

Queering Justice: A Study of the Lived Experiences of LGBTIQ+ Offenders

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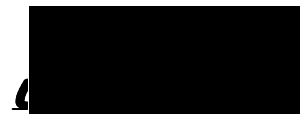
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Abstract

This qualitative study explored the lived experiences of LGBTIQ+ individuals who have or had contact with the criminal justice system. The aim of this dissertation was to critically examine how LGBTIQ+ identities intersect with systemic structures of justice and to uncover ways in which these individuals experience, resist or are affected by justice systems. This inquiry was necessary because, despite Malta's progressive legal protections for LGBTIQ+ people, there remains a significant literature gap in understanding how LGBTIQ+ individuals wholly experience justice in practice. Using Interpretative Phenomenological Analysis (IPA), in-depth semi-structured interviews were conducted with five LGBTIQ+ offenders who have or had contact with various institutions within the Maltese criminal justice system. Data analysis revealed themes of marginalisation, resistance, identity negotiation and moments of positive engagement with professionals. These manifested through narratives of navigating justice systems as 'the other,' marked by stigma, discrimination and hypervisibility. While some experienced affirming relationships and self-advocacy, a number of participants expressed facing institutional erasure and systemic betrayal. Nevertheless, their narratives reflected notable resilience and agency. Findings suggest that identity-based marginalisation and structural inequalities shaped LGBTIQ+ individuals' experiences within the justice system, even in contexts with progressive legal frameworks. This study contributes to the limited body of research on queerness and criminalisation in Malta, highlighting the urgent need for intersectional, culturally-sensitive and identity-affirming reforms within the criminal justice system. These include sensitivity training for justice professionals, inclusive policies and stronger support services tailored to LGBTIQ+ offenders. Ultimately, this study implies that structural change is needed to move beyond tokenism and effectively tackle systemic inequality within the justice system.

Keywords: LGBTIQ+, Offenders, Interpretative Phenomenological Analysis (IPA), Lived Experiences, Criminal Justice System, Malta, Stigma, Discrimination, Resistance, Queer Theory, Intersectionality

Dedication

“No pride for some of us without liberation for all of us.” -Marsha P. Johnson

This dissertation is dedicated to all LGBTQ+ individuals whose voices have too often been overlooked, silenced or erased. Your strength, resilience and truth are at the heart of this work and I am deeply proud to be part of a community I call home.

May this research be a step toward facing and transforming the injustices you endure, and may it honour your courage to live authentically and demand justice. This is for you. You are not alone; you are seen and heard. Your voices matter!

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To my placement supervisors and colleagues, thank you for your mentorship and for challenging me to grow both professionally and personally. Your guidance and support played an integral role in shaping my understanding of justice work, a field in which I so proudly work in as a Probation Officer.

To my loving and irreplaceable partner and close friends, your love, patience and constant belief in me carried me through every moment of self-doubt. Thank you for listening when I needed to vent, when I needed to cry, for celebrating my small wins and for supporting me in every step of this journey. You all mean so much to me.

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Finally, to the participants of this study, thank you! Thank you for your courage, your vulnerability and for trusting me with your stories. Your voices are so powerful and I am honoured beyond words to have shared space with you. Your powerful voices reminded me why this research matters, especially in moments of self-doubt. I hope this work honours even a fraction of the strength and dignity you embody. You have inspired my ongoing commitment to challenging systemic injustice and ensuring that LGBTIQ+ voices are never silenced.

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List of Abbreviations

GET: Group Experiential Theme

IPA: Interpretative Phenomenological Analysis

LGBTIQ+: Lesbian, Gay, Bisexual, Transgender, Intersex, Queer and other sexually or gender diverse people

PET: Personal Experiential Theme

SOGIESC: Sexual Orientation, Gender Identity, Gender Expression and Sex Characteristics

Introduction

Preamble

This study aimed to explore the lived experiences of LGBTIQ+ individuals who have or had contact with the criminal justice system in Malta. It sought to understand how gender and sexual identity intersect with justice processes in a context shaped by cultural and legal norms. Motivated by the lack of local research, this dissertation was guided by the central research question: 'How do LGBTIQ+ offenders experience the criminal justice system, and in what ways, if any, do intersectional identities influence these experiences?'. This directed the scope of the research towards an in-depth exploration of the lived experiences of LGBTIQ+ offenders, with a particular focus on how they interpret and make sense of their interactions with the criminal justice system.

Justice systems are framed as neutral arenas committed to fairness and equality. However, for those who exist outside the boundaries of dominant social norms, particularly those identifying as LGBTIQ+, encounters with justice may be shaped by marginalisation, stigma and discrimination (Yesudas, 2023). While scholarly and activist attention has grown around issues of sexuality and gender in broader society, the intersection of queerness and criminal justice remains understudied, especially in Maltese contexts. Existing international studies frequently frame LGBTIQ+ individuals as victims of discrimination rather than examining their active navigation of criminal justice systems. This study aimed to address that gap by exploring how systemic structures within criminal justice processes may impact LGBTIQ+ individuals in smaller and culturally distinct jurisdictions like Malta.

Growing up in a society where conformity to cis-heteronormative ideals was deeply embedded in cultural, legal and religious institutions, I have developed a critical awareness of how individuals who do not conform to dominant norms of gender and sexuality may experience struggles. This awareness is shaped by both professional engagement and personal experiences, which informed my academic

interest in the intersection of identity and justice. This dual lens offered valuable reflexivity and positionality both as a researcher and as someone who is attuned to the lived dimensions of marginalisation.

This dissertation highlighted how the criminal justice system is not a vacuum; it reflects and reinforces socio-cultural norms of the society in which it operates. In seeking to queer the lens through which justice is understood, this study aimed to explore how LGBTIQ+ individuals experience the criminal justice system in Malta, and also how the system itself might be challenged and reimagined when viewed through such lived realities.

Key Concepts

This study used several key concepts to frame the experiences of LGBTIQ+ offenders. The acronym LGBTIQ+ stands for Lesbian, Gay, Bisexual, Transgender, Intersex, Queer/Questioning and other diverse sexual orientations, gender identities and expressions; Sexual Orientation, Gender Identity, Gender Expression and Sex Characteristics (SOGIESC). The use of 'LGBTIQ+' in this dissertation reflected an inclusive approach that acknowledges the fluidity of identity and the spectrum of lived experiences beyond binary frameworks. Queer also functioned both as an umbrella term for diverse sexual and gender identities and as a critical lens to challenge dominant norms, such as Queer Theory (Ball, 2016). In this dissertation, queering justice involved rethinking the criminal justice system from the perspective of LGBTIQ+ individuals and exploring more inclusive practices (United Nations, n.d).

The term 'offender' refers to individuals criminalised or processed by the justice system. This term was employed critically in this study, with awareness of its stigmatising and reductive nature embedded in the label. It was used descriptively, while recognising the need for more person-centred, nuanced language. Furthermore, 'criminal justice system' refers to the institutions and processes, such as police, courts, prisons, probation services and other related agencies or NGOs, responsible for enforcing

laws and managing accused or convicted individuals. This study examined how the justice system interacts with LGBTIQ+ individuals (Tran et al., 2018).

Intersectionality, a framework rooted in Black feminist thought, was used to explore how multiple social identities, such as gender, sexuality, race, class, disability and nationality, interact to shape individuals' experiences (Crenshaw, 2018). This helped to understand how the experiences of LGBTIQ+ offenders are not shaped by sexuality or gender identity alone, but also by other social influences that may compound vulnerability or marginalisation within the criminal justice system.

Theoretical Framework

This study drew on Queer Theory, Critical Criminology, Intersectionality and Minority Stress Theory to explore the lived experiences of LGBTIQ+ offenders. Queer Theory offered a critical lens to examine how cis-heteronormative assumptions may shape legal and institutional responses, challenging binary identities that may underpin criminal justice practices (Ball, 2016). Critical Criminology further supported this by viewing crime and justice through the lens of power, inequality and social control, questioning who benefits from dominant narratives and punitive policies (Paik, 2017). Intersectionality provided a framework to understand how overlapping identities compound experiences of marginalisation. Minority Stress Theory explored the stressors related to stigma, discrimination and social exclusion which LGBTIQ+ individuals may face, helping to explain the impacts of systemic oppression (Meyer, 2013). Together, these perspectives allowed for a more nuanced analysis that centres the voices of those often excluded from mainstream criminological research (Sumerau, 2023).

Research and Philosophical Underpinnings

Although Malta has made significant strides in advancing legal protections for LGBTIQ+ individuals, the criminal justice system may still perpetuate structural inequality (ILGA, 2022; Nadal et al., 2015). Academic literature infrequently examines the lived experiences of LGBTIQ+ persons who come into contact with the justice system as offenders, with studies often concentrating on issues like policing

practices, incarceration experiences or prison policy. As a result, the voices of those who exist at the intersection of queerness and criminalisation may remain underrepresented in both academic and institutional discourse. This study aimed to address this gap by generating empirical data exploring how LGBTIQ+ offenders in Malta experience and make sense of their interactions with the criminal justice system.

Guided by the central research question ‘How do LGBTIQ+ offenders experience the criminal justice system, and in what ways, if any, do intersectional identities influence these experiences?’, this study aimed to investigate the emotional, social and procedural encounters faced by participants. It also explored how participants perceive the criminal justice system’s capacity for inclusion and rehabilitation, with the objective of understanding how participants’ SOGIESC may shape their interactions with, and perceptions of, justice systems. Thus, the study’s objectives were to critically assess participants’ experiences of how the Maltese criminal justice system reflects or reinforces broader cultural norms around sexuality and gender. Ultimately, the study sought to inform future research and policy while generating insights that can inform more equitable justice practices for marginalised populations.

Grounded in a constructivist-interpretivist epistemology, this research recognised knowledge as co-constructed by social and personal contexts (Guba & Lincoln, 1994). Within this framework, Interpretative Phenomenological Analysis (IPA) was employed to explore how participants make sense of their lived experiences, drawing on concepts of phenomenology, hermeneutics and idiography. IPA was employed due to its capacity to capture the nuanced and complex experiences of LGBTIQ+ offenders, enabling a critical analysis that recognised lived experience as a vital source of knowledge (Chan & Farmer, 2017; Smith et al., 2021).

Dissertation Overview

This introductory chapter outlined the study’s rationale and central components. The subsequent chapters are structured to present the research in a systematic and coherent manner.

Chapter Two offers a critical review of national and international literature relevant to the study, focusing on the intersection of queerness and criminalisation, institutional responses to LGBTIQ+ individuals and the socio-legal context in Malta. Chapter Three details the study's methodological approach, including the rationale for adopting Interpretative Phenomenological Analysis (IPA), alongside an overview of participant recruitment, data collection techniques, ethical considerations and analytical procedures. Chapter Four presents and discusses findings, organised around four Group Experiential Themes (GETs) drawn from participants' narratives, exploring the emotional, procedural and systemic experiences encountered by LGBTIQ+ individuals within the Maltese criminal justice system. Finally, Chapter Five concludes with the study's key contributions, reflecting on its limitations and offering recommendations for future research and practice of more inclusive practices within the criminal justice system.

Literature Review

Introduction

A growing body of research revealed that LGBTIQ+ individuals face systemic discrimination, stigma and exclusion, factors that can exacerbate vulnerability within the criminal justice system (Duncan, 2023). Exploring the lived experiences of LGBTIQ+ offenders is thus vital for promoting equality and informing inclusive rehabilitative strategies, especially within a demographic already burdened by heightened stigma and discrimination (Woods, 2017).

Despite increasing visibility, LGBTIQ+ identities remain underrepresented in criminological research. When included in research samples, their sexual or gender identities are often overlooked as relevant to criminality or justice system encounters (Peterson & Panfil, 2014). Studies frequently generalised from broader LGBTIQ+ populations or narrowly addressed discrimination without considering the complex interplay of identity and criminalisation. This gap may sustain systemic bias and limit theoretical development (Woods, 2017).

This chapter critically reviewed literature on the intersection of LGBTIQ+ identities and the criminal justice system. It examined theoretical and historical developments, highlighting institutional barriers and evaluating current policy responses. Emphasis is placed on the lack of empirical focus on LGBTIQ+ offenders, reinforcing the need for more intersectional, experience-driven approaches to guide equitable policy and practice.

Conceptual Framework for the Study

This study drew on Queer Theory, Critical Criminology and Intersectionality to explore the lived experiences of LGBTIQ+ offenders within the criminal justice system. Queer Theory critiqued how institutions, including justice systems, enforce normative gender and sexuality (Buist & Lenning, 2022). It interrogated how power structures shape and regulate identity, potentially sustaining cis-heteronormativity and marginalising queer individuals, particularly within criminal contexts (Butler,

2011; Radics, 2024). Critical Criminology expanded this by analysing justice through power and inequality (Ball, 2016). It challenged the assumption of legal neutrality and revealed how dominant ideologies shape criminalisation, particularly of marginalised groups like LGBTIQ+ people (DeKeseredy, 2010; Taylor et al., 2011). Intersectionality further enriched the analysis by accounting for how the interplay of sexuality, race, class, disability and gender may shape unique experiences of marginalisation (Paik, 2017). It foregrounded the compounded challenges faced by multiply marginalised individuals, such as queer people of colour and trans persons, ensuring these experiences are not overlooked or generalised (Enno et al., 2022; Sumerau, 2023).

While these frameworks offered critical insights, they each presented limitations. Queer Theory may be considered abstract and under-studied while Critical Criminology can lack specific engagement with LGBTIQ+ lived experiences (Walker et al., 2024). Additionally, Intersectionality may be overly complex in application, making it challenging to address all axes of identity equally in empirical research. However, together these frameworks offered a critical, inclusive and nuanced approach to analyse how LGBTIQ+ offenders experience the criminal justice system. Such frameworks allowed the researcher to centre the lived realities of queer individuals, challenge dominant narratives and interrogate the structural conditions that may contribute to differential treatment.

Historical Context

LGBTIQ+ identities have historically been depicted in negative terms through dominant discourse and media representation (Bracco et al., 2024; Sallabank et al., 2022). Stereotypes positioned queer individuals as societal parasites (Peterson & Panfil, 2014), with literary works such as Dante's *Inferno* (1321) placed those engaging in same-sex acts alongside murderers in the 'Seventh Circle of Hell'; not for violence per se, but for violating procreative norms (Boswell, 1994). By the late 19th century, criminological discourse depicted the 'gay criminal' as dangerous, associating LGBTIQ+ identities with rape, murder and paedophilia (Dennis, 2014). Theorists like Lombroso (1876) linked 'sex crimes' such as

sodomy to a lack of normative sexual outlets and pathologised queerness through terms like 'sexual inverts,' later renamed 'homosexuals' (Leon, 2012). These notions continued to fuel modern myths, such as the unfounded link between LGBTIQ+ people and paedophilia, reinforcing harmful stereotypes.

Despite early efforts to categorise and medicalise queer individuals, little effort was made to connect queerness with criminalisation through an intersectional lens (Peterson & Panfil, 2014). In fact, in the early-to-mid 1900s, U.S. federal campaigns like the FBI's 'War on the Sex Criminal' framed homosexuality as a threat to the body, mind and spirit (Bergler, 1944; Liebman, 1944; Wuff, 1942). Furthermore, homosexuality remained listed as a mental disorder in the Diagnostic and Statistical Manual of Mental Disorders (DSM) until 1973, and only in 2013 was it fully removed from DSM-5's classification of "sexual and gender identity disorders" (American Psychiatric Association, 2013).

Theoretical Perspectives on LGBTIQ+ Offenders

Historically, LGBTIQ+ individuals have been scapegoated for crimes committed by heterosexual and homosexual individuals alike, reflecting broader social control mechanisms (Redd & Russell, 2020). Conflict theory explained this by asserting that dominant groups define deviance to marginalise others, institutionalising cis-heteronormativity and criminalising difference (Cohen et al., 2002; Dennis, 2014; Grasso & Giugni, 2023; Peterson & Panfil, 2014). Theorists like Atkins & Akers (1995) and Collins (2010) suggested that marginalised individuals may internalise negative stereotypes, reinforcing deviant labels. However, such assumptions risked oversimplifying the agency and resistance of many LGBTIQ+ individuals. Empirical research increasingly challenged the idea that identity alone predicts criminality, instead emphasising structural inequalities as mediators. Although legal reforms such as the decriminalisation of homosexuality have marked progress, reductive views of LGBTIQ+ offenders persist, overlooking the systemic burdens they face (Woods, 2017).

Strain theory offered another lens, suggesting that exclusion from culturally valued goals can generate frustration, contributing to deviance (Agnew, 2017; Button & Worthen, 2014; Merton, 1949).

Applied to LGBTIQ+ populations, factors like family rejection, systemic discrimination and employment barriers fostered emotional and economic instability (Snyder et al., 2016), correlating with empirical outcomes such as homelessness and survival-based crime (Button & Worthen, 2014; Dillon, 2020). These pathways supported arguments for studying LGBTIQ+ offenders separately from heterosexual offenders. Nonetheless, critics argued that strain theory often neglects resilience and community-based resistance (Morgan et al., 2023).

In contrast, queer criminology directly challenged the cis-heteronormative assumptions embedded in mainstream criminology (Buist & Lenning, 2022). It critiqued how binary justice systems marginalise LGBTIQ+ individuals through misgendering, unsafe prison placements and exclusionary policies (Ball, 2016). In fact, empirical studies highlighted failures to address LGBTIQ+ victimisation and accommodate transgender inmates (Paik, 2017). Embracing intersectionality, this approach also recognised the compounded injustices faced by racial and economic minorities and celebrated 'queer resistance' through activism and policy reform (Ball, 2016).

However, queer criminology is still developing and often lacked empirical grounding in justice settings. Its structural focus can also overshadow individual diversity and agency (Walker et al., 2024). As such, this study engaged traditional and contemporary theories reflexively, acknowledging their insights while critically examining their relevance to modern LGBTIQ+ experiences.

Challenges faced by LGBTIQ+ Individuals

Theoretical frameworks such as conflict theory, strain theory, and Bronfenbrenner's (1994) Ecological Model offered valuable insights into the multi-layered challenges LGBTIQ+ individuals face. Empirical research consistently demonstrated disproportionate rates of poverty, homelessness, mental health issues and systemic discrimination within this population, factors that elevate both the risk of criminalisation and the complexity of their experiences in the justice system (Woods, 2017).

Bronfenbrenner's model highlighted how these issues span multiple systems, from micro-level family rejection to macro-level societal and institutional bias. Yet, merely outlining these disadvantages is insufficient; it is essential to interrogate the structural conditions that sustain them. For example, discrimination in areas like education, housing, employment and healthcare may restrict access to vital resources, sometimes leading to criminalised survival strategies. Particularly among queer and gender-diverse youth, family rejection and school-based victimisation were strongly linked to homelessness and justice system contact (Snyder et al., 2016).

Thus, the experiences of LGBTIQ+ offenders cannot be understood in isolation from the societal structures that they operate within. A deeper exploration of these dynamics is essential for developing inclusive and effective justice responses that do not reproduce the very inequalities they seek to address.

Diversity within the LGBTIQ+ Community

When referring to the LGBTIQ+ community as a collective, it is essential to acknowledge it is not monolithic; distinct subgroups exist, particularly transgender, non-binary and bisexual individuals, who may face unique and often compounded forms of marginalisation from those encountered by their gay or lesbian counterparts. Empirical studies have demonstrated that transgender people frequently encountered misgendering, denied access to gender-affirming care and heightened violence, exacerbated by systemic failures in healthcare and legal systems (Bradford et al., 2012; Lombardi et al., 2002). Research by Truszczynski and Hansen (2022) highlighted that non-binary individuals often suffered identity invalidation and a lack of legal recognition, contributing to psychological distress and exclusion. Similarly, 'bi-erasure' marginalised bisexual individuals, creating feelings of invisibility and isolation from both heterosexual and queer communities (Freitas et al., 2024; Stewart, 2021).

From a criminological perspective, such marginalisation can intersect with pathways into criminalisation. Research suggested how discrimination and alienation may push individuals toward

survival-based offending, such as sex work among transgender individuals facing employment barriers (Woods, 2017). Psychological distress and social exclusion could also foster coping behaviours that are criminalised. These dynamics underscored the necessity of intersectional, group-specific rehabilitation strategies that recognise the varied lived realities within the LGBTIQ+ spectrum (Knight & Wilson, 2016). Failing to do so risks perpetuating the very inequalities these individuals face, both within and outside the justice system.

Stigma, Social Exclusion and Discrimination

Discrimination plays a critical role in shaping the experiences of LGBTIQ+ offenders. Social roles, defined by cultural norms, determine what is considered acceptable and deviant behaviour, with those who deviate from the status quo norms, such as LGBTIQ+ individuals, often facing disproportionate stigma, exclusion and discrimination (Migrants, Minorities and Employment, 2010). Social exclusion was defined as a 'dynamic, multi-dimensional process driven by unequal power relationships interacting across four main dimensions: economic, political, social and cultural' (Popay et al., 2008, p.36).

Historically, LGBTIQ+ identities were pathologised as criminal, deviant or mentally ill (Woods, 2017). While some progress has been made, including the declassification of homosexuality as a disorder and marriage equality in various nations, empirical evidence indicated that stigma remains pervasive, especially in over 70 countries where same-sex relationships remain criminalised, with 11 imposing the death penalty (Duncan, 2023).

Stigma is compounded by the dual status of being both LGBTIQ+ and an offender, reflecting Heidensohn's (1968) 'double deviance,' originally applied to women but extendable to queer individuals. This concept argued that individuals are penalised not only for violating laws but also for transgressing dominant social norms. Queer criminology, however, critiqued traditional criminology's failure to challenge heteronormative biases and its neglect of intersectional analysis (Woods, 2014), hindering

contemporary empirical research on LGBTIQ+ offenders. As a result, researchers like me often rely on outdated or externally-sourced literature, which may not reflect local experiences.

Stigma, defined by Goffman (1964) as a 'deeply discrediting attribute', may lead to exclusion, poor mental health and barriers to reintegration for LGBTIQ+ offenders (Knight & Wilson, 2016). In small societies like Malta, 'cultural shaming' can amplify these effects (Clark, 2012; Stewart, 2015), especially within the context of Christian values, where LGBTIQ+ offenders may be seen as both criminal and immoral (Heidensohn, 1968; Osiek, 2008). This aligns with labelling theory (Becker, 1963; Lemert, 1951) and Durkheim's (1897) insights on deviance, suggesting such stigma can foster criminal behaviour. For instance, Panfil's (2013) ethnographic study highlighted how gay gang members in the United States adopted hypermasculinity to resist stereotypes, using violence to assert dominance, highlighting how heteronormative societies may shape deviance (Peterson & Panfil, 2014). Such examples illustrated that stigma is not only personal but may be embedded in social systems, highlighting a critique of labelling theory for insufficiently addressing structural inequalities and the resilience of stigmatised groups. Therefore, incorporating queer and intersectional perspectives allows for a more nuanced understanding of how stigma operates across different levels of society.

Finally, discriminatory labelling may manifest in systemic practices like stereotyping and institutional bias across law enforcement and correctional settings (Kantor, 2009). Empirical findings showed how such practices may obstruct access to justice and reinforce marginalisation, hindering rehabilitation and perpetuating cycles of exclusion (Knight & Wilson, 2016).

Identity issues

Expanding on the concept of stigma, the process of sexual identity disclosure, referred to as 'coming out', may be experienced as liberating for some, yet deeply distressing for others. Marzetti et al. (2022) found that such disclosures often provoked rejection from peers and family, leading to emotional strain and internalised shame. While Scourfield et al. (2008) found instances of resilience among

LGBTIQ+ individuals facing rejection, this raised questions about whether such ‘resilience’ was genuinely empowering or simply a coping mechanism in response to ongoing marginalisation. This suggests that coming out is a socially contextual experience where stigma may limit resilience to a survival strategy rather than true empowerment. This highlights the need for support systems that address potential underlying inequalities.

Rejection and non-acceptance frequently resulted in social and economic disadvantage. With queer criminology complementing strain theory (Merton, 1949) by illustrating how a lack of affirming networks, discrimination, unemployment and housing insecurity can push LGBTIQ+ individuals toward criminalised behaviours (Glick et al., 2020; Toh et al., 2023). Knight and Wilson (2016) argued that these behaviours often reflect survival strategies or resistance to systemic exclusion, underscoring a cycle of marginalisation in which individuals are both excluded and penalised for navigating that exclusion.

These challenges may intensify when LGBTIQ+ identities intersect with other marginalised statuses, such as race, class or immigration status (Sumerau, 2023). For instance, Chossière (2021) reported that queer immigrants often faced overlapping barriers, including xenophobia, homophobia, language difficulties and fear of deportation, which amplified their vulnerability to abuse and institutional neglect. Similarly, Enno et al. (2022) found that racial minorities within the LGBTIQ+ community were more likely to experience criminalisation and violence, particularly where race and gender identity intersect, such as in the case of Black transgender women. Socioeconomic status further compounded these disparities, limiting access to legal support and increasing reliance on criminalised behaviours like sex work (Kia et al., 2021; Wilson et al., 2020).

Despite this complexity, criminal justice systems often treat LGBTIQ+ offenders as a homogenous group, neglecting intersectional differences. To address this, Sumerau (2023) advocated for an intersectional approach, one that recognises how overlapping oppressions shape individual experiences, ensuring tailored, equitable support and rehabilitation. As a researcher, adopting such an approach was

not only essential for capturing the nuanced realities of LGBTIQ+ offenders but also for informing more equitable and inclusive criminal justice policies.

Mental Health Challenges

Although direct empirical links between LGBTIQ+ mental health and criminality are limited, existing research confirmed that mental health disorders, such as depression, anxiety, PTSD and substance abuse, were associated with increased risk of criminal behaviour (Peel & Thompson, 2009; Vogel, 2014). However, these studies may overlook the specific psychological burdens linked to SOGIESC.

LGBTIQ+ individuals frequently experience identity-based stressors, such as discrimination, stigma and family rejection, which heighten mental health risks. Marzetti et al. (2022) found that both anticipated and actual negative responses to 'coming out' intensified anxiety, depression and suicidal ideation, showing that these challenges stem from systemic rejection rather than general risk factors. Research further revealed how some respond to these pressures through self-harming or risky behaviours, like frequent partner changes, as a coping mechanism or form of resistance (Knight & Wilson, 2016). This suggests that mental health challenges among LGBTIQ+ individuals may stem from systemic exclusion rather than individual pathology.

Empirical studies have also identified a lack of social support networks for LGBTIQ+ individuals, particularly when familial rejection is present (McConnell et al., 2016), increasing vulnerability to maladaptive behaviours, including criminalised acts. Raynor and Robinson (2009) emphasised that coping mechanisms are crucial to post-crime reform, while Moagi et al. (2021) linked internalised stigma to low self-worth and emotional distress, both of which can escalate the likelihood of criminal activity. This positions criminality as a possible response to cumulative identity-based trauma, rather than as a product of individual pathology alone.

Despite these patterns, there is a notable research gap regarding LGBTIQ+ offenders, rendering this 'hidden population' unrepresented in crime data (Knight & Wilson, 2016; Woods, 2017). As such,

addressing mental health is vital, not only as a risk factor but also as a key component in reducing justice system involvement among LGBTIQ+ individuals.

Contemporary Challenges for LGBTIQ+ Individuals

LGBTIQ+ individuals also face evolving challenges within the justice system that compound historical marginalisation and contemporary risks. Digital technology and social media, while offering visibility, have exposed individuals to cyberbullying, sextortion and digital exploitation, threats often tied to their SOGIESC. The Trevor Project (2022) highlighted increased suicide risk among LGBTIQ+ youth, partly linked to such online abuse.

Research indicated how cyberbullying can involve public outing or harassment, leading to emotional trauma, isolation or harmful behaviours (Patchin & Hinduja, 2012). Sextortion, as explored by Henry and Powell (2018), may disproportionately impact LGBTIQ+ individuals, especially those who fear involuntary identity disclosure. These harms are intensified by a lack of trust in authorities, social alienation and unsupportive environments, leading to some responding with retaliatory or illegal acts, such as revenge porn or financial scams, as maladaptive coping mechanisms. However, queer criminology critics argued that existing frameworks often neglect how race, class and other intersecting identities shape digital vulnerability, limiting their scope and relevance (Buist & Lenning, 2022).

Additionally, non-traditional family structures, like same-sex couples, transgender parents or chosen families, are frequently overlooked by justice systems operating under heteronormative frameworks (Di Battista & Pivetti, 2023). This bias is evident in custody battles or legal definitions of parenthood. For example, Malta's Embryo Protection Act (2012) previously excluded same-sex couples from surrogacy and IVF until 2018 reforms, potentially reflecting biologically-deterministic gender definitions. Moreover, defining the term 'woman' exclusively in terms of the capacity for pregnancy may be considered conceptually limiting by some, as it does not account for the reproductive experiences of transgender men and non-binary individuals, failing to accommodate the full spectrum of gender-diverse

reproductive experiences (Finn, 2024). These modern challenges demand responsive policies that address both digital harms and diverse family models. Without reform, justice systems risk reinforcing exclusion in a rapidly changing social landscape.

Barriers to Rehabilitation and Reintegration

LGBTIQ+ offenders often face significant barriers in rehabilitation due to the absence of programmes responsive to their distinct psychological and social needs. Most rehabilitation frameworks adopt a universal model that overlooks trauma stemming from family rejection, societal discrimination or institutional abuse, factors that can deepen alienation and hinder reintegration (Read, 2024).

Segregating LGBTIQ+ offenders is not a viable solution either, as it risks reinforcing discrimination (Arkles, 2009; Tuschick et al., 2024). Instead, a balanced approach is needed; one that ensures targeted support while fostering inclusion within the broader rehabilitative environments. However, this inclusive model presented its own difficulties, given the research indicating prevalence of homophobia and transphobia among inmates, particularly male, older and heterosexual inmates (Blackburn et al., 2011), who were more likely to hold hostile attitudes toward homosexual peers, undermining support structures and increasing vulnerability. Thus, effective rehabilitation must address both safety concerns and the need for equitable social integration.

Comparative Analysis of LGBTIQ+ Experiences in Justice Systems

Research indicated that LGBTIQ+ individuals are potentially disproportionately affected by systemic bias in justice systems, experiencing unequal treatment as both victims and offenders (Goldstein, 2001; Knight & Wilson, 2016). This includes discriminatory policing, judicial bias and inadequate responses to hate crimes. Yet, most existing research centred on large jurisdictions like the U.S. or U.K., offering limited insights into smaller contexts like Malta.

In Malta, dominant cultural and religious norms may intensify the marginalisation of gender-diverse individuals. Research showed how transgender individuals, in particular, often mistrust the

justice system and may engage in criminalised activities, such as sex work or drug offences, linked to financial barriers to gender transition (Majd et al., 2009; Poole et al., 2002). Furthermore, LGBTIQ+ individuals frequently reported harassment, misgendering and disrespect from law enforcement, discouraging crime reporting and limiting justice access (Dwyer et al., 2015; Stotzer, 2009). Within correctional facilities, hypermasculine cultures may amplify vulnerability to abuse, particularly for transgender inmates who may be denied hormone therapy, a practice some argue violates human rights (Beck et al., 2012; Edney, 2004). Access to gender-affirming care, including hormone therapy or items such as chest binders, often raises concerns around safety and institutional control. However, denying such access may exacerbate gender dysphoria, legal challenges and psychological distress (Murphy et al., 2023; Sevelius & Jenness, 2017). These dynamics highlight the importance of considering how institutional policies, or the absence thereof, on gender-affirming care can exacerbate the marginalisation and trauma experienced by queer individuals. While queer criminology critiques heteronormative penal frameworks and advocates protections for marginalised identities (Mitchum & Moodie-Mills, 2014), it has been criticised for overemphasising identity at the expense of structural analysis.

Professionals working in the rehabilitative system may often feel compelled to disclose an offender's transgender status, particularly when a custodial sentence is imposed. However, research showed that professionals often lack the training and confidence to sensitively handle disclosures of gender identity (Poole et al., 2002). Drawing on professional experience within the Maltese criminal justice system, this study also observed a lack of training and Standardised Operating Procedures (SOPs) for addressing LGBTIQ+ issues. There is a clear need for formal policies and training frameworks tailored to this population. Research concluded that practitioners must possess 'cultural competence;' an understanding of LGBTIQ+ offenders' needs, challenges and coping strategies (Bishop et al., 2022; Knight

& Wilson, 2016). Thus, balancing institutional security with the rights and dignity of LGBTIQ+ offenders requires clear, evidence-based protocols that prioritise both safety and inclusion.

International Policies and Legislative Frameworks

Countries like Canada and Norway have implemented inclusive justice policies protecting LGBTIQ+ individuals through anti-discrimination laws and correctional reforms (Bill C-16, 2017; Equality and Anti-Discrimination Act, 2017). In Canada, transgender inmates may be placed in facilities matching their gender identity, while law enforcement undergoes sensitivity training to promote respectful treatment (Correctional Service Canada, 2023). Similarly, Norway's legislation prohibits degrading treatment based on sexual orientation (Stortinget, 2020), reflecting a justice model rooted in human rights and equality. However, one can critique these systems for focusing on formal equality, sometimes neglecting the deeper, lived realities of marginalised LGBTIQ+ subgroups.

Conversely, nations such as Uganda and Saudi Arabia criminalise homosexuality under laws that enable state-sponsored persecution. Uganda's Anti-Homosexuality Act and Saudi Arabia's Sharia-based legal system impose severe penalties, including imprisonment and, in some cases, capital punishment (Amnesty International, 2010; Human Rights Watch, 2024). Law enforcement in these jurisdictions may engage in or condone violence against LGBTIQ+ individuals, who also face barriers to legal representation and justice access (Mignot, 2022), violating international human rights standards, particularly protections against discrimination and torture (Council of Europe, 1950).

These contrasting global approaches reveal how cultural and political ideologies shape legal treatment of LGBTIQ+ individuals. While some nations embrace human rights-based models promoting inclusion (Angelo & Bocci, 2021), others uphold punitive systems that reinforce stigma. This disparity underscored the need for international advocacy and reform to safeguard LGBTIQ+ individuals from institutionalised discrimination, especially in jurisdictions where their identities may be criminalised (Farquhar, 2021).

National Policies and Legislative Frameworks

Malta is widely regarded as a leader in LGBTIQ+ rights, consistently topping the Rainbow Europe Map and Index (2024), supported by strong anti-discrimination laws and hate crime protections. However, despite these progressive legal frameworks, the lived experiences of LGBTIQ+ individuals in Malta revealed ongoing challenges. According to the European Union Agency for Fundamental Rights (2024), 8% of LGBTIQ+ individuals in Malta report physical or sexual assault linked to their SOGIESC, suggesting a disconnect between formal protections and lived realities. Additionally, the Malta LGBTIQ Rights Movement (MGRM) has criticised insufficient police responses and called for improved training and awareness (ILGA-Europe, 2022). Societal factors, such as an ageing population and increased migration, may contribute to a less inclusive environment, warranting closer scrutiny of how effectively these laws are implemented.

While legal protections are an important foundation, their enforcement and practical impact on LGBTIQ+ offenders remain subject to criticism. Mallory et al. (2015) cautioned that legal reforms do not necessarily result in equitable treatment, especially where criminal justice personnel lack appropriate training or exhibit bias. Queer criminologists further warned that such reforms can become symbolic gestures unless they result in tangible improvements. Key concerns include the adequacy of prison accommodations, access to gender-affirming healthcare and protection from abuse. Without effective implementation and monitoring, legal measures risk reinforcing rather than addressing marginalisation. A critical approach must therefore assess not only the existence of inclusive legislation but also its real-world application and impact on LGBTIQ+ individuals within the justice system.

Policy Implications and Practical Solutions for LGBTIQ+ Offenders

Research indicated that LGBTIQ+ offenders face systemic challenges within the criminal justice system, including discrimination, safety risks and a lack of tailored rehabilitation services (Knight & Wilson, 2016; Woods, 2017). Addressing these issues requires targeted reforms, particularly in training

law enforcement and correctional staff. While Malta has initiated specialised training and policy strategies such as the LGBTIQ+ Equality Strategy and Action Plan 2023–2027, hate crimes may be underreported due to distrust in authorities and perceived institutional inaction (Comodini Cachia, 2010). A recent report by the European Commission against Racism and Intolerance (2023) recommended that Malta strengthen law enforcement training to address racism and intolerance and establish frameworks for dialogue with migrant communities. However, limited public data exists on the long-term impact of such initiatives.

To improve outcomes, it is proposed that criminal justice professionals undergo ongoing training on gender diversity, inclusive practices and the specific needs of LGBTIQ+ individuals, which can ultimately ensure efficient rehabilitation (Israel et al., 2013). Although 1,800 Maltese officers have received such training (Government of Malta, 2024), the long-term impact and consistency of these efforts require further evaluation. From a practitioner’s viewpoint, multi-agency training has begun integrating LGBTIQ+ perspectives, yet gaps between policy and practice remain evident. Transgender individuals remain especially vulnerable to violence in detention (Carr et al., 2016; McCauley & Brinkley-Rubinstein, 2017). Suggested reforms include gender-affirming housing policies, sensitivity training for professionals, anti-discrimination frameworks and routine human rights audits (Marksamer & Tobin, 2014). However, such reforms are unlikely to succeed without broader institutional culture change, a persistent challenge in Malta.

Current rehabilitation models may also overlook the needs of LGBTIQ+ individuals, particularly those identifying as transgender, non-binary or bisexual (Donohue et al., 2021). Specialised support services, like mental health care, substance use programs and reintegration initiatives, should be tailored to address identity-related challenges (Dispenza et al., 2017; Squatriglia, 2007). Thus, a holistic, intersectional approach is essential to reduce recidivism and ensure that reforms extend beyond symbolic inclusion to substantive equity.

Conclusion

This chapter provided a comprehensive examination of LGBTIQ+ offenders, with particular emphasis on the historical context and the unique challenges faced by this cohort within society and the criminal justice system. While Malta has made considerable strides in advancing LGBTIQ+ rights and mitigating homophobia, notable gaps remain, both in academic literature and in the practical implementation of inclusive justice policies.

Despite growing recognition of LGBTIQ+ issues, much of the existing literature within criminal justice and community services continues to overlook or generalise the experiences of this population (Peterson & Panfil, 2014). This research sought to address this gap by foregrounding the voices of LGBTIQ+ offenders and critically examining the relevance of mainstream criminological theories to their lived experiences. Guided by a queer theoretical framework, this research further sought to challenge dominant norms often embedded in criminological discourse. Through this approach, these structural exclusions were explored through subsequent chapters while critically-inclusive and transformative approaches to justice were advocated for.

Methodology

Introduction

This chapter outlined the research methodology and tools employed to gain insight into the lived experiences of LGBTIQ+ offenders within the criminal justice system. Adopting a qualitative approach, the study sought to capture participants' perspectives and interactions with justice structures. Interpretative Phenomenological Analysis (IPA) was selected to enable in-depth exploration of these personal experiences pivotal to the research.

This chapter also detailed the rationale behind using IPA, outlining research and theoretical frameworks, participant recruitment and data collection methods. To uphold the study's validity and reliability, ethical considerations were thoroughly examined alongside a critical evaluation of methodological strengths and limitations. Furthermore, the researcher's dual role, as both researcher and a professional within the criminal justice system, was reflected upon, emphasising the significance of reflexivity in qualitative research.

Research Question

The principal aim of this study was to explore the lived experiences of LGBTIQ+ offenders and to examine whether intersectional identities shape their interactions within the criminal justice system. The research was guided by the research question: 'How do LGBTIQ+ offenders experience the criminal justice system, and in what ways, if any, do intersectional identities influence these experiences?'.

This question supported the study's broader objectives, which included examining national and international literature on the experiences of LGBTIQ+ offenders and conducting qualitative interviews with LGBTIQ+ offenders to gain a deeper insight into their lived experiences within justice structures. These findings were used to inform policy and practice recommendations aimed at improving inclusivity within the criminal justice system for LGBTIQ+ individuals. Ultimately, the study aimed to fill research gaps and contribute to reforms grounded in intersectionality and justice equity.

Research Strategy

Selecting an appropriate research strategy was vital for ensuring credibility and validity (Opoku et al., 2016). This study adopted a qualitative, interpretivist approach, recognising that exploring LGBTIQ+ offenders' experiences required depth and flexibility rather than numerical analysis (Bayot & Tenny, 2023; Creswell, 2014; Crossman, 2020). This interpretivist stance views reality as subjective and socially-constructed, rejecting the notion of a single objective truth (Creswell & Clark, 2007). Guided by IPA, this research strategy focused on how individuals make sense of complex experiences, particularly those involving identity and justice (Creswell & Clark, 2011; Smith et al., 2021). Despite its time-consuming nature, qualitative inquiry was best suited to capturing these lived realities (Silverio et al., 2020).

Given the socio-legal marginalisation faced by LGBTIQ+ offenders (Donohue et al., 2021), this approach foregrounded participants' voices and explored whether SOGIESC influenced their interactions with justice systems (Nadal et al., 2015). It also aligned with an intersectional, participant-centred lens that values meaning-making within social contexts (Abrams et al., 2020). By combining qualitative research with IPA, the study aimed to produce rich, nuanced insights into LGBTIQ+ identities within justice institutions (Bowen, 2015).

Research Method

Interpretative Phenomenological Analysis (IPA) was adopted as the primary research method within the qualitative strategy, offering both a theoretical and practical framework for exploring personal meaning and context (Willig & Rogers, 2017). Unlike thematic analysis, which identifies broad patterns (Braun & Clarke, 2006), or grounded theory, which generates new theory (Charmaz, 2015), IPA is idiographic and interpretative; prioritising individual experiences before recognising shared meanings, with a double hermeneutic approach involving both participant interpretation and researcher analysis (Dibley et al., 2020).

Data was collected through semi-structured interviews; an unstructured technique that supports open dialogue while guiding the conversation around key themes (Creswell, 2014; Wright et al., 2016). Participants were recruited through purposive sampling to ensure relevance to the study's aims, consistent with IPA's idiographic focus (Beltz et al., 2016). Interviews were audio-recorded, transcribed verbatim and analysed using Smith et al.'s (2021) IPA framework, involving in-depth reading, initial noting, theme development and cross-case comparison to capture both individual and collective meaning. This method ensured the study remained grounded in participants' lived experiences, while effectively examining how identity and justice intersect for LGBTIQ+ offenders.

Interpretative Phenomenological Analysis (IPA)

Interpretative Phenomenological Analysis (IPA) is a qualitative methodology focused on how individuals construct meaning from their lived experiences. Grounded in phenomenology, hermeneutics and idiography, IPA captures subjective perspectives within their socio-cultural context (Smith et al., 2021). Its intersectional lens facilitates uncovering deeper meanings embedded in participants' narratives, highlighting the fundamental 'invariant essences' of experience; core elements that remain consistent across different accounts (Moustakas, 1994; Kirillova, 2018).

This approach was particularly well-suited for exploring the experiences of LGBTIQ+ offenders, whose interactions with the justice system are shaped not only by personal histories but also by systemic discrimination and institutional structures (Nadal et al., 2015). IPA's idiographic focus involved a detailed examination of individual cases before identifying shared themes, allowing for nuanced insight into identity and justice (Darley et al., 2025; Smith & Nizza, 2021). Unlike methodologies that emphasise generalisability, IPA centres on personal narratives, making it ideal for amplifying the distinct voices of LGBTIQ+ individuals in justice contexts (Peat et al., 2019). This aligned with the dissertation's aim to authentically represent participants' lived realities (Smith et al., 2021).

Phenomenology

Phenomenology is a philosophical and methodological approach focused on how individuals experience and interpret the world, recognising the diversity of human experiences (Hanurawan, 2013). Rooted in Husserl's (1913) work, it emphasises the study of lived experience; how people perceive, interpret and assign meaning to their social contexts and histories (Smith et al., 2021).

Husserl's phenomenology rests on three core principles: Epoché, Phenomenological Reduction and Imaginative Variation (Husserl, 1999). Epoché, or bracketing, involves setting aside preconceived assumptions to engage with participants' realities openly (Bednall, 2006; Dörfler & Stierand, 2020; Overgaard, 2002; Roberts, 2019). Phenomenological Reduction focuses on describing experiences as presented, without theoretical bias, to reveal their 'essence' (Farber, 2017; Moustakas, 1994; Theodorou, 2015). Imaginative Variation explores multiple interpretations, helping identify structural and contextual elements underlying the narrative (Jansen, 2020). These guiding principles enhanced the depth of analysis by encouraging a more nuanced understanding of lived experiences.

Heidegger (1927) expanded this approach by integrating an existentialist perspective, shifting emphasis from pure description to interpretation (Churchill, 2021). While Husserl aimed to reveal universal essences, Heidegger argued that experience is inseparable from social, historical and relational contexts (Horrigan-Kelly et al., 2016). This view was central to this study, particularly in understanding how LGBTIQ+ offenders' perceptions of justice are shaped by both institutional systems and cultural attitudes toward gender and sexuality (Nadal et al., 2015; Quay, 2015).

Thus, IPA integrates both descriptive and interpretative elements of phenomenology. It provides a framework for examining how LGBTIQ+ offenders navigate justice systems, construct meaning from their experiences and how their intersectional identities inform these interpretations (Smith et al., 2022). By centring individual narratives within their broader contexts, IPA avoids abstraction and enables a deeper analysis of personal and structural dynamics (Byrne, 2001; Zahavi, 2018).

Hermeneutics

Hermeneutics, as a theory of interpretation, posits that individuals understand their experiences through personal, social and cultural lenses (Smith et al., 2021), a concept exemplified by Heidegger (1927). In this context, the researcher engaged with participants' narratives through an interpretative process shaped by both the participants' meanings and the researcher's interpretations (Horrigan-Kelly et al., 2016). Thus, IPA's double hermeneutic approach involves interpreting how participants themselves make sense of their experiences (Dibley et al., 2020). This dual-layered interpretative dialogue incorporates the researcher's theoretical and cultural positioning, encouraging a deeper engagement with participants' meaning-making (Love et al., 2020). Rather than offering a neutral description, the researcher contributes to the analytical depth through reflexivity and critical insight (Shpet, 2019).

This interpretative process was essential for understanding how LGBTIQ+ offenders perceive and navigate various facets of the criminal justice system. Upholding IPA's idiographic focus, the study concentrated on detailed, individual experiences (Beltz et al., 2016). The researcher engaged in ongoing reflexivity (see Appendix N), critically examining assumptions related to gender, sexuality and power. As participants' narratives challenged normative perspectives, these reflections enriched the analysis and revealed multiple layers of meaning. Ultimately, hermeneutics ensured that findings were nuanced, reflective and contextually grounded, critical for examining the complexities of LGBTIQ+ individuals' justice system encounters.

Idiography

Idiography further centres on the detailed exploration of individual cases before drawing broader insights. Unlike nomothetic approaches that seek universal principles, idiographic research values the uniqueness of each participant's experience, emphasising depth and complexity over generalisation (Beltz et al., 2016). This study applied an idiographic lens by treating each LGBTIQ+ offender's narrative as a distinct case, crucial given the marginalised and diverse identities within this

population (Chan & Farmer, 2017). To uphold this practice, each interview transcript was analysed individually before any cross-case analysis, with coding processes sensitive to socio-cultural contexts and identity markers, thus avoiding premature generalisation (Peck & Mummery, 2019).

Focusing on a small, purposive sample allowed for a case-by-case understanding of how LGBTIQ+ offenders experienced the criminal justice system. This depth ensured that findings captured the intersectionality and diversity within the cohort and avoided reductive conclusions. Upholding idiography throughout the analysis ensured the research remained grounded in participants' lived and context-specific realities (Chan & Farmer, 2017).

Researcher and Participant Relationship in IPA

Considering IPA's double hermeneutic approach, involving the co-construction of meaning between researcher and participant, subjectivity was acknowledged as an integral component of the data analysis process (Smith et al., 2021). This was recognised not as a bias to eliminate but as a lens that shapes interpretation. Nonetheless, critical reflexivity was essential to ensure the researcher's perspective does not overshadow participants' voices (Dibley et al., 2020; Smith et al., 2021). While the concept of bracketing encourages the temporary suspension of prior assumptions (Gearing, 2004), IPA recognises that complete neutrality is unattainable. Thus, the researcher's interpretive framework inevitably influenced analysis, a point elaborated in the reflexivity section (Willig & Rogers, 2017).

Sampling

Given IPA's idiographic commitment, this study adopted purposive sampling to recruit a small, information-rich sample of individuals who self-identified as LGBTIQ+ and had current or past contact with the Maltese criminal justice system (Smith et al., 2021; Smith & Nizza, 2021). Unlike probabilistic methods aimed at generalisability, purposive sampling prioritises depth, enabling participants to offer meaningful insights into their lived experiences (Suri, 2011). The sample was externally homogeneous,

all participants shared LGBTIQ+ identities and justice system involvement, but internally heterogeneous in terms of SOGIESC, allowing for both shared and diverse narratives (Robinson, 2014).

Although small in size, the sample aligned with IPA's methodological strengths, which recommend fewer than ten participants to facilitate detailed, case-by-case analysis (Smith et al., 2021). A target of six to ten participants was set to ensure data richness and mitigate attrition risks (Hennink & Kaiser, 2022). Thus, this targeted approach possibly enhanced the depth and relevance of the findings (Cleary et al., 2014). Sampling was also guided by an intersectional lens, aimed at capturing variation across SOGIESC to reflect diversity within the LGBTIQ+ community (Robinson, 2014). This approach aimed to balance personal experiences with broader socio-legal contexts, acknowledging how intersecting identities influence justice system interactions (Abrams et al., 2020). Nonetheless, the study was constrained by the limited number of eligible individuals willing to participate.

Inclusion and Exclusion Criteria

To ensure sample integrity and methodological rigour, this study employed specific inclusion and exclusion criteria to recruit participants with lived experience as LGBTIQ+ individuals who had interacted with the Maltese criminal justice system (Smith et al., 2021). Eligible participants were required to be at least 18 years old, capable of providing informed consent, and to have had prior or current contact with the Maltese justice system. Although Maltese nationality was not a prerequisite, interaction with the Maltese justice system was essential, given its influence on meaning-making (Ponterotto, 2005). Participants also needed to self-identify as LGBTIQ+ and to have previously disclosed this identity to a trusted professional, such as a caseworker, social worker or therapist, within a collaborating organisation acting as a gatekeeper.

To preserve confidentiality and avoid unintentional 'outing,' disclosure verification was handled indirectly. Gatekeepers confirmed eligibility based on the researcher's criteria without compromising participant identities. They disseminated study information through an infographic (see Appendix A),

with potential participants connected with the researcher through the provision of the researcher's contact details and an information letter (see Appendix D) outlining further study details.

Alternatively, exclusion criteria were established to address ethical and practical concerns. Individuals were excluded if they were under 18, unable to provide informed consent, had not self-disclosed their LGBTIQ+ identity to a professional, or were currently involved in ongoing legal proceedings. Participants with unmanaged or severe mental health conditions or cognitive impairments that could hinder informed consent or meaningful interview participation were also excluded. However, individuals with managed mental health conditions were not automatically disqualified.

A collaborative dual-stage screening process was implemented: initial eligibility screenings were conducted by gatekeepers, followed by preliminary conversations with the researcher to evaluate participants' readiness, communicative competence and willingness to engage in a narrative interview, core to IPA data collection (Smith et al., 2021). Ultimately, all individuals who expressed interest were deemed eligible to participate in the study.

Recruitment Procedure

Following the approval of the research proposal by the Department of Criminology Board of Studies at the University of Malta, ethical clearance was granted by the Social Wellbeing Faculty Research Ethics Committee (SWB FREC) on 24 September 2024, and subsequently by the University Research Ethics Committee (UREC) on 12 February 2025 (see Appendix B).

Recruitment was conducted using purposive sampling, ensuring the inclusion of individuals with lived experiences relevant to the study. Due to the potential stigma and sensitivity associated with these identities (Nadal et al., 2015), participants were recruited through gatekeepers from relevant organisations, including rehabilitation programmes, half-way houses, correctional facilities, advocacy groups, social media platforms and NGOs or other entities working with offenders who may identify as

LGBTIQ+. This strategy ensured ethical access to a vulnerable population while protecting participant autonomy.

To uphold voluntary participation and avoid undue influence, the researcher did not make direct contact with potential participants. Instead, gatekeepers disseminated study information via an infographic and screened interested individuals based on the predefined inclusion and exclusion criteria. Eligible participants were provided with an information letter detailing the study's aims, procedures and ethical safeguards, including the right to withdraw at any point. Individuals who chose to proceed received the researcher's contact details to initiate communication independently. A secondary eligibility screening was conducted by the researcher to confirm suitability for participation. Interviews were arranged at a time and location that suited each participant.

Given the sensitive nature of the topic, ethical safeguards were prioritised throughout. Participants were thoroughly briefed, both verbally and in writing, on their rights, including confidentiality, data security and voluntary participation. All information was available in either Maltese or English, with participants given the choice between an abbreviated or detailed version of the information letter (see Appendices D–G). This flexible approach enhanced accessibility, particularly in recognition of possible literacy differences within the participant group (Kim & Kim, 2015). Written informed consent was obtained prior to each interview through a consent form, also available in either Maltese or English, with the choice between an abbreviated or detailed version (see Appendices H–K).

Recruiting LGBTIQ+ offenders posed several challenges throughout. The small and highly marginalised population of LGBTIQ+ offenders in Malta limited the participant pool. This was addressed by including individuals at various stages of justice system involvement (pre- and post-sentencing) and with differing histories of contact with justice institutions. This broader inclusion strategy helped ensure a wider range of lived experiences was captured while mitigating the limitations posed by the restricted sample size.

Additional barriers arose from institutional reluctance. Some gatekeepers hesitated to support recruitment due to bureaucratic or ethical concerns. This resulted in delays to the ethical approval process and an extended timeframe required to initiate data collection. These were mitigated through sustained engagement with institutional representatives, where the researcher emphasised the study's ethical foundations and potential contributions to policy and advocacy. Transparent communication regarding confidentiality, voluntary participation and data protection helped build trust and secure access (Chaudhuri, 2017). Finally, given the dual marginalisation experienced by participants, recruitment messaging was carefully framed to be affirming and non-judgmental. Emphasis was placed on amplifying participants' voices and valuing their lived experiences, countering fears of stereotyping or exploitation. The flexible consent and information formats further ensured that participation was informed, accessible and empowering (Kim & Kim, 2015).

Gatekeepers

Gatekeepers served as crucial intermediaries between researchers and prospective participants, facilitating access to specific populations while ensuring that recruitment remains ethical and non-coercive (McFadyen & Rankin, 2016). Their role extended to evaluating the appropriateness of participation for individuals, thereby helping to navigate potential power imbalances and safeguarding ethical factors of participants' autonomy, rights and the integrity of informed consent (Singh & Wassenaar, 2016). Gatekeepers played a critical role in facilitating participant recruitment while ensuring ethical compliance and the protection of vulnerable individuals, in this case LGBTIQ+ offenders (Marland & Esselment, 2018).

Gatekeepers were drawn from a diverse range of sources, including rehabilitation programmes, half-way houses, correctional institutions, NGOs, advocacy groups, and social media platforms. All gatekeepers were provided with detailed information about the study, including its aims and clearly defined inclusion and exclusion criteria (see Appendix C). Their role was to identify eligible participants

within their networks and disseminate an information letter outlining the purpose, procedures and ethical assurances of the study. Contact details for the researcher were also provided, enabling interested individuals to reach out independently and voluntarily.

Despite their benefits, the involvement of gatekeepers also carried potential bias. Their discretion in identifying participants may have inadvertently shaped the sample by excluding individuals who did not meet subjective or organisational criteria. To address this, recruitment efforts were diversified by involving multiple gatekeepers from various sectors and supplementing this approach with outreach via social media to enable self-selection. Additionally, ongoing reflexivity was maintained to critically assess how gatekeeper dynamics may have influenced the research process.

Data Collection

Data collection within IPA prioritises the generation of rich, nuanced accounts that illuminate participants' lived experiences (Smith et al., 2021). Thus, semi-structured interviews were employed as the primary method of data collection, offering a balance between structure and flexibility. This format allowed participants to narrate their experiences in their own words while ensuring that the research remained focused on key areas relevant to the study's objectives (Creswell & Creswell, 2022).

Semi-structured interviews were deemed well-suited to exploring the intersection of SOGIESC with criminal justice involvement. The open-ended nature of the interviews encouraged participants to reflect deeply on their personal histories, identities and institutional encounters, fostering a collaborative and dialogic space for meaning-making. This method enabled the researcher to elicit detailed narratives that revealed how LGBTIQ+ individuals make sense of, and respond to, systemic structures within criminal justice contexts. In line with IPA's idiographic commitment, each interview served as a window into the participant's unique perspective, laying the groundwork for both individual and cross-case analysis (Smith et al., 2021).

Data Collection Tool

Semi-structured interviews were employed as the primary data collection tool, offering a balance between structure and flexibility to explore the lived experiences of LGBTIQ+ offenders (Adams, 2015). Unlike structured or unstructured interviews, this approach allowed for guided yet open-ended inquiry, facilitating the emergence of participant-led narratives while ensuring consistency across interviews (Flick, 2018; Smith et al., 2021).

The interview guide was developed through a comprehensive review of literature on LGBTIQ+ offenders and IPA methodology, ensuring theoretical and contextual relevance. It comprised two sections: initial demographic questions to gather background information and foster rapport, followed by thematic prompts. These began with broad, open-ended questions, inviting participants to recount their experiences within the criminal justice system, and progressed to more focused questions on perceptions of legal authorities, institutional support, challenges encountered and suggestions for improving rehabilitative services. Questions were made available in both English and Maltese to ensure accessibility (see Appendices L-M).

Open-ended questioning empowered participants as experts of their own experiences, supporting spontaneous storytelling central to IPA (Smith et al., 2021). The researcher engaged interpretatively, using active listening and flexible probing to capture nuanced insights. This method, particularly suited to sensitive topics and marginalised populations, helped foster participant comfort and confidentiality, and could even offer therapeutic benefits (Bahner & Lindroth, 2023; Creswell & Creswell, 2022; Dempsey et al., 2016). Overall, semi-structured interviews effectively balanced structure and flexibility to prioritise participants' voices while addressing key research themes (Smith & Nizza, 2021).

Data Collection Process

Participants selected their preferred time and location for interviews, ensuring comfort and convenience. To accommodate accessibility, they were offered the choice between in-person and online formats, with all participants opted for face-to-face interviews. These were conducted in private, neutral locations such as community centres or confidential meeting rooms to foster a safe, non-judgmental environment (Wakelin et al., 2024). Each session began with a review of the information letter and consent form and a verbal explanation to ensure comprehension (Heerman et al., 2016; Kim & Kim, 2015). Each interview lasted 45 to 60 minutes, while some extended beyond this duration due to participant engagement and willingness to share their experiences.

Establishing trust was prioritised throughout, with strategies such as transparent consent procedures, reassurances of confidentiality and explicit reminders of the right to withdraw at any time. Participants were invited to share their preferred names and pronouns at the outset, promoting respect and affirmation of identity (Miller, 2019). Open-ended questions enabled participants to speak freely without judgment. Furthermore, the researcher avoided leading questions and responded sensitively to emotional cues, ensuring neutrality and participant comfort. Active listening techniques, including reflective summaries and verbal affirmations, were also employed to validate narratives and foster supportive dialogue (Lavee & Itzchakov, 2021).

Given the potential for sensitive topics to emerge, interviews were conducted using a trauma-informed approach, ensuring that participants retained control over the depth and scope of their disclosures (Alessi & Kahn, 2022). This included offering participants the option to skip any questions and reminding them that they could pause or stop the interview at any time without explanation. Additionally, interviews began with building rapport and a sense of psychological safety before moving into more personal questions.

Pilot Study

A pilot study was conducted prior to the main data collection to evaluate the feasibility of the interview questions, assess participant engagement and identify potential challenges (Malmqvist et al., 2019). While no significant revisions were required, feedback indicated that some questions lacked clarity, particularly due to discrepancies between the English and Maltese versions. Accordingly, questions were slightly revised to enhance clarity and inclusivity, ensuring they could effectively capture the nuances of participants' experiences (Johnson et al., 2020). The pilot study also underscored the importance of a comfortable, non-judgmental environment, especially when exploring sensitive issues related to LGBTIQ+ identities (Dempsey et al., 2016). As a result, the researcher remained attentive to ensuring interviews were conducted in secure, private settings to promote participant ease. Data from the pilot study was securely deleted upon completion.

Data Analysis

With informed consent, all interviews were audio-recorded and transcribed verbatim by the researcher. Though time-intensive, this process enabled deep engagement with participants' narratives and ensured analytic accuracy (Smith & Nizza, 2022). Data analysis followed the six-stage IPA framework proposed by Smith et al. (2021), beginning with an idiographic, case-by-case approach before identifying cross-case patterns.

The first stage involved repeated readings of each transcript to gain familiarity and maintain participants' voices at the centre of analysis (Adams, 2015). Transcripts were printed and manually annotated, with initial notes and observations recorded in the margins, enabling the researcher to identify key details that might otherwise be overlooked (Smith et al., 2021). For example, a participant's reflection on "being looked at differently" was marked for its potential thematic significance, highlighting perceptions of visibility within justice systems.

Next, exploratory coding was applied using three layers: descriptive (explicit content of participants' narratives), linguistic (use of language) and conceptual (interpretative meaning) (Smith et al., 2010; Smith et al., 2021). Annotations were colour-coded by type, enabling systematic differentiation. Table 1 presents illustrative examples of this coding, organised according to the Personal Experiential Themes (PETs) identified in a participant's narrative. Following initial coding, emergent experiential statements were identified, a process known as 'abstraction.' This involved translating coded data into concise thematic statements that captured meaning while preserving fidelity to participants' accounts, marking a transition from analysing discrete words or phrases to engaging with broader conceptual interpretations (Pietkiewicz & Smith, 2014; Smith & Nizza, 2021). The researcher physically cut out and clustered colour-coded statements to visually map patterns across the data, allowing for inductive theme development and a gradual move to a cross-case analysis.

The fourth stage involved connecting emergent themes within each transcript. PETs, coherent thematic categories synthesising multiple experiential statements, were constructed for each case (Smith & Nizza, 2021), with each PET typically encompassed three to five experiential statements. For one participant, PETs included: Visibility, Navigating the Justice System and Institutional Stigma. These PETs were mapped visually to identify connections between them and ensure that the participant's lived context remained coherent. This process was repeated for each case, with the researcher bracketing off prior interpretations to maintain an idiographic focus and avoid premature generalisation (Peck & Mummery, 2019).

Finally, a cross-case analysis was conducted to develop Group Experiential Themes (GETs). PETs were re-clustered across participants to identify commonalities and divergences in experiences (Smith et al., 2021). The aim was not to generalise, but to explore how individuals with shared structural positions navigated similar systems, building a coherent and interpretative narrative grounded in participants'

lived experiences. The final GET table (Table 3) synthesised these themes and formed the analytical foundation for the following chapter.

Table 1

Example of Personal Experiential Theme (PET)

Verbatim Quote	Initial Comments	Experiential Statement
<i>“Trans going into prison, the first time, with men... so it wasn’t something easy. You have to be a survivor!”</i>	Descriptive: challenge of institutional transition	Sense of vulnerability and the need for resilience
	Conceptual: gendered power dynamics, resilience and survival in hostile environments	
	Linguistic: emotional weight	
	Descriptive: distressing experience in prison	
<i>“The burning of the clothes. They burned my clothes in my cell. And my TV. They threw water in my TV... I went through a lot, I did.”</i>	Conceptual: violation, powerlessness, and dehumanisation	Feelings of institutional violation, helplessness and emotional distress
	Linguistic: repetition of “burned” suggests emotional impact	
	Descriptive: abusive relationship	
<i>“This man, because he used to sell drugs, I used to prostitute myself, he used to hit me. I thought I had a man... because I was living with a man, I felt more of a woman.”</i>	which validates gender identity	Intersectionality between abuse and validation of gender identity
	Conceptual: intersections of abuse, gender affirmation and self-worth	
	Linguistic: conveys emotional vulnerability and internal conflict	

Ethical Considerations

Given the sensitivity of this research topic, rigorous ethical protocols were followed to safeguard participants' well-being, autonomy and confidentiality. Ethical approval was secured from the University's Research Ethics Committee, ensuring adherence to institutional and broader social research standards. Researching 'hidden populations,' such as LGBTIQ+ offenders, presented challenges as many may conceal their identities due to stigma, complicating participation and contributing to gaps in existing research (Benoit et al., 2004).

This study paid particular attention to participants' intersectional vulnerabilities, recognising the compounded stigma of being LGBTIQ+ with a criminal history. These dual marginalisations required careful management of power dynamics and sensitivity to the risk of re-traumatisation. Accordingly, the research was grounded in ethical principles of beneficence, non-maleficence, informed consent and confidentiality (Berkovic, 2023).

Confidentiality and Data Protection

All data were managed in compliance with the General Data Protection Regulation (GDPR) and the University of Malta's Research Ethics Review Procedures and Code of Practice. A Research Ethics and Data Protection (REDP) self-assessment and Data Management Plan were also submitted and approved before research commenced. Participants were informed of their rights to access, amend or delete their data before pseudonymisation or publication.

Given Malta's small population and the limited visibility of LGBTIQ+ offenders, strict measures ensured participant anonymity. Pseudonyms, such as Participant 1 or P1, were assigned and used consistently, with identifiable details omitted without compromising data integrity. This was maintained throughout data collection, analysis and dissemination.

Digital files, including recordings and transcripts, were encrypted and stored on password-protected devices, with offline backups and restricted access limited to the researcher, supervisor, and, if

required, examiners. Devices used were protected with updated antivirus software and encryption, and consent forms were stored securely in a locked cabinet. All data will be permanently deleted by 2026, with only pseudonymised data retained in the dissertation, which will be publicly available at the University of Malta library. Additionally, interview quotations used in the dissertation ensured transparency while preserving anonymity.

Managing the Emotional Impact of the Study

Recognising the potential emotional toll of recounting marginalisation, discrimination or trauma (Jaffe et al., 2015), the study prioritised participant well-being through a trauma-informed interview approach that centred empathy, active listening and participant control over the conversation's pace and content. To further safeguard participants' mental health, participants received a list of LGBTIQ+ support services, helplines and community organisations in Malta (see Appendix O) at the end of each interview. Where visible distress emerged, the researcher was prepared to pause or end the session and, with consent, refer participants to appropriate support resources.

Researcher Bias

Conducting this research as a Probation Officer within the criminal justice system presented ethical considerations, particularly regarding role conflict between professional and researcher and power dynamics that could affect participant openness (Fleet et al., 2016). The researcher's position may have influenced responses, with participants potentially concerned about judgment or perceived consequences, despite the research being unrelated to their legal circumstances (Ward, 2012). There was also a risk of unconscious bias shaping interpretation through institutional lenses rather than participants' lived realities. To mitigate these issues, the researcher maintained a clear boundary between academic and professional roles. Participants were informed that the study was independent of any legal or supervisory duties, and no individuals with current or prior supervisory relationships with the researcher were recruited, minimising power imbalances or conflicts of interest.

Additionally, the researcher's LGBTIQ+ identity also introduced a dual positionality. While shared identity enhances rapport and trust (Berger, 2015), it carried the risk of over-identification or bias in interpretation. To mitigate this, ongoing reflexive strategies were employed, including reflexive journaling, bracketing assumptions and reviewing coding decisions to uphold analytical integrity and ensure participant narratives remained central to the study (Probst & Berenson, 2014).

Research Validity and Reliability

Reliability and validity are fundamental concepts that evaluate the effectiveness of a research method in measuring phenomena. Reliability refers to the consistency of a method, while validity concerns its accuracy in capturing the intended phenomenon. To enhance validity, the study drew on multiple data sources and was informed by established theoretical frameworks to guide data collection and analysis (Cohen et al., 2007). Reliability was supported through a systematic research protocol outlining clear procedures for data collection, interpretation and analysis. Detailed documentation of all research stages ensured transparency and potential reproducibility (Noble & Smith, 2015). Aligned with Guba and Lincoln's (1985) criteria of credibility, transferability, dependability and confirmability, the study aimed to ensure trustworthiness by authentically representing participants' voices, offering rich contextual descriptions, maintaining a transparent audit trail and employing reflexive strategies to minimise researcher bias.

Reflexivity and Bracketing

Reflexivity enhances qualitative research by promoting self-awareness of how a researcher's assumptions, background and emotions may influence the process and findings (Levitt et al., 2021). Acknowledging personal characteristics, such as the researcher's interest in LGBTIQ+ issues and criminal justice experience, helped maintain awareness of potential biases that could shape data collection or interpretation (Berger, 2015). Assumptions made before interviews, particularly about justice and

institutional barriers, were critically examined throughout to minimise undue influence and maintain sensitivity to participants' lived realities (Reid et al., 2018).

The researcher's positionality, as both insider and outsider, was considered in terms of its effect on engagement, question framing and interpretation (Dodgson, 2019). Reflexivity was maintained throughout the research process, including bracketing (Smith et al., 2010), allowing participant perspectives to emerge authentically. Reflexive journaling (see Appendix N) supported this process by capturing emotional responses, evolving insights and potential biases, especially those linked to the researcher's LGBTIQ+ identity (Karcher et al., 2024; Meyer, 2018; Nelson, 2020). For example, the researcher recognised moments when their own LGBTIQ+ identity led to a deeper empathy for participants, which could have influenced the interpretation of sensitive topics.

To further ensure objectivity, peer debriefing with colleagues or mentors and supervisor consultations offered critical feedback, highlighting blind spots and emotional influences (McMahon & Winch, 2018). For instance, discomfort experienced during interviews prompted revisions in analytic approach to enhance neutrality (Berger, 2015). Member checking was also used, inviting participants to confirm that interpretations aligned with their experiences, ensuring their voices remained accurately represented (McKim, 2023).

Conclusion

This chapter outlined the study's methodological framework, explaining its justifications and alignment with the research aims. Interpretative Phenomenological Analysis (IPA) was adopted for its emphasis on exploring lived experiences, offering a nuanced lens to understand how LGBTIQ+ offenders navigate the criminal justice system. Its idiographic focus enabled in-depth, case-specific exploration of participants' intersectional identities (Willig & Rogers, 2017), deemed suitable for this study.

Sampling strategies, data collection and analytic procedures were developed to uphold ethical standards and methodological rigour. Key ethical concerns, such as confidentiality, the researcher's dual

role and reflexivity, were addressed to ensure integrity and credibility. IPA's interpretative element also allowed the researcher to engage both with personal meanings and wider socio-cultural contexts in participants' narratives. Together, these methodological choices laid a strong foundation for the following chapter, which presented the thematic findings and examined the lived experiences of LGBTIQ+ offenders within Malta's criminal justice system.

Findings and Discussion

Introduction

This chapter presented an interpretative account of five participants' lived experiences as LGBTIQ+ offenders in the Maltese criminal justice system. Employing IPA as outlined by Smith et al. (2022), the chapter explored Group Experiential Themes (GETs) emerging from idiographic narratives framed through a double hermeneutic process. Central to the discussion are the intersecting dynamics of identity, power and marginalisation, drawing on theoretical frameworks such as intersectional identities and queer theory contextualised within Malta's unique socio-legal landscape.

While each participant recounted a distinct personal experience, shared patterns emerged through the analytic process, revealing both common threads and significant divergences in lived experiences. These are presented through four Group Experiential Themes (GETs), each comprising sub-themes that further illuminate the nuanced ways LGBTIQ+ identities intersect with justice processes (Table 3). To preserve the authenticity and depth of participants' voices, direct quotations are presented in English, including translated excerpts from interviews originally conducted in Maltese. The integration of findings and discussion reflects a commitment to maintaining an idiographic lens, while engaging critically with broader systemic and theoretical implications.

Demographic Information

A total of five individuals participated in this study. The sample comprised of two transgender women, two cisgender women and one cisgender man. In terms of sexual orientation, two participants identified as heterosexual, two as lesbian and one as bisexual. Participants varied in age, reflecting a range of life stages and experiences. All had been involved in the Maltese criminal justice system in some capacity, with their experiences encompassing a variety of services, including prison, probation services

and drug rehabilitation programmes. Table 2 provides a concise overview of each participant's demographic profile, offering contextual grounding for their lived experiences and supporting the subsequent analysis by situating individual narratives within their socio-structural realities.

Table 2

Demographic Characteristics of Participants

Participant	Gender Identity	Sexual Orientation	Age	Services
P1	Transgender Female	Heterosexual	54	Criminal court Police Prison Probation services
P2	Cisgender Female	Lesbian	21	Criminal court Police Probation services
P3	Cisgender Female	Lesbian	18	Criminal court Police Probation services
P4	Transgender Female	Heterosexual	50	Criminal Court Police Prison Probation services
P5	Cisgender Male	Bisexual	37	Drug rehabilitation services Criminal Court Police Probation services

Note. Gender identity and sexual orientation were self-reported.

Group Experiential Themes

Table 3 presents a summary of the core findings emerging from this study. Each GET, along with its corresponding sub-themes, were examined in detail throughout the chapter. These themes encapsulated both convergent and divergent aspects of participants' lived experiences, representing interpretative insights generated through a rigorous, idiographic analysis of individual cases, followed by a cross-case thematic synthesis.

Table 3*Presentation of Group Experiential Themes (GETs) and Subthemes*

Master List of Group Experiential Themes	
Group Experiential Theme	Subthemes
Navigating Systems of Justice as “The Other”	Courtroom Visibility and Vulnerability Institutionalised Discrimination in Prison Homophobic and Transphobic Policing
Professionalism and Pockets of Inclusion	Positive Relationships with Professionals Call for Affirming and Inclusive Support Services
Enduring Societal Judgment and Stigma	Social and Online Harassment Being ‘Too Visible’ in Society
Resilience, Identity and Systemic Growth	Owning Queer Identity in Hostile Contexts Resistance and Advocacy

Navigating Systems of Justice as “The Other”

Participants in this study recounted experiencing aspects of the criminal justice system as spaces of exclusion, exposure and control; shaped not only by their offences but by their gender and sexual identities. Their narratives suggested that the Maltese criminal justice system is often perceived as discriminatory. Rather than viewing justice institutions as neutral, several participants interpreted them as sites where queerness becomes subject to surveillance, hypervisibility and punishment. As Participant 3 expressed, "they don't treat people like us well!", while Participant 4 recalled, "they didn't treat me well! It wasn't a nice thing; they take away your dignity, they take away your rights!" Although these statements are subjective, they reflect deeply felt perceptions of institutional injustice. These experiences emerged through three subthemes; (1) Courtroom Visibility and Vulnerability; (2) Institutionalised Discrimination in Prison; and (3) Homophobic and Transphobic Policing.

Drawing on queer theory and Foucault's (1978) work on discipline and power, this theme explored how LGBTIQ+ individuals are marked as "other" through misgendering, stereotyping and targeted policing. Participant 3's assertion, "the police do whatever they want with people. The police

need to change their attitude!" illustrates the tension some participants felt in everyday encounters with law enforcement. This perceived targeting may be understood as part of a broader system of social control (Ball, 2016; Foucault, 1978), although further evidence would be required to definitively attribute this treatment solely to gender or sexual identity. For instance, Participant 1's declaration "I don't have faith in justice! Nothing!" reveals a profound sense of institutional mistrust. While this cannot be generalised, it offers insight into how one individual constructs meaning from their contact with the justice system. Marchi et al. (2024) argued that feelings of dehumanisation and misrecognition are common among marginalised populations, and such concepts appear relevant to several participants' reflections.

While broader theoretical frameworks help contextualise these findings, analysis remains idiographic, aiming to understand each participant's unique perspective. As Participant 5 reflected, "I don't think the system will ever change, but one can hope it does!" The following subthemes unpacked how vulnerability and discrimination may manifest within these systems.

Courtroom Visibility and Vulnerability

Participants frequently described the courtroom as a space of heightened visibility, often leading to discomfort and emotional exposure. The formal and performative nature of legal proceedings often left participants feeling scrutinised and judged not just for their alleged offence, but also for their LGBTIQ+ identity. This perception may be understood as part of the meaning-making process individuals undertake in response to a stressful environment. As Participant 5 reflected, "it's like being outed with people... even if you are not open. Since in Malta everyone knows everyone, for someone to know you.... That's why I felt a bit uncomfortable. I wish there was some privacy." This sense of exposure seems to align with Goffman's (1964) concept of 'discredited identity,' wherein stigmatised attributes, such as queerness, become dominant in social perception. Within the Maltese context, often described as close-

knit and conservative, courtroom visibility seemed to carry social risks beyond the legal consequences of their cases (see also Duran, 2025; Hsu, 2022).

For several participants, being ‘outed’ in court appeared to be a perceived consequence of procedural requirements. Disclosure of SOGIESC, whether through misgendering, questioning, or official documents, was experienced as deeply intrusive (Brower, 2007). As Participant 5 elaborated: “maybe you are trying to live your life not out in the open... So, the fact that you are there and you have no choice... it’s that more than anything. More than being afraid, it’s feeling ambushed.” This quote illustrates how participants interpreted their courtroom experiences as removing agency over how and when their identities were disclosed, a key concern for LGBTIQ+ individuals (Ryan, 2017). Courtrooms, which are meant to deliver impartial justice, instead became potential spaces where gender and sexuality were scrutinised, questioned or made central to proceedings in harmful ways. These experiences may create a profound sense of alienation and emotional distress (Woods, 2017).

Participants were acutely aware of the institutional gaze; potentially being watched or judged based on preconceived stereotypes related to their gender and sexual identity. As Participant 2 explained, “at court, I felt the eyes on me. Because I was wearing a shirt, my hair pulled back... masculine-looking. They gave me looks!” Contrary to the ideals promoted by queer visibility politics, this visibility was experienced by most participants not as empowering, but as disempowering. Visibility is seen as a double-edged sword, in which it can provide representation, social recognition and political power, but it can also expose LGBTIQ+ individuals to institutional discrimination (Redburn, 2022). For transgender participants especially, bodily appearance, voice or mannerisms may become focal points, reinforcing a sense of disempowerment (Snorton, 2017).

This led to some participants feeling the courtroom was less about justice and more about punishment for non-conformity. Participant 1’s remark “court won’t change... like the lawyers nowadays they only see money”, indicates disappointment with the legal outcome and perceived systemic

processes. Such views, while deeply personal, suggest that participants experienced the justice system as shaped by broader societal structures, a point echoed in critical legal and queer criminology literature (Woods, 2017; Ball, 2016). This perception of a system driven by bias and profit, rather than fairness, was echoed in P1's reflection on their case: "Over a small thing, I lost my job with the government... they could've given me a chance." It reinforced the perception that being queer in a courtroom equated to being 'othered,' rendered vulnerable under the gaze of both the law and society (Knight & Wilson, 2016).

While some participants described feeling emotionally unsafe in court, it is important to interpret these accounts with caution. Such narratives reflect participants' meaning-making processes and their subjective experiences rather than objective causality. For instance, the emotional intensity of P1's account, "there was something that they didn't like in me and they wanted to break me and put me in prison," suggests a perceived link between queer identity and punitive treatment. However, it cannot be definitively concluded that legal experiences were directly influenced by identity alone. Moreover, the researcher interpreted how participants themselves are making sense of their own legal experiences (Smith et al., 2021). It is more accurate to interpret such statements as revealing how participants perceived justice as being intertwined with broader socio-cultural biases (Knight & Wilson, 2016). This suggests that LGBTIQ+ offenders may perceive the justice system through the lens of prior marginalisation, shaping how they interpret legal processes. In relation to the research question, it highlights how intersectional identities influence experiences and perceptions of justice systems. In Malta's cultural context, these perceptions may reflect broader societal stigma toward non-normative identities.

Institutionalised Discrimination in Prison

Participants' narratives suggested that gender non-conformity was not simply misunderstood, but perceived to be actively policed within justice institutions. In particular, accounts of incarceration

highlighted institutional practices that either neglected to acknowledge or appeared to invalidate participants' self-defined identities.

Misgendering was described as a frequent occurrence, which participants perceived not as a mere linguistic error but as part of a broader system that participants interpreted as invalidating and controlling, aligning with research suggesting that misgendering can function as a form of structural violence (Argyriou, 2021; Bradford et al., 2012). Participant 4 recounted how, during her incarceration, she was placed in a male prison division because her identity card had not yet been changed, "At first, I was scared... trans going into prison, the first time, with men... so it wasn't something easy. You have to be a survivor!". Her emotional account suggests that this misplacement not only exposed her to physical danger, which she later recounts as an episode of rape, but reflected what she interpreted as an institutional refusal to recognise her gender identity unless substantiated by formal documentation (Coppola & Masullo, 2023; Swannell, 2020).

This dynamic may be understood through Butler's (1990) theory of 'gender performativity,' which conceptualises gender as something enacted through social recognition rather than biologically fixed. Within carceral and legal contexts, this recognition is often conditional, potentially reinforcing cisnormative assumptions that equate legal or medical documentation with 'real' gender (Horton, 2024; Rodgers et al., 2017). P4's narrative highlights the emotional and physical toll of this erasure: "They treat you as a man, not a transgender woman! Even though I was [later] with the women, I was effeminate and presented female, they treated me like a man. They still referred to me as a man. I was 'he!'". This perceived refusal of recognition may be viewed as contributing to the participant's sense of psychological distress and erasure. However, while the narrative powerfully illustrates individual experience, it remains difficult to conclusively determine institutional intent. Rather, her interpretation of systemic misrecognition offers insight into how institutional practices are experienced by those they affect.

The issue of classification based on legal identification emerged as a key site of tension, particularly in decisions about housing and dignity. While some, like Participant 1, chose to remain in male facilities, “I told them I don’t want to go with the women, I wanted to stay with the males”, others like Participant 4, found themselves struggling in both settings; “Transgender with 50 women... for me, it wasn’t easy.” These divergent experiences underscore how participants interpret the complex impact of binary, sex-segregated systems. This suggests that such systems often leave trans individuals forced to choose between physical safety and psychological affirmation (Marchi et al., 2024), a theme reflected in these accounts.

Participants also indicated that everyday routines, such as showering, became symbolic arenas of marginalisation. P4 recounted being limited to showering only once per day at a specific time: “They made a system... that trans women shower only once at the 6:30 time and I did not accept that... if my ID Card is female, I didn’t want more than you, I wanted the same as a woman. I am a woman! I want to shower at whatever time I want like the others.” This account suggests that institutional gatekeeping, through regulation of access to basic facilities, was perceived as a means of controlling gender expression and reinforcing hierarchies of legitimacy (Hughto et al., 2018). Notably, this incident led to legal action, resulting in a court ruling deeming the treatment inhuman and degrading (Agius, 2018). While such rulings lend institutional weight to individual experiences, they also demonstrate that systemic change often relies on individual resistance. As P4 reflected, “I stood up because if you don’t, they will walk all over us.”

This moment of resistance illustrated participant agency, a key concern when exploring how individuals negotiate power within oppressive structures. This aligns with what Spade (2011) and Bhanji (2020) critiqued as the ‘bureaucratisation of gender’, where institutions rely on rigid documentation and binary frameworks that often marginalise trans and non-binary individuals. The cumulative impact of misgendering and bureaucratic exclusion was described as profoundly traumatic. Participant 4’s

reflections encapsulated this paradox: “I used to get so tired outside [in the community] that I wanted to go back to prison... but I had bad experiences in prison... rape, I had rape, beatings... they burned my clothes in my cell.” Her story illustrated the stark contradiction that a space which felt more ‘predictable’ than life in society was also one in which she endured systemic and interpersonal violence, often enabled or ignored by institutional structures (Davies & Rowie, 2023). However, it remains important to recognise the deeply subjective nature of this interpretation and that causality cannot be assumed solely on the basis of SOGIESC.

Ultimately, participants’ accounts suggested that legal and penal systems may be experienced as sites where cisnormativity is actively maintained. These systems may contribute not only to the misrecognition of trans and gender-diverse people, but also to their vulnerability to physical and psychological harm. This highlights the need for institutional reform that centers inclusive practices and protections from both symbolic and physical violence.

Homophobic and Transphobic Policing

Participants’ accounts consistently suggested how their queer identities shaped their encounters with law enforcement. Far from being neutral agents of justice, the police were described as enforcers of normative gender and sexual identities, engaging in what participants perceived as targeted policing and overt homophobia. This perceived hostility appeared to create an atmosphere of fear and mistrust, where individuals felt scrutinised and punished not only for alleged criminal behaviour but for their existence as LGBTIQ+ individuals.

Participant 3 explicitly recounts a phrase repeatedly said to her by a police Inspector; “He bothered me! He said ‘they call me liba, they call me kelb, they call me aħdar but they don’t ever call me pufta!’ It was nonsense. Paroli fil-vojt!” This quote may be interpreted as reflecting deeply embedded homophobic language, which arguably serves to dehumanise queer identities and assert power. This moment offers insight into how the participant made sense of their devaluation by authority figures.

Drawing on Goldberg et al. (2019), verbal abuse may act as a form of symbolic violence, reinforcing the perception that queer individuals are marginalised and also actively targeted by law enforcement. These narratives echo Giles et al.'s (2021) and Girardi's (2021) analyses, which proposed that policing can reproduce broader societal prejudices, particularly through the regulation of gender and sexual expression.

Applying Foucault's (1978) theory of surveillance and disciplinary power, law enforcement can be seen as a mechanism of social control, enforcing cis-heteronormative standards through monitoring and behavioural regulation. Participants' narratives suggest that queer bodies are disproportionately subjected to scrutiny, often through dismissive language and psychological pressure (Stephens, 2021). Yet, these interpretations are co-constructed by both the participant and researcher, requiring reflexivity and caution in assigning causality. This ongoing surveillance and perceived discrimination may contribute to what is termed minority stress (Meyer, 2013); the elevated stress experienced by sexual and gender minorities due to chronic exposure to stigma and marginalisation. This may contribute to adverse mental health outcomes, including anxiety, depression and trauma. While the participants in this study did not always articulate these outcomes explicitly, their narratives appear to reflect some of the stressors outlined in minority stress theory (Schwartz et al., 2022).

Participant 2's account illustrates this perceived vulnerability, describing an officer who was "very homophobic": "Because he saw me with my short hair and dressed masculine. He said 'just because you dress pretending you are a woman...' He was very homophobic! But I didn't confront him because if I did, trust me it would have worked against me." While the participant interpreted this as hostility based on gender expression, it is important to recognise that the officer's intention is not independently verifiable. Still, the participant's decision not to confront the officer reflects a broader concept of fear of reprisal, which may reflect perceived power imbalances and protective silence (Goldberg et al., 2019).

The use of what appeared to be psychological tactics further compounded participants' sense of vulnerability. P2 recounted how police threatened to sow distrust within her same-sex relationship: "He even tried to turn me against my girlfriend. He was like 'your girlfriend is exposing you' and he did the same thing with her. He even said ... 'now we see how long your relationship lasts... 2 women!'" While this quote cannot be generalised beyond the individual case, it may suggest how such tactics extend beyond standard policing, revealing an intention to destabilise queer relationships and identities. Participant 3 also reported: "I told them that I was going to appoint a lawyer for us both and they didn't tell my girlfriend anything! The Inspector started shouting when he saw me speaking to her. He said 'no one is going to defend you! No one is going to stick up for you!'" For me that's offensive!" Such incidents were experienced by the participants as violations of both rights and dignity.

Professional misconduct was also reported, such as P5's observation: "I even saw police officers laughing slyly... when a trans person passed, they laughed. If a person is professional, these things shouldn't happen! So you have to pay attention that when you put on a uniform, you are representing an institution." While this reflects a subjective interpretation, it aligns with meta-analytic research showing that microaggressions in institutional contexts can reinforce feelings of marginalisation among trans individuals (Marchi et al., 2024). This issue continues to be pervasive in Malta, with the Malta LGBTIQ Rights Movement (MGRM) articulating significant concerns regarding inadequate responses and training from law enforcement authorities (ILGA-Europe, 2022).

Collectively, these narratives do not claim to represent universal truths but rather illuminate how participants make sense of their lived experiences within policing systems. These accounts suggest that policing can function as a site where dominant norms are reinforced, often through perceived hostility, intimidation or neglect. These experiences may reflect the intersection of identity, power and vulnerability, contributing to broader cycles of marginalisation.

Professionalism and Pockets of Inclusion

In contrast to the dominant narratives of marginalisation, discrimination and systemic violence reported by participants, some accounts suggested the presence of ‘pockets of inclusion’; moments in which individuals experienced affirmation, respect and a sense of relational safety. Although limited in frequency, these moments appeared to carry considerable emotional meaning for participants. Rather than being indicative of systemic change, they were often experienced as isolated yet meaningful instances of ethical and inclusive engagement, reflecting what might be termed micro-resistance; small but intentional acts by professionals committed to humanising practice.

Participant 1 shared a lasting connection with a professional who appeared to offer care beyond institutional obligations. The emotional weight of this connection is clear in their words: “she used to take care of me a lot, even till today. She calls and checks if I need anything. I always respected that woman as she was a pillar for people. I will keep thanking her to my death!” The participant’s interpretation suggests a deep appreciation for the human connection fostered within an often dehumanising system.

Similarly, Participant 3 distinguished between hostile encounters with law enforcement and more affirming interactions with social service professionals, stating that “not all of them are like the police. Other professionals are welcoming, they are very nice. They talk to us, they accept us, they know I am lesbian and I have a girlfriend. They show us love and want the best for us!” While the participant’s sense of being accepted appears to shape their interpretation of inclusion, it remains open to interpretation whether the professionals’ positive behaviour was driven by awareness of sexual identity, or broader professional ethics.

These narratives powerfully demonstrate how perceived care, recognition and non-judgmental engagement can foster trust and belonging, particularly within systems typically experienced as alienating. It is not just an acknowledgement of their LGBTIQ+ identity, but being seen and not judged;

what scholars have described as ‘recognition as a form of justice’ (Fraser, 2000). This concept of micro-resistance resonates with the concept of restorative justice, highlighting the significance of positive relationships with criminal justice professionals (Mogul et al., 2011).

The subthemes that follow explore how these moments of inclusion were experienced through interactions with individual professionals and access to inclusive services. While these examples should not be overgeneralised, they point to the potential transformative impact of relational encounters. Future research may wish to examine the conditions under which such experiences emerge, and whether they represent institutional shifts or exceptional instances of individual allyship.

Positive Relationships with Professionals

Participants highlighted how supportive interactions with professionals may serve as moments of micro-resistance offering dignity and agency in an otherwise oppressive system (Payne et al., 2020). Participants described professionals who actively affirmed their identities through non-judgmental practices and care in various services, such as, drug rehabilitation services, probation services and prison. For example, Participant 1 reflected on their experience in prison: “Never did they treat me differently... I always saw big respect from them. I used to take hormones in prison; they always gave them to me and the service I required. And to others like me too.” This could be interpreted as an example of identity-affirming care that the participant associated with feelings of respect and inclusion.

Similarly, Participant 4 described a positive relationship with a keyworker: “I don’t have anything bad to say about [them]. My keyworker used to ask, ‘How are you?’... I used to talk to her, and she helped me a lot! I didn’t feel like a woman... [but] they welcomed me with open arms and respected me. I felt safe speaking with them.”

These accounts may align with Fraser’s (2000) concept of recognition as justice, where being acknowledged without judgement constitutes a form of social justice. This is particularly pertinent for marginalised individuals, such as LGBTIQ+ offenders, who navigate intersecting forms of disadvantage

stemming from both their criminal status and their SOGIESC (Paik, 2017; Sumerau, 2023). However, its application must be treated cautiously, given its theoretical rather than empirical foundation. These narratives also suggest that affirming care may align with the principles of restorative justice, which prioritise repair, accountability and reintegration (Braithwaite, 2003; Van Ness et al., 2022). Yet, this interpretation must also remain tentative as while participants appeared to value these interactions, the extent to which they foster long-term trust in institutions remains unclear and underexplored. Moreover, while some studies highlight the benefits of affirming care (Mallory et al., 2015; Zehr & Mika, 2017), more empirical work is needed on its specific impact within carceral settings.

Professionalism emerged as a recurrent theme in participants' reflections, often linked with inclusivity and respect. Participant 5 described this by reflecting on their treatment throughout the criminal justice process: "They were very professional! From the moment I was arrested until I was interrogated at the Depot and everything, I didn't feel there was different treatment." Similarly, P2 noted how professionals "never even tried to ask what I am... if I'm a lesbian... they accept me and my girlfriend and loads of other people! They never tried to shame us. They see us normal. We're not doing anything wrong!" This professionalism encompassed an inclusive attitude that fostered comfort and openness. As P5 further explained, "I feel that they were very inclusive. I never felt sort of, holding back. Actually, more the opposite... A person feels comfortable speaking with them... they were professional enough to carry on the situation how it was without them judging me."

These reflections suggest that professionalism combined with cultural competence and empathy act as micro-resistance, creating affirming care that builds trust and challenges marginalisation. This highlights the need for professional standards centered on respect, inclusivity and identity affirmation in criminal justice settings (Bartoli, 2025; Miller et al., 2008). While this may suggest equitable treatment, it is difficult to determine whether such experiences were shaped by the participant's identity or by the professional norms of the individuals involved.

Such examples may illustrate how individual professionals can become sites of relational repair. These inclusive practices may be experienced as lifelines, affirming the participants' dignity, identities and humanity in a system that too often denies them all three (Nadal et al., 2018). Such relationships, while experienced positively, should not be overstated in their transformative potential. As Zehr and Mika (2017) argued, restorative justice practices work best when embedded in broader structural reform, rather than being isolated acts of kindness.

Call for Affirming and Inclusive Support Services

While participants described queer-affirming spaces as potentially transformative, participants advocated for increased inclusive services for LGBTIQ+ offenders. Participant 1's simple yet profound statement to "understand and pay attention to what we say, that's enough!" may reflect a broader desire for recognition, empathy and respect. The call for recognition transcends mere tolerance, demanding an active commitment to inclusion that validates the lived realities of LGBTIQ+ offenders (Van Ness et al., 2022; Zehr, 2015).

Participant 2 expressed a strong emotional response to perceived discriminatory treatment: "professionals should treat us the same like they treat others. We're not animals! We're not pigs just because we're lesbians! It makes me angry the thought of it; discriminating against us just because we're lesbian or gay." While this quote powerfully conveys distress, it may reflect their subjective interpretation of broader patterns of societal exclusion, underscoring the need to explore how identity-based stigma may shape lived experiences. The desire for explicit affirmation was also emphasised by P2 stating that "it would be nice to hear from them 'we support you, you're not different from others!'"

Queer theory provided a critical framework for understanding these statements, which may be seen as calls to disrupt normative expectations within criminal justice services. LGBTIQ+-affirming services, as examined by Lin et al. (2023), seek to validate rather than pathologise identity, fostering trust and belonging, factors which have been linked to improved rehabilitation outcomes and reduced

recidivism in empirical studies (Joy & Lipshie-Williams; Murphy et al., 2023). This is essential considering the compounded discrimination that LGBTIQ+ individuals may encounter within the criminal justice system and broader society due to their intersecting identities as offenders and sexual minorities (Buist & Lenning, 2022; Butler, 1990). However, it is important to note that the extent to which affirmation contributes to long-term reintegration requires further empirical validation.

Participants also voiced support for inclusion that transcends sexuality and gender, hinting at intersections between identity, race, and class. For instance, P3 stated, “Whoever they are, they should accept everyone! Black, white, every gender, every colour. They should treat all people the same. It can be someone from your family, your kids or your friends who are gay. So they should treat all people the same. We understand we made a mistake, that’s why we are here. You learn from your mistakes. But they shouldn’t treat people differently because they are gay!” This statement may reveal an understanding of shared marginalisation, suggesting that the experience of injustice is shaped by more than just sexual orientation. This interpretation reflects how individuals may interpret their experiences through the lens of broader social inequalities.

Participant 5 further reflected on the perceived ethical obligations of professionals: “They have to be more careful, you know what the job requires. So you can be a police officer, nurse, court, probation officer... you will hear so many stories from so many different people. You have to respect people’s lives in their own case. If a person is gay, lesbian, bi, straight man or straight woman, you have to see the case more than anything. You don’t just see the person’s sexual orientation. Remember you are there to set an example!”

This could be interpreted as a call for justice professionals to engage in person-centred practice, resonating with the principles of positive criminology (Ronel & Segev, 2014). This perspective advocates for recognising individuals’ strengths and humanity, rather than focusing solely on their offending behaviour. Positive criminology posits that healing and reintegration are more possible when individuals

are treated with compassion and supported through affirming relationships and environments. While much of this framework is theoretical, emerging research supports its relevance for marginalised populations (Klapow et al., 2025; Ronel & Elisha, 2020). However, some scholars have critiqued positive criminology for lacking structural critique and for insufficiently addressing systemic inequalities (Ball, 2013).

It is essential to interpret these calls with analytical caution; while participants perceive their experiences through the lens of identity, further empirical investigation is required to determine the extent to which these perceptions reflect systemic patterns rather than isolated interactions. These perspectives may contribute to ongoing discussions around queering justice, where both theoretical critique and empirical inquiry inform more inclusive and responsive practices. However, these calls highlight the need for inclusive, trauma-informed and culturally competent practices within criminal justice services. By cultivating environments that are affirming and inclusive, justice professionals can foster repair, re-build trust and support LGBTIQ+ offenders; a critical step toward queering justice in both theory and practice (Lin et al., 2023).

Enduring Societal Judgment and Stigma

Despite the presence of formal legal protections for LGBTIQ+ individuals in Malta, participants in this study consistently described how societal stigma appears to shape their daily realities in significant ways. For LGBTIQ+ offenders, navigating the justice system is not limited to legal procedures but may extend into broader, ongoing struggles with societal perceptions (Turner, 2016). This tension is particularly striking within the Maltese context, given Malta's paradoxical stance as both a leader in LGBTIQ+ legal protections and a society still heavily influenced by cis-heteronormative norms (Cassar, 2021; Hili, 2025; ILGA-Europe, 2024).

Participants' accounts suggest a disconnection between legal equality and social acceptance. For instance, Participant 5 commented, "the problem is not the law. Having laws is all well and good. But the

problem is changing people's mentality; it is something totally different. People's mentality won't change because you add a law. People's mentality is changed with experiences and education." This remark highlighted how the participant interprets their experience of persistent stigma, framing it as a matter of social attitudes rather than institutional deficiency. Similarly, Participant 2 shared: "People judge you, try to shame you... 'you belong with a man. A beautiful girl like you... how are you going to have kids with a girl?'" She added, "Society won't ever change... people will still judge!" While these quotes are highly personal and subjective, they invite reflection on how LGBTIQ+ offenders may internalise or resist dominant social narratives. However, it is important to note that such perceptions cannot be assumed to stem solely from SOGIESC without further empirical evidence.

This sense of resignation in participants may suggest that queer lives are continuously scrutinised. P3 noted: "I see the way people look at me. They look at you differently," while P4 spoke of cultural regression: "We are in 2025... but in mentality, we are 100 years behind. People call me 'pufta!' That word... There is ignorance in Malta." Such expressions of discrimination appear to illustrate how some participants make sense of being 'othered', aligning with the notion of 'extended punishment', reinforcing carceral logics beyond judicial settings (Woods, 2017).

The following subthemes explored how participants' perceptions of stigma manifest in both digital and physical spaces, highlighting the complex ways in which societal expectations continue to shape the everyday realities of LGBTIQ+ individuals beyond the justice system.

Social and Online Harassment

All participants in the study reported that harassment was not confined to institutional settings but extended into digital and social spheres. They described experiencing public shaming, extended surveillance and social policing. These accounts suggest broader mechanisms of control, in which queer bodies become highly visible and potentially vulnerable to regulation through societal norms and digital technologies (Zhang, 2021). Drawing on Goffman's (1964) theoretical framework, stigma can be

understood not only as a social mark but also as an ongoing mechanism of exclusion. Several participants appeared to experience this form of exclusion from within their communities, suggesting that stigma is not always external but may be reinforced by individuals in one's immediate social network.

Participant 1 reflected on the dynamics of online harassment, "I went through harassment personally, from a program on Facebook, but I was always strong and will remain strong." While Participant 2 shared: "They write these hate comments. It affects me in the moment. It pisses me off, of course, but I cannot do anything. Society will always try to shame you, put you down. But you have to be strong, don't pay attention to them. You have to know you're not doing anything wrong, we're normal!".

The digital environment emerges as a sustained site of exposure, where harassment is both immediate and persistent. This resonates with Foucault's (1978) concept of panopticism, where societal gaze disciplines and normalises behaviour. While Foucault's model is theoretical, it offers a useful lens through which to interpret participants' sense of being constantly judged and scrutinised. Online platforms function as modern panopticons, possibly rendering queer individuals hyper-visible and subject to constant judgment. This highlights the emotional toll of online harassment, further revealing social discipline through mechanisms of shame (Brignall, 2002; Manokha, 2018; Sheridan, 2016). However, this interpretation remains tentative, as participants themselves did not always explicitly attribute their harassment to their SOGIESC.

Harassment was also experienced in broader societal contexts. For Participant 3, a violation of trust led to a wider social exclusion: "When I first came out, I went to tell my friend because I felt comfortable, and she went to tell the whole school. That's why I stopped school! They didn't accept me. My girl-friends were scared of me. They thought I would do something!" This account may reflect a form of community-level social regulation, where peers responded to non-normative identity with fear or avoidance. While one cannot definitively determine the motivations of others involved, the participant's interpretation indicates that being "outed" led to ostracisation. This supports findings from empirical

studies which document how social rejection can contribute to interrupted schooling and long-term marginalisation among queer youth (Marzetti et al., 2022).

Familial rejection also emerged as a central theme of marginalisation. Participant 4's testimony revealed how internalised stigma and lack of familial support intersected with broader social ostracisation: "I ended up in prostitution and on drugs because of my family. They hurt me so much... even saying it gives me chills! My mother did a lot to me. They treat me one way and my siblings on a silver platter. Even saying it gives me chills, because I saw so much from my mother, not physical beatings, but beatings with her tongue."

This deeply emotional account illustrates how participants may link family rejection to subsequent life outcomes, including criminal engagement. While cautious not to draw deterministic conclusions, the participant's own interpretation suggests a perceived causal connection between familial rejection, emotional trauma and subsequent decisions. These narratives are consistent with findings that suggest how stigma can reduce access to support networks and increase vulnerability to survival strategies that intersect with the criminal justice system (Knight & Wilson, 2016; Snyder et al., 2016).

Furthermore, the lack of institutional support may amplify the effects of harassment. Participant 1 captured this sentiment bluntly: "But depends who the laws are for! For example, when I am attacked and I show them proof, all the agencies and organisations we boast about, I never find any support from them. Never! And they never showed solidarity with me!" This reflects a double marginalisation, where queer individuals may face both direct harassment and institutional neglect, exposing the conditional nature of legal protection and underlying structural bias (Heidensohn, 1968; Morgan et al., 2023).

Within the Maltese context, these narratives are positioned against traditional Catholic values, and closely-knit social networks. Despite progressive legal reforms, non-normative identities remain subject to cultural shaming (Clark, 2012), moral surveillance and informal policing (Stewart, 2015). Thus,

participants' accounts suggested that they are navigating a complex environment in which their identities are formally protected yet socially policed. These narratives reflected a pattern of LGBTIQ+ individuals being subject to a continuous process of stigmatisation, surveillance and punishment both online and offline. One might argue that the participants are caught within a regime of cis-heteronormative social control that operates through visibility, shame and silence. Social media, peer groups and families each act as nodes in this disciplinary network, enforcing the boundaries of acceptable identity and behaviour (Butler, 2011). However, these interpretations remain tentative and must be explored further in empirical research.

Being 'Too Visible' in Society

In addition to experiences of harassment, participants consistently described a sense of hypervisibility in public and social contexts. While their needs and identities were often marginalised institutionally, they simultaneously felt exposed in everyday spaces. This dynamic speaks to a broader societal mechanism in which queer visibility becomes a site of oppression (Bosia et al., 2020). Participant 2 vividly articulated this social discomfort: "And the eyes... looking at you, like they're judging you... but they're not saying anything but the eyes are judging you! That bothers me! It's better to tell me 'jaq you're a lesbian!' instead of looking at me, shaming me for my looks. The looks show everything!"

While this account is deeply personal, this perceived judgment may align with the concept of panopticism where social surveillance becomes internalised and individuals begin to monitor their own presentation and behaviour (Foucault, 1978; Moagi et al., 2021). In this context, the 'gaze' may be embodied in everyday encounters, especially in tightly-knit communities like Malta where social surveillance is informal yet constant. P5 highlighted how "in Malta, we are still too focused on each other. But not only regarding sexual orientation. From when I was younger till today, people have improved a lot. But unfortunately we still have a long way to go." Similarly, P3 commented how "older people will not understand. Because for them it's male and female, like the Church. There is room for

improvement but from the past it's already better!" These observations point to interpersonal dynamics within small-scale societies, where the density of social networks can increase public visibility and moral regulation (Barrett et al., 2016). These reflections could suggest generational shifts in public attitudes, yet still underscore the persistence of binary gender norms and heteronormativity.

While legal reforms have advanced LGBTIQ+ rights in Malta (ILGA, 2022), participants' narratives illustrated how cultural scripts continue to police queerness through cultural shaming mechanisms (Clark, 2012). Participant interpretations suggested that these cultural expectations may intensify the risks of 'being seen' in public as queer, where recognition becomes synonymous with judgment. Visibility in such contexts becomes a risk, with many queer individuals navigating a delicate balance between authenticity and safety (Bradford & Clark, 2011). This hypervisibility possibly creates a double-bind; while some individuals desired recognition and social acceptance, being seen as queer often invited stigma or moral judgment (Redburn, 2022). P2's experience reflects this, "people used to tell me 'Why are you with her? You deserve a man' Like they shamed me like I was doing something wrong. They tell me 'I never knew you were lesbian.' Like it was always in me but I was scared to come out of the closet... of people judging me. Until I found myself, I gave myself courage and come out."

In such instances, visibility emerges as both liberating and precarious, allowing for self-affirmation yet exposes individuals to social exclusion, stigma and even displacement. Participant 4 shared: "I, a transgender woman, punished to dress like a man. They wanted me to dress like a man! That's the thing that hurt me the most. Because of people, I had to obey... that's the thing that hurt me most." And later shared how "[she] left home at 18 or 19... I was already living with a man. I immediately didn't start off on the right path. I immediately started the downhill." This narrative conveys how cultural expectations around gender presentation can become coercive. While this account may indicate a connection between early displacement and later vulnerability, it is important to note that causality

cannot be assumed. However, this testimony does echo empirical research linking identity-based exclusion to increased criminogenic risks (Knight & Wilson, 2016).

Despite recognising progress in Maltese legislation and societal attitudes, participants expressed ongoing skepticism about the potential for meaningful social change. P1 reflected, “I don’t think society will change. You know who you know in Malta,” perhaps referencing the embedded nature of cultural and social norms within small-scale societies. Similarly, Participant 5 recognised the importance of legal reform but challenged the notion that legal progress equates to societal acceptance: “it’s one thing making laws, which are good, but it’s not enough. Because you need to educate people then. The law is there to protect people from discrimination but then society’s mentality needs to be changed through education. It’s not just about making a law and everyone will follow it.” These reflections raise important questions about the limits of legal reform, especially when not accompanied by widespread cultural education and attitudinal shifts.

Resilience, Identity and Systemic Growth

Despite the structural and social adversity described, participants appeared to demonstrate resilience in the face of marginalisation. Through their narratives, participants engaged in acts of self-affirmation and resistance that revealed personal growth and an appeal for systemic growth. Participant 4 offered a powerful reflection: “Nowadays I am living not existing! Before I wasn’t living... I didn’t even look in the mirror. I was so afraid of looking in the mirror.” This testimony may suggest a profound shift from self-erasure to self-recognition, which could be interpreted as an individual reclaiming their identity in a context historically marked by invisibility and fear. This suggests how reclaiming identity becomes a form of resistance (Payne et al., 2020).

Participant 4 also described asserting her rights in the justice system: “I call for my rights. Because they used to put me with the males [in prison]. I told him ‘my ID card is female and I will be treated like a woman. I don’t want more nor do I want less.’” This might reflect a moment of legal

consciousness where the individual actively demanded dignity and recognition. While this statement cannot be generalised, it illustrates how some individuals actively seek recognition from a justice system that may have previously misrecognised them. This also aligns with frameworks of queer resilience and intersectionality, showing how individuals navigate systems of oppression without surrendering their identities (Ben-Moshe et al., 2015; Paik, 2017), although further empirical work would be needed to explore how common such responses are.

Participant 5 reinforced this humanistic ethos stating: “At the end of the day, we are all human... it doesn’t make a difference. We should try to see people’s humanity.” These expressions could be seen as a challenge to normative hierarchies and reaffirm participants’ agency, demonstrating that even within hostile environments, queer individuals can assert their worth and contribute to broader cultural and systemic shifts. Such responses resonate with recent empirical research on LGBTIQ+ individuals in carceral environments, which documented similar appeals to shared humanity and dignity as a survival strategy (Du Plessis et al., 2025). However, such studies are often situated in different cultural and geographic contexts, which may limit their direct applicability to the Maltese setting.

Importantly, these reflections should not be interpreted as universal truths but as situated, nuanced accounts, honouring individual meaning-making without assuming homogeneity (Smith et al., 2021). While participants expressed what might be interpreted as resilience, other participants may not share the same outlook and further research is required to understand the broader applicability of the sub-themes explored below.

Owning Queer Identity in Hostile Contexts

Participants often described moments of self-affirmation and resilience when faced with adversity. Many framed their queer identity as something to be claimed and protected, even in environments where doing so came at a personal cost. This process of identity integration may reflect elements of post-traumatic growth, where systemic adversity led to a more grounded sense of self

(Tedeschi & Calhoun, 2004). However, such interpretation must be approached cautiously, as it remains difficult to isolate the impact of SOGIESC from other intersecting factors such as family dynamics, incarceration history or social class.

Participant 2 recounted, “I didn’t want to hide anymore. My mum used to tell me ‘it’s not normal, it’s the devils work!’ But I always knew I belonged with a woman,” further echoing “I’m still like this, you cannot change me. Even if you threaten me, even if you threaten to put me in prison, even if you beat me, torture me. I’m still not going to change. I’m a lesbian and I want to be like this. I’m proud!” This powerful narrative can be interpreted as a survival strategy and an act of resistance even in the face of judgement and violence; resistance to systems that potentially regulate queer identity. Through a queer theoretical lens, such expressions may challenge dominant cultural scripts that equate queerness with deviance (Butler, 1990), particularly evident in LGBTIQ+ offenders. Such self-assertion reflects Halberstam’s (2011) notion of ‘queer failure’; rejecting conformity as a form of radical autonomy. Rather than assimilating, participants appeared to reclaim queerness as strength, turning visibility into resistance not vulnerability (Zavala & Waters, 2021).

Participants made assertions which reframe queer justice-involved individuals as active agents in shaping their lives as opposed to victims. P1 appeared to challenge the idea that personal growth was due to external help, stating “the way people speak nowadays, it’s like a miracle happened! And this bothers me a lot, even when they say ‘you should thank this one or that one, with his help you became what you are.’ No, not true at all! I became me because I wanted to! When you are a gay person, they try to pull you down... they try! But I am a very strong person.” While this statement centres pride and self-determination, it is important to consider the potential influence of broader socio-cultural discourses on how resilience is performed and articulated in the context of interview research.

Several participants described a perceived trajectory of personal growth and increased self-acceptance in the face of societal stigma. Participant 3 noted: “in the beginning they affect you. Now if

someone calls me a lesbian, I tell them ‘ok, I’m happy with myself!’ It won’t affect me anymore!”

Similarly, Participant 4 stated: “Nowadays I don’t pay attention to people’s ignorance! I feel normal.

Everyone is normal. Normal does not exist!” These reflections can be interpreted as a move from internalised stigma to empowered self-definition. By rejecting dominant norms and reframing queerness as ‘normal’, participants potentially disrupted narratives of shame and asserted their identities on their own terms, illustrating resilience as transformative (Li et al., 2023).

Such narratives suggest that reclaiming queer identity may serve as a psychosocial turning point, one that aligns with broader conceptualisations of healing and identity reconstruction (Johnson, 2016). In sum, owning one’s identity in hostile environments may be understood not only as a survival strategy but also as a potential act of self-assertion and resistance. However, this interpretation remains provisional and theoretically situated, acknowledging that participants’ experiences are shaped by intersecting factors beyond gender or sexual identity, such as race, class and criminal histories.

Resistance and Advocacy

In the face of systemic marginalisation, several participants also appeared to showcase a shift from survival to agency, wherein they not only endured injustice but also engaged in strategies of advocacy and empowerment. Their narratives reflected a growing awareness of structural inequities and an emergent politics of resistance rooted in lived experiences, showing how individuals interpret and respond to their circumstances in deeply personal and context-specific ways (Redburn, 2022). For some, resistance seemed to emerge from recognising the limitations of existing support systems. P1 offered a powerful critique of institutional shortcomings, stating, “They say there is a lot of help... but when you’re in it, when you need it, you truly know there is no real help.” This statement may reflect a disjuncture between the perceived availability of support and the lived realities of those navigating these systems in Malta. It underscores the need for more meaningful, accessible and identity-affirming support structures (Howerton et al., 2007; Knight & Wilson, 2016). However, it is important to remain vigilant in assuming

this perception was solely shaped by the participant's SOGIESC; other intersecting factors such as class or race may have also played a role.

Beyond critique, participants articulated a vision for change that centered education, visibility, and early intervention. Participant 5 suggested that "education has to start from when people are young, showing them that being different is not a bad thing. Maybe there are some openly gay police officers who come speak to kids in school. Maybe the stigma will reduce more. So I think if you take these things that everyone associates with excessive masculinity and speak about them, I believe it will be very beneficial for many people." While speculative, this account may reflect the participant's belief in the transformative potential of representation and early education in disrupting prejudice. Participant 1 similarly stated: "Parents have to be attentive to their kids... you have to pay attention to them from birth." These reflections suggest that participants envision institutions, such as schools and families, as potential sites of cultural change (Barack, 2020; Burk et al., 2018; Day et al., 2019).

Participants' advocacy also appeared to operate on a personal level, such as Participant 2's emphatic message: "Don't hide! Don't be ashamed of who you are! Don't be scared of anyone. Be yourself! Live your life!" Such declarations are significant not just for what they say, but for what they mean to the participant; they may reflect a process of self-acceptance and resistance, positioning queer identity as a source of pride and strength (Perrin et al., 2020). Participant 5 added: "my message would be to stop judging and mind your own business. Live your life how you want and let others live how they want to live without any prejudice. Everyone is human so there are no rules to be a certain way. We have always existed and we will continue to exist forever!" This type of statement may be seen as resisting invisibility and asserting historical continuity, aligning with queer theorists who frame visibility as a critical act of defiance (Perrin et al., 2020; Stella, 2015). Nevertheless, these quotes are inherently interpretive, and it is important to consider that such statements could also be influenced by broader social narratives of pride and resistance.

Collectively, these accounts may illustrate how resistance is not always political or confrontational; rather, it is often embedded in everyday acts of speaking out, supporting others, reclaiming space and asserting LGBTIQ+ identities. For participants, advocacy was a mechanism for broader social transformation (Johansson & Vinthagen, 2019). While participants spoke of empowerment and advocacy, the degree to which these practices effect systemic change remains uncertain. Ultimately, these narratives may offer valuable contributions for more inclusive and equitable justice systems where the perspectives of those most marginalised are recognised as central to reform.

Cross-Theme Reflections

The four GETs revealed how LGBTIQ+ individuals perceive and make sense of their interactions with justice systems, in ways that are complex and deeply shaped by dynamics of power, identity and resistance. A key thread across the narratives is visibility, appearing both as a source of vulnerability and a potential site of empowerment.

In GET 1, visibility was often linked to participants' experiences of harm, whether through misgendering in institutions or perceived targeting by law enforcement. These moments may reflect how LGBTIQ+ individuals are hyper-visible to justice systems. Conversely, in GET 4, visibility emerged as a form of personal and political resistance. P2's assertion to "be yourself! Live your life!" can be interpreted as an act of reclaiming identity and autonomy in the face of marginalisation. While such expressions may reflect a sense of empowerment, it is also possible that they represent a coping strategy or aspirational stance rather than a fully realised shift in power. This ambivalence is consistent with queer criminology perspectives that conceptualise queer identity as both policed and politicised (Ball, 2016; Mogul et al., 2011). However, it remains difficult to definitively attribute these experiences solely to SOGIESC without triangulating with broader institutional data or comparative analysis.

GETs also highlighted moments where the justice system was experienced as both harmful and potentially transformative. While most participants described discrimination and marginalisation, GET 2

offered contrasting accounts. Such narratives underscore the role of individual professionals in disrupting dominant norms, aligning with the idea of positive outcomes from culturally competent interventions in criminal justice settings (Spade, 2011; Dispenza et al., 2017). Thus, such duality may reflect broader debates in transformative justice and queer abolitionist thinking, which argue for community-driven approaches that centre care and lived experience over punishment (Pelsinger, 2025; Walker et al., 2024). However, more empirical work specific to the Maltese context is needed to substantiate whether these approaches can be meaningfully integrated within existing justice systems.

GETs also interact in productive ways. GET 3 underscores the persistence of social stigma and harassment, while GET 4 reflects participants' efforts to reclaim space and advocate for change. This apparent contradiction highlights the non-linear and idiographic nature of resilience, where individual pathways to empowerment are shaped by personal histories, intersecting identities and broader sociocultural forces (Koziara et al., 2021). Thus, this study's idiographic focus encourages attention to nuance, acknowledging that each participant's meaning-making is unique and context-bound.

Conclusion

This chapter examined the lived experiences of LGBTIQ+ offenders, revealing how justice systems may operate as both sites of harm and spaces for resistance. Participants' accounts suggested experiences of discrimination, stigma and exclusion, yet also appeared to demonstrate resilience, advocacy, resistance and self-affirmation. The study's use of IPA methodology facilitated a detailed exploration of these personal and context-specific experiences, foregrounding the interpretative role of the researcher in analysing how participants make sense of their own experiences, enabling a layered and reflexive engagement with the data.

Some findings aligned with themes in queer criminology (Buist & Lenning, 2022; Radics, 2024), which critique the structural marginalisation of queer identities in justice systems. However, they also added nuance by illustrating how LGBTIQ+ individuals are not merely passive recipients of systemic

harm, but often active agents who navigate and contest injustice. Importantly, interpretations presented remained subjective and context-specific. While some participants directly linked their treatment to their SOGIESC, others were more ambiguous, underscoring the need for analytical caution. By applying IPA, this study contributes to a growing body of work that explores the emotional and existential dimensions of queerness in criminal justice contexts, an area still underexplored in empirical criminological research. These findings may support calls for more inclusive, trauma-informed and identity-affirming approaches to justice, while recommending future studies to assess the broader applicability of these themes.

Conclusion and Recommendations

Summary of Findings and Theoretical Reflections

This study was guided by the central research question “How do LGBTIQ+ offenders experience the criminal justice system, and in what ways, if any, do intersectional identities influence these experiences?” The objectives were to explore whether one’s SOGIESC influenced participants’ experiences within the Maltese criminal justice system. Using IPA, this research uncovered the deeply personal, emotional and structural dimensions of participants’ experiences. Four key GETs emerged: (1) Navigating Systems of Justice as “The Other”; (2) Professionalism and Pockets of Inclusion; (3) Enduring Societal Judgment and Stigma; and (4) Resilience, Identity and Systemic Growth.

Building on the existing literature, findings supported research highlighting how LGBTIQ+ individuals may face systemic marginalisation within justice institutions (Knight & Wilson, 2016; Sumerau, 2023). Participants’ narratives demonstrated that lived realities may be shaped by cultural and institutional biases, mirroring broader international trends documented in queer criminology (Ball, 2016) and critical criminology (Paik, 2017). Despite legal protections, participants described encounters with various institutions marked by discrimination, homophobia and stigma, leading to a sense of being perceived and treated as ‘the other’. While instances of professional inclusion were noted, these were often contextually-bound and overshadowed by broader systemic shortcomings. A key finding was the hardship of navigating a system not built with LGBTIQ+ identities in mind; one that frequently upheld dominant societal norms and expectations. Yet, participants demonstrated resilience and affirmed their identities despite systemic adversity.

Findings expanded and critically engaged with existing criminological and queer theory by drawing on the lived experiences of LGBTIQ+ offenders. Some findings extended the theoretical frameworks of Queer Theory (Ball, 2016) by suggesting that institutional structures embody normative

assumptions around gender and sexuality. By situating queer experiences within criminological discourse, the research critiqued mainstream criminology's limited engagement with queer issues, advocating for more inclusive, intersectional approaches. The study also engaged with Critical Criminology (Paik, 2017), examining the role of systemic power in marginalising vulnerable groups and Minority Stress Theory (Meyer, 2013), which helped shed light on the possible toll of stigma and structural exclusion. This was emphasised through intersectionality, which allowed for a nuanced understanding of how overlapping identities compound these experiences (Sumerau, 2023). In doing so, this study may contribute to the development of a queered criminology that reimagines foundational concepts of justice and deviance through the lens of marginalised identities.

By integrating these theoretical perspectives, the study offered insight into how systemic structures impact visibility, stress and access to justice. Importantly, this may contribute to criminology by foregrounding LGBTIQ+ unique experiences in a space where they have been largely absent. It not only extends the application of existing theory but also challenges its adequacy when applied to criminalised queer lives, particularly in small, culturally-specific jurisdictions like Malta.

Policy Implications and Recommendations

This research identified potential gaps in Maltese criminal justice systems regarding the inclusion of LGBTIQ+ offenders, calling for reforms that are more inclusive, trauma-informed and identity-affirming. These policy recommendations aim to move beyond tokenistic inclusion towards more inclusive and supportive justice processes that wholly acknowledge diverse SOGIESCs.

There is a critical need for comprehensive policies explicitly addressing the rights and needs of LGBTIQ+ individuals across all stages of the criminal justice system. Policies should adopt an intersectional framework that recognises how overlapping identities, such as race, class and gender identity, interact to shape offenders' experiences and needs. These policies should be accompanied by

mandatory, ongoing training for all justice professionals, focusing on recognising diverse SOGIESC identities and promoting respectful, non-discriminatory practices.

This can help tailor support services and legal responses that address the complexity of marginalisation, improving access to justice and rehabilitation outcomes. The justice system could incorporate specialised support services solely for LGBTIQ+ offenders, including mental health resources, counselling and peer support groups, offering safe and affirming spaces which may also contribute to restoring trust in justice institutions among such individuals. These services should be culturally competent and trauma-informed, recognising the unique stressors faced by LGBTIQ+ individuals in custody and community-based sanctions in Malta (Miller & Najavits, 2012). Correctional and rehabilitative institutions could also implement anti-discrimination measures, appropriate housing placements, access to gender-affirming healthcare and staff training specific to LGBTIQ+ needs.

Finally, meaningful collaboration between policymakers and LGBTIQ+ organisations, advocates and affected communities is crucial in compiling, implementing and reviewing justice policies. Such collaboration ensures that reforms are grounded in lived experience and responsive to real needs.

Limitations of the Study

While offering valuable insights into LGBTIQ+ offenders, this study faced notable limitations. The sample size, although appropriate for IPA methodology, was smaller than anticipated due to recruitment barriers and institutional restrictions. This likely resulted in the underrepresentation of certain identities within the LGBTIQ+ spectrum, such as non-binary, intersex, racialised or lower socio-economic identities. This limits the generalisability and transferability of findings by potentially excluding more marginalised voices within the LGBTIQ+ spectrum, potentially resulting in an incomplete picture of how intersectional identities shape justice experiences. While qualitative research does not aim for statistical generalisation, the transferability of research to other contexts depends on the richness and representativeness of

participant narratives, which may be moderately constrained in this study (Drisko, 2024; Vasileiou et al., 2018). Recruitment challenges were further compounded by participants' potential fear of stigma or distrust in research, further narrowing the sample. As a result, findings may reflect perspectives of those more willing or able to engage, potentially limiting the generalisability of this study.

Given its focus on the Maltese justice system, which operates within a particular cultural, legal and institutional context, findings were context-specific and may not readily generalise to other jurisdictions. Transferability should be approached cautiously, taking into account contextual differences in institutional structures, cultural norms and societal attitudes towards LGBTIQ+ individuals. Furthermore, this study centred specifically on the experiences of LGBTIQ+ offenders within the criminal justice system and did not deeply explore related but equally important areas, namely the influence of broader socio-economic factors, such as, race and socio-economic status. These aspects represent avenues for future research to deepen the understanding of the systemic experiences of LGBTIQ+ offenders. However, by providing thick descriptions and contextual interpretations, this study offered a foundation for comparison with other justice systems.

As with most qualitative research, this study relied on self-reported data. While rich in narrative detail, such data may be susceptible to memory lapses, emotional influences and interpretative bias. The sensitive and potentially stigmatising nature of participants' experiences within the criminal justice system may have also influenced their openness, despite efforts to ensure confidentiality and create a safe space for disclosure. Additionally, IPA's interpretative nature potentially introduced subjectivity through the double hermeneutic process, where participants make sense of their experiences while the researcher interprets such meaning (Dibley et al., 2020). These factors may limit the generalisability of the findings and shed light on the potential for improved future research.

Researcher positionality also shaped the analysis. While the researcher's dual role as a queer researcher and probation officer offered valuable insight, it may have introduced interpretive bias, potentially prioritising certain perspectives or interpretations aligned with his own beliefs and experiences (Kennedy et al., 2024). Reflexivity practices, including reflexive journaling (see Appendix N), supervision and the application of IPA's theoretical principles, were employed to mitigate bias, acknowledging that neutrality in qualitative research is neither fully possible nor necessarily desirable (Berger, 2015). Instead, awareness of one's positionality became a tool for ethical and critical engagement with the data, providing credibility to the study. Despite these efforts, some influence of the researcher's perspectives may still reflect on the research findings.

Recommendations for Future Research

Future research should aim to build upon this foundation by addressing the limitations of the current study and exploring underexamined facets. One crucial aspect is the inclusion of a more diverse sample population to better capture the diversity within the LGBTIQ+ community, enhancing the generalisability and depth of findings. Targeted recruitment of underrepresented groups, such as non-binary, intersex and racialised individuals, can help generate a more comprehensive understanding of justice encounters.

Comparative research across diverse legal and cultural contexts could also provide a more nuanced understanding of how legal frameworks, societal attitudes and institutional practices converge or diverge to shape the experiences of LGBTIQ+ offenders globally. Cross-national comparisons could identify shared challenges and highlight best practices from systems with more inclusive policies (Meško, 2024). For example, a study comparing Malta's justice system with others that have implemented LGBTIQ+ specific policies, such as Canada, may highlight transferable strategies for improving institutional care and equity. Longitudinal studies, in particular, could trace the long-term impacts of

justice system interactions on identity, mental health challenges, pathways to rehabilitation, recidivism or social exclusion, offering insights into how sustained engagement with the justice system affects various outcomes (Fitzmaurice et al., 2011).

Further research should investigate institutional practices and their alignment, or conflict, with LGBTIQ+ needs. This includes examining the extent to which correctional and rehabilitative frameworks are responsive to the specific needs of LGBTIQ+ individuals, or whether they perpetuate harm through neglect or discrimination. Ethnographic methods or co-designed research with affected communities can centre lived experience and ensure more ethical, participatory outcomes (Flicker et al., 2007; Slay & Stephens, 2013).

Overall, future studies should continue to document the lived experiences of LGBTIQ+ individuals while critically examining socio-legal structures that shape these experiences. This study highlighted a pressing need for intersectional and context-specific research that not only fills gaps in the existing literature, but directly informs inclusive and transformative policies and practices.

Conclusion

This research has been a deeply enriching professional and personal journey. Listening to the voices of LGBTIQ+ individuals revealed not only potential systemic shortcomings within Malta's criminal justice system but also profound resilience in LGBTIQ+ individuals. As a queer researcher and advocate for justice, I believe research must do more than inform; it must challenge, empower and amplify. LGBTIQ+ offenders deserve systems that affirm rather than erase or harm. This study may serve as a call to reimagine justice as inclusive, empathic and rooted in lived experiences. To those who bravely shared their stories, thank you. This work is for you. You are not alone; you are seen and heard. Your voices matter.

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Appendices

Appendix A

Infographic about Research

CALL FOR PARTICIPANTS

Queering Justice: A Study of the Lived Experiences of LGBTIQ+ Offenders

Are you an LGBTIQ+ individual who has or had contact with the Maltese criminal justice system?

This study aims to explore the unique challenges and lived experiences of LGBTIQ+ individuals within the criminal justice system, aiming to highlight the impacts on LGBTIQ+ well-being, justice and rights.



Who can participate?

- LGBTIQ+ individuals who have or had experiences with the criminal justice system
- Comfortable discussing sensitive experiences within a confidential setting
- Must be over 18 years and able to give informed consent

What does participation involve?

- A one hour semi-structured interview
- Sharing your personal experiences related to your identity as an LGBTIQ+ individual within the criminal justice system
- All information will be treated confidentially and personal data will be anonymised to protect your identity



Why participate?

Your experiences can contribute to important research aimed at promoting greater inclusivity and understanding of LGBTIQ+ individuals within justice systems.

Interested in sharing your story?

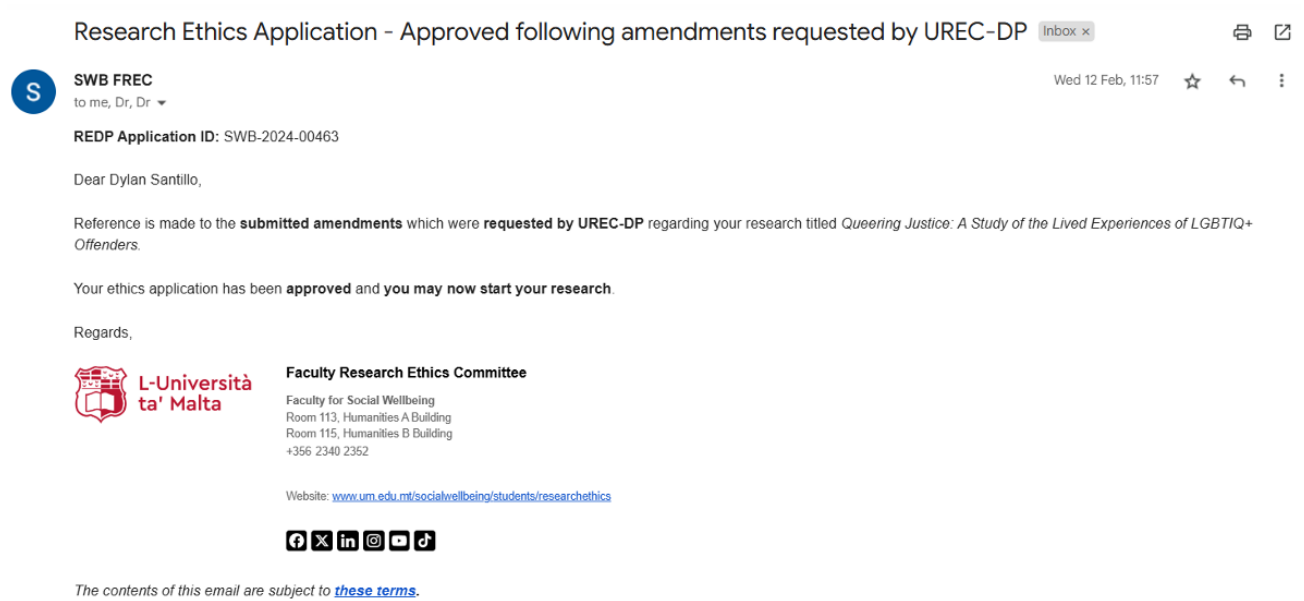
Contact Dylan Santillo:
dylan.santillo.19@um.edu.mt



This study is approved by the University of Malta's Research Ethics Committee (UREC).
Participation is voluntary and you can withdraw at any time

Appendix B

Ethical Approval by SWB FREC and UREC



Appendix C

Letter Requesting Gatekeeper Permission to Conduct Research

[Date]

Request for permission to conduct research

To whom it may concern,

My name is Dylan Santillo and I am a student at the University of Malta, presently reading for a Masters in Probation Services. I am presently conducting a research study for my dissertation titled “Queering Justice: A Study of the Lived Experiences of LGBTIQ+ Offenders.” This study aims to gain insight into the lived experiences of LGBTIQ+ individuals who have or had contact with the criminal justice system and to explore how intersectional identities overlap within the criminal justice system. This can aid to make recommendations for policy and practice based on the findings, aiming to enhance the inclusivity and effectiveness of rehabilitative services for LGBTIQ+ individuals. This project is being conducted under the supervision of Dr. Chantal Avellino.

I am hereby seeking your permission to interview 6-10 clients/ offenders, who identify as LGBTIQ+, who currently have or previously had prior contact with your services. Eligible participants would be contacted by the gatekeeper if they meet the criteria for selection based on their own disclosure of their LGBTIQ+ identity with their respective professional, to respect individuals’ privacy and avoid “outing” individuals who may not feel comfortable disclosing their SOGIESC (Sexual Orientation, Gender Identity, Gender Expression, and Sex Characteristics). Hence, the gatekeeper will serve as an intermediary between the researcher and professionals.

As the gatekeeper, you will be asked to contact potential participants who will be provided with detailed information about the study objectives, procedures and their rights as participants through an information letter and consent form. You will be asked to forward the researcher's contact details and inform potential participants that interested participants should contact the researcher, Dylan Santillo, directly. The contact details of the researcher's supervisor shall also be provided to potential participants. Informed consent will be obtained from all individuals before participation.

My data collection methods will involve semi-structured interviews, lasting between 50 minutes to 1 hour, which will be audio recorded conducted in a location which is comfortable for the participant. Should participants not wish to be recorded, notes will be taken during the interview instead. Participants will be asked open-ended questions and follow-up prompting questions to allow flexibility and encourage participants to express themselves freely. These questions will relate to the personal and unique lived experience of LGBTIQ+ individuals in rehabilitative services and will ask participants to recount or share examples from their experience in rehabilitation programs, half-way houses and NGOs or any other entities working with offenders who may be LGBTIQ+. Participants will be given an information sheet and consent form, which needs to be signed prior to the conduction of the interview, to allow for transparency in the research process. Participants will have the option to choose between reading an abbreviated information letter or a more detailed one, based on their preference. This flexibility is offered to accommodate varying literacy levels and ensure accessibility for everyone.

Participants will also have the option to choose between signing an abbreviated consent form or a more detailed one, based on their preference. This flexibility is offered to accommodate varying literacy levels within the participant group and ensure accessibility for everyone. Participants will also be verbally informed in ordinary language of what is written in the forms to ensure concrete understanding of the contents.

Participation will be entirely voluntary and participants will be free to withdraw at any point, without any repercussions. All collected data will be pseudonymised through fictitious names or numbers, such as, Participant 1 or John/Jane Borg, to protect the identities of participants. Data will be stored securely in electronic files on a password-protected computer, which only the researcher has access to. In exceptional circumstances, examiners and supervisors may also require access to personal data for verification purposes. Only the researcher and dissertation supervisor will have access to the data. Interviews will be audio recorded and will be securely stored on password-protected devices and/or encrypted external hard drives offline.

Personally identifiable data will be securely stored offline and backed up on encrypted external hard drives offline. Considering participants' sexual orientation will be asked, data files will be encrypted to add an extra layer of security, preventing unauthorised access to sensitive information. Regular backups of the data will be performed to prevent loss in case of technological failures or unforeseen circumstances. Backup copies will also be securely stored offline following the same protocols as the original data. Data will be retained for a specific period as required by ethical guidelines and institutional policies. After the completion of the dissertation and related publications, data will be securely archived until 2026. All study data will be deleted by 2026, with only pseudonymised data retained for submission of the dissertation to examiners. Respect for participant confidentiality and privacy will be upheld throughout the research process.

Should you require further information, please do not hesitate to contact me or my supervisor; both our contact details are provided below.

Thank you for your kind consideration of this request.

Sincerely,

Dylan Santillo
dylan.santillo.19@um.edu.mt

Dr. Chantal Avellino
chantal.avellino@um.edu.mt
+356 21346016

Appendix D

Information Letter in English

[Date]

Information letter

Queering Justice: A Study of the Lived Experiences of LGBTIQ+ Offenders

To whom it may concern,

My name is Dylan Santillo and I am a student at the University of Malta, presently reading for a Masters in Probation Services. I am presently conducting a research study for my dissertation titled “Queering Justice: A Study of the Lived Experiences of LGBTIQ+ Offenders”; this is being supervised by Dr. Chantal Avellino. This letter is an invitation to participate in this study. Below you will find information about the study and about what your involvement would entail, should you decide to take part.

The aim of my study is to gain insight into the lived experiences of LGBTIQ+ individuals who have or had contact with the criminal justice system and to explore how intersectional identities overlap within the criminal justice system; rehabilitation programs, half-way houses and NGOs or any other entities working with offenders who may be LGBTIQ+. This will be done by reviewing existing national and international literature on the experiences of LGBTIQ+ individuals who have or had contact with the criminal justice system. This can aid to make recommendations for policy and practice based on the findings, aiming to enhance the inclusivity and effectiveness of rehabilitative services for LGBTIQ+ individuals. Your participation in this study would help contribute to a better understanding of the lived experiences of LGBTIQ+ individuals who have or had contact with the criminal justice system and the effects, if any, such identities have on the experience of individuals engaging with such services. This dissertation will also give a platform to LGBTIQ+ individuals to articulate their unique experiences and aiding in the literature gap relating to this topic. Any data collected from this research will be used solely for purposes of this study.

Should you choose to participate, you will be asked to take part in a semi-structured interview, which will last approximately 50 minutes to 1 hour, which will be audio recorded verbatim by the researcher, subject to consent by participants. Should participants not wish to be recorded, notes will be taken during the interview instead. During the interview, the researcher will ask several questions relating to the personal and unique lived experience of LGBTIQ+ individuals who have or had contact with the criminal justice system. These questions will ask participants to recount or share examples from their experience. Prior to the commencement of the interview, the participant will be given a consent form to sign. Participants will have the option to choose between signing an abbreviated consent form or a more detailed one, based on their preference. This flexibility is offered to accommodate varying literacy levels and ensure accessibility for everyone. Participants will also be verbally informed in ordinary language of what is written in the consent form to ensure concrete understanding of the contents.

Data collected will be treated confidentially, respecting the privacy of the participant throughout the research process. All collected data will be pseudonymised to protect the identities of participants,

through fictitious names or numbers, such as, Participant 1 or John/Jane Borg. Data will be stored securely and only the researcher, Dylan Santillo and his dissertation supervisor, Dr. Chantal Avellino, shall have access to. Raw identifiable data will be encrypted and stored offline on an external hard drive or flash drive, or a secure UM server (not the UM Google Drive). Any material in hard copy form will be placed in a locked cupboard. Only my supervisor and myself will have access to this data. In exceptional circumstances, examiners and supervisors may also require access to personal data for verification purposes. Data will be retained for a specific period as required by ethical guidelines and institutional policies. Upon the completion of the dissertation and related publications, data will be securely archived until 2026. All study data will be permanently deleted by 2026, with only pseudonymised data retained for submission of the dissertation to examiners.

Participation in this study is entirely voluntary; in other words, you are free to accept or refuse to participate, without needing to give a reason. You are also free to withdraw from the study at any time, without needing to provide any explanation and without any negative repercussions for you. Should you choose to withdraw, any data collected from your interview will be erased as long as this is technically possible (for example, before it is pseudonymised or published), unless erasure of data would render impossible or seriously impair achievement of the research objectives, in which case it shall be retained in an pseudonymised form.

If you choose to participate, please note that there are no direct benefits to you. Your participation does not entail any known or anticipated risks. Upon the completion of the dissertation and related publications, data will be securely archived until 2026.

A copy of this information sheet is being provided for you to keep and for future reference. Participants will have the option to choose between reading an abbreviated information letter or a more detailed one, based on their preference.

Thank you for your time and consideration. Should you have any questions or concerns, please do not hesitate to contact me by e-mail: dylan.santillo.19@um.edu.mt. You can also contact my supervisor via email: chantal.avellino@um.edu.mt

Sincerely,

Dylan Santillo
dylan.santillo.19@um.edu.mt

Dr. Chantal Avellino
chantal.avellino@um.edu.mt
 +356 21346016

Appendix E

Information Letter in English: Easy to Read Version

[Date]

Information letter to take part in a study

Queering Justice: A Study of the Lived Experiences of LGBTIQ+ Offenders

	I am Dylan Santillo and I am a student at the University of Malta. I am writing to invite you to take part in a study that I am doing. In this letter, you will find all the information about the study and about how you can take part.
	The study is about LGBTIQ+ individuals who have or had contact with the criminal justice system. I am doing this study to learn more about the experiences of LGBTIQ+ individuals who have or had contact with the criminal justice system and if such identities have an effect on the experience of individuals in rehabilitative services.
	To do this study, I would like to interview 6-10 persons who identify as LGBTIQ+ and have or had contact with rehabilitation programs, half-way houses and NGOs or any other entities working with offenders who may be LGBTIQ+.
	The interview will be between 50 minutes to 1 hour long.

	I would like to record the interview on audio because it will be very difficult for me to remember all that you tell me. If you do not want to be audio recorded, written notes will be taken instead. Only I and my supervisor will be able to listen to the recordings. In some cases, examiners and supervisors may see the information to verify it. After I finish my study, I will archive them until 2026. Data will be deleted by 2026.
	When I write about the study, I will use parts of what you said but will not use your real name.
	You do not have to take part in this study if you don't want to. If you want to take part, you will be asked to sign a consent form. You can choose between signing a simpler consent form or a more detailed one, based on your preference. If you apply to take part and then you change your mind, it will not be a problem. You can stop any time. You do not have to give reasons for stopping.
	I will act according to what Maltese law says on how the information that I have about you should be stored. This means that I will keep the information in a secure place. Personal data will be encrypted and stored offline on an external hard drive. I will also archive all the information from the interviews, including recordings, after I finish my study and results are published until 2026. All data will be deleted by 2026 with only pseudonymised data kept.
	If you take part you will have a chance to talk about what is important to you about LGBTIQ+ individuals who have or had contact with the criminal justice system. You will also be helping others learn more about LGBTIQ+ identities.

	This letter of information is for you to keep. Participants will have the option to choose between reading a simpler information letter or a more detailed one, based on their preference.
	If you want to take part or if you have any questions, you can contact me on dylan.santillo.19@um.edu.mt. You can also speak to my supervisor Dr. Chantal Avellino; chantal.avellino@um.edu.mt

Sincerely,

Dylan Santillo

dylan.santillo.19@um.edu.mt

Dr. Chantal Avellino

chantal.avellino@um.edu.mt

+356 21346016

Appendix F

Information Letter in Maltese

[Data]

Ittra ta' Tagħrif

Queering Justice: A Study of the Lived Experiences of LGBTIQ+ Offenders

Lil min tikkonċerna,

Jiena Dylan Santillo, student fl-Università ta' Malta, u bħalissa qed insewgi Masters in Probation Services. Bħalissa qed nagħmel studju ta' riċerka għal dissertazzjoni tiegħi bit-titlu: "Queering Justice: A Study of the Lived Experiences of LGBTIQ+ Offenders"; it-tutor tiegħi hi Dr. Chantal Avellino. B'din l-ittra nixtieq nistiednek tipparteċipa fir-riċerka. Hawn taħt issib aktar informazzjoni fuq l-istudju li qed nagħmel u fuq xi jkun l-involvement tiegħek jekk tiddeċiedi li tiegħu sehem.

L-għan tal-istudju tiegħi huwa li nikseb ħarsa lejn l-esperjenzi li jgħixu l-individwi LGBTIQ+ li kellhom jew għandhom kuntatt mas-sistema tal-ġustizzja kriminali u biex jespjoraw kemm l-identitajiet intersezzjonali jikkoincidu fi ħdan is-sistema tal-ġustizzja kriminali; go programmi ta' riabilitazzjoni, half-way houses u NGOs jew kwalunkwe entità oħra li taħdem ma' delinkwenti li jistgħu jkunu LGBTIQ+. Dan se jsir billi ssir reviżjoni tal-letteratura eżistenti nazzjonali u internazzjonali dwar l-esperjenzi ta' individwi LGBTIQ+ li kellhom jew għandhom kuntatt mas-sistema tal-ġustizzja kriminali. Dan jista' jgħin sabiex isiru rakkomandazzjonijiet għal-liġijiet u prattika, bil-għan li jsaħħaħ l-inklussività u l-effettività tas-servizzi riabilitattivi għal individwi LGBTIQ+. Il-parteeipazzjoni tiegħek f'dan l-istudju tgħin biex tikkontribwixxi għal fehim aħjar tal-esperjenzi ta' individwi LGBTIQ+ li kellhom jew għandhom kuntatt mal-ġustizzja kriminali u l-effetti, jekk ikun hemm, li tali identitajiet għandhom fuq l-esperjenza ta' individwi li jinvolvu ruħhom ma' servizzi bħal dawn. Din id-dissertazzjoni se tagħti wkoll pjattaforma lil individwi LGBTIQ+ biex jartikolaw l-esperjenzi uniċi tagħhom u jgħinu fil-lakuna fil-letteratura relatata ma' dan is-suġġett. Kwalunkwe data miġbura minn din ir-riċerka se tintuża biss għall-finijiet ta' dan l-istudju.

Jekk tagħzel li tipparteċipa, tintalab tiegħu sehem f' intervista semi-strutturata, li se ddum bejn wieħed u ieħor 50 minuta sa siegħa, li se tiġi rrekordjata bl-awdjo mir-riċerkatur, soġġett għall-kunsens tal-parteeipant. Jekk il-parteeipanti ma jixtiequx biex jiġu rrekordjati, minflok jittieħdu noti waqt l-intervista. Waqt l-intervista, ir-riċerkatur se jistaqsi diversi mistoqsijiet relatati mal-esperjenza personali u unika ta' individwi LGBTIQ+ li kellhom jew għandhom kuntatt mas-sistema tal-ġustizzja kriminali. Dawn il-mistoqsijiet se jitolbu lill-parteeipanti biex jirrakkontaw jew jaqsmu eżempji mill-esperjenza tagħhom. Fil-bidu tal-intervista, il-parteeipant jingħata formola ta' kunsens biex jiffirma. Il-parteeipanti se jkollhom l-għażla li jfirmaw formola ta' kunsens sempliċi jew waħda aktar dettaljata, ibbażata fuq il-preferenza tagħhom. Din il-flessibbiltà hija offruta biex takkomoda livelli ta' litteriżmu li jvarjaw u jiżguraw aċċessibbiltà għal kulhadd. Il-parteeipanti se jkunu wkoll verbalment infurmat b'lingwaġġ ordinarju dwar dak li jkun miktub fil-forma biex jiġi żgurat ftehim tal-kontenut.

Id-dejta miġbura tiġi ttrattata b'mod kunfidenzjali, b'rispett għall-privatezza tal-parteeipant matul il-proċess tar-riċerka. Id-dejta kollha miġbura se tiġi psewdonimizzata biex ttiproteġi l-

identitajiet tal-partecipanti, permezz ta' ismijiet jew numri fittizji, b'hal, Partecipant 1 jew John/Jane Borg. Id-dejta se tinzamm b'mod sigur u r-ricerkatur, Dylan Santillo u t-tutur tiegħu biss, Dr Chantal Avellino, se jkollhom aċċess għal dan. Data identifikabbli mhux ipproċessat se tkun encrypted u miżmuma offline fuq hard drive estern jew flash drive, jew UM server sigur (mhux l-UM Google Drive). Kwalunkwe materjal f'forma ta' kopja stampata jitqiegħed f'armarju msakkra. It-tutur tiegħi u jien biss se jkollna aċċess għal din id-dejta. F' ċirkostanzi eċċezzjonali, eżaminaturi u supervizuri jistgħu wkoll jeħtieġu aċċess għal data personali għal skopijiet ta' verifika. Id-dejta se tinzamm għal perġodu speċifiku kif meħtieġ mil-linji gwidi. Mat-tlestija tad-dissertazzjoni u pubblikazzjonijiet relatati, id-dejta se tkun arkivjata b'mod sigur sal-2026. Id-dejta kollha tal-istudju se tkun b'mod permanenti mhassra sal-2026, b'dejta psewdonimizzata biss miżmuma għas-sottomissjoni tad-dissertazzjoni.

Partecipazzjoni f'dan l-istudju hija għal kollox volontarja; fi kliem ieħor, inti liberu li taċċetta jew tirrifjuta li tippartecipa, mingħajr il-ħtieġa li tagħti raġuni. Inti wkoll liberu li tirtira minn l-istudju fi kwalunkwe ħin, mingħajr il-bżonn li tipprovi ebda spjegazzjoni u mingħajr ebda riperkussjonijiet għalik. Jekk tagħzel li tirtira, kwalunkwe data miġbura mingħandek se titħassar sakemm dan ikun teknikament possibbli (per eżempju, qabel ma jkun psewdonimizzat jew ippubblikat), sakemm it-tħassir tad-data ma jagħmilx impossibbli jew serjament ifixkel il-kisba tal-għanijiet tar-ricerka, f'liema każ għandu jinżamm f'forma psewdonimizzata.

Jekk tagħzel li tippartecipa, jekk jogħġbok innota li m'hemmx benefiċċji diretti għalik. Il-partecipazzjoni tiegħek ma tinvolvi l-ebda riskju magħruf jew antiċipat. Mat-tlestija tad-dissertazzjoni u pubblikazzjonijiet relatati, id-dejta se tkun arkivjata b'mod sigur sal-2026.

Kopja ta' din l-ittra ta' tagħrif qed tiġi pprovduta għalik biex iżzommha u għal referenza futura. Il-partecipanti se jkollhom l-għażla li jaqraw ittra ta' tagħrif sempliċi jew waħda aktar dettaljata, ibbażata fuq il-preferenza tagħhom.

Grazzi tal-ħin u l-konsiderazzjoni tiegħek. Jekk għandek xi mistoqsijiet, jekk jogħġbok, toqgħodx lura milli tikkuntattjani bl-e-mail: dylan.santillo.19@um.edu.mt. Tista' wkoll tikkuntattja lit-tutur tiegħi permezz ta' email: chantal.avellino@um.edu.mt

Tislijiet,

Dylan Santillo
dylan.santillo.19@um.edu.mt

Dr. Chantal Avellino
chantal.avellino@um.edu.mt
 +356 21346016

Appendix G

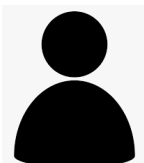
Information Letter in Maltese: Easy to Read Version

[Data]

Ittra ta' tagħrif biex tieħu sehem fi studju

Queering Justice: A Study of the Lived Experiences of LGBTIQ+ Offenders

	Jien Dylan Santillo u jien student fl-Università ta' Malta. Qed nikteb biex nistidnek tieħu sehem fi studju li qed nagħmel. F'din l-ittra, għandek issib l- informazzjoni dwar l-istudju u dwar kif tista' tieħu sehem.
	Dan l-istudju huwa dwar individwi LGBTIQ+ li għandhom jew kellhom kuntatt mas-sistema tal-ġustizzja kriminali. Qed nagħmel dan l-istudju biex nitgħallem aktar dwar l-esperjenzi ta' individwi LGBTIQ+ li għandhom jew kellhom kuntatt mas-sistema tal-ġustizzja kriminali u jekk identitajiet bħal dawn ikollhom effett fuq l- esperjenza ta' individwi f'servizzi ta' riabilitazzjoni.
	Biex nagħmel dan l-istudju, nixtieq nintervista 6-10 persuni li jidentifikaw bħala LGBTIQ+ u għandhom jew kellhom kuntatt magħhom programmi ta' riabilitazzjoni, half-way houses u NGOs jew kwalunkwe entità oħra li taħdem ma' delinkwenti li jistgħu jkunu LGBTIQ+.
	L-intervista iddum bejn 50 minuta u siegħa.
	Nixtieq nirrekordja l-intervista fuq awdjo għaliex se jkun diffiċli ħafna għaliha li niftakar dak kollu li tgħid jien. Jekk ma tridx li tkun irrekordjat bl-awdjo, minflok se jittieħdu noti. Jien u t-tutor tiegħi biss se nkunu nistgħu nisimgħu dawn. F'xi każijiet, eżaminaturi u tuturi jistgħu jaraw l-informazzjoni biex jivverifikaha. Wara li nispiċċa l-istudju tiegħi, se narkivjahom

	sal-2026. Id-dejta se titħassar sal-2026.
	Meta nikteb dwar l-istudju, se nuża partijiet minn dak li għidt inti, imma mhux se nuża ismek ta' veru.
	M'għandekx għalfejn tieħu sehem f'dan l-istudju jekk ma tridx. Jekk trid tieħu sehem, tintalab tiffirma formola ta' kunsens. Tista' tagħzel bejn li tiffirma formola ta' kunsens sempliċi jew waħda aktar dettaljata, ibbażata fuq il-preferenza tiegħek. Jekk tapplika biex tieħu sehem u tbiddel fehmtok, mhux se tkun problema. Tista' tieqaf kwalunkwe ħin. M'għandekx għalfejn tagħti raġunijiet biex tieqaf.
	Se nimxi skont il-liġi Maltija dwar kif l-informazzjoni li għandi dwarek għandha tinżamm. Dan ifisser li se nżomm l-informazzjoni f'post sigur. Id-dejta personali se tkun encrypted u maħżuna offline fuq hard drive estern. Se narkivja wkoll l-informazzjoni kollha mill-intervisti, inklużi r-reġistrazzjonijiet, wara li nispiċċa l-studju u r-riżultati se jkunu ppubblikati sal-2026. Id-dejta kollha se tkun imħassra sal-2026 b'dejta psewdonimizzata tinżamm biss.
	Jekk tieħu sehem ikollok ċans titkellem dwar xiex huwa importanti għalik dwar individwi LGBTIQ+ li għandhom jew kellhom kuntatt mas-sistema tal-ġustizzja kriminali. Inti se tkun qed tgħin ukoll lil oħrajn jitgħallmu aktar dwar identitajiet LGBTIQ+.
	Din l-ittra ta' informazzjoni hi għalik biex iżżommha. Partecipanti se jkollhom l-għażla li jaqraw ittra ta' tagħrif sempliċi jew waħda aktar dettaljata, ibbażata fuq il-preferenza tagħhom.



Jekk tixtieq tieġu sehem, jew jekk għandek xi mistoqsijiet, tista' tikkuntatjani fuq dylan.santillo.19@um.edu.mt. Tista' wkoll tkellem lit-tutor tiegħi Dr.Chantal Avellino fuq chantal.avellino@um.edu.mt.

Tislijiet,

Dylan Santillo
dylan.santillo.19@um.edu.mt

Dr.Chantal Avellino
chantal.avellino@um.edu.mt
+356 21346016

Appendix H

Consent Form in English

Participant's Consent Form

Queering Justice: A Study of the Lived Experiences of LGBTIQ+ Offenders

I, the undersigned, give my consent to take part in the study conducted by Dylan Santillo. This consent form specifies the terms of my participation in this research study.

1. I have been given written and/or verbal information about the purpose of the study; I have had the opportunity to ask questions and any questions that I had were answered fully and to my satisfaction.
2. I also understand that I am free to accept to participate, or to refuse or stop participation at any time without giving any reason and without any penalty. Should I choose to participate, I may choose to decline to answer any questions asked. In the event that I choose to withdraw from the study, any data collected from me will be erased as long as this is technically possible (for example, before it is pseudonymised or published), unless erasure of data would render impossible or seriously impair achievement of the research objectives, in which case it shall be retained in an pseudonymised form.
3. I understand that I have been invited to participate in a semi-structured interview. During the interview, the researcher will ask several questions relating to the personal and unique lived experience of LGBTIQ+ individuals who have or had contact with the criminal justice system; rehabilitation programs, half-way houses and NGOs or any other entities working with offenders who may be LGBTIQ+. These questions will ask participants to recount or share examples from their experience with rehabilitative services. This will enable the researcher to explore the lived experiences of LGBTIQ+ individuals who have or had contact with the criminal justice system and to understand if intersectional identities have an effect on the experience. I am aware that the semi-structured interview will take approximately 50 minutes to 1 hour. I understand that the semi-structured interview is to be conducted in a place and at a time that is convenient for me.
4. I understand that my participation does not entail any known or anticipated risk.
5. I understand that there are no direct benefits to me from participating in this study. I also understand that this research may benefit others by contributing to literature relating to LGBTIQ+ individuals who have or had contact with the criminal justice system and may aid society's understanding and recognition of their identities, potentially promoting a shift in societal perspectives regarding LGBTIQ+ offenders.
6. I understand that all data collected will be archived until 2026 on completion of the study and following publication of results. Additionally, personal, identifiable data will be stored offline and in an encrypted format on an external hard drive. All study data will be permanently deleted by 2026, with only pseudonymised data retained for submission of the dissertation to examiners.

7. I have been provided with a copy of the information letter and understand that I will also be given a copy of this consent form. I am aware I will have the option to choose between signing an abbreviated consent form or a more detailed one, based on my preference. I have been given the option to choose between reading an abbreviated information letter or a more detailed one, based on my preference.
8. I am aware that, by marking the first-tick box below, I am giving my consent for this semi-structured interview to be audio recorded and converted to text as it has been recorded (transcribed). I am also aware that if I do not wish to be recorded, notes will be taken during the interview instead.
9. I am aware that extracts from my interview may be reproduced in these outputs, in pseudonymised form [a made-up name or code – e.g. Participant 1 or John/Jane Borg].
10. I am aware that my identity and personal information will not be revealed in any publications, reports or presentations arising from this research. I am also aware that in exceptional circumstances, examiners and supervisors may require access to personal data for verification purposes.

MARK ONLY IF AND AS APPLICABLE

- ☐ I agree to this semi-structured interview being audio recorded.
- ☐ I do not agree to this semi-structured interview being audio recorded.

I have read and understood the above statements and agree to participate in this study.

Name of participant: _____

Signature: _____

Date: _____

Dylan Santillo
dylan.santillo.19@um.edu.mt

Dr. Chantal Avellino
chantal.avellino@um.edu.mt
+356 21346016

Appendix I

Consent Form in English: Easy to Read Version

[Date]

Consent Form

‘Consent’ means that you agree with everything that is written below.
If you agree with everything that is written, sign in the last part.

	I would like to apply to take part in the project that Dylan Santillo is doing.
	I have information about the study and had the chance to ask questions and get a reply. I have been given the option to choose between reading a simpler information letter or a more detailed one, based on my preference.
	I know that I will be interviewed.
	I know that the interview will be between 50 minutes to one hour long.
	I know that Dylan Santillo will record the interview on audio. If I do not want to be audio recorded, written notes will be taken instead. I also know that only Dylan Santillo and his supervisor Dr.Chantal Avellino will be able to listen to the recordings. In some cases, examiners and supervisors may see the information to verify it. After the study is finished, Dylan Santillo will archive the recordings until 2026. Data will be deleted by 2026.

	I know that when Dylan Santillo writes about the study, he will use parts of what I said but will not use my real name.
	I know that I do not have to take part in this project if I do not want to. I know that if I want to take part I will be asked to sign a consent form. I know I will have the option to choose between signing a simpler consent form or a more detailed one, based on my preference. If I take part and I want to stop, it will not be a problem. I can stop any time. I do not have to give reasons for stopping.
	I know that Dylan will act according to what Maltese law says about how to store information about me. This means that the information will be in a secure place. Personal data will be encrypted and stored offline on an external hard drive. Dylan Santillo will also archive all the information from the interviews, including recordings, after the study is finished and results are published until 2026. All data will be deleted by 2026 with only pseudonymised data kept.
	I know that if I take part, I will have a chance to talk about what is important to me about LGBTIQ+ individuals who have or had contact with the criminal justice system. I will also be helping others learn more about LGBTIQ+ identities.
	I have received the information letter about the study and I will also have a copy of this consent form.

MARK ONLY IF AND AS APPLICABLE

- ☐ I agree to this semi-structured interview being audio recorded.
- ☐ I do not agree to this semi-structured interview being audio recorded.

I have understood everything that is written here and if I had any questions they have been answered. I
would like to take part in this study.

Name and surname: _____

Signature: _____

Date: _____

Dylan Santillo
dylan.santillo.19@um.edu.mt

Dr. Chantal Avellino
chantal.avellino@um.edu.mt
+356 21346016

Appendix J

Consent Form in Maltese

[Data]

Formola tal-Kunsens tal-Parteċipant/a

Queering Justice: A Study of the Lived Experiences of LGBTIQ+ Offenders

Jiena, hawn taht iffirmat/a/i, nagħti l-kunsens tiegħi li nieħu sehem fl-istudju ta' Dylan Santillo. Din il-formola tal-kunsens tispjega t-termini tas-sehem tiegħi f'din ir-riċerka.

1. Inghatajt l-informazzjoni bil-miktub u/jew bil-fomm dwar l-iskop tar-riċerka; kelli l-opportunità nagħmel il-mistoqsijiet, u kull mistoqsija ngħatajt twegiba għaliha b'mod shiħ u sodisfaċenti.
2. Nifhem ukoll li jiena liberu/a/i li naċċetta li nieħu sehem, jew li nirrifjuta, jew li nwaqqaf il-parteċipazzjoni tiegħi meta nixtieq mingħajr ma nagħti spjegazzjoni jew mingħajr ma niġi penalizzat/a/i. Jekk nagħzel li nipparteċipa, jaf niddeċiedi li ma nwegibx kull mistoqsija li ssirli. F'każ li nagħzel li ma nkomplix nieħu sehem fl-istudju, l-informazzjoni li tkun laħqet ingabret mingħandi tithassar dment li jkun teknikament possibbli (qabel ma tiġi psewdonimizzata jew ippubblikata), u sakemm l-għanijiet tar-riċerka jkunu jistgħu jintlaħqu u ma jintlaqtux serjament. F'dak il-każ, l-informazzjoni tiegħi tintuża u tinzamm psewdonimizzata.
3. Nifhem li ġejt mistieden nipparteċipa f'intervista semi-strutturata. Waqt l-intervista, ir-riċerkatur se jistaqsi diversi mistoqsijiet relatati mal-esperjenza personali u unika ta' individwi LGBTIQ+ li kellhom jew għandhom kuntatt mas-sistema tal-ġustizzja kriminali. Dawn il-mistoqsijiet se jitolbu lill-parteċipanti biex jirrakkontaw jew jaqsmu eżempji mill-esperjenza tagħhom ma' servizzi rjabilitattivi. Dan se jippermetti lir-riċerkatur jesplora l-esperjenzi li jgħixu individwi LGBTIQ+ li kellhom jew għandhom kuntatt mas-sistema tal-ġustizzja kriminali u jifhem jekk identitajiet intersezzjonali għandhomx effett fuq l-esperjenza fis-servizzi. Jiena konxju li l-intervista semi-strutturata se ddum madwar 50 minuta sa siegħa. Nifhem li l-intervista semi-strutturata se ssir f'post u f'hin li huma komdi għaliha.
4. Nifhem li l-parteċipazzjoni tiegħi ma fiha l-ebda riskju magħruf jew mistenni.
5. Nifhem li bil-parteċipazzjoni tiegħi f'dan l-istudju, m'hemm l-ebda benefiċċju dirett għaliha. Nifhem ukoll li din ir-riċerka jaf tkun ta' benefiċċju għall-oħrajn billi tikkontribwixxi għal-letteratura relatata ma' individwi LGBTIQ+ li kellhom jew għandhom kuntatt mas-sistema ta' ġustizzja kriminali u tista' tgħin biex is-soċjetà tifhem u tagħraf l-identitajiet tagħhom, potenzjalment tippromwovi bidla fil-perspettivi tas-soċjetà fir-rigward ta' trasgressuri LGBTIQ+.
6. Nifhem li d-dejta kollha miġbura se tiġi arkivjata sal-2026 mat-tlestija tal-istudju u wara l-pubblikazzjoni tar-riżultati. Barra minn hekk, data personali u identifikabbli se tinzamm offline u f'format kriptat fuq hard drive estern. Id-dejta kollha tal-istudju se tithassar b'mod permanenti sal-2026, b'dejta psewdonimizzata biss tinzamm għas-sottomissjoni tad-dissertazzjoni lill-eżaminaturi.
7. Inghatajt kopja tal-ittra ta' informazzjoni biex inżommha u nifhem li se ningħata wkoll kopja ta' din il-formola tal-kunsens. Jiena konxju/a/i li se jkolli l-għażla li nagħzel bejn niffirma formola ta' kunsens sempliċi jew waħda aktar dettaljata, ibbażata fuq il-preferenza tiegħi. Jien wkoll se jkolli l-għażla li

nagħzel bejn naqra ittra ta' informazzjoni sempliċi jew waħda aktar dettaljata, abbażi tal-preferenza tiegħi.

8. Konxju/a/i li, jekk nimmarka l-ewwel kaxxa t'hawn taħt, inkun qed nagħti l-kunsens tiegħi biex l-intervista semi strutturata tiġi rrekordjata bl-awdjo u maqluba f'kitba fl-istess waqt (traskrizzjoni). Konxju/a/i wkoll li jekk ma nixtieqx niġi rrekordjat/a/i, jittieħdu noti waqt l-intervista minflok.
9. Konxju/a/i li siltiet mill-intervista tiegħi jistgħu jiġu riprodotti b'mod psewdonimizzat jew bl-użu ta' psewdonimu [isem ivvintat jew kodiċi - eż. Parteċipant 1 jew John/Jane Borg].
10. Konxju/a/i li l-identità tiegħi u d-dettalji personali tiegħi mhux se jiġu żvelati f'xi pubblikazzjoni, rapport jew prezentazzjoni li tista' toħroġ minn din ir-riċerka. Naf ukoll li f'xi każijiet, eżaminuri u superviżuri jistgħu jaraw l-informazzjoni biex jiverifikawha.

IMMARKA BISS DAK LI JAPPLIKA

- ☐ Naqbel li l- intervista semi strutturata tiġi rrekordjata bl-awdjo.
- ☐ Ma naqbilx li l- intervista semi strutturata tiġi rrekordjata bl-awdjo.

Qrajt u fhimt l-istqarrijiet t'hawn fuq, u naqbel li nipparteċipa f'dan l-istudju.

Isem il-parteċipant/a: _____

Firma: _____

Data: _____

Dylan Santillo
dylan.santillo.19@um.edu.mt

Dr. Chantal Avellino
chantal.avellino@um.edu.mt
+356 21346016

Appendix K

Consent Form in Maltese: Easy to Read Version

[Data]

Formola tal-Kunsens

‘Kunsens’ ifisser li inti taqbel ma’ dak li hawn miktub hawn taht.

Jekk taqbel ma’ dak kollu li hawn miktub iffirma fl-aħħar parti.

	Jiena qed napplika għax nixtieq li nieħu sehem f’dan il-proġett li se jsir minn Dylan Santillo.
	Jiena għandi l-informazzjoni dwar l-istudju u kelli ċans insaqsi mistoqsijet dwar l-istudju u kelli risposta. Ingħatejt l-għażla li naqra ittra ta' informazzjoni sempliċi jew waħda aktar dettaljata, abbażi tal-preferenza tiegħi.
	Jien naf li se jkolli intervista.
	Jien naf li l- intervista se ddum bejn 50 minuta u siegħa.
	Jien naf li Dylan Santillo se jirrekordja l-intervista fuq awdjo. Jekk ma iridx niġi rrekordjat/a/i, jittieħdu noti bil-miktub minflok. Jien naf ukoll li Dylan Santillo u t-tutor tiegħu, Dr.Chantal Avellino, biss se jkunu jistgħu jismgħu dak li ġie rrikordjat. F'xi każijiet, eżaminuri u tuturi jistgħu jaraw l-informazzjoni biex jiverifikaha. Wara li jispiċċa l-istudju, Dylan Santillo se jarkivja dak li ġie rrikordjajt sa 2026. Id-dejta se titħassar sal-2026.

	Jien naf li meta Dylan Santillo jikteb dwar l-istudju, se juża partijiet minn dak li għidt jien, imma mhux se juża ismi ta' veru.
	Jien naf li ma hemmx għalfejn nieħu sehem f'dan l-istudju jekk ma rridx. Naf li jekk irrid nieħu sehem se niġi mitlub niffirma formola ta' kunsens. Naf li se jkolli l-għażla li niffirma formola ta' kunsens sempliċi jew waħda aktar dettaljata, ibbażata fuq il-preferenza tiegħi. Jekk napplika biex nieħu sehem u wara jerga nibdel fhemti, ma jkunx jimporta. Nista' nieqaf meta trid. Ma jkunx hemm għalfejn ngħid għaliex irrid nieqaf.
	Jien naf li Dylan Santillo se jimxi skont ma tgħid il-liġi Maltija dwar kif għandha tinżamm l-informazzjoni dwari. Dan ifisser li l-informazzjoni tkun f'post sigur. Id-dejta personali se tkun encrypted u mażżuna offline fuq hard drive estern. Ifisser ukoll li Dylan Santillo jarkivja l-informazzjoni mill-intervisti, inkluż dak li nkun irrikordjajt meta l-istudju jispicċa u jiġu ppubblikati r-riżultati sa 2026. Id-dejta kollha se titħassar sal-2026 b'dejta psewdonimizzata biss tinżamm.
	Jien naf li jekk nieħu sehem, ikolli ċ-ċans nitkellem fuq dak li hu importanti għalija dwar individwi LGBTQ+ li kellhom jew għandhom kuntatt mas-sistema ta' ġustizzja kriminali. Inkun qiegħed wkoll ngħin lil haddiehor jitgħallem aktar dwar identitajiet LGBTQ+.
	Jien irċevejt ittra ta' informazzjoni dwar dan l-istudju u se jkolli wkoll kopja ta' din il-formola tal-kunsens.

IMMARKA BISS DAK LI JAPPLIKA

- ☐ Naqbel li l- intervista semi strutturata tiġi rrekordjata bl-awdjo.
- ☐ Ma naqbilx li l- intervista semi strutturata tiġi rrekordjata bl-awdjo.

Jiena fhimt dak kollu li hawn miktub, u jekk kelli xi mistoqsijiet dawn ġew imwieġba. Jien nixtieq nieħu sehem f'dan l-istudju.

Isem u kunjom: _____

Firma: _____

Data: _____

Dylan Santillo
dylan.santillo.19@um.edu.mt

Dr. Chantal Avellino
chantal.avellino@um.edu.mt
+356 21346016

Appendix L

Interview Guide in English

Interview Guide

Demographic Questions

1. Gender:
2. Age:
3. Sexual orientation:
4. Services:

Interview Questions

1. Can you describe your experiences with the criminal justice system as an LGBTIQ+ individual?
2. Do you feel your sexual orientation and/or gender identity affected your experiences within rehabilitative services?
3. Did you face any challenges as an LGBTIQ+ person while in contact with such services?
4. a. Do you think rehabilitative services are inclusive and supportive of LGBTIQ+ individuals?
b. How did the professionals and staff you interacted with respond to your sexual orientation and/or gender identity?
5. Have you ever encountered discrimination or stigma within the criminal justice system based on your sexual orientation or gender identity?
6. Do you think societal attitudes towards LGBTIQ+ individuals influenced your interactions with professionals and staff?
7. Have your experiences with rehabilitative services as an LGBTIQ+ individual influenced your view of the criminal justice system in Malta?
8. Do you think rehabilitative services could be improved to better meet the needs of LGBTIQ+ individuals?

Appendix M

Interview Guide in Maltese

Gwida tal-Intervista

Mistoqsijiet Demografiċi

1. Sess:
2. Età:
3. Orjentazzjoni sesswali:
4. Servizi:

Mistoqsijiet tal-Intervista

1. Tista' tiddekrivi l-esperjenzi tiegħek fis-sistema tal-ġustizzja kriminali bħala individwu LGBTQ+?
2. Thoss li l-orjentazzjoni sesswali u/jew l-identità tal-ġeneru tiegħek affettwaw l-esperjenzi tiegħek fis-servizzi rjabilitattivi?
3. Iffaċċjajt xi sfidi bħala persuna LGBTQ+ waqt li kont f'kuntatt mat-tali servizz?
4. a. Taħseb li s-servizzi rjabilitattivi huma inkluzivi u ta' appoġġ għall-individwi LGBTQ+?
b. Kif wiegħbu l-profesjonisti li int interaġixxiet magħhom għall-orjentazzjoni sesswali u/jew l-identità tal-ġeneru tiegħek?
5. Qatt ilqajt ma' diskriminazzjoni jew stigma fi hdan is-sistema tal-ġustizzja kriminali bbażat fuq l-orjentazzjoni sesswali jew l-identità tal-ġeneru tiegħek?
6. Taħseb li l-attitudni tas-soċjetà lejn individwi LGBTQ+ influwenzaw l-interazzjonijiet tiegħek mal-profesjonisti?
7. L-esperjenzi tiegħek ġewwa servizzi rjabilitattivi bħala individwu LGBTQ+ influwenzaw il-fehma tiegħek tas-sistema tal-ġustizzja kriminali f'Malta?
8. Taħseb li s-servizzi rjabilitattivi jistgħu jittejbu biex jintlaħqu aħjar il-ħtiġijiet ta' individwi LGBTQ+?

Appendix N

Reflexive Diary

Reflections on Assumptions and Biases

As I delve deeper into the analysis, I've become increasingly conscious of the assumptions and biases I bring to the research, particularly my academic background in queer theory and criminal justice and personal worldview as an LGBTIQ+ individual. These have shaped an expectation that participants' narratives will highlight systemic marginalisation or discrimination. While these themes are present, I've also encountered stories that challenge these expectations; narratives marked by contradiction, agency or even complicity in systems I had assumed would be universally oppressive.

At times, I notice a tendency to gravitate toward accounts that align with familiar theoretical frameworks or with my own values. This risks overshadowing the full nuance of participants' experiences, especially when their stories don't fit neatly into dominant queer or criminological narratives. I am thus learning to bracket my assumptions and biases; instead holding space for complexity, contradiction and ambiguity. This reflexive process has reminded me that queering justice also means queering my own thinking; remaining open to the unexpected ways people make sense of their lives within the criminal justice system.

Reflections on Emotional Reactions

Throughout this research journey, I experienced a wide range of emotional responses. Listening to participants' stories, some of which echoed personal and cultural experiences familiar to me, evoked a strong sense of connection and empathy. While this connection deepened my understanding, it occasionally blurred the line between researcher and advocate. I had to critically reflect on whether my reactions were grounded in the data or shaped by personal projection.

During analysis, I sometimes felt frustrated when narratives seemed contradictory and found myself searching for coherence in experiences that are inherently complex. These moments became important reminders to embrace ambiguity rather than forcing clarity. Apart from this, I often felt a sense of anger when participants described experiences of discrimination and systemic neglect. I felt a deep desire to protect participants, especially when harm was facilitated by institutions meant to provide safety. I had to consciously bracket my emotional reactions, which proved challenging, in order to stay focused on the participants' narratives.

These reactions made me more aware of the emotional labour involved in this type of research. Through ongoing reflexivity, I aimed to remain emotionally present while ensuring that my interpretations stayed rooted in participants' lived realities, not in my own emotional responses.

Reflections on Positionality

My relationship to this research is both personal and professional. As a Probation Officer and a member of the LGBTIQ+ community, I occupy a complex insider-outsider position. Given the nature of my job, I was aware of the risks that come with sharing my identity and the bias doing so might create. However, this created a sense of trust, safety and mutual understanding with participants. Many participants expressed relief at not having to justify or explain their queerness, which allowed for more open and emotionally honest conversations. At the same time, I was aware of the risk of over-identifying with participants or allowing my own experiences to shape their narratives. While my insider status enabled a deep level of understanding, I was particularly mindful of moments where I responded emotionally, using these moments to pause and reflect on how my positionality was influencing my interpretations.

My professional role within the criminal justice system added another layer of complexity. I am embedded in the very structures I was seeking to critique. Listening to participants share experiences of

discrimination, neglect or harm at the hands of institutions often left me feeling frustrated. These moments forced me to reflect critically on the systems I work within and the limitations of justice as it is currently practiced, particularly for LGBTIQ+ individuals.

Using IPA helped me navigate these tensions by grounding the analysis in participants' lived experiences while acknowledging my interpretative role. I remained especially attentive to the diversity of narratives, some which I did not expect to hear. These stories, although sometimes difficult to process, were crucial in revealing the diversity and complexity of queer lives within the justice system.

Ultimately, conducting this research has been a deeply reflexive process. It required me to hold space for complexity and to remain accountable to the people whose experiences I sought to represent. My goal throughout was to ensure that their voices, not my assumptions, guided the research and that their stories were presented with the dignity and care they deserve.

Appendix O

List of LGBTIQ+ Support Services in Malta

Free Services

- Malta LGBT Rights Movement (MGRM): +356 9925 5559 | support@maltagayrights.org
- Rainbow Support Service (MGRM): +356 7943 0006 | support@maltagayrights.org
- LGBTIQ+ Wellbeing Service (FSWS): +356 9904 2015 | lgbtqservice@gov.mt
- LGBTIQ+ Gozo: (Mon–Fri, 9 am–5 pm) +356 9935 6622 | lgbtigozo@gmail.com
- Allied Rainbow Communities (ARC): +356 9927 2999 | info@arc.org.mt
- Richmond Foundation: +356 2122 4580 | +356 2148 2336 | +356 2148 0045 | info@richmond.org.mt
- Crisis Resolution Malta: +356 99339966 | crisismalta@gmail.com
- Crisis Intervention Mater Dei: +356 25453950

National Helplines and Online Chat Support

- National Helpline 1579: 24/7
- Richmond Foundation Mental Health Helpline 1770: Mon–Fri 8 am–8 pm, Sat 8 am–4 pm
- Supportline 179: 24/7
- Richmond online chat (OLLI): <https://www.oli.chat/>
- Kellimni.com: <http://kellimni.com> | +356 2124 4123 | +356 2133 5097

Paid Services

- Counsellors:
Malta Association for the Counselling Profession (MACP)- www.macpmalta.org
Council for the Counselling Profession (CCP)- ccp.msfc@gov.mt
- Family Therapists: www.ift-malta.com
- Psychologists/ psychiatrists:
Malta Chamber of Psychologists- mcp.org.mt
Malta Psychology Profession Board- mppb.msfc@gov.mt
Malta Association of Psychiatrists- map.org.mt
- Psychotherapists: [www.facebook.com/ MaltaAssociationForPsychotherapy](http://www.facebook.com/MaltaAssociationForPsychotherapy)