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ACCOUNTING FOR COMPLEXITIES:

AN INTERSECTIONAL APPROACH TO
ENHANCING POLICE PRACTITIONER
ACCOUNTABILITY, LEGITIMACY &
SUSTAINABLE REFORM

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Police Scotland, the Scottish Institute for Policing Research (SIPR) and the Scottish Police Authority (SPA) joined together to provide significant funding for projects and activities which meet genuine evidence gaps and support Police Scotland to further contact and engagement with all elements of our communities in Scotland, but particularly those groups which are seldom heard.

The term 'seldom-heard groups' refers to under-represented people who may be less likely to engage with Police for a variety reasons (such as race, religion, sexuality, disability, age, and communities isolated through geography or deprivation). A focus on understanding seldom heard groups will place more emphasis on Police Scotland and our collaborators to connect with these communities ensuring their voices are heard; their needs are met; and their perspectives are understood.

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Accounting for Complexities: An Intersectional Approach to Enhancing Police Practitioner Accountability, Legitimacy & Sustainable Reform

Executive summary

Project Summary:

The authors undertook a literature review on intersectionality and policing to provide a critical, impact-based account of scholarly/academic engagement with policing and intersectionality. This review informs an intersectional good practice toolkit by which police organisations can better engage with the phenomenon of intersectionality and its implications for policing and 'seldom heard communities'. Additionally, the authors hosted two interactive workshops to share preliminary findings, consult with academics and police practitioners and request feedback.

Findings:

The review highlighted that intersectional convergence of certain social identities and characteristics can provide complex challenges for policing, for example:

- The impact of micro-interactions between the police and those with intersecting social identities.
- Meso-level institutional issues may mitigate or aggravate negative interactions between the police and those with intersecting identities (such as police culture, resources, specialist training, and/or whether the police have specialist teams or programmes).
- Macro-level factors; the police operate under broader structural influences and power dynamics which negatively impact on certain groups, and which is informed by both historical and contemporary factors such as law, policy, political and public discourses and expectations.

Recommendations:

- A review of policy and practitioner engagement; field research engaging specifically with intersectionality in the Scottish context; a review of policies, programmes, and practices which Police Scotland are already undertaking.
- Adopt a set of 'best principles' which inform a positive approach to intersectionality and which can be practically applied – these include: examining unconscious biases; enhanced focus on empathy; a 'whole of society' approach; a substantive and inclusive model of equality; focusing on underlying and social causes of harm alongside individual agency.

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Title

Accounting for Complexities: An Intersectional Approach to Enhancing Police Practitioner Accountability, Legitimacy & Sustainable Reform

1. Abstract

The dearth of knowledge and understanding about intersectionality among policing scholars and practitioners alike needs urgent (re)addressing. Our literature review offers an overview and an evaluative critique of the current state of knowledge on intersectionality and policing. Police organisations often operate in fixed silos. The pragmatism of police problem-solving means that issues of inequalities, vulnerabilities and structural oppressions are perceived and addressed as singular, separate, neatly defined categories. Yet the reality of lived experiences is far more complex and nuanced. Intersectionality as a tool and critical lens challenges this. It adapts regimented and fragmented thinking, offering an alternative and improved analytical and interrelated approach. Policing in Scotland has a complex historical trajectory of unbalanced interactions with multiple minoritised and marginalised groups. Police Scotland can benefit from the literature review findings by employing an intersectional lens to develop meaningful and effective long-term public engagement. This is a foundational pillar to sustainable reform, legitimacy and constructive accountability. Moreover, the findings are crucial for comprehending the intersecting nature of 'Seldom Heard Communities' and informing appropriate and context-specific recommendations.

2. Acknowledgements

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3. About the Authors

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Social and Political Sciences and currently the Director of the Scottish Centre for Crime and Justice Research (SCCJR). Dr Berg has published extensively on police and policing accountability, legitimacy and reform and is a leading expert on plural/polycentric policing and non-state security governance in the Global South, with over 20 years of research experience. She has focussed much of her research on the challenges faced by policing and security entities and networks with regards to delivering democratic and equitable policing particularly in the face of new and shifting harmscapes.

Emily is an ESRC funded PhD candidate in Criminology and Sociology at The University of Edinburgh. Emily has extensive networks with Police Scotland stemming from her own qualitative and ethnographic research. Emily has chaired Police Scotland's two-day immersive critical incidents senior leadership training, at Tulliallan, where she was praised for encouraging and facilitating open and critical debate among participating officers. She has also chaired focus groups with the SWDF's Specialisms Committee on the underrepresentation of women in specialist roles. She teaches criminology, criminal justice, politics and gender. Emily is well versed in making academic concepts accessible and made her Edinburgh Fringe Festival debut this year with The Cabaret of Dangerous Ideas. Her show 'Can the Police be Feminist?' provided an opportunity for members of the public to discuss and debate cutting edge and controversial research. Emily is also a guest sociologist on BBC Radio Scotland.

4. Introduction

The dearth of knowledge and understanding about intersectionality among policing scholars and practitioners alike needs urgent (re)addressing. This literature review offers an overview and an evaluative critique of the current state of knowledge on intersectionality and policing. Police organisations often operate in fixed silos (Loftus, 2010; Reiner, 2000; 2010). The pragmatism of police problem-solving means that issues of inequalities, vulnerabilities and structural oppressions are perceived and addressed as singular, separate, neatly defined categories (Rowe, 2016). Yet the reality of lived experiences is far more complex and nuanced. Intersectionality as a tool and critical lens challenges this (Cho, Crenshaw & McCall, 2013). It adapts regimented and fragmented thinking, offering an alternative and improved analytical and interrelated approach.

This is especially relevant given that policing in Scotland has a complex historical trajectory of unbalanced interactions with multiple minoritised and marginalised group (Atkinson, 2016; Burnett & Harrigan, 2010; Murray & Harkin, 2017). Moreover, the Angiolini review shows that to complain against Police Scotland is to struggle in opposition against a powerful organisation. The 'Seldom Heard Communities' sharing information event on the 19th May 2021, stated that Police Scotland were "interested in the intersectionality of these (categories)." The appetite for an intersectional tool kit is demonstrated by what police practitioners have referred to as "communities within communities". Similarly, Police Scotland's own staff associations have begun to articulate an appreciation of developing cross-association links given the intersecting nature of the challenges they support officers and staff with.

When not fully understood, the adoption – or co-option – and surface level engagement with the concept of intersectionality can be performative and thus problematic (Bilge, 2013; Tomlinson, 2013). Police Scotland can benefit from the literature review findings by employing an intersectional lens to develop meaningful and effective long-term public engagement. This is a foundational pillar to sustainable reform and constructive accountability. Moreover, the intersectional good practice tool kit informs better engagement with the intersecting nature of 'Seldom Heard Communities'¹ and is

especially relevant for policy and practice recommendations arising from the other research projects funded by the Seldom Heard Communities grant scheme.

The methodology employed for this literature review was a critical, impact-based engagement with published scholarly/academic literature (as opposed to a policy-focused engagement) with the aim of providing a foundational overview of this phenomenon. In other words, reviewing literature from academic/scholarly accounts was considered the most relevant means by which to engage with intersectionality given that:

- it is a fairly new phenomenon and therefore of benefit to start with a foundational review of its application in academia;
- it is of relevance to engage with the ways in which it has been theoretically and analytically applied to policing;
- scholarly engagement has included a predominant focus on quantitative, qualitative, and mixed-methods research on policing and intersectionality thereby the review elicited the findings of this research; and
- much of the academic focus includes an account of theoretically informed reform suggestions which may be beneficial to both academic and practitioner audiences.

Given the relatively small amount of literature on the topic of policing and intersectionality – where intersectionality is explicitly engaged with as an analytical tool or theory – the literature review included all pertinent literature found, rather than only a sample. To select the literature for this review, an extensive database search was undertaken, including a search on the University of Glasgow's very expansive digital library (including a search of publisher databases), ResearchGate, Google Scholar, ORCID, Academia, and other scholarly databases. The literature review was initiated with a search for all literature focused on:

1. police/policing and specific social identities (race, ethnicity, gender identity and sexual orientation, disability, youth, citizenship status, etc);
2. all research focused on policing marginalised groups and vulnerability;
3. literature on policing and rurality/remoteness; and
4. literature focused on the police and/or policing more broadly (such as legitimacy, accountability, procedural justice, police culture, and police reform).

Following this, the scholarly literature collected (for points 1 to 3 above) was then narrowed down to those works including a focus on key terms such as 'intersectionality' and 'intersection' to extract the literature which acknowledged intersectional social identities and characteristics and/or explicitly used intersectionality as a theoretical or analytical framing device. Once narrowed down to a focus on policing and intersectionality, each document – whether a journal article, book chapter, edited collection or book – was reviewed with the purposes of extracting three broad thematic focal areas:

- the nature of the relationship between police and intersectional groups
- the ways in which intersectionality as a theory or analytical framing is applied
- suggested reform suggestions or solutions to improve relations between the police and intersectional groups

Further to this the literature which focused on police/policing more broadly (point 4 above) was then reviewed with the aim of extending and/or applying broader policing literatures to the intersectionality literature, particularly to works focused on suggested police reforms. More on the context and background to the literature review is discussed in the section *Intersectionality (and) policing*.

We hosted two interactive workshops to share the preliminary findings of our literature review in order to consult with academics and police practitioners and request feedback as part of our consultative process. This was vital for ensuring the relevance of the good practice toolkit as well as ensuring meaningful and sustainable engagement with police practitioners themselves, Police Scotland as an organisation and the Scottish Police Authority, as well as academics. To promote accessibility and keep costs to an absolute minimum, we hosted our interactive events online. The interest and uptake for the first workshop, aimed primarily at academics, exceeded our expectations. A total of 69 signed up with attendees from Scotland, elsewhere in the UK and internationally (France, Sweden, South Africa and America). Out of those who shared their background, the majority were police practitioners, academic researchers from higher education institutions; some were from think tanks and third sector organisations as well as notably policy makers from the Scottish Government. Whilst we invited representatives and stakeholders from seldom heard communities not all attendees disclosed their reasoning for attending. We asked participants for their feedback and input to inform our good practice tool kit. This collaborative approach intended to challenge our knowledge as somehow superior and in part for quality assurance. We invited participants to contribute by raising their hands, using the chat function as well as the anonymous platform padlet. We recorded the event for those unable to make the live session. We were delighted with the wide remit of attendees, their engagement as well as requests and recommendations for future workshops and suggested future research.

We began the workshops with two introductory activities. The first invited participants to play a word association game inviting participants to share "what comes to mind when you think of the word intersectionality". The purpose of this activity was to acknowledge the popularity of the term and its uptake and arrival into our everyday lexicons. In other words, to distinguish between familiarity with the term and a more informed and detailed understanding.

The next activity drew upon intersectional pedagogy and reflexivity that had proved successful with students in higher education. We invited participants to think about the various identities they have, which of these do they think about the most and the least as well as why. Similarly, we asked which identities played the largest or smallest role in their lives and why. Finally, we asked whether these particular identities were advantageous or disadvantages along with why. We did not ask participants to share their thoughts and reflections, rather this was an individual exercise.

Limitations

The focus on policing and intersectionality is a burgeoning, evolving, and fairly new field of inquiry. So too, new publications are constantly emerging which means the literature review has only covered the literature up to a certain point. Furthermore, despite an extensive search of the literature on policing and intersectionality it could be the case that key literatures were missed, and/or were not available for download (as has been the case). Therefore, the literature review is not an exhaustive account of all literature on this phenomenon but may be skewed by accessibility and timing of publication as well as use of certain databases. Another limitation is the fact that this review focused on literature in English, predominantly from and focused on the Anglosphere. Therefore, it does not engage with literature written in other languages and has a limited engagement with literature outside of the Global North. Finally, the researchers' own positionality may have affected this review – both in positive and negative ways. Research is an interpretive process, the experiences, values, and disciplinary background of the researcher necessarily impacts on the ways in which literature is collected, analysed, interpreted, and presented. Every effort was made to ensure that the review was as extensive and inclusive as possible and the literature was presented as objectively as possible to provide a fair account of what research has been conducted, to date, on policing and intersectionality.

1

'Seldom Heard Communities' is a term employed by Police Scotland to "refer to under-represented people who may be less likely to engage with Police for a variety reasons (such as race, religion, sexuality, disability, age and communities isolated through geography or deprivation)... [to] place more of an emphasis on Police Scotland and [their] collaborators to connect with these communities ensuring their voices are heard; their needs are met; and their perspectives are understood."

5. What is Intersectionality?

Intersectionality is difficult to define. Put simply, intersectionality illuminates how multiple inequalities intersect. Yet it raises multiple tensions, paradoxes and definitional dilemmas and is conceptualised in very different ways (Christoffersen, 2021; Collins, 2015). Intersectionality is theory, methodology, a paradigm, lens, tool, framework, field of study, analytical strategy and critical praxis (Hancock, 2016). As a field of inquiry, intersectionality spans a wide variety of disciplines as well as being interdisciplinary. As an analytical tool, Collins and Bilge (2020) emphasise intersectionality's six core components: social inequality, power relations, relationality, social context, complexity, and social justice. Yet its remit lays far beyond the confines of academia. Community activists, lawyers, teachers, social workers and policymakers utilise intersectionality in their efforts to both challenge and maintain social inequalities. Intersectional frameworks offer new perspectives and possibilities for social problems, social inequality and institutions committed to social justice. This section contextualises intersectionality by laying out its historical origins of, how it has 'travelled', challenges with the ubiquity of intersectionality in academic research and finally, attempts to operationalise intersectionality in practice.

Historical Origins

The historical origins of intersectionality are essential for understanding how the concept has grown and continues to evolve. Intersectionality is widely attributed to critical race theorist and American legal scholar Kimberlé Crenshaw in the late eighties. Crenshaw disputed that there was no effective way to talk about how the experiences of Black women, are drastically different from the experiences of both Black men and of white women, in that they endure both gender discrimination and racial discrimination. Crenshaw used employment court cases to argue that because legal definitions of discrimination relied on single axis framework they dismissed Black women on the basis that they did not adhere to racial discrimination nor sexual discrimination alone. Discrimination laws negated the reality of Black women being "mutually burdened" by multiple systems of intersecting oppressions (Crenshaw, 1989:143). Crenshaw used the metaphorical device of intersecting crossroads to illustrate how social and political locations and identities combine to generate different and varied discrimination and privilege (Crenshaw, 1989; 1991).

"Discrimination, like traffic through an intersection, may flow in (any) one direction... If an accident happens... it can be caused by cars traveling from any number of directions and, sometimes, from all of them." (Crenshaw, 1989:149)

Even though intersectionality's roots are embedded in Black feminist theory, its applicability has extended to reveal other intersecting power differentials (Hancock, 2007). Scholars have subsequently expanded on Crenshaw's earlier theorisation to encompass the many ways that single-issue frameworks fail to adequately capture marginalization and oppressive structures along multiple axes of power. Intersectionality has thus evolved beyond race and gender to include systems and processes that operate in tandem to create other inequalities and privileges.

In coining the phrase intersectionality, Crenshaw stipulated that it is not reserved for race and gender alone: "the concept can and should be expanded by factoring in issues such as class, sexual orientation, age, and colour" (Crenshaw, 1991:1245). Whilst it is fundamental to recall that intersectionality arose from the experiences of Black women, it was intended to criticise all single-issue frameworks from the outset in order to illuminate marginalization exists along multiple axes.

Nonetheless, as a critical praxis intersectionality predates Crenshaw's seminal work. The core ideas have a much longer trajectory featuring in the social movements of activism among African American,

Chicana, Asian American, and Native American women in the United States. It is crucial to acknowledge these earlier origins alongside the experiences, activism, intellectual and emotional labour of those who established this rich body of work. Crenshaw's theorisation is thus argued to be a continuation of women of colour's activism whose contributions were ignored and sidelined. This activism and accompanying writings were fundamental to challenging the category of women as homogenous by drawing on their own intersecting identities and how these uniquely shaped their lived experiences. Simien (2006) argues that this theorizing was a pragmatic response to their life circumstances. For more detailed historical accounts of how and why intersectionality emerged and evolved into the various contemporary meanings see: (Davis, 2008; McCall, 2005; Prins, 2006; Hancock, 2016).

Intersectionality in Motion

Intersectionality fundamentally challenges the way we understand and produce knowledge. Intersectionality represents an innovative "social literacy" (Berger & Guidroz, 2010:7) that supersedes traditional ways of thinking. Berger and Guidroz contend that "to be an informed social theorist or methodologist in many field of inquiry, but most especially in women's studies, one must grapple with the implications of intersectionality" (2010:7). If illuminating power relations are central to intersectionality, so too are the power relations that create knowledge claims and by extension the construction, transmission, legitimisation and reproduction of knowledge surrounding intersectionality. This has significant ramifications for social scientists, the research questions they ask and the methodologies they employ. Moreover, intersectionality as a topic of investigation is subject to the very same power relations it seeks to illuminate. As intersectionality has travelled, evolving from a conceptual idea into a wider field of study (Cho, Crenshaw & McCall, 2013; May, 2015), so too has the need to reflect critically on how intersectionality is employed. Intersectionality growth and expansion moving across disciplines, discourses and national borders has meant its political struggles have deepened. The uptake of intersectionality and the different ways it has been employed has in some instances, reinforced the very oppressive structures it originally set out to critique. Thus, eradicating its underlying political aim to dismantle oppressive systems of power.

Intersectionality reminds us to engage critically with power and inequalities. Whose work we engage with and cite has significant ramifications. May helpfully articulates, "Citational practices ... offer a way to mark collectively, delineate historical precedence and claim legacies of struggle" (2015:55). In reviewing literature on intersectionality, it is crucial to consider the conundrum of citation politics: whose work and theorising is included and excluded (Alexander-Floyd, 2012). The perspectives of those that are frequently cited in intersectional discourse are predominately western and Anglo-American. Indeed, the very sources and citations used here may not resonate with socio-political contexts elsewhere. It is therefore necessary for intersectionality as a paradigm to adapt and evolve in order to remain relevant and achieve its political aims.

Nonetheless, despite this need to travel, the core components of intersectionality that make it a critical theory, are necessary and vital. However, the explosive expansion of intersectionality has resulted in a diluted version at best and complete departure from its foundational values at worst. This includes the removal of foundational Black feminists (Jordan-Zachery, 2013) alongside the 'whitening' of intersectionality (Bilge, 2013). Crenshaw herself has described intersectionality as a traveller who sometimes appears at a destination without her luggage (Crenshaw, 2011): the fundamental principles that make it a critical theory and overarching social justice aim. Following from this metaphor, Smooth argues that it is essential "to connect intersectionality back to its origins and in doing so equip it for future travels." (Smooth, 2013:13). This is explored in more depth whilst discussing the various attempts to operationalise intersectionality in practice.

Academic (mis)use

Intersectionality is both a theoretical and methodological approach to inequality. Intersectionality has enabled significant developments in how hierarchies, inequalities, power and social justice are understood and challenged (Collins & Bilge, 2020). As research on intersectionality develops, it continues to reveal processes of privilege and marginalization, making visible hidden power differentials that have been accepted as normal as well as disrupting dominant narratives of privilege (Collins, 2019).

Choo and Ferree (2010) differentiate between three approaches of intersectionality in practice: those that center on groups, process and systems. The group approach advocates for multiply marginalised persons to be at the forefront of research whereas the process approach instead emphasises power as relational and intersecting centring previously overlooked or ignored intersections (Choo & Ferree, 2010). The third and final systems approach asks us to look beyond specific inequalities as unique to particular institutions. Intersectionality widens our lens illuminating that all social systems are “fully interactive, historically co-determining, and complex” (Choo & Ferree, 2010). Choo and Ferree fail to offer specific advice on how to implement an intersectional approach instead discussing more generalised suggestions.

Cho, Crenshaw and McCall (2013:785) on the other hand differentiate between three intersecting criteria of current intersectional studies. Those that apply an intersectional framework, debates surrounding the remit of intersectionality as a theoretical paradigm and political interventions through an intersectional lens. They conclude from the sheer breadth of this that intersectionality should be reframed as the “field of intersectionality studies” rather than a narrow definition of a singular concept or method. However, Hancock (2016) questions the usefulness of this, arguing that Cho, Crenshaw and McCall fail to engage with calls for a more coherent definition as a means of quality assurance for work by academics, academics, policy makers and alike that falsely claim to be intersectional.

Intersectionality has been widely critiqued for its vagueness (Davis 2008; Prins 2006). Despite the wide uptake and embrace of intersectionality as a concept, the limited clarity on how intersectionality translates into practice has led to the likes of Kathy Davis (2008) to dismiss intersectionality a theoretical “buzzword”. Smooth summarizes this paradox “intersectionality exists as both a highly structured theoretical framework, yet a loosely configured research paradigm.” This ambiguity and unclear definition is particularly problematic given its implications for legal and political practices (Lombardo et al, 2009; Ferree, 2009). Kantola and Nousiainen (2009) point out the severity of the consequences in interpreting intersectionality. The oversimplification of intersectionality as multiple forms of discrimination legally translates into increased competition over already scarce resources.

Scholars, policy makers and organisations alike are also guilty of paying lip service to intersectionality. For instance, intersectionality frequently appears in academic titles, yet an intersectional analysis is absent from the subsequent body of research and fails to engage substantively in intersectional politics, theory or methodology. Knapp criticises scholars for employing intersectional terminology that suggests they are committed to inclusion and equality, yet the underpinning values and implications of their research sustain, rather than challenge the ‘status quo’ (Knapp, 2005). Indeed, many use the term intersectional without being familiar with its history or defining principles. Authors regularly acknowledge the importance of intersectionality, what Shields (2008) refers to as a “self-excusing” disclosure yet absolve themselves from intersectional analysis contributing to the dilution of intersectionality’s transformative potential.

This metamorphosis into a key phrase perpetuates over simplified assumptions about intersectionality as a taken-for-granted common-sense concept that omits critical reflection (Fraser & Gordon, 2014). In using this keyword, authors are endorsed and praised for their political and intellectual relevance but

simultaneously fail to contribute to the development of intersectionality empirically and or theoretically. Intersectionality has therefore transformed, or more accurately, been appropriated into a signifying keyword. Indeed, Hancock asks "Is intersectionality simply the latest feminist buzzword... ubiquitous in its familiarity but devoid of tangible political impact?" (Hancock, 2016:7). Collins asserts that intersectionality requires reframing as critical social theory advocating that "Intersectionality must examine its own ethical position within the intersecting power relations that it analyses taking a stand by defending the right to be critical" (Collins, 2019: 285).

Operationalising Intersectionality

As established above, intersectionality is a challenging define, let alone to put into practice. Intersectionality has been employed internationally in multiple and contradicting ways with varying degrees of success (Hankivsky et al, 2014; Strolovitch, 2007). This in turn has serious ramifications for developing policy intended to reduce and eradicate structural disadvantage (Hankivsky & Jordan-Zachery, 2019).

Adopting an intersectional approach requires policy makers and those implementing policy to engage with reflexivity. Reflexivity entails critically reflecting on our own experiences, both our privilege and marginalisation, and how this influences our capacity to develop, deliver and evaluate policies and procedures. Intersectional approaches are resisted by those who oppose social justice oriented change and are not open to asking difficult questions about power and structural asymmetries (Hankivsky et al, 2014). Moreover, Strolovitch (2007) found that the strategies employed by advocacy group strategy are predominantly dependent on how leaders define and perceive their issues: whether these are singular or mutually constituted. Thus, implementing intersectionality requires new and innovative expertise in order to move beyond the status quo of focusing on singular stioled as well as additive approaches (Hankivsky & Jordan-Zachery, 2019).

Christoffersen (2021) examines the ways intersectionality has been applied in practice and concludes that these can be distilled into five separate, albeit contradictory, approaches. The extent that these are truly intersectional is disputed: some promote intersectional justice where as others further cement inequalities. Research on how intersectionality is institutionalised is paramount for learning how best to implement intersectionality. The following table summarises five different approaches funded and delivered in English and Scottish context- all claim to be intersectional but to varying degrees of success. The accompanying interpretations of intersectionality contextualise the underpinning rationales for operationalising intersectionality in these specific ways highlighting the importance of understanding intersectionality and its historical origins.

"Intersectionality presents a huge challenge to the status quo of siloed equality work, and while some engage with this challenge, others subvert intersectionality for other purposes, or seek to incorporate it into the status quo, emptying it of its transformative potential in the process." (Christoffersen, 2021:574)

Adapted from Christoffersen (2021:579) 'Table 2: Competing Concepts of Intersectionality' in The Politics of Intersectional Practice

Concept of Intersectionality	Intersectional Interpretation	In Practice
Generic Intersectionality	None or limited focus on any equality strand(s): the same work is delivered to benefit 'all'. Addressing issues that affect 'everybody' (that is, not only or even primarily marginalised equality groups).	Work is addressed at and intended to benefit 'everybody', so intersectionality is envisioned as being 'mainstreamed', or a general approach to. Since this concept treats everyone the same, work on specific inequalities is not consistent with this understanding of intersectionality.
Intersectionality as 'pan equality'	Addressing issues that affect all and or most marginalised equality groups.	Issues include mental health, hate crime, addressed through joint campaigning and research.
Multi-strand Intersectionality	Addressing equality strands separately and simultaneously.	Some network collaboration and engagement on local equality strategies.
Intersections within a strand: 'Diversity within'	Addressing intersections within an equality strand, eg: differences among women. One given strand or inequality is viewed as primary.	How intersectionality is often addressed within single strand organisations: inclusion projects targeted at intersectionally marginalised groups.
Intersections of equality strands	Specific groups sharing intersecting identities, eg: women of colour, disabled women. No particular strand is primary or more in focus than the other(s).	'Intersectional' organisations (constituted at the intersection of equality strands, for example, a Black LGBT organisation, as distinct from single strand organisations). Intersectional alliances (formal and informal partnership projects across equality strands; relatively equitable partnerships).

6. Policing and Intersectionality

Introduction

The following section is a review of academic literature on the issue of policing and the phenomenon of intersectionality, which includes a focus on how people with certain intersecting social identities have been policed or governed by criminal justice institutions. Before sharing the findings of the review, it is important to provide context and background to the literature reviewed, as follows.

Applications of intersectionality

As mentioned, intersectionality is a fairly new theoretical and analytical framing and as such, there remains a relatively small body of literature devoted to intersectionality and the police, policing and/or criminal justice. Furthermore, of this body of literature engaging with intersectionality, only a relatively small number of articles explicitly *apply* intersectionality as a theoretical framing or analytical device. Therefore, many of the articles reviewed may make (passing) reference to intersectionality or deal with empirical intersectional issues but not explicitly apply the theory to the research undertaken – what we

would call 'intersectionality light'. This is also to acknowledge that there is a vast literature exploring policing of discrete or single social identities. For instance, there is an extensive focus in the literature on the policing of race and ethnicity, the policing of youth, the policing of refugees, gender policing, and so forth, but not necessarily accounting for the intersection of more than one social identity or, again, if engaging with two or more social identities there may not be an explicit focus on intersectionality. Therefore, much of the focus of this review has been on scholarly works undertaking an in-depth engagement with intersectionality, where the intersection of two or more (sometimes several) social identities are explored.

Disciplinary focus

Intersectionality as a theory or analytical framing device has been employed across a variety of disciplines and subject areas, this is also the case for those scholars focusing on intersectionality and policing. The literature reviewed is thus from a variety of perspectives – policing studies, sociology, criminology, criminal justice studies, law, punishment, political science, public health and medicine, geography, urban studies, psychology, gender and feminist studies, LGBTQI+ studies, youth studies, critical race studies and so forth. This has implications for the ways in which intersectionality and policing are interpreted, as not all accounts are from policing scholars, for instance. In this regard, much of the focus of scholarly engagement with policing and intersectionality has been research conducted to gather the perspectives of those with intersecting social identities and their experiences of being policed or their interactions with the criminal justice system. There are far fewer accounts which focus on the perspectives of the police, for instance. Thus, much of the literature provides stories, narratives, and accounts from those being policed, by means of interviews, focus groups, ethnographies as well as descriptions of criminal cases and legal accounts. The literature therefore provides a rich account of the lived experiences of those with intersecting social identities which have put them in the path of policing and criminal justice institutions.

Geographical remit

Much of the focus on policing and intersectionality is from the US context (see Parmar, 2017), and a lesser but also large focus in the Australian context. There has been comparatively little focus on the UK/European context, and even less so in other contexts. Although intersectionality has been employed in a wide variety of ways, as mentioned in earlier parts of this report, the application to policing is far more recent, with most of the literature in this review having been published in the last five or six years. Parmar (2017) attributes the lack of focus on intersectionality in the UK context to the tendency of scholars to prioritise a focus on one social identity, specifically gender, rather than including a focus on race and/or multiple and intersecting social identities. Whereas in the US context there is far more engagement with race and gender and intersecting consequences of this. Furthermore, there is also a tendency to avoid an intersectional framing because of its many criticisms (see Parmar, 2017), yet the fact that the concept originated in the US, could explain its higher application in this context despite its weaknesses. Given the high focus on US policing, much of the literature reviewed is a reflection on the specific historical and contextual dynamics of the US system. For instance, US scholarly focus tends to be on the historical and contemporary challenges of racist criminal justice institutions, police brutality and subsequent defund the police movements. Therefore, this review attempts to elicit broader issues and synergies that are largely shared across jurisdictions – such as the racialization of crime and criminal justice in the US, UK, Australian and many other contexts (see Parmar, 2017 and Parmar et al, 2020).

Thematic focus

The literature reviewed, as mentioned, engages with two or more social identities, sometimes multiple ones, and how they are mutually constituted. However, much of the literature reviewed identifies and focuses on three core or primary social identities:

- ability (such as neurodiversity/autism spectrum disorders, mental illness, foetal alcohol spectrum disorders, or physical, intellectual or cognitive disability, for instance);
- gender identity and sexual orientation; (LGBTQI+ persons for instance), and
- race (there is very little focus on ethnicity in the literature)

These core social identities are usually at the forefront of scholarly engagement where their intersection is researched. However, they are also discussed in relation to other, cross-cutting, social identities and characteristics. These include:

- location (such as remoteness, rural or urban spaces)
- class (usually with a focus on social deprivation and lower socio-economic status)
- age (usually with a focus on youth)
- citizenship status (that is, non-citizens, illegal migrants or refugees, for instance), and ▯ vulnerability (such as illicit drug use and homelessness, for instance).

In sum, the literature will be presented along the three core themes, but a number of crosscutting themes will underpin this focus.

Ability

There has been much written on the policing of persons with disabilities, mental illness and the like. For instance, with regards to the academic literature on the policing of mental health, this is a topic which is engaged with across several jurisdictions, see for instance, Chappell (2013) which provides an extensive overview of policing practices, models and interventions from around the world. There is also a range of scholars who have recognised the challenges of the police being (or expected to be) the frontline responders to persons with mental illness (see for instance, Cummins, 2012; Green, 1997; Lamb et al, 2002; McDaniel, 2019; Schulenberg, 2016; Shore and Lavoie, 2019; Tribolet-Hardy et al, 2015; Wells and Schafer, 2006; Wittmann et al, 2020; Wood et al, 2017). Furthermore, related to an explicit focus on the policing of persons with mental illness, there is a focus on the policing of 'vulnerability' (see for instance Asquith et al, 2021a; Dehaghani, 2021; Enang et al, 2022; Paterson and Best, 2015; Russell et al, 2022). 'Vulnerable' persons could include, for instance, persons with mental health issues, disability or impairment but also much more broadly than this to include a focus on persons with many of the intersecting social identities reflected in this report (see Morabito, 2014) and, in particular, those experiencing "harm as a result of their individual, social, or situational contexts, and who [are] unable to mitigate that harm" (Asquith and Bartkowiak-Théron, 2021b:14). This therefore widens the scope of engagement in terms of the policing of vulnerability and the literatures which address this focus. There is also a more niche (and expanding) focus on intellectual disabilities, in particular, those with autism spectrum disorder. For instance, a recent special issue focus in *Policing: An International Journal* on the policing of intellectual disabilities has yielded a range of interesting findings in this regard, such as autistic adults' perceptions of the police (Parry and Huff, 2022); autistic person's encounters with the police and the challenges thereof (Crane et al, 2016; Cusack et al, 2022; Watson et al, 2022); the factors that improve or undermine autistic persons' confidence in the police (Love et al, 2022); an evaluation of autism awareness training for police (Holloway, 2022); a review of the informal and nonorganizational 'training' police may receive from others in terms of interacting with autistic persons (Herbert et al, 2022);

the extent to which the police network and coordinate with others in providing assistance to autistic, suicidal youth (McGhee Hassrick et al, 2022) and so forth.

In addition to this literature, there are scholars who deal explicitly and fully with the issue of intersectionality in terms of (dis)ability as an "intersectional analytic category" which needs to be considered in terms of its mutually constitutive relationship to other identities such as race, gender and/or sexuality (Rowe et al, 2022: 184). All those scholars reviewed have shown the negative impacts – with respect to policing – of certain interconnected identities particularly the interconnections between ability, race, gender, and age.

With respect to the interconnections between ability and race, it has been found in various jurisdictions that the policing of mental disability tends to be underpinned by "negative racialization" (Nelson, 2010; Nelson, 2016: 619). Police in the US, UK, Europe, and Australia has shown to have had negative perceptions and experiences with dealing with mental healthrelated calls, and that negative interactions are further compounded by race – with Black persons or people of colour experiencing higher rates of police force, abuse and/or disrespect (Flores and Chua, 2021; Ritchie, 2017; Thompson, 2021). In the US context especially, scholars have found numerous incidences and civil suits against the police with respect to the excessive use of force against mentally ill or autistic people of colour (see Flores and Chua, 2021; Nelson, 2010, 2016; Hutson et al, 2022). Similarly, it has been found in the Australian context that police may target indigenous persons with cognitive disabilities for minor offences, related to crimes of poverty – in other words that they are overpoliced (Rowe et al, 2022). This is in line with an intersectionality approach which recognises the underlying power dynamics which make certain intersecting identities more vulnerable to over-policing and excessive surveillance and that "social-structural injustice and poverty [has been] identified as a key driver of the policing and criminalisation of people with disability" (Rowe et al, 2022: 177).

"When a young person with a speech/language disorder is trying to communicate but is unable to...they really escalate and they can get quite angry and they can be seen by the police to be insolent or aggressive or uncooperative...but in fact, it comes down to their ability to communicate." (Interview with a service provider working with young people with cognitive disorders, in Richards and Ellem, 2019: 163).

Scholars have also indicated that police disproportionate use of force against mentally and intellectually disabled Black persons may or may not be motivated by a misunderstanding of their behaviour. In other words, Hutson et al (2022) and Wallace et al (2022) have found that police misunderstand the behaviour of autistic persons and may respond adversely as a consequence, construing their autistic behaviour to be non-compliance (i.e. not making eye contact, not responding, running away, making a false confession, making inappropriate noises etc) or mistaking their behaviour for excessive alcohol or drug consumption (see also Rowe et al, 2022; Richards and Ellem, 2019 and Wallace et al, 2022). This is compounded by historically negative relations between the police and Black persons as well as the fact that those targeted are usually in low-resourced, povertystricken areas which are already under constant surveillance by the police increasing the likelihood of contact with the police (Hutson et al, 2022; Rowe et al, 2022; Thompson, 2021). Relatedly, Nelson (2010, 2016) has found that police may know beforehand or very soon upon arriving at a scene that they are being called out to deal with a mental health crises, illness or other disability but may still use excessive force despite knowing that the person cannot comply with police directives. Nelson (2010: 20) attributes this to racial profiling and "the construction ... of madness". In other words, that criminality is socially constructed through processes of Suspect Identity Construction where Blackness is equated with "badness" and mental illness equated with violence or danger and so these stereotypes are mutually reinforcing eliciting a particular police response (Nelson, 2010: 20). Therefore, as Nelson (2016: 618) further explains "race and disability morph into one another to construct the perfect criminal who is perceived as requiring the use of disciplinary force and punishment" rather than for instance, referral or treatment. Ben-Moshe (2020:5) calls this "race-ability" where race and disability are mutually constituted, criminalised and rendered dangerous.

Mentally ill persons in this framing are seen as 'crazy', 'pathological', threatening and undeserving of police protection, compounded again, by negative constructions of race (Rowe et al, 2022).

There is also a gendered dimension to this as highlighted by the literature. For instance, Ritchie (2017) highlights the intersections of race, gender, disability as well as class in terms of the police treatment of Black women with a mental illness or experiencing a mental health crisis. Not only are these social identities and characteristics reinforcing but Black women are furthermore socially constructed as "volatile" and "mentally unstable" regardless of whether they have a mental disability or not further exacerbating police negative responses (Ritchie, 2017: 91). Further to this, women with a disability who have been victimised may be constructed as "unbelievable subjects", undeserving of protection and thus not taken seriously when reporting to the police – simultaneously being overpoliced when seen as a threat and under-served by the police as victims (Beardall, 2021; Rowe et al, 2022: 171). Overall, racist, ableist and sexist constructions have detrimental effects on those with mutually reinforcing identities of race, gender, and ability.

A further compounding social identity is that of age – particularly applicable to young people, where historically there has been a negative or at least ambivalent relationship between youth and the police across a wide variety of jurisdictions (see for instance Gormally and Deuchar, 2012 in the Scottish context). Richards and Ellem (2019), focusing on the Australian context, have found that young people with cognitive disabilities – especially indigenous young people – are more likely to encounter the police and be overrepresented in the criminal justice system. In agreement with previously cited literature, the reasons are threefold – police negative stereotyping and excessive surveillance of these persons as well as their visibility (strange behaviour for instance); the fact that cognitive disability may be compounded with social disadvantage (poverty, high crime suburbs for instance) where the police are already concentrating on these spaces; and finally, the nature of their impairment may predispose them to offending and other vulnerabilities, as above (poor decision-making, poor judgment etc). All of which elicit the "hypersurveillance" of the police and likelihood of more frequent contact with the criminal justice system (Richards and Ellem, 2019: 158). In this way intersecting factors are at play – the "dynamic interaction of individual, systemic, institutional, social and political factors" on young persons with cognitive disabilities' experiences of policing (Richards and Ellem, 2019: 159, see also Wallace et al, 2020).

"People with cognitive impairment are often more likely to live in poverty, they're more likely to be on the street, [and because] they've got unusual behaviour patterns, they are more likely to raise fear or suspicion, where there's just difference."

(Interview with an advocate in Rowe et al, 2022: 177).

Using an intersectionality framing, one can see the negative impacts of certain mutually constituted social identities and characteristics which frame police encounters – particularly mental and cognitive disability and the interaction with race, gender, age, and class.

Gender identity and sexual orientation

Gender identity (identifying as male, female, or transgender) and sexual orientation (identifying as heterosexual, lesbian, gay, bisexual and so forth) (Owen et al, 2018) features prominently in the literature on policing and intersectionality. As with the focus on ability, there is also a more general focus on the policing of LGBTQI+ persons and communities – which may not necessarily have an explicitly intersectional focus. See in this regard for instance, Angela Dwyer and Toby Miles-Johnson who have researched extensively on LGBTQI+ young people's perceptions of, and experiences with, the police/policing (see Dwyer, 2011a, 2012, 2014, 2015; Dwyer et al, 2022; Miles-Johnson, 2013, 2016a), and police perceptions of LGBTQI+ persons or communities (see Miles-Johnson, 2016b, 2019, 2021; Miles-Johnson and Death, 2020) in the Australian context.

"If I'm not looking really gay [the police will] be a lot nicer like there have been times where me and friends have been drinking ... The cops will come up to us and I'll just place my bottle of alcohol behind my back and they'll see me do it but they won't make me tip it out but if I'm looking gay they'll be like search through their bags and search through my bags and tip everything out."

(Interview with a young, gay male in Dwyer, 2011b: 213).

Much of the literature on policing LGBTQI+ groups and policing has focused on the intersection of gender identity and sexual orientation with multiple social identities, locations and/or characteristics (such as race, class, age, homelessness, and location). A prominent finding in the literature is that relations between the police and LGBTQI+ groups with intersecting identities has largely been negative, including historical legacies of negative relations; experiences of over-policing; police discrimination, profiling, hyper-surveillance, aggression and/or excessive force (see Angeles and Robertson, 2020; Bohrer, 2021; Daum, 2015; Dwyer, 2011b; English et al, 2020; Feelemyer et al 2021; Fileborn, 2019; Gagliardi et al, 2022; Gaynor and Blessett, 2022; McCandless, 2018; Moran et al, 2004; Pickles, 2020; Taylor et al, 2020).

A factor underpinning negative relations is the finding that LGBTQI+ persons with intersecting social identities and characteristics may be disproportionately in contact with the police and that the police are discriminatory against these groups. Bohrer (2021) and Daum (2015), focusing on the US context, ascribe this disproportional engagement with the police due to these persons being subject to higher levels of vulnerability (especially for Black, indigenous and multiracial persons) – that is, more likely to be homeless, unemployed, live in lower incomes areas or high crime areas, lack family support, and be more likely to rely on informal and criminal economies thereby coming into more frequent contact with the police. Over and above more frequent contact, this contact then is also likely to be negative.

Another factor attributed to more frequent police interactions is Dwyer (2011b: 204) and

Dwyer et al's (2015) findings that police in the Australian context tend to over-police young LGBTQI+ persons if they visibly "transgress heteronormativity", that is, if they are openly gay or queer or display affection in public, this is viewed by the police as antisocial behaviour. The intersections of youth and being gay or queer results in more police attention or "watchfulness" where "...enacting queerness intersects with being visibly youthful, visibly at-risk and visibly risky in public spaces" (Dwyer, 2011b: 204, 211). In this instance public space is also a contributing factor to over-policing or hyper-surveillance (see also McCandless, 2018).

Similarly, it has been found that location – where people live – is also a factor (Fileborn, 2019).

For instance, Dwyer et al (2015) have found that rurality produces specific and more intense experiences for LGBTQI+ people in that they are generally more known by the police, rural inhabitants are less tolerant of them and hence these persons experience not only more discrimination, homophobia and

hate crimes but more negative experiences with the police, thereby being reluctant to report to, or engage with the police. The knock-on effects of this means that LGBTQI+ persons in rural or remote spaces may experience isolation, mental health issues and be more inclined to experience substance abuse and homelessness – thereby ironically resulting in them being more visible to the police and thus perpetuating a cycle of over-policing and negative experiences.

"Unfortunately people don't report stuff to the police. Like it might be a bashing but they don't take it further because they have their own fears about their sexuality so they don't go to the next step of having the incident dealt with. And that does happen especially in the smaller regions."

(Interview with gay male in reference to rural location, in Dwyer et al, 2015: 238).

Others, similarly, have researched the knock-on effects of these negative cyclical relations between the police and LGBTQI+ persons with intersecting social identities. For instance, English et al (2020: 1) has found that in the US context over-policing and police discrimination have negative health implications for Black LGBTQI+ particularly in terms of driving "HIV and psychological health inequities". This is largely due to these men being disproportionately incarcerated and – due to discrimination – their reluctance in seeking treatment or support. Similarly, Feelemyer et al (2021) has found a strong association between police discrimination and harassment against Black LGBTQI+ men and their subsequent experiences of violence (in this case abuse by an intimate partner). An intersectional lens in this regard highlights the mutually reinforcing aspects of race, gender, and socioeconomic status which impacts on inequality, compounded by over-policing and surveillance.

Gaynor and Blessett (2022: 1) and Daum (2015) attribute this over-policing of LGBTQI+ people of colour due to "intersectional subjection" which results in "predatory policing" (that is being over-policed and being disproportionately targeted for minor offences). Intersectional subjection is "defined by three primary components: intersecting identities, modes of power, and social control ... [and] recognizes the strategies used to limit the mobility of individuals who are most likely to be marginalized based on not fitting into prescribed social norms." In other words, intersectional subjection is a lens by which to understand broader power dynamics at play, of which the police are one component, and which disproportionately target people at the intersections of race, ethnicity, citizenship, socioeconomic status, gender identity and sexual orientation. Furthermore "...structural racism, poverty, anti-immigrant bias, homophobia and sexism interact with one another ... to intersectionally subject certain populations" (Daum, 2015: 570). In this regard scholars have outlined the broader systems of oppression against LGBTQI+ groups – such as discriminatory policies, laws (even law considered neutral), and heteronormative practices and discourses that seek to maintain a white "heterosexual, cisgendered notion of social order" (Bohrer, 2021: 75; Daum, 2015; Dwyer, 2011b; Yarbrough, 2021). This is particularly problematic when legal and carceral solutions are favoured to prevent discrimination against LGBTQI+ groups for instance, but in fact does not consider intersectional identities (Bohrer, 2021). The effect of this is that the legal apparatus may work for white, advantaged LGBTQI+ persons but not for those already over-policed, disadvantaged and vulnerable, ironically resulting in further 'widening of the net' and policing rather than protection of those with specific intersecting social identities (Bohrer, 2021). Law then becomes a means of controlling certain groups in that it may be selectively applied, for instance, Daum (2015) provides an example of transgender people of colour, immigrants, and the poor being disproportionately targeted under solicitation laws in the US context where transgender persons are arrested for simply being transgender and carrying condoms. Not only are they disproportionately arrested but they may then be charged disproportionately. For instance, Gaynor and Blessett (2022) have found that in New Orleans in the US, Black transgender women may be charged with a felony under their Crimes Against Nature

Solicitation law, resulting in them being registered as a sex offender, whereas white women were charged with prostitution, which is a misdemeanour involving little or no sanctioning or prison time. This

disproportionate use of law underpinned by heteronormative power structures then reinforces their vulnerability to poverty created by routine arrest, incarceration, and 'gender policing' (Yarbrough, 2021). Furthermore, their access to services is hampered by their transgender status and may further perpetuate over-policing making them even more vulnerable where criminalization is both a cause and consequence of poverty and inequality:

"...[the police will] put you in jail for being a transgender woman. ... I could be driving to work or walking alone and they'll think I'm a prostitute and will pull me over, check my bag, and if they see condoms in there, they will take me to jail. They automatically assume that LGBTQ women are bad, [that] they spread disease knowingly."

(Interview with a transgender woman of colour in Gaynor and Blessett, 2022: 21).

"For transgender women who live or work in public space or rely on homeless services, the streets, shelters, drug rehabilitation centers, and other service agencies organized by binary gender classifications or norms can become pipelines to police contact, eviction, and arrest." (Yarbrough, 2021: 5).

Thus, while "certain intersecting identities are privileged ... others are marginalized" (Daum,

2015: 563-564). This was similarly found by McCandless (2018) focusing on homeless LGBTQI+ youth in the US context who were unable to access social services due to their intersecting social identities, compelling them to engage in criminal activity while simultaneously having negative relations with the police and being more prone to police contact.

It is not surprising then that many scholars have found that LGBTQI+ groups with intersecting identities also have a negative or at least mixed perception of the police (see Angeles and Robertson, 2020; Dwyer, 2011b; Fileborn, 2019; Gagliardi et al, 2022; McCandless, 2018; Pickles, 2020). For instance, Taylor et al (2020) found that, in the US context, perceptions of the police for a sample of white and Black heterosexual and LGBTQI+ persons differed in that only white heterosexual persons had a positive perception with all others having more negative perceptions of the police. These negative experiences and perceptions in turn impact on levels of trust and confidence in the police by LGBTQI+ groups with intersecting identities and may also result in the unwillingness to engage with the police with regards to street harassment or micro-aggressions experienced thinking these won't be taken seriously, be unwilling to report hate crime or any victimisation, and prefer to instead engage with community networks and/or service providers besides the police (Angeles and Robertson, 2020; Dwyer et al, 2015; Fileborn, 2019; McCandless, 2018; Moran et al, 2004; Taylor et al, 2020). For instance, Angeles and Robertson (2020: 6) have found that in the Canadian context LGBTQI+ white persons receive better treatment from the police than people of colour, resulting in people of colour unlikely to report to the police due to "previous unsafe and traumatizing police interactions", underpinned by "conflictual police relations with various communities, intersecting with race, class, gender and sexuality." Furthermore, Pickles (2020) conducted a survey with LGBTQI+ persons in England regarding their perceptions of the police, finding that 71% of those surveyed had experienced a hate crime but only 4% reported it to the police. In this regard, some of those surveyed reported that they did not want a legislative, justice or police response, but would only report what they would consider 'extreme' incidences (Pickles, 2020). Therefore, although LGBTQI+ persons with intersecting identities may face a myriad of microaggressions and street harassment they are unlikely to report these to the police due to fears of negative police responses, not wanting a criminal justice/police response, but also due to the tendency for hate crime legislation to be definitionally narrow (Angeles and Robertson, 2020; Pickles, 2020). Again, these persons therefore face heightened victimisation but are underserved as victims, yet over-policed when identified as 'risky' subjects (Beardall, 2021).

Race

As seen from the above sections, race is prominently featured as a core intersecting social identity when it comes to issues of ability, and gender identity and sexual orientation. The following section further explores race as a core social identity underpinned by a range of other cross-cutting social identities and characteristics, not already covered in previous sections. Race, ethnicity, and policing have been a significant area of scholarly interest – with a wealth of research on this topic from all over the world focusing on a variety of issues spanning several decades. The focus on race, policing, and intersectionality is far more of a niche focus, with much of the literature focusing on the negative perceptions and experiences – over-policing, over-criminalization, excessive use of force and so forth – that people of colour with intersecting social identities and characteristics have with the police (see Carr and Haynes, 2015; Gilbert and Ray, 2015; Owusu-Bempah, 2017). So too, scholars have highlighted the negative impacts of racialised over-policing on people of colour, in terms of psychological distress, health and well-being (Del Toro et al, 2022; Gilbert and Ray, 2015), particularly for those with intersecting vulnerabilities, such as those who are homeless or who inject drugs (Friedman et al, 2021).

"I have called for help from police officers, and I'm the one who they made me look like I'm the bad guy. ... I have called when somebody was trying to attack me in my home, and when they came and got that person ... [it] was like, 'why are you are trying to make it hard for this Black male?' He tried to attack me in my home! He had drugs on him and everything, and they just overlooked that, and then they came and scolded me."

(Interview with a Black woman recalling a domestic violence incident in Hilson, 2022: 15).

One of the first focal areas of intersectionality has been on the intersections of race and gender. In this regard, Crenshaw (1991) highlighted the fact that the specific intersection of race and gender has led to Black women's experiences being ignored as their needs sit at the intersection of sometimes conflicting political antiracist and feminist agendas. As Crenshaw (1991: 1252) explains:

"The failure of feminism to interrogate race means that the resistance strategies of feminism will often replicate and reinforce the subordination of people of color, and the failure of antiracism to interrogate patriarchy means that antiracism will frequently reproduce the subordination of women."

In terms of policing, this has meant the invisibility of Black (and indigenous) women where calls for an intersectional lens have been premised on the fact that Black women experience the same treatment as Black men in terms of being both over-policed and under-served (Beardall, 2021; Christiani, 2021; Ritchie, 2017). Further to this, according to Farrell (2022), black women may also experience further negative police treatment if they do not perform the traditional gender roles expected of them – that is, what the police would consider appropriate performances of femininity, where Black women will be treated better if they perform traditional gender roles. As Farrell (2022: 15) further explains: "race alters how people, particularly state actors, perceive gender and 'appropriate' gendered behavior in a manner that prejudices Black women and constructs assumptions about criminality, or in this case, suspicion of criminality". Black women are viewed differently to for instance, white women, in terms of victimhood, where Hilson (2020: 17) has found – in research on cases of domestic violence in the US context – that "white women are framed as actual victims, damsels in distress who need saving, Black women are seen as somehow complicit in the harm they experience." Similarly, Friedman et al (2021) have found that Black women in the US context may also experience more negative police treatment (and abuse) if they have 'extreme' intersecting vulnerabilities. For instance, they provide the example that homeless Black women who traded sex were 30 times more likely to experience police-perpetrated sexual violence than men with no vulnerabilities, and that living in a rural area also impacted negatively on this. Ultimately Friedman et al (2022) have found that 'intersectional structural vulnerability' – the confluence of specific vulnerabilities with race, gender, class etc – is a driver of police abuse.

A compounding intersecting characteristic or social location is that of class. Cooper's (2021: 1452) intersectional account of legal cases on police use of excessive force in the US context provides insights on how race and class (and gender) "mutually construct one another" and "...an individual's social location ... interacts with social institutions, such as policing, in ways that exacerbate or ameliorate oppression." In other words, poor racial minority neighbourhoods are policed in a different way to wealthy white neighbourhoods. In this regard, Cooper (2021) identifies two distinct styles of policing – warrior policing and guardian policing. Cooper (2021) describes warrior policing as boundary management aimed at poor racial minority neighbourhoods where there is a focus on crime-fighting, use of physical control, police use of 'righteous violence' (or what Gilbert and Ray, 2015: 122, call "justifiable homicide"), a 'war' against these neighbourhoods perceived as bad, chaotic and dangerous which must be prevented from spreading to 'good' neighbourhoods. Guardian policing alternatively focuses on wealthy white neighbourhoods, according to Cooper (2021), and is orientated towards protecting the rights and dignity of persons, the use of verbal persuasion, procedural justice principles, and partnering with the community.

The warrior policing style is akin to what others have found on the policing of boundaries or what Guy Lamb (2022: 10) calls "police frontierism", in his description of racialised policing, which he describes as:

"... one in which police work is fundamentally framed by social and territorial boundaries. Such boundaries delineate perceived safe or 'civilised' spaces from dangerous or 'uncivilised' ones. The police ... preserve or extend the boundary of safety and 'civilisation', and restrict, subdue or eliminate those individuals, groups or circumstances from the 'uncivilised' spaces that a government authority or elites have deemed to be a threat to order and peace. ... territorial and social delineations amplify and distort existing police prejudices against those communities on the other side of the boundary. The police often engage in othering, where the communities of interest are viewed negatively, and are predominantly seen as agents of disorder and law breaking. This othering may lead to an intensification of aggressive police behaviour towards the targeted communities."

What fundamentally underpins police frontierism is the mutually reinforcing categories of class, gender and race, as well as age (youth) which play an "interactive role" – where the intersectionality of these categories explains the over-policing and warrior role for locations with a particular confluence of social identities and characteristics (Christiani, 2021: 894; Farrell, 2022).

A further compounding characteristic is that of citizenship, particularly when it intersects with race, gender, and class. Although there has been limited engagement with citizenship in terms of an intersectionality lens, Damsa and Franko (2022: 1) and Romero (2008) have asserted the need to include citizenship status with respect to policing intersectionality given that "...citizenship status has a central role in the co-constitution of gendered, classed and racialized social disadvantages." Damsa and Franko (2022) and Romero (2008: 136) further point out the global power dynamics at play with regards to the control of non-citizens, where certain groups with intersecting social identities are targeted as 'risky' and where physical appearance serves as a proxy for the non-citizen based on "gendered-racialized and class-based images". This is situated within racialized and classed distinctions of value – with some nationalities being welcomed and others criminalised – and where "...citizenship functions as a global mechanism for distribution of privilege." (Damsa and Franko, 2022: 3).

As has been highlighted in the previous section, this is not just a police problem, but police are the tools or weapons of hegemonic discourses or what Cooper (2021: 1452) calls "macro-level cultural discourses" which filter down "to micro-level police practices". This entails the enforcement of subordination and control of certain groups perceived as 'risky' which is akin to the notion of 'intersectional subjection' (outlined by Gaynor and Blessett, 2022 and Daum, 2015 in the previous section) which identifies the broader power dynamics at play in the othering of certain groups with intersecting identities/characteristics. In this way race is not just a descriptor or isolated social identity, but through an intersectional lens is understood as a historical and contemporary construction, and through its

intersection with other social identities/locations is the target of particular modes of power and discourses (e.g. racial privilege), and practices of social control (such as over-criminalization, use of excessive force, warrior policing and/or police frontierism) (Christiani, 2021; Daum, 2015; Owusu-Bempah, 2017).

Summary and Conclusion

What this literature review on intersectionality and policing has found is that the convergence of mutually reinforcing social identities and characteristics (ability, gender, age, race, location etc) may intersect in complex ways – particularly if these social identities are constructed negatively by the state, police and/or society (such as the negative stigma around mental illness, for instance). Furthermore, that the intersection of two or more specific social identities or characteristics may heighten or fuel negative police interactions whereby persons with certain social identities are prone to more police surveillance, discrimination, stereotyping, criminalisation, and/or use of force. This has been attributed by scholars to both micro, meso, and macro factors. Micro-interactions between the police and those with intersecting social identities have been the subject of much scholarly engagement where police behaviour and discretion have been reviewed and grass roots experiences analysed. On a meso-level institutional issues have been cited as some of the factors which may mitigate or aggravate negative interactions between the police and those with intersecting identities (such as police culture, resources, specialist training, and/or whether the police have specialist teams or programmes and so forth). This may manifest into certain styles of policing such as warrior policing and predatory policing versus guardian policing. On a macro-level, it is recognised by scholars that in many respects the police are but one institution that operates under broader structural influences and power dynamics which negatively impact on certain groups and which is informed by both historical and contemporary factors such as law, policy, political and public discourses and expectations. The police then are the front end of the criminal justice system, enforcing a legal and carceral regime that is heteronormative, sexist, classist, and racialised and which maintains a perverse cycle of criminalisation and poverty/inequality – where the poor and vulnerable are criminalized and where criminalization only deepens their vulnerability and experiences of poverty and inequality.

Overall, it has been found that persons with certain intersecting social identities and characteristics may be simultaneously over-policed (seen as threatening or 'risky') and underserved (when victimised). There may be a knock-on effect of this whereby scholars have shown that persons with certain intersecting social identities and characteristics may experience more psychological distress, be prone to disease, heightened mental health issues, and be more vulnerable to other forms of violence (such as domestic violence). Furthermore, the negative perceptions and interactions they have with the police reduces their willingness to report victimisation (such as hate crime), perpetuates lack of trust and confidence in the police, heightens fear of the police, and ultimately impacts on perceptions of police legitimacy. There may be a preference also to favour non-criminalised/non-police solutions to their problems, revert to local and community support structures and hence disengage with the police (thereby being 'seldom heard communities').

The following section reviews the various police reforms which have been suggested in the literature in light of these challenges.

7. Reforming Policing

Introduction

There has been a range of reform recommendations outlined in the literature with respect to improving relations between the police and groups with multiple, intersecting social identities and characteristics. This section will review those recommendations, but in doing so will also critically reflect on them through a broader review of the policing literature in terms of engaging with issues of police culture and legitimacy.

These reform recommendations are outlined below in terms of thematic focus.

Police training

Much of the emphasis of the literature on policing (and) intersectionality has been the need for more police training and education. A particular focus of the literature is that of diversity training as a means by which police officers can better engage with multicultural contexts (Black and Kari, 2010). There have been specific suggestions that police receive training to address issues of unconscious bias with respect to engaging with diverse groups (Dario et al, 2020; Farrell, 2022; Gaynor and Blessett, 2022). In terms of intersectionality it has been suggested that this unconscious bias training not only engage with race and ethnicity (which it is usually aimed at) but the *intersection* of race with other social identities, such as for instance, gender so as to allow for "critical reflection ... on how perceptions of suspiciousness and dangerousness might be influenced by institutional and/or personal biases about gender and race identities" (Farrell, 2022: 17). This would be true for other intersecting social identities, not just race and gender. Thus, an intersectionality lens would have to consider the ways in which diversity training for the police could account for the complexities of diverse interlocking social identities as outlined in the report thus far, instead of a focus on only single social identities.

Related to a focus on diversity training, is that of awareness, recognition, and sensitivity training. In terms of awareness, given the complexities of intersectionality there is a lot that police officers must be aware of – not only with single social identities but with multiple, intersecting social identities and their effects. Scholars have therefore suggested a range of awareness training and education programmes in this regard. For instance, Pickles (2019) has found in research in England that police are reluctant to engage with LGBTQI+ groups due to lack of awareness of appropriate cultural language use – in other words, lack of linguistic capital (i.e. fear of saying the wrong thing), fear of misgendering persons, fear of inadvertently being offensive, thereby not being confident in engaging with LGBTQI+ persons. There

have therefore been suggestions to educate police specifically in this regard (see Dwyer, 2011b). This is in recognition that awareness training programmes tend to focus only on racial issues but not necessarily on gendered ones – such as the specific needs of LGBTQI+ groups (Miles-Johnson and Death, 2020). However, does this account for an intersection of gender and race and other social identities?

"I think we need to improve our knowledge around the use of language, a lot of officers don't want to say anything because they are too scared of saying the wrong thing."

"...a lot of my colleagues don't say anything because they're scared of coming across as homophobic or transphobic for saying the wrong thing"

(Interviews with two straight, cis policewomen, in Pickles, 2019: 751).

In terms of recognition training, scholars have emphasised police training specifically for interacting with persons with autism or cognitive disabilities. This is in light of an earlier finding where police have mistaken cognitive disabilities for mental illness or substance abuse. Therefore, Wallace et al (2022: 414)

suggest training police officers to recognise autistic spectrum disorder to assist them in “decoupling behaviours and characteristics associated with autism from behaviours police officers are taught to represent suspiciousness or deception... as well as non-compliance and passive resistance.” In other words, to assist police in recognising disability and so too in dealing with the nuances of specific intersecting social identities – such as differentiating a cognitive disorder from a mental health condition (Richards and Ellem, 2019). Again though, what other intersecting social identities will influence police perceptions of cognitive disability and can this sort of training account for those intersections – such as ability intersecting with race or youth?

Another focus in the literature has been on sensitivity training. For instance, Angeles and Robertson (2020: 2) – researching in the Canadian context – suggest that police need sensitivity training as they find “empathy-deficient institutionalized policing practices” when engaging with marginalised groups, especially LGBTQI+ persons with intersecting social identities underreporting incidences to the police:

“Personal, professional and social empathy are critical to developing affective relationships and reciprocal exchanges that resonate with mutuality and mutual responsibilities in public safety. Our findings demonstrate how emotions and feelings run through [LGBTQI+] narratives of affective responses to harassment and discrimination. However, these emotional responses and narratives of affect are often unknown (but not unknowable) to police who because of their position of power and privilege embody ‘unconscious affect’ in the form of unconscious bias and prejudices towards [LGBTQI+] people.” (Angeles and Robertson, 2020: 10).

In a similar way, others have reflected on the need for mutual trust and empathy between the police and LGBTQI+ young persons and that the police appreciate the lived experiences of communities (Fileborn, 2019; Gaynor and Blessett, 2022). However, it has been found by Burnett et al (2020) in the UK context, that police are at real risk of compassion fatigue particularly those on the frontlines engaging with continuous incidents of human trauma and suffering.

“Compassion fatigue can be defined as a stress reaction resulting from helping another individual who is suffering or traumatised ... or as a depletion of caring resources when demand for compassion becomes larger than the individual’s capacity.” (Burnett et al, 2020: 384).

Given the increasing demands on police to engage with social problems as first responders as well as, again, the nuances of policing diverse, vulnerable, and intersectional communities, the question remains to what extent sensitivity training can be effective given that police themselves are vulnerable to burn-out, stress, and compassion fatigue (see Burnett et al, 2020).

Over and above a specific focus on awareness, recognition, and sensitivity training, scholars have also simply suggested that current police training needs to be reviewed with an intersectional lens (Hutson et al, 2022). This is in light of the fact that some training can ironically be more damaging when policing groups with intersecting identities (for instance, the actions and behaviours of autistic persons being mistaken for suspicious or threatening behaviour). So too, they propose training which assists in police officers’ interrogating their own biases and beliefs as well as understanding the implications of intersecting identities especially vulnerabilities and the need to ‘police’ these accordingly (Hutson et al, 2022; Nelson, 2016).

But it’s not just about the types of training, but who does the training. For instance, Miles-Johnson (2019) has found that senior officers have a profound effect on new recruits who may shape their perceptions when policing diverse communities. Therefore, as Miles-Johnson (2019: 10) further explains:

“...consideration of the selection of senior officers facilitating training, the type of career each has led within the organization, and the level of training each of these senior officers has received to instruct recruits are vital because recruits will mimic or absorb the attitudes, perceptions, and levels of professional competence demonstrated by senior officers and then field training officers. The

influence senior officers exert over recruits therefore can be transformative and highly influential in terms of increasing or decreasing recruits' levels of bias toward policing certain groups, as well as their perceptions of professional conduct and misconduct during police engagement."

Still, despite all the above suggestions, it is not altogether clear whether training will have the desired effect. For instance, with regards to disability-awareness training, Rowe et al (2022: 182) have found in their research that this training "failed to affect any degree of tangible change [in the police] ... primarily attributed to the deeply embedded problems in the culture of policing."

This then speaks to broader issues of police culture, where, in many respects training is seen as a means by which to mitigate or correct the negative aspects of police culture. Scholars have thus pointed out that police culture is a potential obstacle to engaging positively with intersectionality issues – police culture meaning "the images officers have of their role, along with their assumptions about the social world which subsequently underpins and informs conduct" (Loftus, 2010: 4) or "the world view and perspectives of police officers" (Bowling et al, 2019: 164). Much has been written on police culture over the years and it is not within the scope of this report to delve into those works. But with regards specifically to research on intersectionality, police culture has been characterised as problematic particularly with regards to engaging LGBTQI+ groups. In this regard police culture has been described as exhibiting a machismo and/or exclusionary heteronormative beliefs and practices – "a bedrock of masculinity" (Couto et al, 2018; Pickles, 2019; Russell, 2019: 381). Fileborn (2019), researching the policing of LGBTQI+ communities, therefore reflects on the need to "[dismantle] the well-documented institutional culture that continues to foster hypermasculinity, transphobia and homophobia, though [as is acknowledged] this is slowly shifting." This is true for engagement with other intersecting social identities as well, where police culture has been accused of perpetuating racist, classist, and gendered norms (see previous sections). The value of training – types of training and by whom – needs to be considered in terms of the dynamics of the police institution, the impacts of police culture (and sub-cultures) as well as the complexities of intersectionality in the communities being served.

Policy, practice, and protocol reviews

Related closely to the issue of police training is the need to also reflect and review – not only the training protocols – but the laws, policies and protocols with respect to policing and intersectionality. As has been mentioned, scholars have suggested the need to review programmes, policies and procedures with an intersectional lens; ensure they are clear and unambiguous; and revisit practices which are (potentially) discriminatory (one such practice identified by scholars is for instance, stop and search) (Dario et al, 2020; English et al, 2020; Gaynor and Blessett, 2022; Hutson et al, 2022). This is in line directly with what Crenshaw (1991) found in her foundational writing on intersectionality where programmes and support aimed at single social identities can inadvertently be discriminatory towards persons with intersecting social identities. For instance, Crenshaw (1991) highlights the case of a nonEnglish speaking women in the US context in a situation of domestic violence being unable to benefit from domestic violence support services due to the proviso that all those receiving support be proficient in English – thereby excluding those with intersecting identities/characteristics of race or ethnicity, and nationality, and ironically those likely to be more vulnerable and in need of support.

In other words, even with the best of intentions, certain programmes may end up being unidimensional in focusing on single social identities, thereby inadvertently excluding or prejudicing (more vulnerable) groups, hence the need for an intersectional review of the effects of well-intentioned programmes, policies, outreach, and the like.

Specialist policing

A prominent focus in the literature on policing (and) intersectionality is the creation of specialist policing teams or units to engage with intersectional issues. For instance, one model of police engagement with

persons with mental illness is that of the Crisis Intervention Team, where police officers are specially trained as first responders to engage with callouts to do with mental illness; de-escalate heated situations; and to liaise with the mental health system (to divert individuals for instance) (Richards and Ellem, 2019; Thompson and Kahn, 2016). The aim is for these police officers to “provide more specialized and sensitive support for individuals with a mental illness during policing interactions” (Thompson and Kahn, 2016: 808).

Another form of specialist policing is that of liaison officers, established to provide specialist knowledge; a point of contact for groups with specific intersecting identities; and a means by which to improve community-police relations. With respect to intersecting issues of race, for instance, Carr and Haynes (2015) outline the role of ethnic liaison or diversity officers in the Irish context engaging with intersecting issues of race, gender, and religion – with ambivalent sentiments as to their value. With respect to gender identity and sexual orientation, several scholars have reflected on the implementation of police liaison officers when dealing with LGBTQI+ persons/communities (see Dario et al, 2020; Dwyer et al, 2015; Fileborn, 2019; Owen et al, 2018; Pickles, 2019). For instance, Pickles (2019), focusing on the UK context (specifically England), describes the role of LGB&T officers who are specialists in LGBTQI+ issues, such as investigating hate crime; advising other police officers; supporting LGBTQI+ police officers; awareness raising; liaising with LGBTQI+ networks; and building trust of LGBTQI+ persons in the police. However, Pickles (2019: 750) also identifies several challenges with this approach where ultimately the “success of this role being translated into the wider community is questionable” given a lack of (public) awareness of the role, lack of police linguistic capital (police not being able to understand the cultural language of the LGBTQI+ community/ies, as mentioned) and police culture (see above). Similarly, Fileborn (2019) has found that LGBTQI+ communities are reluctant to engage with liaison officers, and that liaison officers may lack the institutional support and resourcing needed to function effectively.

Similarly, there are other challenges in the use of specialist policing in terms of the applicability of these units to intersectionality and not just another attempt to reduce issues to “singledimensional identities, betraying the complexity of human experience and perspective” (Russell, 2019: 385). Are specialist teams able to account for this complexity or will they end up reproducing a unidimensional or compartmentalised focus?

Another challenge is a logistical and resource-orientated one in terms of the effectiveness of specialist policing in remote, rural, or vast areas. Intersectionality is not necessarily placebased, nor confined to one neighbourhood or context – it can be dispersed, it can be just as much prevalent in rural areas as it is in urban. The issue of rurality and remoteness has elicited its own sets of reform challenges with rural policing being a subject of interest in its own right (see for instance Mawby and Yarwood, 2016, and works by Andrew Wooff, 2015, 2022 in the Scottish context). However, rurality and rural policing raise specific challenges with regards to issues of intersectionality as has been outlined already – such as discriminatory cultural norms, as well as police logistical challenges and police high turnover (Dwyer et al, 2015). Friedman et al (2021) have claimed that rural areas do not receive the same levels of consideration as urban areas in terms of structural interventions to improve police relations. And some reforms for urban contexts may not work in rural / remote spaces. For instance, Dwyer et al (2015) urges a re-think of the utility of police liaison officers in rural spaces. This goes for other police reform attempts which may have to be re-thought in terms of rural application.

Diversity in the police

A further reform suggestion which is prominent in the literature is the issue of the police institution as being itself diverse. With regards to intersectionality issues, Angeles and Robertson (2020) and Miles-Johnson (2019) suggest that the police need to be more diverse with Pickles (2019) and Owen et al, (2018) suggesting that police institutions should specifically recruit more LGBTQI+ police. But there remain questions whether this has improved relations between police and intersectional groups, and/or what the nature of policing diversity should entail (Black and Kari, 2010; Miles-Johnson and Death, 2020). For

instance, given the complexity of intersectionality dynamics, what would a diverse police force look like to engage with the intersections of multiple social identities? Generally speaking, there is still not enough known about whether (or how) the intersectionality of identity shared between being a member of the police and a group with diverse social identities shapes perceptions of policing – in other words, how intersectionality specifically relates to diversity in policing. Recent research by Miles-Johnson (2021) has found for instance, that increasing diversity in the police by recruiting members with specific intersecting social identities (such as race or ethnicity) may have unintentionally negative impacts on the policing of certain groups/communities with different intersecting social identities (such as gender identity and sexual orientation). In other words, that when it comes to policing intersectionality, recruitment of diverse groups does not mean that all intersectionality issues will be covered, and it may inadvertently be harmful to some groups, as Miles-Johnson (2021: 304) explains:

“Whilst there is evidence to suggest the recruitment of diverse officers will equip police organizations to deal with diverse communities and to be able to form relationships and build trust with diverse citizens (that will make all police officers better equipped for a community-police role) ... it cannot be assumed that diverse officers will be more accepting of minority group members than non-diverse officers or that the recruitment of diverse officers will solve community policing issues.”

Police workforce diversity therefore also must be reviewed with an intersectional lens so that it does not end up becoming tokenistic or beneficial to some but harmful to others.

Policing typologies

As mentioned earlier, research has differentiated between different styles or typologies of policing in engaging with intersectional communities. It goes without saying that people who perceive that they are unfairly treated or mistreated by the police are unlikely to call them for assistance, report crime or co-operate with them – and ultimately may not see the police as legitimate (Thompson and Khan, 2016). Scholars have found that groups with intersecting social identities which place them at the frontline of police engagement prefer – not surprisingly – policing styles or typologies which value respect and fairness, as opposed to “the authoritarian and hostile policing styles” characterised by the ‘warrior’ policing approach, outlined earlier (Fileborn, 2019: 448). This underpins a focus on police culture and mentalities which are not conducive to dealing with the social problems underlying the vulnerability of those with intersecting identities. It is clear that a warrior policing role is undesirable and there have been suggestions for the adoption of a guardian policing role – police as protectors and collaborators. So too, police have diversified their responses through adopting a public health approach (as has been the case in Scotland and elsewhere). In this regard, police reform suggestions have entailed the finding of ways to disincentivize warrior policing styles and abolish perverse incentives (e.g. ‘successful’ policing being measured in terms of number of arrests for instance, rather than in terms of community trust and confidence) (see Gaynor and Blessett, 2022).

This also speaks to much larger issues of police legitimacy and accountability with respect to the typologies of policing which are conducive to public trust. Legitimacy ultimately means to adhere to democratic ideals of being transparent and accountable, to allow for participation in decision-making, and to be representative – particularly with respect to those most affected (Casey, 2009; Chimni, 2004). Put in another way, for an institution – such as the police – to be democratically legitimate means that those who are policed should be able to participate in decision-making processes (or input legitimacy), should be able to hold the police accountable (throughput legitimacy), and that the police should provide services which are effective, equitable, and for the public good (output legitimacy) (Börzel and Risse, 2010; Cutler, 2010). An institution thus has legitimacy if it is generally believed or considered to be an appropriate, acceptable or proper institution (within a set of socially agreed upon parameters or rules) and has the trust and confidence of those on which it impacts (Casey, 2009; Ehrhart et al, 2013; Walby et al, 2013). People who consider an authority to be legitimate “feel personally obligated to defer” to it and obey it (Sunshine and Tyler, 2003; Tyler, 2006:376). Police legitimacy is contingent on interactions with

others, it must be gained through enrolling others and in this way secure the "voluntary cooperation" from individuals – procedural justice is therefore important as it impacts on how individuals perceive of their treatment by the police (Dario et al, 2020: 891; Johnston, 2001). As mentioned, certain typologies or styles of policing are not conducive to this, and as the literature has shown, certain groups with intersecting social identities may be policed in different ways based on their perceived 'riskiness'.

Collaborating with others

Police collaboration with others has been a sustained focus in the literature which entails for instance, suggestions for the establishment of community outreach programmes, community advisory boards and other techniques to improve police-community relations (Dario et al, 2020; Gagliardi et al, 2022). It may also entail police liaising with other institutions for instance, when police engage with persons with cognitive disabilities and intersecting social identities, they should have diversion and referral options available to them (Richards and Ellem, 2019). There have also been suggestions around police collaboration with researchers. For instance, Hutson et al (2022) have suggested that police partner with others in terms of research production and knowledge exchange. In this regard they propose the model of Community Partnered Participatory Research (CPPR). Although specifically aimed at Black persons with autism, this model can be applied to broader intersectional issues as it aims towards the "cocreation of knowledge", "shared power and cofacilitation" between researchers, police and community groups to "shift policies, procedures and engagement with stakeholders, community members and advocates" (Hutson et al, 2022: 532). In other words, through this model police can learn more about communities and build partnerships at the local level.

Community-driven approaches

Scholars have also suggested community-led or driven approaches (rather than police-led) to engage with a harm-focused approach catering to the needs of those with disabilities, LGBTQI+ communities, and those with other intersecting social identities and to avoid the racism, ableism, and sexism that may be inherent in police culture (Rowe et al, 2022; Russell, 2019; Thompson, 2021). In respect to a harm-focused approach and as outlined in previous sections, it has been shown that some persons with specific intersecting social identities may prefer non-criminalised/non-police solutions to problems they face. In other words, they may prefer what Berg and Shearing (2018: 72) have called a "governing-through-harm" approach:

"A governing-through-harm approach, in contrast to a governing-through-crime approach, does not establish a solution prior to the issue being canvassed and understood. ... A harm-focused approach, it is argued, 'starts from a different place,' by focusing on the social causes of harms or the 'big problem' rather than only on individual agency or 'the smaller problem' of finding who committed the crime and assigning blame accordingly ..." (Berg and Shearing, 2018: 78-9).

This is to recognise that police – as the front-end of the criminal justice system – are predominantly geared towards working within a crime or "governing-through-crime" paradigm which is focused on crime and criminalisation, punishment, and a victim-offender binary (Russell, 2019; Simon, 2013: 533). In other words, that the police are limited in their engagement with only those harms which have been deemed criminal offences. However, as it has been outlined previously, some respondents with intersecting social identities (particularly LGBTQI+ groups) have reported experiencing a range of micro-aggressions but since these did not meet the criteria of a hate crime, for instance, would not be inclined to report it to the police and, furthermore, would prefer that the issue was not escalated to a criminal matter either. It has also been argued by Berg and Shearing (2018) that a "governing-through-crime" paradigm may not be the most effective way to engage with harms and may end up delegitimising the police. In other words, certain types of activities that may be perceived as effective but which essentially buy-into predatory or discriminatory forms of policing (stop and search or zero tolerance policing, for instance) may result in police undermining their legitimacy (Angeles and Robertson, 2020; Brodeur, 2005;

Murray and Harkin, 2017). "If acts are patrolled too hard, they may rebound on the police force itself" (Bjork, 2006:84). Given the types of policing that has been outlined in this report with regards to over-policing and hyper-surveillance, this is most relevant to intersectionality issues as has been shown in previous sections.

Considering this, Vitale (2017) also questions the role of the police as first responders. In other words, the question being asked is whether the police should be the lead responder with respect to engaging with mental illness, homelessness, drug users, sex workers, migrants, disaffected youth and so forth? Is a police response appropriate to engaging with what are inherently social problems? Some scholars have suggested that the police should not be the first responders, especially in response to calls about people with mental illness (see Ritchie, 2017). Alternatively, given that police are not social workers, Rowe et al (2022) and Ritchie (2017) argue that *non-police* should instead be first responders. For instance, a development that occurred in the US context after an incident of the police shooting of a disabled Black woman, was the implementation of a mental health advisory board and the establishment of mobile crisis teams of behavioural-health specialists. Further to this, Rowe et al (2022) cites evidence to suggest that non-police as first responders has had positive outcomes, including improved community safety and wellbeing. In this regard, Rowe et al (2022) cite Kim et al (2021) who have produced *A Guide to Alternative Mental Health Crisis Responses* and Pearl (2020) who reports on a civilian Neighbourhood Safety programme both focusing on the US context.¹ The question then is also whether these responses adopted in the US context are appropriate for other contexts, and if so, in what form. Contextually relevant responses are vital given the complexities of engagement between the police and those with specific intersecting social identities and the "multiple and emergent relations that play out in contextually unique ways" (Fileborn, 2019: 448).

Structural reform

As has been outlined in this report thus far, scholars have also identified systemic issues underpinning police practice and behaviour. It has been argued that macro-level power structures and discourses have meant that the police are at the forefront of enforcing regimes which impact negatively on certain groups with intersecting social identities or characteristics. For instance, that "any attempts to 'govern' [police relations with intersectional groups] will confront much larger problems associated with the nature and role of policing in society to preserve the dominant order." (Russell, 2019: 391). In other words, how can the police then be reformed in light of their being part of much bigger systemic issues? It is therefore not necessarily about the police having a few bad apples it is about the police being part of a much larger apparatus reinforcing race-class-sex structures, incentivised by permissive laws, and reinforced by cultural and political discourses. Accordingly, scholars have suggested that there is a need for broader, structural interventions (English et al, 2020; Friedman et al, 2021). In other words, that police reform alone does not and cannot address these broader influences and it is thus necessary to move beyond reform. In this regard, 'beyond reform' may mean "...divest[ing] funds from police to eliminate their role in responding to unmet community care needs that they cannot and should not control" (Rowe et al, 2022: 171).

This is in line with an abolish / defund the police approach where it has been suggested that policing reinforces a certain carceral and punitive logic and that police reforms have been ineffective in addressing the systemic problems of police use of violence and killings of certain groups with intersecting identities (Thompson, 2021; Vitale, 2017). As Alex Vitale (2017:4) has outlined in his book *The End of Policing*:

"Any effort to make policing more just must address the problems of excessive force, overpolicing, and disrespect for the public. Much of the public debate has focused on new and enhanced training,

¹ For information see: <https://www.interruptingcriminalization.com/non-police-crisis-response-guide> and <https://www.americanprogress.org/article/beyond-policing-investing-offices-neighborhood-safety/>

diversifying the police, and embracing community policing as strategies for reform, along with enhanced accountability measures. However, most of these reforms fail to deal with the fundamental problems inherent to policing."

This is to acknowledge really that any reform has to go beyond only short-term, institutional specific changes, and to engage with what policing is and what it should be in light of the complexities of 21st century challenges. A potential reform solution to engage with broader issues of reform whilst also improving the experiences of intersectional groups is that of transformative justice.

Transformative Justice

Within the intersectionality literature transformative justice is suggested by Thompson (2021: 70) "as an approach to develop interventions which transform communities as well as societal structures" and which move beyond dependence on criminalisation and punishment as outlined by the governing-through-harm approach mentioned. Outside of the intersectionality-specific literature, transformative justice has been a topic of interest for police/policing reformists generally, considering shifting societal demands and complexities. In this regard, transformative justice applied to police reform or simply "transformative police reform" is highly relevant to engaging with intersectionality and it is worth delving into its main tenets (Diphoorn et al, 2021: 342).

Essentially transformative police reform is long-term, systemic, holistic, bottom-up, context specific, and multi-agency or plural (Berg, 2021; Diphoorn et al, 2021; McAuliffe, 2021; Pino, 2021). It considers power relations and aims to address broader structural issues of discrimination and inequality for instance, that impact marginalised and vulnerable communities and how they are policed – thus aligning very closely with the intersectional issues outlined thus far (Berg, 2021; McAuliffe, 2021). Further to this, according to Diphoorn et al (2021) transformative police reform constitutes an analytical shift in focus from police to policing thereby acknowledging the plurality of actors, entities and institutions (state and nonstate) involved in 'policing' and the power dynamics between them. In other words, in relation to intersectionality, much of the reform suggestions have focused on the need to engage with other state entities besides the police (mental health institutions, for instance) as well as community organisations and other non-state forms of involvement, including intersectional groups. This aligns with a "whole-of-society" – as opposed to only a 'whole-of-government' approach – which recognises that the complexities of harms, crimes, and broader social problems today cannot be resolved by any single institution or set of institutions (Berg and Shearing, 2011: 23). This is particularly relevant to intersectionality issues given the need to engage with a holistic approach to intersectional groups, although the tendency is to revert, normatively, to a police-only, state-only, or state-centric approach. Yet, research outlined above (and in the broader policing literatures) has shown the value of engaging with communities, community-driven/led approaches, and alternatives to 'governing-through-crime' approaches.

Further to a focus on holistic approaches, Diphoorn et al (2021) highlight the need for a combined top-down/bottom-up approach to reform given that the tendency has been to favour predominantly top-down-only approaches (such as accountability and oversight bodies, legislation and policy, institutional reforms etc). A transformative police reform approach advocates local level involvement and is "more inclusive and community-oriented" in developing "shared visions of reform" (Diphoorn et al, 2021: 342, 344). Although not an easy task, this is highly pertinent considering the desires outlined above for certain styles of policing and/or governing-through-harm approaches when engaging with intersectional communities. This also speaks to the points raised above about police legitimacy and what this entails with respect to input, throughput, and output legitimacy – particularly that the police should allow for participation in decision-making, and in this way open up space for local accountability and allow for a more effective and equitable service in line with the good of the public. A transformative police reform approach therefore directly inspires pathways towards police legitimacy.

Finally, in direct relevance with this section's focus on the systemic issues and macro-level power structures and discourses informing the policing of intersectional communities, transformative police reform seeks to engage in a holistic process of addressing these issues of 'structural violence' (discrimination, inequality, poverty, for instance). As Diphoorn et al (2021: 343) explain:

"...it is crucial not only to focus on a variety of policing actors and their practices, but also to zoom out and critically study how ... policing [is] ingrained in larger undemocratic, unequal, or violent structures in society. It means to take account of the context in which policing unfolds, to analyse how these contexts contribute to the (re)production of certain forms of policing... Such a holistic approach also reveals why certain political, socio-economic, and cultural contexts hamper, obstruct, or limit wellintended police reform initiatives."

Again, this is particularly pertinent to engaging with intersectional communities, in analysing why some reforms are counter-productive or ineffective in reaching marginalized (or seldom heard communities) given the social complexities underpinning intersectional issues. This is also a means by which reforms are made more sustainable in recognising the systemic and structural influences that can hamper reform attempts and attempting to address them. This type of engagement is therefore not only about the police as an institution or about individual police officers, but it seeks to "tackle societal, political, and economic structures that set the foundation for conflict and contestation between police officers and individuals" (Diphoorn et al, 2021: 343). This is a much broader and difficult undertaking but one which goes 'beyond reform'.

8. Summary and Conclusion

Given the fact that intersectionality is a relatively new idea, it is clear from the literature that there are significant gaps in research in terms of geographical scope, police perspectives, as well as the impact and effectiveness of these reform recommendations. Many of the reform recommendations raised also need to be considered within the context in which they are applied, and therefore there needs to be both a review of current policy and practice as well as scope for innovation within different contexts.

Yet, despite these gaps, the literature has demonstrated that reforming police/policing in terms of engaging with issues of intersectionality is complex and may constitute (simultaneous) micro-, meso- and macro-level engagement with and beyond the police. The policing of intersectionality is also tied into broader issues of police culture and legitimacy – including accountability, democratic participation, effectiveness, and procedural justice. It has also been shown that the nature of intersectional issues requires broader reform efforts – the sustainability of which depends on engaging with broader shifts in society and changing populations, as well as a review of what 'policing' entails and what the police should be doing with regards to social problems.

9. Suggestions for Future Research

The aim of this literature review was to provide an account of scholarly engagement with policing and intersectionality, and for this review to inform an intersectional good practice toolkit by which police organisations can better engage with the phenomenon of intersectionality and its implications for policing. However, given the focus of this report as well as the methodological limitations outlined earlier, there is scope for future research, which could involve the following focal areas:

- a review of policy and practitioner engagement with policing and intersectionality to complement the academic focus

- field research engaging specifically with intersectionality in the Scottish context – focusing on contextually-relevant intersectional issues characteristic of Scotland, as well as the urban-rural dynamic
- a review of policies, programmes, and practices which Police Scotland is already undertaking which is relevant to an intersectional focus to better apply reform recommendations as appropriate, and to inform future engagement going forward (through the sharing of best practices within the organisation for instance)

Furthermore, given some of the findings of this report with respect to questions around the nature of the police/policing, a future reform agenda could be informed by the organisation of fora, workshops, and/or conferences by which wider structural and reform issues can be discussed. This could be specifically related to intersectionality issues but also consider intersectionality as part of an array of contemporary and future challenges facing the police in the 21st Century and the way(s) forward in terms of the future of policing in Scotland.

10. References

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APPENDIX 1: GOOD PRACTICE TOOLKIT

Introduction and Background



This good practice toolkit explains the necessity of intersectionality and why it is such an innovative framework for policing research, policy and practice. This toolkit is a practical guide for police practitioners and third party organisations to acquire knowledge on intersectionality and its main concepts. The toolkit provides a clear overview of intersectionality, how it has been researched in policing studies, how other organisations have applied intersectionality and finally what can be done to engage with intersectionality in policing. The toolkit is funded by Police Scotland, the Scottish Institute for Policing Research (SIPR) and the Scottish Police Authority (SPA) as part of the Seldom Heard Communities Grant.

Scope and Purpose of the Toolkit

There is limited engagement with and a lack of understanding about intersectionality among both policing scholars and practitioners. This toolkit summarises our literature review offering an overview and an evaluative critique of the current state of knowledge on intersectionality and policing. Police organisations often operate in fixed silos. The pragmatism of police problem-solving means that issues of inequalities, vulnerabilities and structural oppressions are perceived and addressed as singular, separate, neatly defined categories. Yet the reality of lived experiences is far more complex and nuanced. Intersectionality as a tool and critical lens challenges this. It adapts regimented and fragmented thinking, offering an alternative and improved analytical and interrelated approach.

Benefits of adopting the Intersectional Good Practice Toolkit

The intersectional tool kit can inform and enhance the Seldom Heard Communities subgroup 'communities & partnership engagement'. Intersectionality is person-centred accounting for the entire

Policing in Scotland has a complex historical trajectory of unbalanced interactions with multiple minoritised and marginalised groups. Police Scotland can benefit from the literature review findings by employing an intersectional lens to develop meaningful and effective long-term public engagement. This is a foundational pillar to sustainable reform and constructive accountability as well as towards enhancing police legitimacy. Moreover, the findings are crucial for comprehending the intersecting nature of 'Seldom Heard Communities' and informing recommendations. It offers an alternative analytic framework to promote social justice and reduce harms by fundamentally altering how social problems are understood, experienced, identified and grasped to include the full breadth of lived experiences.



individual and thus in line with, and able to enhance, Police

Scotland's public engagement framework of putting people first (Police Scotland, 2021:9). An intersectional lens is beneficial in that people belong to multiple intersecting seldom heard communities and will therefore enhance Police Scotland's capacity for accessible and inclusive engagement - both externally and internally - as laid

out in the draft Engagement Framework (Police Scotland, 2021:1011). Incorporating an intersectional understanding of seldom heard communities is crucial for service users to engage in genuine dialogue and to have meaningful contact and input in decision making processes. Moreover, intersectionality is vital for Police Scotland as a responsive, relevant, accountable and transparent public service to embody their own values of integrity, fairness and

respect (Police Scotland, 2021:4). This toolkit can enhance Police Scotland's organisational objectives of improved trust and confidence of policing in Scotland, effective engagement, organisational effectiveness and the promotion of Police Scotland's aforementioned values as well as engagement with seldom heard communities.

What is Intersectionality?

In its most simplified form, an intersection is a place where things come together. Intersectionality can be described as a theory, a methodology, a paradigm as well as a lens or framework. Definitions vary and continue to evolve and develop. Intersectionality is widely attributed to American legal scholar Kimberlé Crenshaw in the late eighties. Crenshaw disputed that there was no effective way to talk about how the experiences of Black women are drastically different from the experiences of both black men and of white women. Black women endure both gender discrimination and racial discrimination. During an interview, Crenshaw explains that "We experience life –



discrimination and benefits – based on different identities that we have... intersectionality is the combination – as opposed to the addition – of race and gender that creates a specific form of oppression". Scholars, educators and activists have expanded the

use of the word intersectionality to include all identities and structural inequalities beyond race and gender.

Yet as a concept intersectionality predates Crenshaw's seminal work, and is not a new phenomenon. The core ideas have a much longer trajectory with its historic origins featuring in the work of Black activists, feminists, Latinx, post-colonial, queer and Indigenous scholars. It is crucial to acknowledge the origins of intersectionality along with the experiences, activism, intellectual and emotional labour of those who established this rich body of work. Christoffersen and Emejulu (2022) express caution to ensure theories and concepts are not appropriated and co-opted by the very institutions they seek to critique and dismantle. Elsewhere the uptake of intersectionality is problematized as erasing Black women and the work of Black feminist activists (Jordan-Zachery, 2013).

Intersectionality operates on multiple levels. It promotes an understanding of human beings as shaped by the interaction of different social locations (for instance 'race'/ethnicity, gender, class, sexuality, geography, age, disability/ability, migration and citizenship status, religion). These interactions take place within the context of inter-connected systems and structures of power (where laws, policies, state governments, institutions or even the media). This creates interdependent forms of privilege and oppression that are shaped by colonialism, imperialism, racism, homophobia, ableism and patriarchy.

Inequities are never the result of single, distinct factors. Rather, they are the outcome of intersections of different social locations, power relations and experiences. Human lives and lived experiences cannot be captured by single identity categories, singular social locations or singular structures alone.



This offers a critique of the current definition and conceptualization of seldom heard communities as singular².

For Crenshaw - "Intersectionality is a lens through which you can see where power comes and collides, where it locks and intersects. It is the acknowledgment that everyone has their own unique experiences of discrimination and privilege" (Crenshaw, 2017).



Collins and Bilge's conceptualization offers a coherent and detailed explanation: "A way of understanding and analysing the complexity in the world, in people, and in human experiences. The events and conditions of social and political life and the self can seldom be understood as shaped by one factor. They are generally shaped by many factors in diverse and mutually influencing ways. When it comes to social inequality, people's lives and the organization of power in a given society are better understood as being shaped not by a single axis of social division... but by many axes that work together and influence each other. Intersectionality as an analytic tool gives people better access to the complexity of the world and of themselves" (Collins and Bilge, 2016:2). This can further inform and develop understandings of seldom heard communities as well as how

² 'Seldom Heard Communities' is a term employed by Police Scotland to "refer to under-represented people who may be less likely to engage with Police for a variety reasons (such as race, religion, sexuality, disability, age and communities isolated through geography or deprivation)... [to] place more of an emphasis on

Police Scotland and [their] collaborators to connect with these communities ensuring their voices are heard; their needs are met; and their perspectives are understood."

Police Scotland and their collaborators interact with these communities not as singular and isolated but mutually constructed and intersecting.

What can be done to engage with it in policing?

We all have intersecting social identities; it affects us all, can change from context to context, and over time. But, as has been outlined already, some people are very negatively impacted by their particular set of intersecting social identities – 'intersectionality' is a way of recognising this. Intersectionality is a lens, a way of seeing the world, a way of thinking about the world. "Intersectionality is an approach, a mindset; not a mere toolkit. It is a way of thinking, reflecting and working." (Kabir et al, 2021: 7). This means essentially that implementing intersectionality is as much about shifting "mentalities" or ways of thinking as it is about 'doing' intersectionality (Bayley and Shearing, 2001: 17). This toolkit therefore provides a set of principles and a process to begin that engagement.

How to use this toolkit

This toolkit is aimed at police organisations and practitioners. It should be read in conjunction with the literature review on policing (and) intersectionality³ as it draws from the findings of desktop research, which is referred to, and forms the basis of, this toolkit. It provides a framework of action involving two components – principles and process, as follows:

Principles:

From the literature review, a range of practical reform initiatives were outlined, from training to collaboration to transformative justice. This toolkit is, however, premised on the belief that there is no one-size-fits-all, context is vital. The way to avoid simply supplanting solutions which worked in one context to another context in the hopes it will work, is to focus, not on the practices themselves, but the principles on which they are based. In other words, there are principles which inform a positive approach to intersectionality which can be practically applied to organisations such as the police, but these principles need to be interpreted and the practices worked out in and for the context to which they are being applied. In other words, this toolkit does not outline a range of best practices, but best principles, as explained below:



"Identifying best practices usually entails drawing on the *ways of doing things* that have worked in one context and applying them to another context. However, experience has shown that this is typically not possible – practices that have worked in one context will often not work in another. To implement ... in a meaningful, context-specific way one needs to identify the ways of thinking, or

³ Berg, J. and E. Mann (2022) Policing (and) Intersectionality: A Literature Review and Toolkit. Report written for the Seldom Heard Communities Project,

principles, underlying the practices. To put it in another way, we can derive rules from principles, and 'whereas rules may be specific, principles may be very abstract', and thus applicable to a number of contexts." (Berg and Shearing, 2011: 27).



Process:

To complement a focus on the principles underpinning a positive approach to intersectionality is a suggested iterative, cyclical process of engagement from education through to transformation. Again, given the contextual dynamics, and institutional working and needs of Police Scotland, this process needs to be interpreted and applied accordingly. It therefore constitutes a suggestion for action to be applied to all or parts of the organisation, and, depending on context, may be applied linearly but also stages of the process may happen simultaneously or at different times or repeated.

What follows is a description of the best principles and a process of implementation.

Best principles informing implementation

Below are some principles derived from the literature review, which can be drawn on to inform context-specific practices:

Best principles	Definition	Relevance
<i>Reflexivity</i>	To “examine your own unconscious biases, beliefs, judgements and practices, as well as those of your organisation, and how these may influence how you work and engage with others.” (Kabir et al, 2021: 13).	Reflexivity has been advocated to improve policing especially with regards to engaging with social problems and intersectionality issues. Reflexivity, in this way, entails a police officer or organisation reflecting on past practice and performance and an “appreciation of socio-economic and demographic circumstances” which shape policing practices (Wood and Williams, 2016: 215). Reflexivity is also about considering the nature of policing itself – its purpose, its role and what needs to be done to adapt it to changing times and shifting populations.
<i>Empathy</i>	“Empathy, the capacity to put ourselves in someone else’s shoes, or see, feel and think like the other...” (Angeles and Robertson, 2020: 2).	As mentioned, intersectionality is a mindset, a way of seeing the world. A large component of engaging with intersectionality is recognising it – recognising difference and diversity through considering one’s own intersectional identities but also those of others and how they could be disadvantaged by this.
<i>Innovation</i>	“Innovation ... is a process that changes the manner in which an organization performs its task”, it may entail bringing something new to an organisation or ‘state-ofthe-art’ (King, 2000: 305).	Engaging positively with intersectionality necessarily involves innovative responses, as has been outlined in the literature review. It involves agility in terms of the “try it, test it, improve it” process, or TTI principle ⁴ – so that if something is not working, has been evaluated, and found to have unintended negative effects, it is improved, reformed, or transformed. A functional budget may facilitate innovation and agility as described below.

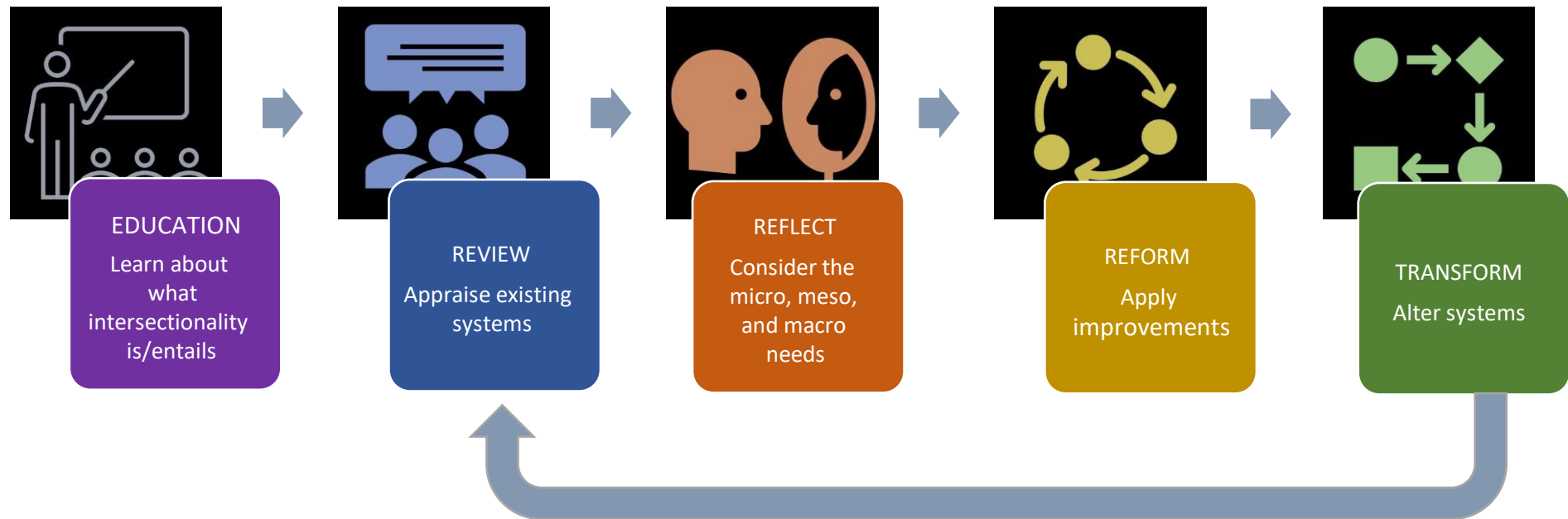
⁴ Email correspondence with Professor Clifford Shearing, August 2013.

<i>Functional or flexible budget</i>	A budget that can be used for any purpose related to a broader goal (such as crime prevention), in this way the budget is not pre-determined but is used as and when needed to fulfil organisational objectives.	One of the biggest challenges underpinning any reform efforts is the restriction of silo-ed and pre-determined budgets. A large part of engaging with intersectionality is collaborating with others in whole-of-society formations (see definition below). Functional budgeting or flexible resources are needed to allow for agility and innovation in trying new programmes as well as engaging with others: "Functional budgets allow governments to move beyond existing institutions and to seek out arrangements within and outside state institutions that enable a wide variety of preventative outcomes." (Berg and Shearing, 2011: 28).
<i>Whole-of-society</i>	A whole-of-society paradigm or principle recognises the importance of "multistakeholder and multilevel governance ... [that] views individuals and the plural organizations and institutions in different sectors that form state, market, and community as part of the same system in transformation through policy and action deployed on multiple scales..." (Dubé et al, 2014: 206).	A whole-of-society approach entails "mobilising the resources, knowledge and capacities of a host of role players for the resolution of safety problems. For every safety issue a whole-of-society approach encourages us to ask the question: 'Who could be involved in crafting a solution?'" (Berg and Shearing, 2011: 23). In other words, it is to acknowledge that the contemporary societal problems we face today cannot be resolved by any single institution or set of institutions. This is particularly relevant to intersectionality issues given the need to engage with a holistic approach to intersectional groups, although the tendency is to revert, normatively, to a police-only, state-only, or state-centric approach. Yet, research outlined in the literature review has shown the value of engaging with communities, community-driven/led approaches, and alternatives to only 'governing-through-crime' approaches.

<i>Governingthrough-harm</i>	<p>"A governing-through-harm approach, in contrast to a governing-through-crime approach, does not establish a solution prior to the issue being canvased and</p>	<p>A governing-through-harm approach aligns with a public health approach in that it recognises that there are a range of harms in the world (physical, economic, psychological, environmental etc) and</p>
	<p>understood. ... A harm-focused approach, it is argued, 'starts from a different place,' by focusing on the social causes of harms or the 'big problem' rather than only on individual agency or 'the smaller problem' of finding who committed the crime and assigning blame accordingly ..." (Berg and Shearing, 2018: 78-9).</p>	<p>seeks to focus on the social causes of these harms not only on punishing an individual. In other words, it does not start with a focus on identifying an offender and assigning blame, but focuses on the question of 'how do we reduce this harm from happening again?' A governing-through-harm approach also aligns with a whole-of-society approach which aims to draw in the best solution to resolve the harm whatever that may be (public health, social development etc) and where focusing on crime may be a part of that solution but not the only or default solution.</p>
<i>Inclusive equality</i>	<p>"Inclusive equality is defined as 'a substantive model of equality' that incorporates 'a) a fair redistributive dimension to address socioeconomic disadvantages; b) a recognition dimension to combat stigma, stereotyping, prejudice and violence and to recognise the dignity of human beings and their intersectionality; c) a participative dimension to reaffirm the social nature of people as members of social groups and the full recognition of humanity through inclusion in society; and d) an accommodating dimension to make space for difference as a matter of human dignity.'" (Kabir et al, 2021: 49)</p>	<p>A foundational premise underlying a focus on intersectionality is the inequalities that can arise because of a confluence of a particular set of social identities. Any responses to intersectionality cannot then reaffirm these inequalities but needs to address and mitigate them. Organisational agility and innovation, reflexivity, empathy, a harm-focused approach and whole-of-society approach as well as functional budgeting then all become important to adapt responses, particularly if they have positive intentions but unintended consequences for some intersectional groups – as has been highlighted in the literature review. What also underpins this principle is that of the notion of 'leaving no one behind' (Kabir et al, 2021).</p>

Process of implementation

The process of implementation is indicated through the below diagram and supplementary explanation:



Education and knowledge exchange

The first phase is education and knowledge exchange about what intersectionality is – our literature review and this toolkit are perhaps the beginning of that process. This literature review and toolkit, therefore, have sought to demonstrate what intersectionality is, how it's been applied, its implications for policing, and the ways in which it can reform policing. However, opportunities for further engagement with intersectionality and its implications for policing – and particularly for Police Scotland – would further allow for education and knowledge exchange and lay the foundation for possible inclusion of intersectionality into police training protocols, policies and practices. In the process of implementation this is a foundational step before continuing to the other phases. In the diagram above it is situated as outside the cycle of implementation as it may be considered a continuous process especially if it is added on to pre-existing training within Police Scotland and is part of the training of new recruits, for instance.

Review

As outlined in the literature review, one of the ways to engage with intersectionality is to review the current systems in place to see how and whether intersectionality is being recognised and accommodated. This could entail a macro, meso, and micro review or audit of, for instance, law and policy, institutional protocols and practices, policing typologies or styles that are currently in place (e.g., the public health approach), current training programmes (e.g., diversity and inclusion training), as well as current strategies and specialist policing programmes in place already. The point of the review process is to take stock of what is already in place and what is missing, to gauge how these systems, policies, and practices, engage (or not) with intersectionality. For instance, are some specialist projects or liaison officers already in place? Have these been evaluated with an intersectional lens? Is it focused on single social identities or more than one? Is it possible that these unintentionally exclude or harm certain intersecting identities or is it inclusive? Does it fulfil the aspiration of leaving no one behind? Are there gaps in what is offered in terms of content, or geographical reach? What sorts of collaborative arrangements exist already? Do they work? Do they engage with issues of intersectionality? Are more collaborations needed? There are many more questions to be asked depending on what is being reviewed, for instance, questions around training will be very different to questions around resource use and management. The aim of the review is to identify what works, what doesn't and where the gaps lie in terms of engaging with intersectional issues. A review process can therefore be very intensive – it is a systematic and repeated evaluation of what is in place in terms of police policy and practice through the lens of intersectionality. But it is beneficial in and of itself to see what is happening and what is working especially given the sometimes siloed engagement within large organisations.

Reflect

The next step of this iterative process is to reflect on what needs to change and how. This is also a macro, meso, and micro engagement and it depends heavily on the review undertaken as it needs to consider context-specific challenges rather than applying solutions without appraising what needs to be solved. Again, this process is specific to the needs of the organisation in terms of reflecting on the changes needed, how, where, and when – as well as what is possible, what needs to be deferred to other organisations or what future collaborations are needed.

Reform

The next phase is the actual implementation of change or operationalising ideas for change, such as reforming policies, systems, programmes, practices, training, resource allocation and so forth. What this entails is changing what needs to be changed to ensure a positive engagement with intersectionality and it may be focused on a discrete programme or specialist activity; a way of

thinking thereby focused on education, training and personal development; a process of working with others; and/or on a division, precinct, area or space (such as a focus on rural/remote areas for instance).

Transform

Whereas reform implies the change of something pre-existing, transform implies something more radical – the transformation of systems in their entirety. This phase may or may not be needed, again depending on the review of systems and whether typologies of policing and the nature of policing itself is something to be adapted. For instance, a process of reform may review a policing style or typology (a public health approach for instance) and implement changes to this style. A process of transformation would revert to a different style or typology altogether and would be in line with something like the transformative justice approach discussed in the literature review. What is important after the reform and transform phases is to return to a review and reflect phase – are these changes working? If so, how can they be sustained? Do they need to be rolled out elsewhere? Or if they are not working or have unintended consequences what needs to be changed and how? This will feed into the reform and transform phases again until the desired change is achieved.

Further Resources

Crenshaw, W. K. (1989). Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics. University of Chicago Legal Forum, pp. 139–167.

Davis, K. (2008). Intersectionality as Buzzword: A Sociology of Science Perspective on What Makes a Feminist Theory Successful. *Feminist Theory* 9. (1), pp. 67–85.

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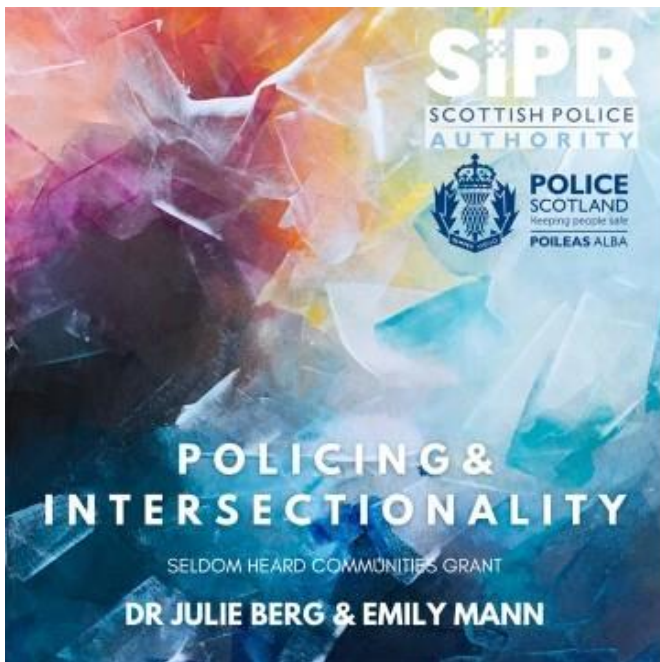
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Nash, J. C. (2008) 'Re-thinking intersectionality', *Feminist Review*, 89(1): 1–15.

Christoffersen, A. and A. Emejulu (2022) 'Diversity Within: The Problems with Intersectional White Feminism in Practice', *Social Politics: International Studies in Gender, State & Society*, 1(1): 1–24.

Kimberlé Crenshaw, The Urgency of Intersectionality, TED Talk, 2016. Available at:
[https://www.ted.com/talks/kimberle_crenshaw_the_urgency_of_i
ntersectionality?utm_campaign=tedspread&utm_medium=referral&utm_source=tedcomshare](https://www.ted.com/talks/kimberle_crenshaw_the_urgency_of_intersectionality?utm_campaign=tedspread&utm_medium=referral&utm_source=tedcomshare)

APPENDIX 2: INTERACTIVE CONSULTATION WORKSHOP WITH POLICING PRACTITIONERS AND ACADEMICS



“Accounting for Complexities:
An Intersectional Approach to
Enhancing Police Practitioner
Accountability, Legitimacy &
Sustainable Reform”

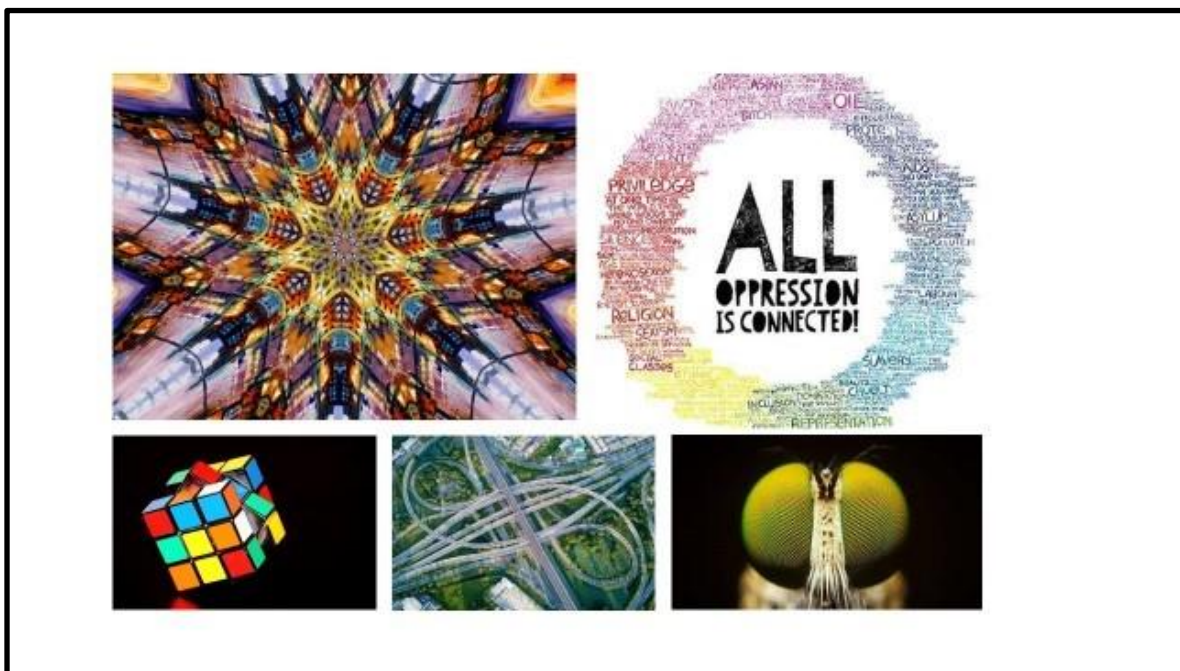


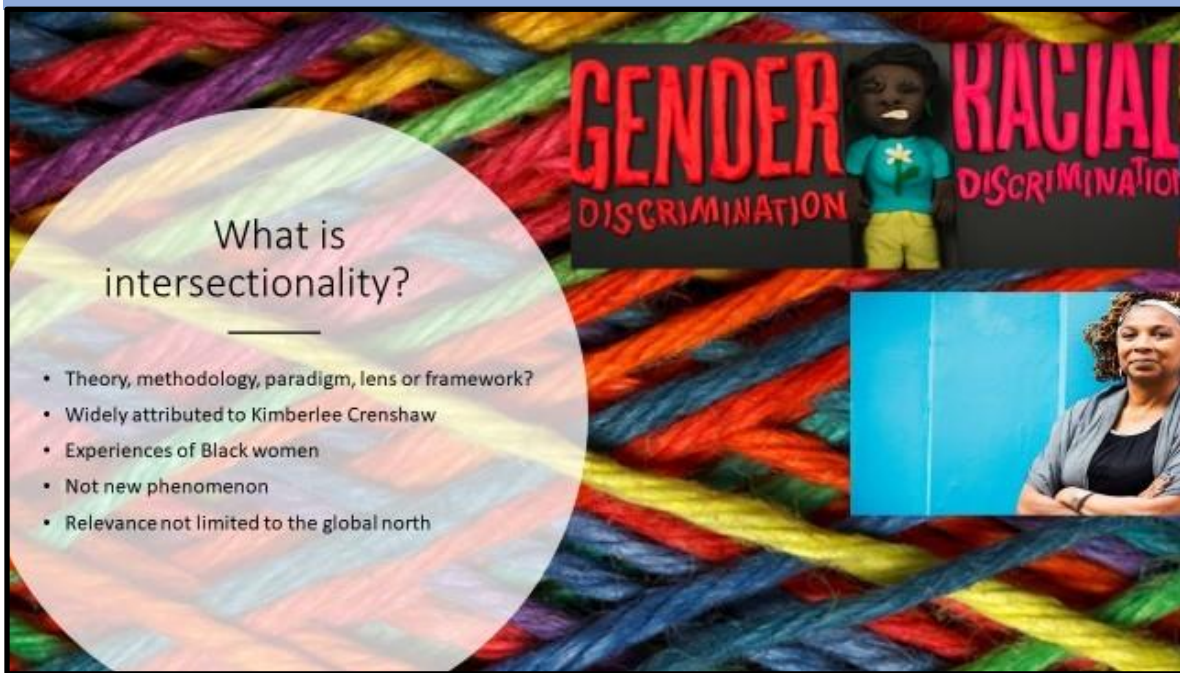
Think about the various identities you have.

Which of your identities do you think about the most and which do you think the least about? Why?

Which of your identities play the largest or smallest role in your life? Why?

Are your particular identities advantageous or do they have disadvantages? Why?





What is intersectionality?



"A way of understanding and analysing the complexity in the world, in people, and in human experiences. The events and conditions of social and political life and the self can seldom be understood as shaped by one factor. They are generally shaped by many factors in diverse and mutually influencing ways. When it comes to social inequality, people's lives and the organization of power in a given society are better understood as being shaped not by a single axis of social division... but by many axes that work together and influence each other. Intersectionality as an analytic tool gives people better access to the complexity of the world and of themselves" (Collins and Bilge, 2016:2)

Intersectionality applied to organisations

- better understanding of institutions that help and harm us based on who we are
- problematizes 'protected characteristics' and "seldom heard communities" as singular
- Policing "...reflects and perpetuates the power differences within the social structure it polices..."

(Reiner, 2000:88-89)

- to ignore intersectionality is an advantage – (form of privilege)

There is no such thing as single-issue struggle because we do not live single-issue lives.

—Audre Lorde



Criticisms of intersectionality and its application

❖ Most important theoretical contribution to women's and gender studies to date (McCall, 2005)

❖ The most valid theoretical approach to study social stratification (Yuval-Davis, 2005)

❖ Welcomed the margins to the table of theory making (Lewis, 2013)

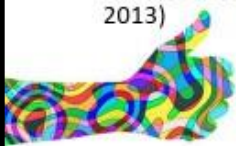
❖ A concept, theory, metaphor or heuristic device? (Davis 2008; May, 2014)

❖ Additive or constitutive? (Collins, 2000)

❖ Identity or/and structure? (Crenshaw, 1989)

❖ How many levels of analysis (Bilge, 2013; Yuval-Davis, 2006)

❖ New theoretical insights? (Cho, McCall & Crenshaw, 2013)



Intersectionality applied to organisations

- intersecting categories
- multi-level analysis
- power
- reflexivity
- time and space
- diversity of knowledges
- social justice
- equity
- resistance and resilience



Policing (and) intersectionality – Literature review

- Explicit focus on intersectionality and policing
 - Applying an **intersectional lens/framing** v. limited explicit engagement or intersectionality 'light'
- Diversity of disciplines (not always policing scholars)
- Recent application, limited engagement in UK, mostly US and Australia focus
- Key identities/characteristics/social locations
 - **Ability** (neurodiversity, physical/ intellectual/cognitive disability, mental health); **gender identity and sexual orientation** (LGBTQI+); **race** (Black persons and people of colour)
- Cross-cutting identities/characteristics/social locations
 - **Location** (remoteness/rurality); **class** (lower socio-economic status/social deprivation); **age** (youth); **citizenship status** (non-citizens, refugees); **vulnerability** (illicit drug users, homeless)
- Many stories and accounts from those affected (interviews, focus groups, legal accounts)
- Main focal areas: nature of relationship; intersectionality; solutions

Policing intersectionality - findings

- Confluence of a range of **mutually reinforcing identities** – intersect in complex ways
- Intersection of 2 or more protected characteristics can fuel **negative police interactions**
- **Real occurrences** cited in the literature:
 - **Example 1:** transgender youth, black or immigrant(-looking), walking in a deprived area at night = arrested for sex work
 - **Example 2:** Cognitive disability (autistic), deprived area with a history of police engagement, male youth (any race) = misunderstanding of cognitive disorder (i.e. drunk/uncooperative) leading to arrest
 - **Example 3:** elderly, black, woman, mental health crisis, deprived area = seen as a threat not a victim
 - **Example 4:** indigenous/black youth, 'visibly queer/gay', rural/remote area = overpolicing of public activity, or any 'offensive' behaviour



Policing intersectionality – findings (cont.)

- Broader **structural** influences and power relations (of which police are one institution) v. **micro-interactions** with police
- **Law/policy**: "Criminalization as both a cause and consequence of poverty and inequality"
- Identification of **policing styles** vis-a-vis intersectionality (e.g. warrior v. guardian policing; predatory policing; zero tolerance policing)
- Simultaneously **overpoliced** (threat/risk) and **underpoliced** (victim)
- **Negative relations with police**: impacts on legitimacy, underreporting (e.g. hate crime), lack of trust/confidence in the police, fear of the police, don't want a criminalised solution, revert to community support, i.e. seldom heard communities

Suggested Police Reforms

- Police **training** (ambivalent findings whether this works)
 - Diversity training (unconscious bias)
 - Recognition (e.g. mental health v. cognitive disorder)
 - De-escalation (e.g. mental health)
 - Review policies, protocols and training (e.g. 'suspicious behaviour' and autism)
 - Sensitivity training focused on empathy deficit
- A **specialist police (task) team** e.g. Crisis Intervention Teams; LGB&T liaison officers; Gay and Lesbian Liaison Officers; Ethnic Liaison or Diversity Officers
 - Logistics, remote/rural spaces, effectiveness, deal with intersectionality or only one identity?
- **Collaboration** with others (vague suggestions): community outreach programmes; community advisory boards
- Police **workforce diversity** (tokenistic, rural spaces, ambivalent findings whether this works, how to represent intersectional identities?)



Applying other policing reforms to intersectionality?

Two targeted approaches developed by police practitioners in other parts of the world:

Both aligned to problem-oriented policing' and 'guardianship policing'

- **Nodal policing** (Netherlands and South Africa)
 - Police as facilitating/enrolling others, not necessarily direct policing
- **Resilience policing** (Australia)
 - Police enable/capacitate communities to become more resilient themselves, not necessarily direct policing

HAVE YOUR SAY



post-workshop survey for policing and intersectionality

1. Please share your thoughts, reflections and insights

Enter your answer

2. What can we do to ensure the best practice toolkit is useful and accessible?

Enter your answer



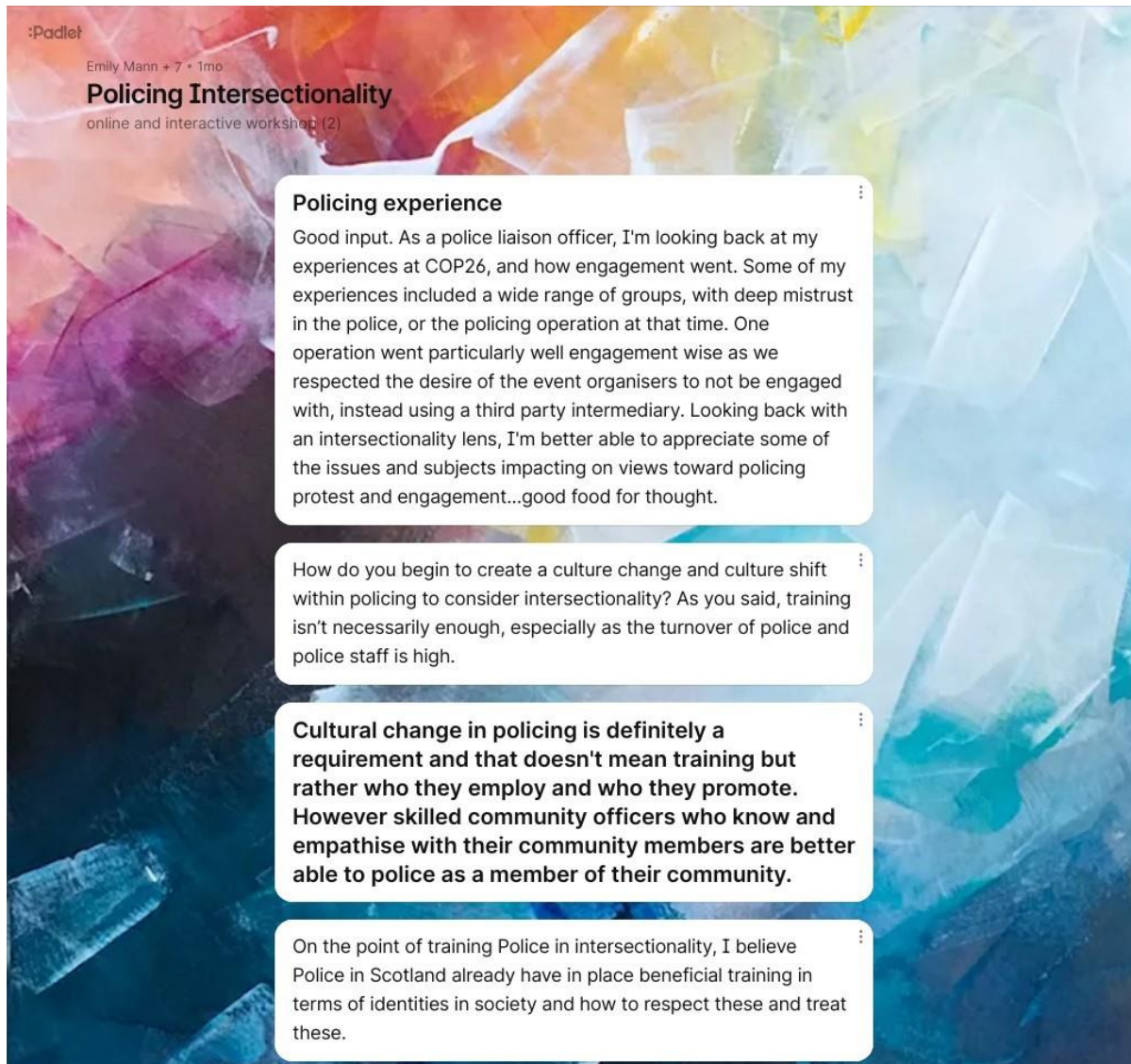
post-workshop survey for policing and intersectionality

1. Please share your thoughts, reflections and insights

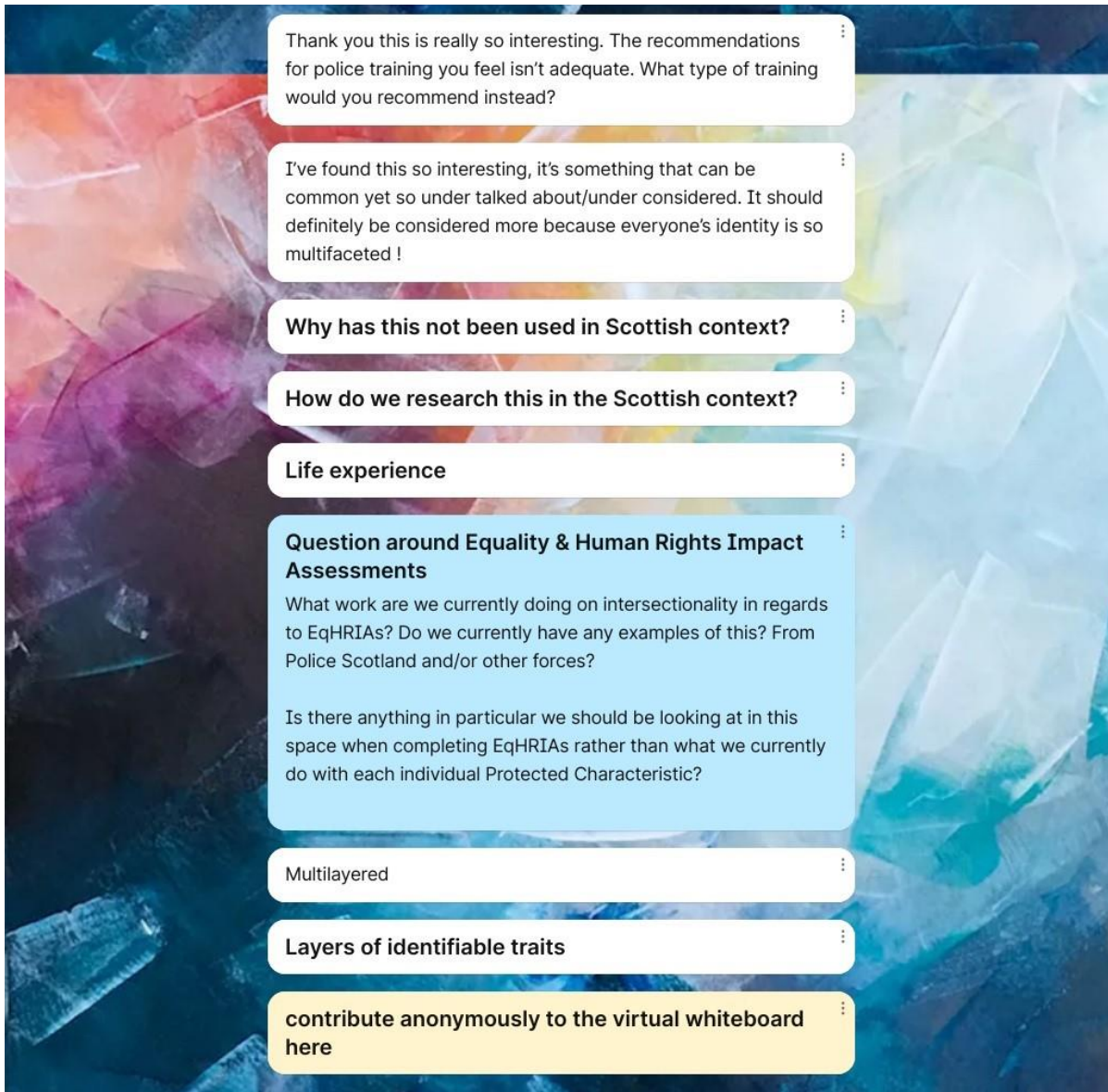
Enter your answer

2. What can we do to ensure the best practice toolkit is useful and accessible?

APPENDIX 3: ANNONYMOUS PADLET RESPONSES TO WORKSHOP AIMED AT POLICE PRACTITIONERS



PADLET RESPONSES CONTINUED



APPENDIX 4: POST-WORKSHOP SURVEY RESPONSES

Survey Questions	Respondent 1	Respondent 2	Respondent 3
<i>Please share your thoughts, reflections and insights</i>	I thought the workshop was very academic at the outset but then moved into some more practical aspects of policing and suggestions for operational solutions. The application to Scotland was my main concern, we do not have a comparable gun culture or race dynamics to America or Australia, and the intersectionality that affects seldom-heard communities - and the police's response - here may be very different as a result. I think police accountability may also be higher in Scotland (than the US). I found it fascinating though and was heartened to see a mixture of academics, frontline police and other practitioners in the audience - that shows you nailed it!	Being part of North Yorkshire Police, it was really interesting to understand the review that had taken place and have conversations about intersectionality to better my own understanding. It was great to hear from Police Scotland colleagues to share what they do, and compare with ourselves.	The event was very interesting and informative. Sadly technical issues prevented me to hearing a large part of it. A link to the recording would be useful.
<i>What can we do to ensure the best practice toolkit is useful and accessible?</i>	More direct research that applies to Scotland, looking at the intersectional experiences here within Police Scotland and seldom heard communities, police accountability. I also think culture	I was only made aware of the workshop the day before - I think it's about getting the information out earlier and to relevant contacts within forces - not sure how that is best done.	

	change models are required for any toolkit to have impact. Written resources will not impact on Police Scotland unless they are accompanied by structural changes that allow their implementation. These changes must reflect the reality of frontline officers' experience.		
<i>How can intersectionality inform or impact policing?</i>	In infinite ways! The intersectionality of police officers as individuals and an institution, how individuals conform within the police and then how this impacts on community relationships - again as groups and individuals. An acknowledgement of power and privilege and cultural competencies is required for things to improve.	Understanding the term, not being frightened to talk about our current position, and where we need to get to. Appears to be some regional inconsistencies, or maybe lack of knowledge or shared knowledge. It was good to hear from College of Policing and see they are preparing a go to dashboard for policing services to share knowledge - the key is knowing it is there	
<i>Do you have any suggestions? (eg other events, future research, collaborations, improvements)</i>	I emailed Emily to offer a discussion around culture change programmes from SafeLives' perspective - we have done a lot of work with Police Scotland on the institutional response to domestic abuse and understanding of gender. The learning is that it must be co-created with police (not just senior exec /	I think each force should have these workshops and gather from them what they do, and what we could do to get a more varied picture of the current policing landscape re intersectionality. We have a hate crime team/positive action and local neighbourhood teams that are forging links in the community, but it is all case by case,	An event we a greater focus on the experience of UK police forces, and those in developed economies with similar cultural, demographic and legal landscapes would be helpful. Drawing a contrast between policing and intersectionality in Britain and other countries can be a challenge. Also more events on how the exceptions placed on policing to

	academics) and speak to officers' reality.	but there is some work to be done to be more cohesive and supportive as a whole force. Our communities are not so static anymore and people travel around and through forces and the constant support from the police should be consistent.	enhance physical / community policing, policing of 'inequality' crimes (gender crime, domestic abuse, racial crimes, crimes against BAME and LGBTIQ+ communities) and how to balance this with digital/technology crimes. Other areas of interest would be on policing mental welfare/crisis impacts in the community, the mental/physical/emotional welfare of police & police staff themselves, and the demographic pool from which most UK police still come (white, male, middle class etc). These would also be interesting to explore.
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POLICING (AND) INTERSECTIONALITY: A LITERATURE REVIEW AND TOOL KIT

Accounting for Complexities: An Intersectional Approach to Enhancing Police Practitioner Accountability, Legitimacy & Sustainable Reform

Authors

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Funders

Police Scotland, the Scottish
Institute for Policing Research
(SIPR) and the Scottish Police
Authority (SPA)

01. Introduction

It offers an alternative analytic framework to promote social justice and reduce harms by fundamentally altering how social problems are understood, experienced, identified and grasped to include the full breadth of lived experiences

02. Objective

- Review literature on intersectionality and policing
- Host interactive workshops with police practitioners and researchers
- Develop a good practice tool kit for Police Scotland to better engage with seldom heard communities

Key Readings

Crenshaw, W. K. (1989). Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics. University of Chicago Legal Forum, pp. 139–167.
Davis, K. (2008). Intersectionality as Buzzword: A Sociology of Science Perspective on What Makes a Feminist Theory Successful. Feminist Theory 9, (1), pp. 67–85.
Hoskins, B. (1981). Ain't I a Woman? Black Women and Feminism. Boston: South End Press.
McCall, L. (2013) 'The complexity of intersectionality', Signs: Journal of Women in Culture and Society, 38(4): 1771-1800.
Nash, J. C. (2008) 'Re-thinking intersectionality', Feminist Review, 89(1): 1-15.

03. Methodology

Critical and impact-based engagement with published scholarly/academic literature on policing with focus on key terms 'intersectionality' and 'Intersection'

We hosted two interactive workshops to share preliminary findings, consult with academics and police practitioners and request feedback.

The toolkit offers an accessible guide for police practitioners with a clear overview and practical recommendations



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05. Process of implementation

Undertake an iterative and cyclical process of implementation:

Education – Implement a process of education, training, and knowledge exchange within the organisation about what intersectionality is/entails

Review the current systems in place to see how and whether intersectionality is being recognised and accommodated

Reflect on what needs to change and how

Reform – undertake the implementation of change of existing systems

Transform – undertake the transformation of systems and/or the adoption of new systems, approaches, and/or typologies of policing



04. Results/Findings

- Broader structural influences and power relations (of which police are one institution) v. micro-interactions with police
- Law/policy: "Criminalization as both a cause and consequence of poverty and inequality"
- Identification of policing styles vis-a-vis intersectionality (e.g. warrior v. guardian policing; predatory policing; zero tolerance policing)
- Simultaneously overpoliced (threat/risk) and underpoliced (victim)
- Negative relations with police: impacts on legitimacy, underreporting (e.g. hate crime), lack of trust/confidence in the police, fear of the police, don't want a criminalised solution, revert to community support, i.e. seldom heard communities

06. Conclusion

Adopt a set of best principles which inform a positive approach to intersectionality which can be practically applied to organisations such as the police and which could inform context-appropriate practices in Scotland (see toolkit for more information).

- Reflexivity
- Empathy
- Innovation
- Functional or flexible budget
- Whole-of-society
- Governing-through-harm
- Inclusive equality

IMPORTANT!

"Intersectionality is a lens through which you can see where power comes and collides, where it locks and intersects. It is the acknowledgment that everyone has their own unique experiences of discrimination and privilege" (Crenshaw)

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