability. As discussed in Chapter Four, youth have been seen by policy makers as people in process, forming their identities, and, hence, at a crucial, vulnerable stage (Beals, 2006; Zampese, 1997). In addition, adult prisoners have traditionally been seen as powerful, manipulative, or entrenched in

damaging and dangerous behaviour, with nothing of value to offer young people. As shown in this study, however, not all young women prisoners are vulnerable and helpless, and not all adult women prisoners are powerful, manipulative, or dangerous. If anything, according to some of the participants in this study, the young women, rather than the older women, were the ones who held the most power due to their desire for status, and willingness to engage in violent behaviour to obtain it. Adults seemed more likely to fit into the young people's culture, not the other way around, thus challenging existing notions of corruptibility and criminal contamination of young prisoners by older prisoners.

A further complexity in the discussion of policy solutions for young women prisoners seems to be the general framing and stereotyping of women. Chapter Seven has demonstrated that dominant notions of females are that they are always "nurturing and emotional caregivers" (Allan, 2008, p. 107) with a "capacity for unconditional emotional support" (Liebling, 1999, p. 160). As a result of these dominant framings of women, the danger-discourses applied to male prisoners, and referred to earlier, do not seem to be given as much weight for women prisoners in policy documents. It is assumed that while male prisoners create fear for young people, due to gang recruitment and stand-overs (Harre, 2001), adult women prisoners are, instead, constructed as able to "mother" and "calm" young women prisoners (Department of Corrections, 1998).

While these stereotypes appear partially true from the findings of this study, gang issues, violence, and intimidation appeared ever present for this sample of women in prison, although, again, this did not appear to be an age-mixing issue. Some older women were violent, destructive, and described as "not all there" by participants. Nevertheless, as also noted by participants, it was the young women who were particularly active in gang cruelty and violence. Of interest, was that participants observed that the presence of some adult prisoners may have at times lessened the negative impact of gang tensions and provided comfort, relief, and positive role modelling. This again suggests that for some, relationships with adults afforded a resiliency not otherwise possible, and may have turned a negative experience into one of positive growth.

Relationships with staff

The majority of participants observed that the close relationships young prisoners appeared to enjoy with adult prisoners were generally not possible between young prisoners and staff, due to the dividing practices (Foucault, 1982) which led to sentiments of "us" and "them" where staff were termed "haters", and "koretake" (useless). For some young women prisoners, there was also a belief that staff could not possibly understand their situations, having not experienced the same lifestyle. As noted, staff, generally, would tell them to "just get over it" whereas adult prisoners would provide comfort,

understanding, and even humour to help young women prisoners get through tough moments. Despite this, a small number of participants in both Christchurch Women's Prison and Auckland Region Women's Corrections Facility spoke of the support and help they had received from uniformed staff (see Goldingay, 2007b). This is an area which deserves more study, especially when considering the types of relationships possible between young women prisoners and staff, and the possible benefits these may have.

Alongside the small number who spoke of positive relationships with staff, young women prisoners appeared to seek out those adult prisoners who were able to provide effective discipline and control, and spoke of their respect for these women and desire for such discipline. Such desire and respect may be particularly surprising amongst young women who are in prison; the abject women, who law abiding women may compare themselves to and, as a result, feel somehow superior and righteous. Wanda Pillow (2003) makes a similar observation in her feminist genealogy research approach with teen mothers, where "locating the unacceptable and marginalised works to also locate and regulate the acceptable public female body" (p. 154). The existence of the "bad girl" (Chesney-Lind & Irwin, 2008) identities provide powerful messages to others and a disciplinary mechanism to non-criminalised women. It seems from listening to participants' stories, that despite adversity, many young women prisoners may have plenty to teach women in the free world about

respecting elders, learning from mistakes, humility, honesty about ones' own failings, and caring for others.

The strengths perspective: Widening limiting subjectivities

Ways to challenge the dominant framings of criminalised women were discussed in Chapters Eight, and Nine. These analyses used a strengths perspective (Saleebey as cited in Compton et al., 2005) to focus on young women prisoners' virtues, strengths, and values. Some values identified in these contexts may be seen as commonplace in Maori and Pasifika settings, but may not be widely acknowledged or appreciated amongst mainstream Pakeha Aotearoa NZ. They may be made invisible by assimilatory processes and dominance of Western cultural norms in the free world. These values were discussed in Chapter Nine and include respect for the sacredness of the person (wairuatanga), whanaungatanga (importance of building family-like relationships) and manaakitanga (care and hospitality).

Strengthening positive self-constructions based around indigenous values may be another way to facilitate some young women prisoners adopting more positive constructions of themselves, and their potential, for themselves and their children. Supporting these may promote well-being and quality of life for

young women prisoners, as they challenge the limited ways they have been framed by politicians, prison administrators and staff, and the public. They also may challenge the limiting constructions young women prisoners have of themselves, thereby widening possible subjectivities.

The role of adult prisoners: Mentoring in positive values

In addition to providing a stable base which promoted resiliency and personal growth, relationships with adult prisoners appeared to provide other benefits to young women prisoners as well. For example, young women prisoners identified that their knowledge of, and immersion in, values (Pasifika, Maori or Pakeha) occurred within their relationships with adult prisoners. Young women prisoners of all ethnicities constructed themselves as in need of adults to provide this mentoring; many expressed a desire to have this on an ongoing basis. These accounts were supported by focus groups with iwi and Pasifika representatives as well. An intervention or management arrangement that is able to promote the development of mentoring relationships between young women prisoners and adults, therefore, may lead to further opportunities for well-being, and thus be in their best interests. Ongoing relationships with adult prisoners, supported by processes and structures within the prison system, and carried out within appropriate protocol, may have the potential to challenge dominant subjectivities of aggressor/victim that are currently

available to young women prisoners and which may be limiting and, in some instances, damaging.

Recommendations

As a result of the extensive exploration of young women's experiences of imprisonment in Aotearoa NZ, and consultation with iwi representatives, there is strong justification for the use of planned mixing with those adult prisoners who are able and willing to provide mentoring and support for younger women prisoners. Overseas, similar mentoring ideas have been adopted, such as in Scotland with the Routes out of Prison (ROOP) program, which caters for young women who are released from prison. The Scottish project aims to build resiliency through supporting family connections and employment skills via ex-prisoner mentors termed "life coaches" (Nugent, Schinkel, & White, 2007). In Aotearoa NZ, Singh and White (2000) similarly support the use of mentors for young people who are in trouble with the law. While this is not a homogenous group, and not all young women will benefit, there is also justification for young women being able to have the choice of being in such a unit.

The prison regime: Some alternatives

Whilst some writers may advocate the abolition of prisons for women (for example Faith, 1993, 2000), it has appeared that the significant number of women with drug, alcohol, and violence issues means that such a solution may not be viable in the foreseeable future. The recent prevalence of violent offences committed by young women is likely to be due to multiple factors in the social and political environment (see Goldingay, 2008), so intervention with the prisoner alone is unlikely to solve the issue of their offending.

Evidence from this study suggests that the current age-mixing arrangement, whilst serving some important social and cultural needs for some prisoners, is, in a number of ways, insufficient, if reducing re-offending and providing for well-being are the goals. Regular access to programs and activities that contribute to the physical, psychological, and emotional well-being of young women prisoners is required to mitigate against the negative and violent culture, and resulting limited subjectivities experienced by young women prisoners in the current social environment. Should a mixed-age unit be set up for women prisoners, evidence from this study supports the use of structure, activity, and exercise for young women, to account for their energy levels.

Their expressed desire to move beyond their offending lifestyle could be catered for in the form of courses and programs, some of which might involve the prisoner and their whole whanau. Such programs could be designed with young people in mind, including the use of language, music, and concepts that they relate to and are inspired by.

As there are a significant number of Maori imprisoned at present, and current interventions do not appear to be having an impact on the rates of young women being imprisoned (as shown by Department of Corrections Statistics, 1999, 2003), indigenous solutions alongside Western imprisonment techniques may enable a more effective opportunity for improvements in the well-being and reducing re-offending rates of prisoners. This approach has been used to positive effect in the Te Piriti Special Treatment Program which has been put in place for sex offenders (Nathan, Wilson, & Hillman, 2003), and shown to reduce re-offending rates.

Using indigenous methods of intervention that incorporate whanau and community, not just the person who has broken the law, may also bring about improvement in the well-being of communities, and, consequently, reductions in re-offending rates (Durie, 2005). This statement conforms to a strain theory analysis of offending (Agnew as cited in Goodkind et al., 2008), which holds that risks of offending increase in the face of life stressors. Negative relations

with others are thought to be the key source of such stressors. Resiliency is, therefore, sought, and, as mentioned earlier, an important factor in resiliency for this group is likely to be the presence of social support in family-type relationships. Such support has been shown in other studies to enable young people in trouble with the law to deal with their difficulties in non-delinquent ways (Agnew as cited in Goodkind et al., 2008)

Therefore, effectiveness of prison services might be improved if such an intervention was matched by a change in approach with respect to prison regimes, and the corresponding relationships between prisoners and staff (Nathan et al., 2003). Relationships characterised by "dividing practices" (Foucault, 1972, p. 208) seem to be the norm in women's prisons, according to young women prisoners in this study; participants discussed the negative constructions prisoners and staff had of each other, and how this limited the kind of help and support they could receive from staff. International literature I surveyed in Chapter Five observes the increasingly negative social atmosphere amongst prisoners with increasingly authoritarian regimes (for example, Davidson-Arad, 2005; Jennifer et al., 2003). Other countries demonstrate similar hierarchical pressures in their prisons.

Alternatives to traditional regimes used overseas have included prisons that are more open, where prisoners maintain their relationships and employment

outside prison wherever possible. As noted by Hon. Damien O'Connor (then Minister of Corrections) after his trip to Finland, open prisons are more effective in reducing re-offending than the traditional prison type due to continuing connection with the community (Department of Corrections, 2006b). Other open prisons overseas include Askham Grange, in England, which has also had positive reviews (for example, Owens, 2004), reporting less bullying, suicide, and self-harm incidents. Iwi representatives I spoke with also supported the use of open prisons to maintain community links and reduce the negative and disabling effect of imprisonment. They stressed the importance of working with both the prisoner and their family/whanau and the community. All people fashion themselves according to the cultural resources in their social environment (Kvale, 1992), so work with both prisoner and their whanau and community is likely to provide more lasting and positive change.

The feedback from Maori iwi representatives and a Tagata Pasifika representative, as part of this project, point to the need for the government to allocate sufficient funds to enable Maori and Pasifika peoples in each area to design, develop, and implement interventions that incorporate tikanga matauranga (knowledge) and Pasifika knowledge. As suggested by focus group participants, mentoring programs may be set up which enable young people to engage with a person with whom they can relate with the view of building positive relationships. As mentioned earlier, these relationships may enable the development of broader ranges of subjectivities: subjectivities arising from

self constructions of integrity, strength, and intrinsic value and worth. These relationships may counter some of the negative effects of the unpleasant constructions of young people who offend in the media and in general discourse.

Whilst such a suggestion seems out of place in a post-structuralist study, it is keeping with other post-colonial and feminist writers who suggest the use of strategic essentialism to obtain privilege a particular perspective for political ends (for example, Miller, 2000; Spivak, 1999). Such strategic essentialism involves locating similar aspects of young women prisoners' discourses to create a temporary collective identity. This is important, as it places "subordinated knowledge and voices on the same footing, in principle, as that of society's dominant groups" (Miller, 2000, p. 319).

Crucially, this process of strategic essentialism respects the diversity present in the prison setting, while, at the same time, challenging hegemonic interpretations that may have silenced the multiple experiences of young women prisoners. It aims to "argue for the good of alternate accounts which respect the multiplicity of the world" (Miller, 2000, p. 322). As such, it is a useful and effective strategy in the political struggle for redistribution of power and resources for those who belong to marginalised groups, such as women, youth, Maori and Pasifika, and prisoners.

Consultation with some iwi representatives has led to the suggestion that the highest ideals of best interests for these young women is that they live in whanau-type environments in prison. This will enable them to learn Maori worldviews that are not contaminated by Western individualism. Whilst not every iwi representative saw the issue this way, most spoke of young people's need for their elders. One member of a focus group sent me a letter after our meeting, suggesting, as noted earlier, I stop wasting government money on projects like this that "never go anywhere", and instead give the money to the "old people" so they can really help young women in prison. Another iwi representative suggested that tangata whenua be involved in choosing which adult prisoners have the required traits to be effective supports to the young. Thus, a clear message concerning the importance of adults in an age-mixed setting, for the holistic well-being of young women prisoners, was given by both young women prisoners and iwi representatives.

Community, societal, and political responsibilities

Ways of being that move beyond the constraining subjectivities (that have been suggested here to have been experienced by young women prisoners) brought about by constructions of themselves as ruthless, macho, violent drama queens, bums, bunnies, or incorrigible misfits, would need to be matched by changes in the ways they are constructed by the wider public, and

by prison administrators and staff, however. Disrupting and challenging negative dominant constructions of women prisoners, which have been shown by this study to be prevalent amongst these groups, may prove challenging. Negative constructions of prisoners seem self-perpetuating, since the more prisoners are excluded and demeaned, the more their lives may become difficult, leading to re-offending, which, in turn, leads to rejection, imprisonment, and further exclusion.

Addressing wider issues: Social exclusion

Another problem in Aotearoa NZ that so far seems to have defied solution, has been identified by participants and by iwi representatives in focus group discussions: the prevalence of gang and/or other violent cultures in Aotearoa NZ prisons. Such cultures thrive on fear, intimidation, and violence (Isaac & Haami, 2007). Willingness to engage in destructive and violent behaviour may be sanctioned under the rubric of loyalty and honour in prison. As noted by iwi representatives, violence and gang culture may be engaged in as a symptom of disaffection, poverty, and social exclusion. Being in, or joining, a gang may have been another way of creating collective structure and meaning for some in the urban environment. People join established groups for many reasons, including status and belonging (J. Anglem, Kaumatua, Te Awatea Violence Research Centre, University of Canterbury, personal communication, November 21,

2008). Clearly, for those who join a gang, membership may then lead to crime (Eggleston, 2000; Roguski, 2008).

As described in the Chapter Eight, a significant proportion of young women in this sample (45.5%) grew up in gang environments, where they were exposed to anti-social sentiments (towards those outside the gang and towards women), and to drugs, alcohol, violence, various types of abuse, and criminal involvement. Therefore, any work with individuals and families on violence and abuse prevention, and substance abuse treatment, would need to be matched by government efforts to reduce social exclusion, which is often justified in discourses by Pakeha on individual and institutional levels (see Ministerial Advisory Committee, 2001; Wetherell & Potter, 1992).

A wider, more political approach is, therefore, required to address the multiple causes of offending for this group. There may be a correlation between historical and contextual factors and criminal behaviour (see also, Goldingay, 2008). Researchers note the cumulative risk of social exclusion as a result of poverty, victimisation, and drug use for indigenous peoples (for example, Hogg, 2001). Young Maori in towns and cities today are part of the third generation of migrations of Maori from rural communities to urban life (Walsh-Tapiata, 2001). Such migrations may have led to a loss of structure and meaning for Maori, which, for some, has been replaced by emotional and

other health problems, substance abuse, crime and violence (King, 2003). This may help to explain the large numbers of Maori currently imprisoned in Aotearoa NZ, as discussed throughout this thesis.

While an in-depth look at wider social policy in Aotearoa NZ is beyond the scope of this study, there is evidence to suggest that more long-term and context-related ways of thinking about how, when, and where to intervene in order to address the factors in criminal behaviour amongst young women prisoners is important for many reasons. These include issues of safety, quality of life, and human rights. Enabling Maori to develop interventions, such as an age-mixed unit for women in prison, may lead to a number of positive outcomes, not least of which is an improvement in the holistic well-being for the young women, and the further normalisation of the use of indigenous wisdoms alongside the dominant Western therapeutic paradigms. As discussed in Chapter Three, the Treaty of Waitangi guaranteed the same rights and privileges for Maori as for non-Maori as well as tino rangatiratanga, or self-determination. Thus, to achieve justice in Aotearoa NZ, policy solutions need to give Maori the resources and support to achieve their aspirations, and to encompass their worldviews, just as current law and policy benefit Pakeha aspirations and fit within Pakeha worldviews (Ministerial Advisory Committee, 2001).

Focus group discussions with iwi representatives and time spent with young women participants has had a significant impact on my thinking about issues relating to young women in prison. For example, the limitations of making recommendations in one area, such as criminal justice, without a unified approach across other areas, such as child protection, income support, education, and other spheres of government influence, have become apparent. Changes in criminal justice may not have much impact on wider social, economic, and political frameworks that serve to limit options for young women prisoners. These areas are also partly responsible for the stresses experienced by families, the disaffection, the gang membership, the violence and the abuse. These factors are then partly responsible for the prevalence of drug and alcohol addiction, and the resulting lapses in judgement and desperation that may, at times, lead to criminal activity. Other limitations of this study have become apparent as well, and, therefore, these will now be discussed.

Limitations of the study and some strategies to overcome them

How to account for participants' choices

The study has been underpinned by social constructionist approaches, as discussed in Chapter Three. A question that arises as a result of taking a social constructionist view of the person as a non-unitary and non-essential self, is

then how to account for the positions people may choose to adopt in certain situations. Some young women prisoners seem to have repeatedly chosen subject positions in life that do not serve them well, either in the short or long term, yet they appear to have an ongoing emotional investment in their current positioning. A discursive study, such as this, can account for how power may cause people to position themselves in certain ways, but it does not account for the role of biology, heredity, or even habit, in the ways people may behave. It also does not account for why some young women prisoners may appear to have insight into self-defeating behaviour or habits, but others do not appear motivated to address long-standing problems, despite the suffering these may cause them and their families/whanau.

Consideration of these issues is likely to be important for any future study of young women prisoners. An examination of the personal files of 13 of the young women who participated in this study suggests that a number have inherited mental health issues, including depression, anxiety, drug or alcohol dependence, schizophrenia, and Attention Deficit Hyperactivity Disorder, or may have had head injuries. Such conditions may cause a physical imbalance in the brain, irrespective of physical and social conditions, affecting behaviour and subjective experience not accounted for in this discursive study. Past trauma, including physical and sexual abuse, may also cause chemical imbalances in the brain, resulting in conditions such as Post Traumatic Stress

Disorder and other anxiety-related conditions that affect behaviour and subjective experience.

How to account for the physical/biological realm

A criticism often made of using discursive strategies to study any phenomenon is how consideration can be given to the physical realm, as independent of how people represent it in language. For example, as alluded to earlier, the physical realities of young people being housed and managed in a facility designed for adults may have a materiality not yet expressed in language, except for statements such as those made by Gaarder and Belknap (2004) and the Howard League for Penal Reform (1997) which declare that age-mixing does not meet young women prisoners' "needs". This raises the issue of embodiment, since understanding bodily experiences is arguably an important ingredient in understanding what it means to be a person (Burr, 2003). If there is no language to define an issue or problem, it is then very difficult to address. In some instances, new words may need to be invented to name a process or phenomenon. Further studies could investigate these embodied realities in more detail.

There are some feminists who do not support the use of post-structural analysis in research, due to their concerns that such analysis may be relativist and, hence, unable to privilege one account over another. This is a problem when one group under investigation holds considerably less power than

another, and, hence, exists under oppressive or deprived conditions. As has been indicated, however, analysis of power relations through the study of discourse necessarily includes material effects of discursive framings (Allan, 2008; Burr, 2003). As such, post-structuralist analysis is not relativist. Patti Lather (2003) also provides a good explanation of the link between the discursive and the real. She alludes to how Derrida's statement, "There is nothing outside the text" (p. 258), is often misinterpreted to mean that there is nothing beyond language. As discussed by Baker (as cited in Lather, 2003, p. 258), what Derrida actually means is there are no concepts, events, processes, or objects that are able to be conceptualised as real, except for those that are able to be expressed in language. In other words, there are no concepts, events, processes, or objects that are free from the "conflicting networks of power, violence and domination" (p. 258). Thus, the challenge that arises from this study is how to activate affirmative power, and put into words the deprivations experienced by young women prisoners and the possible long-term effects of these deprivations, in a manner that policy makers can understand and acknowledge as important.

How to challenge power relations

Despite the potential for activism (Kvale, 1992), and the possibility of tapping into political resources that "have remained untapped and forgotten for millennia" (Boyne, 1990, p. 166), another critique of Foucault's methods for solving social problems is that they are incomplete, since they do not say *how* to challenge hierarchical power relations (Boyne, 1990; Burr, 2003). It is likely

that Foucault did not give specific instructions about how to challenge such oppressive relations, because each situation is different and may require a different approach, depending on the cause of the power imbalance.

In the case of young women prisoners, there are a number of factors that contribute to their powerlessness, including their membership of "othered" categories, such as being criminalised, young, female, and, in a large number of cases, having their culture colonised. Thus, other tools are required to consider how to improve the situation of marginalised groups, such as young women prisoners. Foucault's ideas can be usefully taken up and developed by feminists, or those studying issues for indigenous peoples, to consider power, knowledge, and subjectivity as it relates to the experience of those who are othered in discourse. Engaging feminist and decolonising perspectives which directly enlist values such as improving quality of life, and privileging those whose voice is not often heard in public discourse, may be useful tools if the intention is to shift repressive power relations.

How to account for researcher bias

Another critique of post-structuralist approaches, which is useful to mention at this point, concerns the tendency for the researcher's own personal agenda, history, politics, and knowledge base to remain hidden (Saukko, 2000). Researcher transparency has been a priority throughout this project, as shown in Chapter One, Part Two which looks at the researcher's positionality. Blind

spots may still remain, however, especially as I have never experienced breaking the law or being imprisoned. My agenda may be questioned, since I am a white, educated, middle-class, non-criminalised woman, a person who sits on opposite side of the binaries of those less privileged. As noted through this thesis, decolonising ethics are important to social work in Aotearoa NZ, and, in addition, my personal ethics hold me responsible to avoid continuing to colonise Maori.

The issue of privileging young women prisoners' voices

One paradox in using discursive studies, which became apparent during this study, is how to listen to women's stories and viewpoints whilst critically analysing the discursive climate. In a similar way to that described by Saukko (2000), I was "torn between my feminist commitments to be true to the women's voices and my feminist commitment to criticize discourses that define us in problematic ways" (p. 299). This issue is partially addressed by close consultation with iwi representatives and ongoing feedback from them and from participants. Participants had input into the initial analysis and have viewed articles I have written. Nevertheless, there may always be different interpretations, and mine, whilst attempting to be decolonising and feminist, may differ from other's interpretations or representations even if they share similar values.

Thus, despite the fact that discourses identified in this study are competing and contradictory, ideas have emerged which take into account power relations and the multiple subjectivities experienced by young women prisoners. The exploration has facilitated a challenge to fixed notions of gender, youth, ethnicity, and prisoner, thereby moving closer to complex and heterogeneous material realities and multiple subjectivities. Material effects of the ways in which young women are constituted and self-constitute are also apparent from this research. Issues related to the youthful body and its tendency to prefer activity over sedendary occupations, and the youthful mind that pefers stimulation and purpose, have been raised in relation to the limitations for young women to achieve these in institutions designed for adult women.

Discursive studies, such as this, have the potential to enable new ways of seeing old problems, providing the opportunity for an understanding of complexity in social settings through discursive strategies. Issues to do with power and subjective experience have emerged, and, from this, ideas have been suggested relating to interventions at the discursive level in the micro (prison environment), meso (community), and macro (social and political system) levels. Change at the discursive level is important as this is where meanings are made, and concrete material effects flow from these (Cameron as cited in Allan, 2008).

Improvement in the situation of these young women is important for this group of young women. The effects of ongoing despair as a result of frequent lock-up hours, lack of activity and structure, and programs to address their offending may be profound in the long term. A possible effect of requiring young women to serve time in a separate youth unit away from adult prisoners may also not be in keeping with indigenous or Pasifika notions of "best interest". Instead, whanau-like social settings may be more likely to enable young women to be position themselves, and be positioned, in positive ways in order to facilitate less limited subjectivities.

Further research

In addition to the suggestion earlier that the impact of mental health, drug addiction, and other disabilities be explored further to understand young women prisoners' experiences of age-mixing in prison, this study points to some other areas that would benefit from further research. For example, some data I collected were not used, due to the word limit of the thesis. Information collected from personal files and community groups, such as the Howard League for Penal Reform and the Prisoners Aid and Rehabilitation Society (PARS), would provide an even broader view of the ways young women are

constituted by those who work with them, and any subjectivities resulting from these.

Other material collected but not used during data collecting related to food issues for young women prisoners in a mixed-age setting. The majority of participants noted that they did not get the food they needed for their growing bodies, and what they did get was not necessarily healthy. Some may have been aware that males in the youth units have extra food and fruit to meet their higher nutritional needs, yet such privileges were not given to young women prisoners. This material may be included in a subsequent publication.

A closer investigation of the social context within Aotearoa NZ women's prisons is also needed. The lack of research in this area was also observed by Tie and Waugh (2001) in their development of the Prison Youth Vulnerability Scale. Studies specifically focusing on contextual factors in women's prisons in Aotearoa NZ include Fiona Beals' (2004) study of women prisoners' experience under the new Inmate Offender Management System (IOMS), and Collie and Polaschek's (2003) study of institutional misconducts in Aotearoa NZ women's prisons. To add to these valuable studies, more research is needed which focuses specifically on the social context, power relations, and general experiences of women in prisons. More studies investigating factors related to resilience in the face of adversity are also needed.

Staff-prisoner relationships in women's prisons in Aotearoa NZ is another unchartered area, and it would be very useful to have Aotearoa NZ studies which mirror overseas studies, such as those by Davidson-Arad (2005) and others. A more formal investigation into the social context of prisons as experienced by staff working in Aotearoa NZ women's prisons would provide an even broader understanding of the discursive climate and overall impact of women's prison on those who work, or serve time, within them. There has been a study overseas (Tracy, 2004) that looks at constructions of prison officers in women's prisons, which would be useful to emulate should the opportunity arise.

Conclusion

Material from interviews with young women prisoners, and focus group discussions with iwi representatives, have challenged common sense notions of what it means to be young, female, and prisoner in Aotearoa NZ. Notions of constructions of criminality as contagious, and adult prisoners as "hardened" have been interrogated, demonstrating contrasts between Polynesian and Western values. Nevertheless, while adult prisoners are seen by most participants as crucial to young women prisoners' well-being due to the

stability and role modelling they provide, the current prison arrangements compromise the practice of values and virtues, due to the authoritarian structures and dividing practices created between prisoners and staff. Evidence has therefore supported the use of age-mixing for young women prisoners, but only if changes are made to the way prison services are delivered. Issues such as structural inequality and disadvantage have been made evident in this study, as have issues such as the significant percentage of women prisoners who have suffered trauma and abuse in their so-far short lives, and those who experience substance dependence, mental health issues and violence in their home life.

As a final note, I would like draw attention to the fact that 54% of the small sample were already mothers. In relation to this, I will include a well-known whakatauki (proverb) that was shared with me during my research journey: *He wahine, he whenua, e ngaro ai te tangata*, speaks of the intrinsic value and importance of women. Pere (as cited in Mikaere, 1994, p. 1) translates this as: "Without the essential nourishing roles that women and land fulfill . . . humanity would be lost." This whakatauki speaks of the importance and value of nurturance, without which, the future is bleak. On many levels, nurturing young people, in general, has a significant impact on their future. Nurturing young women has the potential to affect many futures. Thinking of new ways that young women prisoners can be nurtured, supported, and given stability as

they grow to adulthood is likely to both improve their well-being and their ability to nurture their own children more effectively, now and in the future.

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Te Whare Wānanga o Waitaha
CHRISTCHURCH NEW ZEALAND
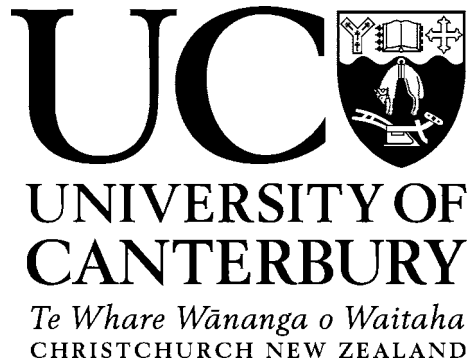
AGE MIXING IN WOMEN'S PRISONS CONSENT FORM (CHCH)

I agree to take part in this study and I have been given information about it.

I prefer to have a Maori/Pakeha/Pacific researcher (Please circle one)

I understand that this interview is confidential and no one will see or hear my interview information in a way that identifies me, except Sophie Goldingay and the person who interview me (if applicable).

I understand that no individuals will be able to be identified in the final report.

I give permission for the researchers to access my prison file for incident reports or other relevant information that will also be confidential to the researchers and only used for the purposes of this project.

(This is not essential to participating in the research)   Yes/No (please circle one)

I give permission for this interview to be taped, and I understand that the tape will be wiped immediately after it has been listened to and the information written down. Yes/No (Please circle one)

I understand that should I inform the researcher of a life-threatening situation that I am aware of, she will need to act to protect the person(s) whose life is in danger

Signature…………………………………………………………………………..

Date   /   /

Tena kou tou Katoa

Thanks very much for your help with this study.

Consent form Auckland and Wellington groups
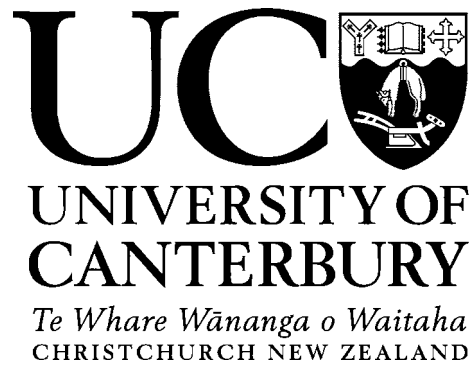
AGE MIXING IN WOMEN'S PRISONS CONSENT FORM

(AUCKLAND AND WELLINGTON)

I agree to take part in this study and I have been given information about it.

I prefer to have Sophie / Marcia to interview me (Please circle one).

I understand that this interview is confidential and no one will see or hear my

interview information in a way that identifies me, except Sophie Goldingay and

Marcia Marriot and any persons I give signed permission to attend (See next

question).

I give permission for …………………………………to attend my interview with me. (This person must be an approved visitor, or Kaitiaki/Kaiwhakamana/Fatua Pasifika).

I understand that no individuals will be able to be identified in the final report.

I give permission for the researchers to access my prison file for incident reports or other relevant information that will also be confidential to the researchers and only used for the purposes of this project.

(This is not essential to participating in the research)   Yes/No (please circle one)

I give permission for this interview to be taped, and I understand that the tape will be wiped immediately after it has been listened to and the information written down. Yes/No (Please circle one)

I understand that should I inform the researcher of a life-threatening situation that I am aware of, she will need to act to protect the person(s) whose life is in danger.

Signature……………………………………………………………………………..

Date   /   /

Tena kou tou Katoa

Thanks very much for your help with this study.

Appendix Three

Consent to release information form

UC
UNIVERSITY OF
CANTERBURY
Te Whare Wānanga o Waitaha
CHRISTCHURCH NEW ZEALAND
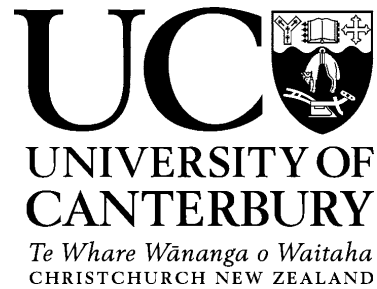
Release of information

I …………………………………………..give permission for Sophie Goldingay or Marcia

Marriott to alert a prison staff member that I am in need of some help.

Signed ……………………………………………………Date   /   /

To Rarau toku Raurau, Ka ora te iwi

With your knowledge and my knowledge we can grow together

UNIVERSITY OF CANTERBURY

Te Whare Wānanga o Waitaha

CHRISTCHURCH NEW ZEALAND
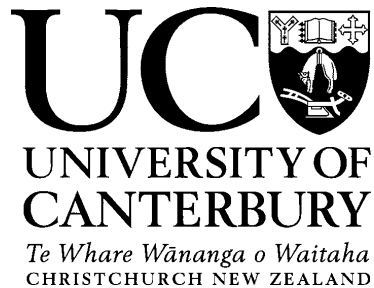
Appendix Four

Information Sheet Auckland and Wellington participants

INFORMATION FOR YOUNG WOMEN AGED UNDER 20 YEARS

You are invited to be a participant in the research project "Separation or Mixing: issues for young women prisoners in Aotearoa NZ Prisons."

The aim of the project is to find out if young women are in need of separate facilities from adult women while serving their prison sentence. It is also to see if your needs are being met now. This information will then be available to guide future policy regarding the best way to house young women in prison.

If you choose to participate in this study, you will be able to choose whether you would like to talk to me, Sophie Goldingay, or my colleague Marcia Marriot. The interviews will be taped, so that your interviewer can pay her full attention to you.

During the interview, you will be asked about your experiences in prison and your opinions on how young women should be housed if they are serving a prison sentence. Once you have been interviewed, I will write up what has been discussed from the tape, wipe the tape, and then make another time with you to ensure I have written and understood your information correctly.

You may withdraw any information you give to the researchers at any time. I will ensure only I can access the information, by keeping it locked in a cabinet at the University of Canterbury. In addition, the writing of the report will be done in a way that no one will be able to identify you, even if someone at the prison reads it.

The results of the project may be published; but your identity will not be made public in any way.

You may invite a support person of your choice to be present at your interview, provided they are approved visitors to the prison or Kaitiaki/Kaiwhakamana/Fatua Pasifika.

This project is being carried out as a requirement for a Doctor of Philosophy degree by Sophie Goldingay under the supervision of Dr Annabel Taylor, at the School of Social Work and Human Services, University of Canterbury.

The project has been reviewed and approved by the University of Canterbury Human Ethics Committee, and is funded by Social Policy Evaluation and Research – a subsidiary of the Ministry of Social Development.

A certificate of appreciation will be given to you in recognition of the time you spend helping with this study.

To Raurau toku Raurau Ka ora te iwi

With your knowledge and my knowledge we can grow together

Appendix Five

Confidentiality and code of conduct declaration

for interviewers/mentors

I …………………………………………………agree that all information from interviews I conduct at Christchurch Women's Prison will be kept confidential.

If the interview is taped, I will not enable any person to have access to it at any time, and I will deliver it to Sophie Goldingay as soon as the interview has finished.

I will not discuss the interview with anyone except Sophie Goldingay, Marcia Marriott or Tania Mataki, nor will I discuss incidents that occur at Christchurch Women's Prison with anyone except these three people.

I will at all times adhere to the code of conduct and confidentiality standards as set by the Department of Corrections and I have sighted these documents on the /   /

I agree to undergo the standard security clearance process.

Signed   …………………………………………………Date   /   /

Appendix Six

Glossary of Maori words and notations used in transcript excerpts

Aroha   Love, caring, compassion; a tenet of tikanga Maori

Atua   Gods

Awhi   Help, assistance, care for

Iwi   Tribe, people

Kaumatua   Elders gender neutral

Kuia   Female elder

Kaitiaki   Guardian

Manaaki   Hospitality, looking after, providing for

Pakeha   Aotearoa NZer of European ethnicity

Papatuanuku   The earth (mother to all things)

Pasifika   Ways or people from Pacific nations, such as Tonga,
                         Samoa or Fiji

Tikanga   Ways, meanings, rules, method, pertaining to that
                         which is right,   correct and just

Tikanga Maori	As above: ways, meanings, rules, methods, pertaining to that which is right, true, correct and just according to Maori understandings, beliefs and knowledge
Teina	Younger sibling
Tuakana	Older sibling
Wairua	Spirit
Wahine	Woman
Wairuatanga	Acknowledgment of the interconnection between the physical, human and spiritual dimensions
Whanaungatanga	Importance of building family-like relationships
	Whanau Family, extended family, may be metaphorical or biological, cause/interest or genealogically based
Whakawhanaungatanga	Process of establishing or developing relationships
Whenua	Land

Appendix Six

Key to symbols used in the thesis

(.)	pause in the speech
…	brief pause in the speech
[]	material deleted
….|….	material not decipherable due to two people speaking at the same time
Bold italics	excerpt from transcript from a focus group with iwi representatives
Italics	excerpt from transcript from interview with young woman prisoner participant

Appendix Seven

SEMI-STRUCTURED INTERVIEW QUESTIONS GUIDE for young women prisoner participants
By Sophie Goldingay

SEPARATION OR MIXING: ISSUES FOR YOUNG WOMEN PRISONERS IN AOTEAROA NZ PRISONS

Topic area 1: Characteristics of the participants

1. How old are you?

2. Which ethnic group(s) do you identify with? (please circle as many as applicable) Maori   Samoan Niuean Tokelau Fijian Tongan Cook Island Pakeha/European   Asian   Other (Please specify)

3. How long have you been in Christchurch Women's prison?

4. How long is your sentence?

5. Is this your first term of imprisonment? If not, where else have you been imprisoned?

6. In this unit, are you:

    -Mixed with all ages?

    -In the same wing/unit as people 20 years or over but kept separate by lock up procedures?

    -Mixed with those aged under 25 years?

-Completely separate from those aged 20 or over?

-In protection/segregation but mix with all the others in that area?

-Completely segregated and don't mix with anyone?

-Don't know

7. Did you choose this arrangement? Yes/No

8. If yes, why did you choose this?

Topic area 2: Social and cultural needs of participants

9. (For Maori women) Are you familiar with your whakapapa?
-genealogy

10. (For Maori women) Do you have contact with members of your whanau, hapu and iwi?
-here in prison?

-on the outside?

11. How are your needs being met at present?
-social/company

-spiritual/cultural

-exercise

-educational

-emotional

-nutritional

-hygiene

-mental health

12. (For all) What contact/support do you receive from people of your own culture?
-whanau support

-language support (if necessary)

-social support

-other needs for support not mentioned here

13. Do you have interest in spiritual/wairua issues?

14. Do you receive support that matches your needs and beliefs?

15. Who do you turn to for help or support when you are upset or down?

16. How does he/she/they help you during those times?

17. Are there any needs I haven't mentioned that you have that you feel are not being met here in prison?

Topic area 3: Safety needs of participants

18. How safe do you feel here?

19. What are your safety needs while in prison?
Topic area 4: Participants' opinions on age mixing

20. While in prison, have you ever mixed in an adult wing before? (with women 20 years old and over)

21. What do you think of the idea of separating young women from the adults – that is, having all the young women under 20 in one wing- here in prison?

-what do you think might be good?

-what do you think might not be good?

22. Have you any other thoughts on better ways to house young women if they are serving a prison sentence?

Tena Koutou Katoa. Thank you for sharing your experiences and ideas with us.

With your knowledge and my knowledge we can grow together

To Raurau toku Raurau Ka ora te iwi

Appendix Eight
FOCUS GROUP INTERVIEW GUIDE

(1)What do you think is good about age mixing young women in prison?

(i)What do you think is not good?

(2) What do you think /believe women's prisons should be like?

Why is that? Topic areas to cover include:

(i)Beliefs about Maori women

(ii)Beliefs about women in general

(iii)Beliefs about punishment

(iv)Beliefs about prisoners

(3)Have you seen any other arrangements in other prisons/countries with respect to youth? What did you think of those?

NB in focus groups in 2008 I started the conversation about young women in prison by showing Steward's 2007 article: Call to separate girl prisoners

Appendix nine

Data analysis approaches

Types of selves available for young women in prison in current situation from young prisoners' transcripts:

Bunny

Bum

prospect

Big girl

In the" in crowd"

Accepted

Vilified and ostracised

Trouble maker with attitude

Mischief maker

Rebel (if im mainstreamed theyl be disciplining me alright)

Loner

Ostracised and alone

Victim

Protector (I stick up for . . ..)

Crim

Bad mother

"it" [from staff]

Provider (buy-ups)

Power weilder/generator

Manipulator

Survivor

Jail sister

Mother to small children

Moral enforcer (victimise those who have harmed children)

To blame

Not to blame

Protector of hygiene standards

Gang member

Addict

Learner

'dog' [mongrel mob associate]

Nigger [i.e. in wrong gang affiliation]

Qualified

Skilled

Neglected

Violent

Out of control

Appendix ten

Analysis of focus group material from iwi representatives – thematic analysis of discourses from iwi with mana whenua where each women's prison sits

Appendix 11 Public Discourse example of analysis: Process went from "who has a say" towards using identity vectors to analyse how each 'vector' is captured by discourse

Who has a say in constructing young women prisoners?

Appendix 12 Snapshot of analysis April 2008 Identity vectors – prisoner transcripts

Prisoner

Incorrigible misfits who should have known better e.g.

"like everyone in here they got themselves into the shit"

"They commit the crimes, they know where they're going"

Undisciplined

"cos they like coming back to jail, cos its just a laid back place"

Victim

"I wouldn't be in the position I'm in if they'd just give me a little bit of support"

"They often just think of us as crims . .but its just survival, you know"

Youth

In need of parenting/comforting

"cos one lady has helped me out, and I sort of see her as a second mum"

"I like to socialise with older women, sometimes, cos they're like, more comforting,

Volatile and dangerous

Cos if you're with your own age group, there's just gossip . .and then have fights and what not

"a bunch of teenagers together is just rouble, I reckon"

[separation] SUcKS because we need the older women to keep us in line"

Youth intersect with prisoner

In need of adult support to manage conflict

"But here, with older people, we can sort things out without fists, yeah, and that's good"

I wouldn't put all youngsters into one unit – they'll clash. They'll just clash when they get put together, cos they're young and angry!

In need of knowledge to learn from mistakes

Yep, um with us young ones, we don't turn to the staff for help, we turn to the inmates"

 "Its a privilege to be in a wing with older women, cos they can give us their wisdom, you know, you learn from the mistakes you make"

Woman/girl

Young women as stirrers/ exaggerators/troubled

"Cos, I notice with girls, there's more dramas"

Woman intersect with prisoner intersect with youth

"oh, a youth wing for women . .that would be shit . Boulevard Hollywood or something, that's what it would be, too much drama"

Ethnicity

What about other Maoris around here . .do they support you? Yep. In here? Maoris in here? Yeah (laughs) they take the aunty . .You better watch out . .kick you up the arse . .But they're all Maori aunties to us anyway"

[int: are they like whanau?] Yeah heard out. Cos most of them are from my location, adn I know all of them, and, you know, if I want anything, they'll do it for me"

Appendix 13

Sample agreement for use with focus-group participants from iwi groups
To raurau toku raurau ka ora te iwi

With your knowledge and my knowledge we can grow together

Agreement between Sophie Goldingay and [insert iwi name] regarding consultation for the study "Separation or Mixing: Issues for young women prisoners (14-19 years) in Aotearoa NZ prisons."

To minimise the risk of misrepresentation or misquotation of information shared by [   ], I hereby agree that any publications resulting from this study which includes information shared by [   ] (or parts of the unpublished thesis which includes your contributions), once sighted by the Department of Corrections, be given to [   ] for vetting.

All suggestions and feedback from [   ] will be incorporated and the publication reworked if necessary, and the final draft sent to [   ]

This process will occur prior to publication of any work or for work for other distribution (i.e. in an unpublished thesis) which includes the views and knowledge shared by [   ].

Sophie Goldingay …………………………………….Date   /   /