

# Girls in Conflict with the Law in Hong Kong and Guangzhou

January 28<sup>th</sup>, 2021

## Speakers:

Joshua Nederhood, Dui Hua Programs & Development Officer

Lindsay Ernst, Clinical Legal Education Specialist, University of Hong Kong

Karen Joe Laidler, Professor of Sociology and Director of the Centre for Criminology at the University of Hong Kong

Eric Chui, Professor, Department of Social and Behavioral Sciences; Dean of Students, City University of Hong Kong

Zhang Hongwei, Dean, School of Humanities and Professor of Juvenile & Family Law Research Center, Jinan University, Zhuhai

- Beginning of Recording -

### **Joshua Nederhood:**

About that some connectivity issues on my end, um, as I was about to say, Lindsay Ernst is today's moderator. She is a clinical legal education specialist at the University of Hong Kong, specializing in developing interdisciplinary, experiential learning opportunities, focusing on advancing social justice and human rights. Let's hand things over to you now, Lindsay.

### **Lindsay Ernst:**

Joshua, before you hand it to me, can you go, can you share your screen again and go back one slide. Because I think you cut off when we were talking about our sponsors. So, I just want to make sure that we acknowledged that the Symposium wouldn't be possible without the dedicated support of the Canada Fund for Local Initiatives, the Ministry of Foreign Affairs of the Netherlands, the Alice Lam Memorial fund, and Mark Headley and Christina Pehl. And in addition, the symposium has been aided by funding that supports Dui Hua's core work and you can see here Dui Hua's special program development fund, Denmark's Ministry of Foreign Affairs, the Swedish International Development Cooperation Agency, and Norwegian Ministry

of Foreign Affairs. So, I do want to make sure, I feel like that's where you got cut off Joshua, and I want to make sure that we have thanked everyone who made this possible for us today, and thank you all for joining. Before I go into introducing today's panel, I just want to point out that we do have upcoming symposium events, and I would encourage everybody to make sure that they go to the website and see some of the past events, which I will be pulling into some of our discussions today. But for the upcoming symposium events on February 2nd, we have Richard Ross' presentation on the *Girls in Justice* photography project; February 15th, Findings and Calls to Justice with a Focus on Indigenous Girls and Youth in Canada; February 23rd, Sex Trafficking. And we do have two additional events, Sexual Violence with a View from Glasgow and The View from Beijing, which we will be confirming those dates. And also, after today's symposium, after today's webinar, Joshua will send reminders about these events. So, we encourage you all to join in for these events as well and continuing this discussion.

So, with that being said, I want to introduce today's speakers. And I also want to encourage you to go back and re-watch Anna Wu's comments in an earlier webinar at the beginning of this symposium. We are not going to be specifically talking about the progression from the Umbrella Movement to recent events with the protest in Hong Kong, but Anna Wu has provided that background in her discussion earlier in the symposium, and I just want to remind everybody she discussed the Umbrella Movement and moving forward and thinking about what that looks like for identity in Hong Kong. She raised issues about the large impact going on and what this looks like with girls involved with the law on identity, ideology, and uncertainty about the future. She also encouraged and said, it's important that we design programs that are fluid, transformative, and gender-sensitive. We do have to factor in these issues, and she reminded us to incorporate into program dialogues, notions of justice and injustice, disparities and differences, and to be sensitive to the causes of conflicts and to restore order, and to restore human relations. So, with that in mind, you can access her statements earlier on the website.

I want to say that today we're going to move forward, starting off with Karen Laidler, who is a professor of sociology and the director for the Center of Criminology at the University of Hong Kong. She's going to give us an overview of girls and young women involved in the justice system in Hong Kong. After Karen speaks, we'll hear from Eric Chui, who's a professor in the Department of Social and Behavioral Sciences and Dean of Students at Sydney University of Hong Kong, and he's going to specifically speak about girls and young women involved in gangs, in organized crime affiliation. Then we'll hear from Zhong Hongwei, who has also presented in an earlier webinar. We'll go into a little bit deeper exploration of some of the issues he raised in his earlier webinar, which is also available on the website. He is the Dean of school of Humanities and a professor of the Juvenile and Family Law Research Center at Jinan University in China. It's a great pleasure to have all three of our speakers with us today, and I will turn it over to Karen to begin our discussion. After Karen, we'll hear from Eric and then Zhong Hongwei, and then we'll go into questions. Thank you.

**Karen Joe Laidler:**

Thank you, Lindsey. Let me just get my PowerPoint on the screen here. Welcome. Good morning, everyone. Or good evening, wherever it is that you may be across the globe. Today. I'd like to talk a little bit about the juvenile justice, sorry. I just saw the sign that said your state and your internet connection is unstable. So hopefully it'll be stable for the next 15 minutes while we give this talk.

What I'd like to do today is kind of give you an overview in connection with the broad theme of girls in conflict with the law. I'd like to talk a little bit about 30-year trends in Hong Kong in terms of arrests and processing through the juvenile justice system. But first, very, very briefly. I'd like to give you some sense of what the kind of juvenile justice ethos has been historically and raise some questions about where it might be potentially headed in the future.

So, there's only really been a few efforts or attempts to document and analyze the juvenile justice philosophy in Hong Kong and these three are among the three most prevalent themes. The first one actually is of the "Care and Control Ethos," which was a concept that emerged in the late 1980s but held relevance in subsequent years. Sentencing, according to this philosophy has had to do less with justice or treatment and more to do with conformity.

Now, another view that emerged in the late 1980s, which is reflected in the kind of groundbreaking work of Patricia Gray, was called the "Disciplinary Welfare Approach." And this is a philosophy that was used to describe how juvenile court throughout the 1980s and onwards meted out sentences that were based on the rationale of discipline being much more important than the actual offense itself as this would be acting in the best interest of the young person.

And then finally, more recently, Mike Adorjan and Eric, who is the next speaker, talked about how to understand this idea of disciplinary welfare. When I was to understand it in the context of broader philosophy and practice attempts by penal elites to a core group of elites within the government to try to shape a certain kind of citizenry. Now I hope that does some fairness in a brief summary. Eric, you can correct them if you think it needs modifying.

What I'd like to do is just jump right into telling you a bit about Hong Kong, and Hong Kong, despite recent events, has historically and continues to present, to be a very safe place to live. It's one of the major attractions for me to live here, but also raises the questions about why it's continued to be such a safe place. Let's look first at arrests. So, over the past several decades, overall number of arrests have decreased in all categories of crime except deception and across all age groups.

This table: what I've done is I've broken out some of the arrest trends because there's an interesting puzzle that I haven't been able to solve, but I'm hoping that through discussion today that we may be able to shed some light on this puzzle that I haven't figured out yet. Let's

look at the case of children and young persons. When we talk about girls and young women, my talk would be focused on up to the age of about 24, but breaking them down into three kind of distinct categories as it's described in official statistics here.

So, over the past decades, the overall number of arrests for these three youth age groups, that's those who are 15 and under, 16 to 20, and 21 to 24 decrease for both females and males. If you look at this chart, at those who are 15 and under, there are two things that I would like you to note. Arrests have decreased for both genders. These are just raw numbers here, and you can see them here. You can see over time that it's decreased.

The second thing to note is the proportion of girls age 15 and under arrested of the overall total slowly rose in the 1990s, and then leveled off remaining relatively stable at around 25%. So, the second comment or observation is based on the fluctuations in the proportion of girls being arrested as compared to boys. I think it's important when we look at issues related to girls, that we also look at issues that are related to boys because that gives us a better understanding of one and the other.

Next, among girls 16 to 20 year olds again, so see, just appear. You can see 16 to 20 year olds, again, we see overall declines in arrest for males and females and the proportion of young women arrested, that's the grey figure here, the proportion of young women arrested fluctuated throughout the 1990s but was lower than 20%. But by 2019, rose to 23%, and this is very likely related to arrest during the protests.

Among 21 to 24 year olds, again, we see overall decline. So, nothing particularly surprising because we see overall declines for both females and males in arrests, and similar to younger counterparts, proportion of young women arrested fluctuated throughout the 1990s, but was lower than 20% but by 2019 rose again to 24%. So, some modest fluctuation, not rising significantly.

Here comes the real puzzle. Everything seems fairly straightforward so far. Although our main focus is on girls in here and young women. Again, I'd like to emphasize that we have to understand their situation in context. I want to focus on some interesting trends within the age, different age groups of girls. This chart provides us with an overall view of the girls and young women's arrests over the past 29 years. Well, how do we know that there is an overall decrease in arrest across all ages? There is a pattern that I would like you to note. You can kind of begin to see it with the arrows here.

From 1991 until 2012, so we didn't put 2012 in here because we were trying to use the five-year benchmarks, but it's in 2012 that it actually happens that the proportion of girls 15 and under arrested is higher than their slightly older counterparts. Here you can see by the grey, these are 15-year-olds and under, females. As you can see, the proportion of them compared to other girls, older girls, is actually higher. So, as you can see that by the grey continues to peak, and then it starts to decline by 2006, and then by 2012, we began to see that it declines so that

it is lower than that of their older counterparts, and that remains consistent throughout the present.

So, the turning point then is 2012. Since then, arrested young women started outnumbering in girls by 2012. The proportion of young women aged 16 to 20 becomes higher as well as those who are older than their younger counterparts. So, the question is, how did it rise so significantly? And then in 2012, it drops quite significantly. This is important and interesting because the pattern that I've just mentioned is in distinct contrast to boys. The pattern among boys is much more typical of what you would see in other countries like the US, the UK, Australia, and Canada, where you would see that those who are between the ages of 16 and 20 tend to be peaking in so-called offending years and then the maturing back out of crime. So here you can see there's an increase, but then it really peaks when they're 16 to 20 years old, and then there's a decline. So, the pattern among boys and young men is very different than it is for girls.

So, this raises a question then as to what crimes might account for girls 15 and under being arrested in higher proportions until 2012. We examined different categories of arrest and found declines in all age groups and for both genders for violent crime against property and personal property, fraud and forgery. So essentially across all major categories we found that you couldn't explain this. The place where we could explain it was in terms of this category of burglary and theft arrest, and in connection with this, it was largely in relation to shoplifting. I should explain here that the mustard-colored bar is the one for the 15 to 20 girls, those who are 15 and under.

So now the question is, why did girls' arrests for shoplifting drop from 2012 onward. Was this due to an overall decrease in the youth population? Well, this is not the youth population more broadly speaking has declined and the trends for males differ. So, it's not likely that it's that. Was it due to changes in the reporting of shoplifting? Not likely as other age groups do not witness such a significant decline, and in fact, shoplifting arrests for older women over the age of 60 has remained consistently proportionately higher than males. So how might we explain this? Both male and females having to shift from outnumbering young persons to a significant decline.

What happens after arrest? There are a couple of different things that can happen. Sometimes nothing happens and youth are released. Sometimes they will be placed on the Police Superintendent's Discretion Scheme, which is a kind of diversion scheme, but I haven't presented those slides here because they don't do a breakdown of boys versus girls, but we can come back to that at the end.

What we do know that with declines in arrest, we would anticipate declines in probation and custodial sentences. Here we can see that there is also been a decrease in probation supervision for those under 16 and those retained 16 and 20 for both genders, the numbers have dropped quite significantly. And note, this includes probation only and probation with a

residential order. This latter applies only to males, so only for males was there as an option previously of a residential assignment along with probation. Probation is overseen by the social welfare department, not by correctional services as is the case in some other countries.

Let's look at correctional services. In relation to custodial sentences, there are several types overseen by correctional services department for young persons, and this can include a prison-like environment, training centers, detention centers, which are for males, and drug addiction treatment centers. Given arrest trends, it's not surprising that there's been overall declines in admissions to one of these types of correctional institutions. The one exception as we'll see is for young women's imprisonment in the early 2000s, but this later declined. If I have time at the end, I'll talk more about that because it's not that germane to this discussion.

This chart provides a 29-year review of girls and young women's admissions to a correctional facility. As you can see, there was a steady rise in admissions for all age groups until 2001 here, and then there was a steady rise in admissions for all groups and until 2001, after which there is a significant drop by 2011. And that has continued to take decline.

Here is a table for males, as anticipated overall declines in admissions but with higher proportions of 21-to-24-year olds. This is not surprising given what you saw in the arrest statistics. Presumably those slightly younger who were arrested in higher proportions were diverted to the Police Superintendent's Discretion Scheme or received probation in those earlier years.

We come back to our questions about those girls who are 15 and under. Did many of them receive a custodial sentence. We can see the number of girls who are 15 and under.

This table on the top is girls 15 and under, and the number who have been admitted to some form of custodial sentence is relatively small, but among those who received a custodial sentence, it was largely for property offenses and against local laws. So local laws would include breach of conditions of stay, so coming from abroad or in many instances from the mainland and being here in violation of their breach of immigration stay, so basically violating their visa ordinances. The rise among those who are 16 to 20 or an older is related to the incarceration of mainland sex workers for the breach of conditions of stay, and those are for relatively short periods of time. I've written about that previously, which I can talk about later if there's questions. This chart shows that the rise among those 18 and older is largely related to the incarceration of mainland sex workers for breach of conditions of stay.

What factors should you take into account in looking at the process by which girls and young women and boys and young men too? One important risk factor to consider is child abuse. While we know this is difficult to estimate given the silence associated with abuse, we do have some figures of cases reported to the Social Welfare Department. The rate of reported physical abuse is comparatively similar for girls and boys as, as reported to the Social Welfare Department. The rates of reported physical abuse is comparatively similar for boys and girls.

For girls, this averages over the 10-year period to about 40 per 100,000, and for boys is a slightly higher around 46 per 100,000.

The rate of reported sexual abuse among girls is comparatively higher than boys. With girls, rates average at around 50 per 100,000 in the population, and for boys it averages under 10 per 100,000, so you could see a quite a big difference.

Finally, just some things that we might want to have some conversation around at the end. One might say that the decline in arrests among girls and young women reflects general declines in the youth population, but there have been declines among girls as well as your male counterpart parts. Moreover, the drop is irrespective of age group, so probably we need to go beyond this. What also remains a puzzle is the higher proportion of girls arrested than their older counterparts until 2012. As we've seen, these arrests are likely related to shoplifting. Well, why did it change around 2012? Could it be related to more support from social workers on the front lines, or have they made changes in handling shoplifting cases among young people. Not likely as the patterns have not changed for other age groups. We do know that very likely most young persons would be placed in the Police Superintendent's Discretion Scheme for shoplifting if it is their first time.

One issue we've been thinking about is how and whether these declines are somehow connected in some way with changes in how young people, and, more broadly, the general population interact and engage with social media, spending less time, perhaps, in public spaces, given the overall declines in probation orders and custodian custodial sentences. It gives us pause to reflect on what this means in relation to where juvenile justice policy has gone from the early 1980s throughout the 1990s and into the early 2000s. So, so this concludes my talk.

**Lindsay Ernst:**

Okay. So, I'm onto the next person. We'll move on to Eric. Thank you very much, Karen. And please do be reminded that if you have any questions that you want to write into the question in the answer, please feel free to write them in and then we will raise them after the presentations. Thank you, Eric.

**Eric Chui:**

Good morning, everyone, and good evening, everyone. First of all, I'm very honored to give a short presentation regarding to one of this small-scale research that I have conducted a few years ago. The topic that we have chosen is about street gang members, as opposed to what

Karen just mentioned about juvenile offenders, either put on probation or given a custodial sentence. Rather, these are the street games. The reason why we conducted this research is simply because this is a joint effort between my research team and a social work outreach team in Hong Kong. At the outset I want to emphasize that the sample is not representative of Hong Kong gangs really. Rather than it is a case study that one of the 18 outreach social work teams in Hong Kong would like to investigate a bit about the gender differences in terms of their behaviors and in relation to two key themes.

One is on the social bonds. I think if you are familiar with criminology, you know Hirschi. He's the one who talks about social bond theory. On the other hand, we also would like to look at the role of the Hong Kong Triad affiliation. I'm sure those participants from Hong Kong would know what is about it, Triads, but for those who are from overseas, we bet you watch some of the movies about the gangs and also the Triad societies and things like that. In particular, we really want to look at how these two key concepts are related to the delinquency among male and female street gang members. Of course, ultimately, the team would like to have more practical implications in particular to look at how they should respond to male gang members and also how they would like to respond to the female gang members, because I'm sure most of you will get to know that in the past male delinquents are the focus of most of the research.

We take into account that gender is quite an important issue because, in particular to that outreach team, they feel that there is an increasing number of female gang members in their particular public housing aspect, which is fairly unique in that new **time** in Hong Kong. Instead of relying on the official data as to what Karen showed us about the conviction record, the imprisonment statistics, we relied very much on the self-reporting measures from the gang members. I will tell you a little bit later how we can ensure a better response from the gang members.

I'll repeat again, this is a collaborative work. My research team was the one who designed the questionnaire together with the outreach team. In fact, when dealing with the data collection, so the social workers are actually the one who helped me to collect the data rather than I sat out on the street to interview them and things like that.

As Karen has already mentioned, there was an increase of the=female Offenders around 2000, so we thought that will do something about it and look into the female samples a little bit. But before I'm going to talk about the data.

I won't bother you too much about the theory because I know that most of you are practitioners, and if you're interested, you will be able to find all this, as I've mentioned to you about Hirschi's social bond theory. In the particular, they look into attachment commitment, involvement, and belief. I'll elaborate a little bit when I show you the findings because that will help you to understand these four types of social bonds are highly correlated to those people who are able to conform to the law. On the other hand, if these bonds like the attachments



with family, peers, schools, and things like that they're more likely to be involved in delinquent activities.

The total number of participants for this study is 201, and you can see that we have over-sampled the female sample in this one, so. I'll have to give thanks to the NGO who helped me to collect the data.

You can see that we really want to look at how females, in terms of the demographics, are different from the males. So, as you can see that the ages range from 12 to 24, and again, this is not a representative sample.

First of all, how does it work? The youth outreach workers will be the ones who initiate contact with at-risk youth in Hong Kong. Most of this research was conducted on the streets, or sometimes in the center of the outreach team. Before we kicked off the study and we had several sessions with the outreach social workers who were able to collect the information from the participants. So, there were a total of four individual sessions to prepare the outreach social workers about the ethics and about, uh, how you can talk to the participants if there are any very technical survey items.

We are using quite number of standardized measurements that have been used previously, and were translated in Chinese and validated in Hong Kong, but the validation is more with the school sample or in prison, so this is the first time ever the scale was used to look at the street gangs.

From here, we look at parental attachments. Altogether, there are six items. Attachments, involvement in organizations, a belief in the legal system. All together there are six items on delinquency and three on violent acts and three on non-violent acts. In particular, they are more pinpointed to theft. There's an item on Hong Kong Triad affiliation, so it's based on the self-report. For members who are from outside Hong Kong public, if someone claims they are the member of the Triad society, it is a crime itself. This is one of these society's ordinance in Hong Kong. And then there are a few demographic variables.

We are using quite a number of statistical analysis to look analyze the findings. Again, I won't bother you on this. Rather, I want to jump to the results. For the first slide on the results, I just want you to look at this column in particular to look at the females. As you can see, the, uh, age between male and females is a little bit different. We look at the group difference. We use, I think, a T test to look at the males. The mean age of the females is 16, whereas for the males, it's 17.5.

This is the education level for form one, which means they are grade seven; form two is grade eight in US equivalent measurement. The majority of them are basically in grade nine, which is about usually about 15 years of age. On student's status, more females are full time students when compared to the males. Triad affiliation, this is also a surprise because it's a stereotype that Triads are more associated with males, but in our female street gangs, definitely you can

see that they are pretty much the same between males and females. To repeat again, they are all recruited on the streets rather than in the school sample and things like that.

In terms of the violent acts, there's no significant difference between males and females. So again, this is another interesting finding because most of us believe that males are more likely to commit violent acts than females, but in our struck sample, definitely by the self-report, you can see there are, there is no significant difference between males and females.

On the other hand, when we look at the past theft committed, so there are more males than females in our sample. So maybe that is the uniqueness of our group of female street games, so there are more males than females in that way. For parental attachment, they are slightly different and the same as for the belief in the legal system. The lower the score means they have weakened belief in the legal system. The group of the females that we have sampled, indeed they are weaker in terms of the belief of the legal system. I hope this page does give you some ideas about who are the female street, gang members, what are the characteristics that we've got here? The next lines are more complicated, but I'll just use very plain language to explain to you how we conduct the analysis in the next step. In particular, you can see the variables here. We want to put all these two together and to see the interaction of these variables.

In particular, we introduced one block and then the second block and the third block. Right now, I'll just focus on block three, where all the variables are put together. In this slide here, we want to look at the relative importance of this variable to look at theft for males. We want to know what explains more for theft.

The social bonds, one of the bonds, which is parental attachments, explain quite a lot, and also the involvement. I will tell you a little bit more about this observation, but I just want to highlight the variables that are more significant than the others to explain why they are involved in theft. For the females, there are some differences in terms of the variables that explain more for females. For theft that variable will be belief in the legal system and also Triad affiliation. So it explains a bit more than the others.

The next table shows violence. You can see that the variables are getting very different. In the old days, we just simply used delinquency as a whole, but rather in this research, we just want to focus on two aspects: on theft and on violent acts. For males, you can see parental attachment, involvement, and Triad affiliation explain for violence. But for this one for violence, you can see that, uh, we didn't see any significant differences between two groups.

Next, we can see from tables two and three, there are similarities and differences in terms of the significant effects of social bonds, or even Triads on the male and female delinquencies.

Let me summarize very quickly. Number one, for males, we find that based on tables two and three, weak parental attachment predicts theft and violence for males, whereas for females, weakened belief in the legal systems predicts theft, but not violence for female youth street

gang members. The third interesting finding is about the increased involvement in organizations associated with increased violent and nonviolent delinquency males. This is in contrast to the position of the social bond theory because they believe that the more involved, they are in the organizations, the more likely they conform. But in Hong Kong, with our school samples and also, we have replicated the study for the views of social bond theory into school samples in Hong Kong Macau, and we find that we can point to the same direction

These are the last two points I want to make here. Again, I want to emphasize that for the males, the Triad affiliation was a very closely affiliated with violence, whereas Triad affiliation is positively associated with theft among females. I hope by now you have some ideas about what we have done. In fact, the reason why I've got so much to share with you is because at the paper has been published in the Deviant Behavior academic journal. Thanks so much.

**Lindsay Ernst:**

Thank you, Eric. If you can now stop sharing your screen and then Zhong Hongwei, if you would like to share your screen now.

**Zhang Hongwei:**

Good morning and good afternoon from Jinan University. I'm Hongwei. First of all, thank you for the invitation from the Dui Hua Foundation. Secondly, I'm quite interested in reporting on my research on the girl's conflict, but unfortunately, I failed at finding any relevant data from both Chinese and English literature. Instead, I will give you a brief introduction of the juvenile delinquency trends and juvenile justice in China briefly. Then we will talk shortly about alternative to incarceration in China.

As you probably know, we have a really large juvenile population. Right now, 27.9 million are juveniles, under 18. Before the early 1980s, there has been no clear difference between handling juvenile and criminal cases throughout Chinese history, but we did make much progress in early 1980s with the establishment of the juvenile court in Shanghai in 1984. China made a remark about progress using other juvenile justice systems.

So now, as you can see on the screen, we've got some data from the official Statistics. As you can see clearly there actually two trends, one for juveniles and the one for adults, that move in opposite directions. So, unlike the criminal crime rate, which has steadily climbed things, 2000, the number of the juvenile cases heard in the juvenile courts actually flattened with the peak of

891 case in 2008, but since then, the number of juvenile cases heard in juvenile court has remarkably decreased.

Moving to the next slide. From this side, all offenders in prison increased year by year, the number of the juvenile offenders under the age of 18 decreased greatly, but there was increased concern about the juvenile crime. Official statistics show that juveniles only commit a small portion of the nation's crime. According to the official statistics from the national government, juvenile crime only accounts for 3.56% of the total crime. So, this might've given us some information that the government effort to crack down on the juvenile crime activities has produced a positive result.

As for the types of the juvenile crime committed, I have some statistics to share with you. Take the example of Guangzhou, that's the capital of the Guangdong Province in China, for the years 2007 to 2014. There are about 8,800 juveniles sentenced by the court for robbery, theft and intentional assault accounting for about 68.83% of all juvenile crimes.

Unfortunately, we don't know yet about the gender difference in the types of the frequency of the juveniles. Those issues are not fully investigated and also gender differences in the way juvenile justice is processed are not fully investigated. In other words, we don't know how and why a police officer or the prosecutor and the court and the judges deal with the boys and girls throughout the juvenile justice system. We don't know yet.

Also, probably as you already know, last year we revised two of the most important juvenile laws in China. That's the Juvenile Protection Law and the Children of Delinquency Prevention Law. For these two laws, the leading policy makers tried to reemphasize the importance of the specialized school, and we, we are hoping for the next few years, the national legislation will enact more detailed regulations on how to implement the specialized schools for the juveniles. Also, we are hoping they can set up some certain rules to differentiate how to put boys and girls into those specialized schools so that we can see how much gender perspectives could be applied into the juvenile justice system.

That's my short presentation on this topic and we are hoping this topic could be more and more important so that the legal scholars and criminologists in China could devote much more to fully investigate this topic on that girls in conflict with the law. Thank you.

### **Joshua Nederhood:**

Let's go into a general Q&A, so, Lindsay, I think we had some questions coming from the audience. We'll just try to briefly touch on them. We know we're coming up on close to time. So, we had some really good questions coming though.

**Lindsay Ernst:**

Karen and Eric, I think that this is geared towards you, asking the question of shoplifting is a major theme in girls and women's crime, but remains relatively unexamined. Do you Karen have any thoughts on that? And then Eric, if you want to chime into, I think there's two other questions that are going to go more specifically to you, Eric.

**Karen Joe Laidler:**

That's a great question. I didn't know. It's the million-dollar question, isn't it? Is it a question of women being caught more often for shoplifting or is it a reflection of other broader structural issues? I don't have an answer to that, but it is an issue that's relevant not just for girls and young women, but across the age spectrum. In a class that I teach for students who are just introduced to criminology, I have them look at the tape arrest tables and I'll say, "One really interesting pattern that you would never guess off the top of your head?" So, they look at it and then they realize that it's actually the one group where women or females exceed in arrest that of males is actually for shoplifting, and that's particularly among women 60 and over. Now, whether that's universal, I don't know, but it does seem to be a trend. And why is it not examined? Maybe because it's seen as a somewhat mundane issue, but actually it speaks to quite a lot of bigger issues, I think, about the structural inequalities in society, so I think that that's what I would preliminarily say. And actually, it's a great reason why we should be looking more closely at it. Because it is experienced and reflected in official statistics differentially between females and males.

**Lindsay Ernst:**

Thank you, Karen. Eric, if you want to touch on that question as well, but there's two other questions that specifically are directed towards you. One is the finding that females are as violent as males may well be a product of the instrument, measuring violence. And have you considered the issue of the conflict tactic scale? What are your thoughts on that? And then if I can just ask you the second question too, which is, do you see female arrests for robberies, thefts with the use of force or fear? Do you see the female arrests involved with boys during their arrest? And I think that that's a trend that has Patricia Lee's commenting has been seen in San Francisco, so it'd be great to hear your thoughts on that in terms of your results here in Hong Kong.

**Eric Chui:**

First of all, thanks for these two questions. In fact, in one way or the other, these questions are all related to the measurement, so, I really appreciate that the first question is about whether the measurements, especially on my scales, are on violence. Would he be able to capture the capacities of the violent acts and also about the reliability? Whether the items that are put on the scale have already directed them to certain directions. We are fully aware of that, but as I mentioned before, that scale has been used in other settings, including the school sample as well as in the prison setting, and it has been used elsewhere. There are limitations are surely, so that's the reason why I agree, and, as a follow up study in fact the team also just said that we should just simply look at female violence. What, what does it mean? Will we be able to capture these as the seriousness and many more forms and how they behave in reality and things like that? That is well taken, and I think each scale does have its own limitations, but it was the best one that we have chosen because it is simple for self-reports and things like that.

The other question is about whether I have witnessed females using force and et cetera. In fact, the video I'm showing you later on, you click the link and you get to see that on YouTube, and they are using a lot of physical violence. But again, in terms of the extent, we don't know yet because as far as I know there is physical violence going on among the female gangs, but in terms of the extent, how serious they are, to be honest, we are very driven by media most of the time, and that has yet to be investigated more. When we look at the data and I can assure you the mix, the groupings, that means females and males, among the female gang members, half of them are females only, and half of the others, the other 50% are mixed groups.

You mentioned that in San Francisco, there's an increasing number of girls and boys being arrested together, but as I repeat again, my study is not looking at arrest rather it is based on the self-reports of the street gang members. We have observed that there are mixed groups so that means a mix of males and females. There is an increasing trend, half of them are single sex and the other one 50% are mixed groups.

**Lindsay Ernst:**

Thank you, Eric. Zhang Hongwei, I also have one question that we want to ask you before we have to conclude. I think you've mentioned in your talk about wanting, you're hoping to set up special schools and develop rules. You also mentioned at the very beginning of your talk that you were looking for more data and research, and you, you didn't come across it. So, I'm curious if you could share with us more in terms of when it comes to studying girls in conflict

with the law specifically, are there notable research gaps? It seems you've already identified some of them. So how would you like to see these research gaps addressed or what research gaps would you prioritize here?

**Zhang Hongwei:**

Thank you. That's a good question. As I mentioned, for the past 40 years, we have made remarkable progress in establishing our juvenile justice system. So right now, we have already tried to differentiate the treatment between an adult and a juvenile. So, for the next step, I think you are right, we will move further. We'll one more step to differentiate how to treat the girls and boys differently within the juvenile justice system. So, we have to move slowly and steadily by more one by one. So, thank you for your reminder. For the next few years, I think I will cooperate with noted scholars like Eric and Karen. We want to do more research about the empirical data collection and the comparative study so that the scholars in mainland China could contribute more on this topic. Thank you.

**Joshua Nederhood:**

Thank you so much, Professor Zhang. That's so exciting to hear that this first International Symposium on Girls in Conflict with the Law is starting these conversations. It's connecting scholars from different countries. I think, unfortunately that's all the time we'll have for questions and answers, but we really want to keep these conversations going. I've just put in the chat links to either subscribe to Dui Hua publications, that'll be an easy way to continue to be invited to upcoming events, and then specifically to register for our next webinar. As we've mentioned, this is the seventh in a series of 12 webinars, so everyone who attended today, we'll send you a follow-up email tomorrow, San Francisco time, that'll have a link to register for the next webinar too. We're really looking forward to it. It'll be a photographer, Richard Ross presenting on his *Girls in Justice* photography project, which you can see a cover of the book he's made on that project to the right of my screen here. He'll be joined by a social worker from the San Francisco public defender's office and someone from the district attorney's office in San Francisco to bring to light how his art is luminating the everyday sort of work that goes with this really important topic. Also upcoming, we have on February 15 "Findings and Calls to Justice with a Focus on Indigenous Girls in Canada," February 23 will be a panel on sex trafficking, and then we have two panels that have yet to pin down an exact date, but we will definitely try to keep you all informed, especially if you subscribe to our publications, that'll be an easy way for us to keep sending you invitations going forward.

Thank you all so much for your patience through today's technical difficulties. We've really enjoyed hearing from each of these panelists, and we're excited for the conversations that will be going forward on this really important and under looked issue. With that, I'm going to conclude things. Thank you all so much for joining.

- End of Recording -