



Crime and deviance

Key issues in this chapter:

- ▶ Gendered explanations of deviant and criminal behaviour.
- ▶ Gender bias within the criminal justice system.
- ▶ The relationship between gender and punishment.
- ▶ Women and men as victims of crime.
- ▶ Criminology as a multi-disciplinary area of study and its contributions to our gendered understandings of crime and deviance.

At the end of this chapter you should be able to:

- ▶ Critique crime statistics.
- ▶ Debate the issue of gender bias in the Criminal Justice System.
- ▶ Demonstrate how criminology has focused on men but not on masculinity.
- ▶ Discuss women's and men's experiences in prisons.
- ▶ Detail gendered experiences of being crime victims.

Introduction

Post-war developments in British criminology heavily profiled the 'delinquent' behaviour of young men and the construction of 'criminal areas'. These developments were noted in several decades of American work, particularly the Chicago School . . . While it was recognized that American theories could not be simply transposed on to British society . . . the emphasis remained the same: 'subcultures', 'delinquency' and 'gangs' were the sole province of men. The lives of young women did not feature. (Scraton, 1990: 18)

Stop and think 17.1

As Phil Scraton (1990) suggests the study of criminal and deviant behaviour by social scientists has historically ignored girls and women. Before you read the rest of this chapter write down (a) why you think this is the case, (b) the implications of this omission for a full understanding of women's criminal and deviant behaviour, and (c) the implications of this omission for a full understanding of men's criminal and deviant behaviour. When you have finished reading the chapter answer the questions again and note how your answers have changed.

Before we begin to consider the gendered aspects of deviance and crime we need to start with some definitions. Deviance describes any behaviour that differs from that that is considered to be the norm in society and behaving deviantly means breaking these (sometimes unwritten) norms or 'laws'. So deviant behaviour could be praised – as in extreme bravery – or deplored – for example when laws are broken or moral norms ignored. Crime on the other hand can be defined as an act that breaks the criminal law and if discovered will likely be followed by criminal proceedings and formal punishment. Although deviance is not necessarily criminal, crime is always (at least legally) deviant, although not paying the full fare when travelling or using work stationery or technology for personal use is often not viewed by many as 'real' crime. Behaviour defined as deviant and/or criminal is

relative in that the written and unwritten laws that govern us differ over time and place. Even within one society different groups may have their own norms. Social reaction is important when determining whether a behaviour is criminal or deviant. No action is criminal or deviant in itself and only becomes so if society defines it as such (Marsh, 2006). Particularly significant for a gendered understanding of crime and deviance is the fact that what is seen as normal behaviour for men may be seen as deviant for women (and vice versa) and stereotypical views of male and female behaviour have influenced academic writing and the response of the criminal justice system to the crimes of men and women.

In the remainder of this chapter we focus mostly on behaviour that is defined as criminal, although of course this will involve us in a consideration of behaviour that is also considered to be deviant. A focus on the gendered aspects of criminal and deviant behaviour is of course not new, although several writers have suggested that Criminology – the area of work which studies criminal and deviant behaviour and which draws on various disciplines including sociology, psychology, history and law – was slow in its consideration of gender. Traditionally Criminology at best marginalised and at worst ignored gender. For an example here we can consider the *Oxford Handbook of Criminology* (edited by Mike Maguire, Rod Morgan, Robert Reiner in 1997); the handbook is 1,259 pages long and in their introduction the editors accept the importance of a consideration of gender differences and crime and agree that this was an area previously neglected by male criminologists. Given this they ask 'should gender (and race) be addressed in every chapter? Or should they be assigned to chapters for 'specialist coverage?' Their decision is to go for the 'specialist coverage' option and with reference to gender the result is Chapter 21: 'Gender and Crime' (by Frances Heidensohn). The consequence of course is that the rest of the book is sexless: a book about men without a gendered identity. Men remain the proper subject of criminology but the gendered nature of their crimes and experiences is not considered. Feminist writers argue that this continuing lack of a gender-integrated approach within Criminology remains problematic as A Critical Look 17.1 shows.

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A critical look 17.1

Less than half a picture

Gender blindness is not a trivial oversight: it carries social and political significance. Moreover, theories which do not address gender are not merely incomplete; they are misleading.

(Gelsthorpe and Morris, 1988: 98, cited by Collier, 1988)

The costs to criminology of its failure to deal with feminist scholarship are perhaps more severe than they would be in any other discipline. The reason is that the most consistent and prominent fact about crime is the sex of the offender.

(Naffine, 1997: 5)

As you can see, arguments for the inclusion of a consideration of gender in regard to crime have been around for quite some time.

The offenders of crime are indeed more often than not men. In 2000, for example, 81 per cent of known offenders were male (Home Office, 2001, cited by Walklate, 2003: 74). A gendered analysis of criminal and deviant behaviour needs to consider why men commit crime, why women do not, whether men and women are treated differently by the criminal justice system when receiving punishment for their crimes, and are men or women more likely to be the victims of crime and why?

We attempt to answer these questions in the rest of this chapter within three main sections. In 'Males and females doing crime and deviance' we provide an overview of the types of crimes that men and women commit and consider historical and contemporary explanations for gender differences in criminal and deviant behaviour. In 'Gender bias within the criminal justice system' we give instances of and explanations for the differential treatment of males and females by the police and the courts and focus on the gendered punitive responses to criminal behaviour paying particular attention to imprisonment. Then having focused so far on gender differences in terms of the perpetration of crime in the final main section of this chapter – 'Men and women as victims of crime' – we

briefly consider how gender also influences the types of crimes people fall victim to. We end the chapter with some brief conclusions.

Males and females doing crime and deviance

Facts and figures

Over 80 per cent of those convicted of serious offences in England and Wales are males; in 2001 around 380,000 male offenders and 86,000 female offenders were convicted (*Social Trends*, 2003, cited by Marsh, 2006). Women are convicted of all categories of crime but men commit far higher numbers of crimes in all categories. The two categories of crime, 'Theft and handling stolen goods' and 'Fraud and forgery' are the ones which women are most likely to be convicted of, with 'Theft and handling of stolen goods' accounting for 53 per cent of all females convicted and only 35 per cent of all men convicted. Even here though 79 per cent of all the people convicted in this category were men. In addition evidence shows that women are mainly convicted of shoplifting in this category and although shoplifting is considered to be the stereotypical female crime even here more men than women are convicted. In all other categories – other than 'Theft and handling stolen goods' and 'Fraud and forgery' – more than 85 per cent of those convicted are men (Crime Statistics for England and Wales, 2002, Home Office, 2003, cited by Abbott *et al.*, 2005). In addition, Sandra Walklate (2003) argues that if we also take account of the often hidden crimes of sexual and physical violence, which are disproportionately committed by men, then the maleness of lawbreaking behaviour is heightened.

However, there does appear to have been a recent change in women's deviant and criminal behaviour, or at least a change in the number of women convicted of criminal offences. Between 1977 and 1986 the number of women found guilty of crime in England and Wales increased steadily from 207,000 in 1977 to 277,000 in 1986 but declined to about 251,000 in 1993 and has remained reasonably stable since then (Walklate, 2004). However, one problem with official statistics on convictions is that they tell us only the numbers

arrested and convicted for crimes and we know nothing about who commits the large number of unsolved crimes. Thus, as Pamela Abbott and colleagues (2005) note it is impossible to tell whether crime statistics represent a 'real' difference in the lawbreaking of men and women or reflect the fact that women are better at hiding their crimes and/or are less likely to be suspected of crimes because they do not fit the stereotype of 'the criminal'.

Stop and think 17.2

Without re-reading the above, list the problems that exist with statistics on crime and the sex of the offender.



Figure 17.1 Typical criminals? The Kray Brothers

Source: Evening Standard/Hulton Archive/Getty Images

Males and females doing crime and deviance

Arguably, one of the reasons that more attention has been given to men and crime than women and crime is because (as noted above) it is overwhelmingly men who commit crime. When women commit crime this is seen as exceptional and unusual and women who are convicted of crime are seen as 'doubly deviant' in that they have not only broken the law but have also broken the unwritten norms of femininity. Male deviance and criminal behaviour is often associated with what it means to be 'a man' – using force, being aggressive and so on – whereas female deviance and criminal behaviour is associated with everything that is considered unfeminine. With this in mind we now explore the meanings and explanations of men's and women's criminal and deviant behaviour in more detail.

Gendered explanations of crime and deviance

Early explanations

At the end of the nineteenth century an Italian Criminologist Cesare Lombroso developed a biological theory of criminality. He believed in the potential for humans to evolve negatively into a criminal class, arguing that the criminal was a throwback to previous generations, this is known as degeneration theory – see A Closer Look 17.1 for more detail.

A closer look 17.1

Lombroso's theory

Lombroso concluded that skull and facial features were clues to genetic criminality – these features could be measured with craniometers and calipers with the results developed into quantitative research. Lombroso assumed that whites were superior to non-whites by heredity, and Africans were the first human beings that evolved upwards and positively to yellow then white. Racial development was signified by social progress from primitive to modern: 'only we white people have reached the ultimate symmetry of bodily form' Lombroso stated in 1871.

Lombroso's studies of female criminality began with measurements of females' skulls and photographs in his search for atavism. Lombroso concluded female criminals were rare and showed few

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A closer look continued

signs of degeneration because they had 'evolved less than men due to the inactive nature of their lives'. Lombroso argued it was females' natural passivity that stopped them breaking the law, as women lacked the intelligence and initiative to become criminal.

Source: Wikipedia, http://en.wikipedia.org/wiki/Cesare_Lombroso

While Lombrosian theories of crime are no longer given wide credence, biological theories continued to have some influence into the twentieth century in explanations of criminal behaviour and, to this day, influence lay perceptions and the workings of the criminal justice system (CJS). We consider this legacy for the CJS later in the chapter, but for now we concentrate on explanations of crime. Eighty years after Lombroso Otto Pollack (1950) argued that women are no less criminal than men just better at hiding their actions and that men are socialised into treating women in a protective manner. Women became good at hiding due to having a natural secrecy to enable the hiding of menstruation. Pollack also argued that women are essentially more deceitful than men due to their passive role which they have to assume during sexual intercourse. Menstruation has also been implicated by Katarina Dalton (1961) who suggested that some female crime can be explained by hormonal changes during the menstrual cycle. She argued that pre-menstrual tension leads to criminal behaviour.

Others have attempted to explain what appears to be totally incomprehensible behaviour by labelling the perpetrator as mentally sick and suggesting that he or she is mad and therefore not responsible for his or her actions, for instance Pollack (1950) thought women were especially vulnerable to certain mental illnesses such as kleptomania and nymphomania. In addition some criminal theorists have suggested that criminal behaviour is caused by serious mental pathology or at least is the result of some emotional disturbance. These types of explanation have been especially prevalent in explaining female criminality.

The social environment has also been raised in explanation for criminal behaviour. The most common versions of social conditions are:

1. those that locate criminal behaviour in the socialisation processes experienced by individuals and their families; and
2. those that see the immediate 'bad' environment as the cause.

A common example of the first case is spousal abuse which has frequently been explained by childhood experiences of offenders who grew up in homes where such abuse occurred. Likewise, child abuse is sometimes similarly explained. However, by the 1960s some sociologists began to challenge the idea that it was possible to establish the causes of social behaviour in the same way that it was possible to establish causes in the natural sciences [**Hotlink** → **Methods, Methodology and Epistemology (Chapter 2)**]. They pointed out that by paying attention to violations of law, Criminology had ignored the legal system and devalued the place of human consciousness and the meaning that criminal activities had for those engaged in them. Yet current research still focuses on environmental issues as A Closer Look 17.2 demonstrates.

Like Lombroso others have sought to find out if those who behave criminally differ in some way from those who do not and to establish what these differences may be. It has been suggested by Labelling theorists that if criminals do differ from non-criminals, then these very characteristics are used by society to label some people as criminal and ignore others. Maureen Cain (1973) and Steven Box (1971) both suggest that the police are more likely to suspect and arrest a working-class man than a middle-class one. A good example of how, when taking a gendered perspective, we need also to consider the relevance of other aspects of difference and diversity.

Another explanation of criminal behaviour is Strain Theory. In this theory offenders are considered to commit crimes when they meet with restraints and barriers to opportunity, such as decent jobs and education. Strain Theory has been critiqued by feminists for seeing the commission of crimes by men as somehow a normal, understandable response to meeting such barriers whereas when women commit crime Strain Theory refers to such acts as aspects of women's weakness (Naffine, 1987).

A closer look 17.2

Marriage saves men from a life of crime

A 70-year study of juvenile offenders born in the 1920s has found that those who married were far more likely to go straight in later life than those who remained single. The findings challenge much of contemporary thinking on social and criminal justice policy, which focuses heavily on the importance of childhood behaviour and background as a key predictor of criminality in adulthood. [The research was based on data from] 500 criminals from Boston, Massachusetts who were sent to reform school in the 1930s and 1940s . . . married men were 36 per cent less likely to reoffend than those who had not married . . .

The married men did not set out to distance themselves from their formal criminal activities, nor did marriage appear to have changed their moral outlook . . . Instead, marriage altered their daily routines and physically removed them from the scene of their past deviant behaviour. It was almost as if they dissociated themselves from crime by default.

Source: Alexandra Fread, *The Times* 14 January 2004, p. 20.

In critique of all of this it is suggested that the only way that criminals differ from non-criminals is that the former have been involved in the criminal justice system (CJS). Supporters of this argument are concerned to identify the key mechanisms by which crime is socially constructed through law creation, law enforcement and societal reaction. This approach is sometimes called New Criminology or Critical Criminology (Walklate, 1998). More recently the Left Realist position argues that New Criminology is idealistic and romanticises the criminal. Left realists point out that those who suffer most from criminal acts are working-class people. New Criminology is also criticised for neglecting women and crime and this failure to include women in their analysis means that biological and pathological explanations are left unchallenged.

Social Psychology has sought to explain criminal and deviant behaviour through the concept of role (Walklate, 2003). This concept acts as a means by

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which we can understand the ways that actions and behaviours reflect stereotypical assumptions and expectations, including assumptions related to social class, ethnicity and sex. Early sex role theory [Hotlink → Gendered Perspectives – Theoretical Issues (Chapter 1)] based on biological differences delineated distinct roles for males and females and this was also applied to criminal and deviant behaviour. The pervasiveness of sex role theory and biological influences can be seen in the fact that even those who foreground socialisation influences implicitly accepted the importance of biology. For example, Edwin Sutherland (1947, cited in Walklate, 2003) developed the notion of ‘differential association’ to explain boys’ greater delinquency than girls’. The main elements of this view are that criminal behaviour was a learned behaviour just like any other and that those exposed to certain behaviours may favour deviant rather than rule-abiding behaviours. Sutherland explained boys’ greater propensity towards delinquency as follows:

1. Boys are less strictly controlled by society and enjoy greater freedoms to socialise therefore may be exposed to delinquent elements more so than girls.
2. The socialisation process for boys encourages behaviours such as toughness, aggression and risk taking, all the right characteristics for delinquent and criminal actions.

Despite the focus here on social learning [Hotlink → Gendered Perspectives – Theoretical Issues (Chapter 1)] it is clear that boys were assumed to be naturally aggressive and tough whilst girls were equally naturally passive and gentle [Hotlink → Family (Chapter 11)]. The following quote regarding boys and street gangs in the 1950s clearly shows that Sutherland was not the only one to observe such masculine traits:

Here [in the street gangs] the assertion of power through physical prowess rather than negotiation, the taking of risks rather than keeping safe, and the thrill and excitement of breaking the rules rather than accepting them all provide not only the avenues and the motivation for delinquent behaviour but also an expression of themselves as young men.

(Cohen, 1955, cited in Walklate, 2003: 54)

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Stop and think 17.3

Consider the time in which Sutherland was writing. Do you believe the social learning process remains the same today? How might it differ? Are boys still encouraged into the characteristics listed above? Are girls still socially monitored in the ways they were in the late 1940s? How relevant then is this theory to explaining gender differences in delinquency today?

The attractiveness of sex role theory lay, according to Robert Connell (1987), in the fact that it does move away from biological explanations and considers the role of social structures. In addition, it also offers the possibility of social and political change, as learned behaviours can be unlearned or adapted. Yet, problems remain here as the very categories used within sex role theory, 'male role', 'female role' remain firmly rooted in biology and, as such, limit the ways in which masculinity and femininity can be understood [Hotlink → Chapter 1].

Critiques and reworkings

From the late 1960s feminists began to challenge what they saw as gender distortions and stereotyping in traditional Criminology. This was not just a challenge to Criminology to pay more attention to women but also a concern to consider how sex and gender interplay with other social variables. Groundbreaking work was undertaken by Carol Smart (1977) and continued by others (Leonard, 1982; Heidensohn, 1985; Morris, 1987; Naffine, 1987). Smart (1977) argues that most discussions on crime from the nineteenth century onwards virtually ignore women and when women are present they are grouped alongside the mentally ill and juvenile delinquents. She goes on to point out that the study of Criminology is predominately conducted with reference to men – examining men's motivations, their alienation and even men's crime upon other men. As such, she argues that it has been assumed that women need not be considered as the male experience is extrapolatable to women. In addition, Smart argues that studies of women criminals are full of sexism and that unexamined ideas regarding women's nature (as passive) encouraged a focus on behaviours, such as

prostitution as sexually deviant [Hotlink → Sex and Sexuality (Chapter 15)]. Likewise, Claire Valier (2002) points out that huge numbers of studies seem to have ignored the presence of women offenders and have assumed that the male experience included and explained the female. Smart (1997) argues that Lombrosian notions on female criminality have endured and have been reinforced by policies based upon the view that criminal women are more 'mad than bad'.

Feminist critiques from the late 1970s and 1980s display some common foci:

1. they aimed to raise the visibility of women within criminological knowledge;
2. they sought to address women's relationships with crime not only as offenders but also as victims; and
3. they attempted to understand crime as a male-dominated activity produced not as a result of sex differences but as a product of gender differences.

However, many of these texts tended to treat the 'woman and crime problem' as if it were a separate and separable issue within Criminology (see the case of the *Oxford Handbook of Criminology* mentioned at the beginning of this chapter). This created its own problems as the more the question of women and crime was treated in this way, the more mainstream (read malestream) Criminology was left unchallenged (Brown, 1986). There are great dangers in this approach, not least of which is the presumption that when gender is mentioned it only refers to women and not to men. Further, as Smart's (1977) thesis suggests, the development of a subfield within Criminology called 'women and crime' has the potential to merely continue the marginalisation of gender-related questions whilst simultaneously guiding policy-makers to issues not necessarily in women's interests.

Lorraine Gelsthorpe and Alison Morris (1990) argue that the most fundamental question regarding women and crime is not just about representation nor inclusion, rather it is the issue of the whole relationship between feminism and Criminology. They argue that 'Criminology has for many feminist writers and researchers been a constraining rather than a constructive and creative influence. Indeed, in a sense our

task . . . is to fracture its boundaries' (Gelsthorpe and Morris, 1990: 2). So what are these feminists' perspectives of which Gelsthorpe and Morris speak; how have they influenced Criminology, if at all, and how might they differently gender Criminology? We will explore the main aspects here.

One area of feminist critique was to challenge the positivism inherent in the New Criminology (Taylor *et al.*, 1973) showing how the positivist model allowed the world 'as it is' to remain unchallenged and encouraged a determinist view of human nature that legitimised interventionism. Smart argues that such a deterministic view is always oriented towards control over behaviour that deviates from norms, yet we need to ask who sets these norms? Such an approach diagnoses those whose acts do not fit with predefined normative standards as pathological and in need of 'treatment' to produce conformity to societal norms. Yet, as Smart outlines, this approach ignores the potential political significance of deviant behaviour:

deviant individuals are not considered to be social critics, rebels or even members of a counter culture, rather they are treated as biological anomalies or as psychologically 'sick' individuals. Their actions are not interpreted as having particular social significance, as being possibly rational responses.

(Smart, 1977, cited in Valier, 2002: 29)

Some feminist critics have asked the question 'can we add women to existing theories?' Eileen Leonard (1982) argues that this would be inadequate and called for the construction of new methods and theories for non-sexist ways of describing social reality. Such arguments were based on an observation that some feminist empiricism tended to accept men as the norm, unwittingly setting them up as the human standard. For instance, engagements with the chivalry thesis (see below) questioned whether women were treated the same as, or different from men. In other words, men were accepted as the norm to which women might be compared. In addition, this norm was predominately that of the white male and as Marcia Rice (1990) has shown ethnicity is also at play and black female offenders have been constructed as 'the other dark figure in crime'. In such ways, it has been argued that traditional Criminology has con-

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structed racist as well as sexist ideologies of femininity and that in addition to a feminist perspective it is also necessary to add a black feminist perspective on crime and deviance. See A Closer Look 17.3 for further details of feminist responses.

A closer look 17.3

Feminists, women and crime

Feminists have suggested that to understand the issues surrounding women and crime two key questions need to be considered:

1. why do so few women commit crimes; and
2. why women who do commit crimes do so?

Abbott and colleagues (2005) suggest that malestream theories have either failed to tackle these questions or provided inadequate answers, for example psycho-positivistic (biological/psychological) theories of female criminality have stereotyped women and do not provide an adequate explanation yet maintain a position of dominance in explanations of female crime long after they have been seriously challenged. Examples of this are that women are more likely to be viewed as suffering from psychological problems, women more likely to be found insane or of diminished responsibility and, if convicted, more likely to be given psychiatric treatment in place of a penal sentence. One such example is the use of PMS (pre-menstrual syndrome) as a means of defence. On the other hand, sociological theories have with few exceptions ignored women. They have not seen gender as an important explanatory variable and have assumed that theories based on male samples and a male view of the world can be generalised to women. In some cases they have implicitly or explicitly accepted biological theories, as for example Emile Durkheim (1897) did in his study of suicide, when he agreed that women were less likely to commit suicide than men because they were biologically at a lower stage of development than men and therefore less influenced by the social forces.

Source: Abbott et al. (2005).

Feminists argue that to truly understand why some women transgress the law requires a paradigm shift. This shift needs to consider how gender interplays with class and ethnicity and must include a consideration of

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patriarchal relationships, contemporaneous ideologies of appropriate femininity and the role that women play within the family and community. As was noted by Sutherland, the ideology of femininity constructs girls and women in particular ways with the 'natural' role being seen as that of wife and mother, with the consequent conclusion that girls and women are seen as needing protection and care. Related to this view young girls tend to be controlled more than their brothers and given less freedom. While young men who come before the courts and are handled in the juvenile justice system have generally committed criminal offences, girls are more likely to come before the courts for being in need of care and protection, including from their own promiscuity – what are referred to as 'status offences', coming within the ambit of the law only because of the age of the 'offender'. This seems to remain true even when the girls have in fact committed criminal offences (Lloyd, 1995; Abbott *et al.*, 2005).

Arguing for the need to develop theories that are adequate for explaining and understanding the law-breaking of both men and women, does not mean that feminists are looking for a universal theory that will explain all criminal behaviour in all circumstances. There is no reason to assume that all criminal behaviour can be explained in the same way. What is necessary are theories of crime that take account of gender, ethnic and class division and studies that are situated in the wider moral, political, economic and sexual spheres which influence women's and men's status and position in society (see A Critical Look 17.2.)

Stop and think 17.4

Make a bullet list of the ways in which feminists have critiqued 'malestream' criminology.

Not all theorists have failed to examine masculinity in relation to criminal behaviour. James Messerschmidt (1993, cited in Walklate, 2003) has suggested that there are three social structures involved in the way masculinity is expressed across a range of criminal behaviour (from street violence to white-collar crime). These are:

A critical look 17.2

Criminology and men

It is not the case that men have been absent from studies of crime, deviance and delinquency. However, what is true is that it has been maleness, rather than masculinity that has been researched, examined and theorised.

Men certainly have not been absent from criminological thinking. Indeed, the activities of young, urban males have preoccupied criminologists since the delinquency studies of the 1940s and 1950s. What criminologists have paid little attention to, however, are the potentially different ways in which the behaviour of young, urban males might be informed by their understanding of themselves as men; or indeed, how criminological analyses might be better understood as a reflection of male understandings about crime . . . Tolson (1997) explored the different ways in which dominant forms of thinking about masculinity constrained different men in different ways. In some ways, Tolson's work constituted a central moment in setting the further development of the exploration of masculinity. His work posed two key questions for that debate. Is there one overarching form of masculinity, or are there many diverse masculinities? Is masculinity best understood as a product of sex role development or gender relations?

(Walklate, 2003: 81)

1. the gender division of labour [**Hotlink** → **Work and Leisure (Chapter 14)**];
2. the gender relations of power and sexuality [**Hotlink** → **Sex and Sexuality (Chapter 15)**], and
3. the objectification of women in the media [**Hotlink** → **Sex and Sexuality (Chapter 15)**; **Culture and Mass Media (Chapter 18)**].

Accordingly, 'men construct masculinities in accord with their position in social structures and therefore their access to power and resources' (Messerschmidt, 1993: 119). Messerschmidt considers various sites of crime from the workplace to the home and to the street, examining the ways in which masculinity is

expressed. Whether the site be the pimp on the streets or the executive in the office, Messerschmidt argues that each offer an opportunity for men to display their manliness to others and to themselves. He concludes that whereas the office offers the executive the opportunity for sexual harassment of female employees this differs little from the control a pimp has over prostitutes on the street. For Messerschmidt crime is merely one way in which masculinity can be expressed when other opportunities and resources are unavailable (Valier, 2002: 146).

It would appear then that there has been a tendency to accept that masculinity is related to crime whilst at the same time a fear of the female criminal has pertained. A Critical Look 17.3 shows how female crime seems to threaten not just the social order but the moral order of society.

A critical look 17.3

Girls go bad?

Consider the following taken from an article by Susan Batchelor (originally 2001) reproduced in Jewkes and Letherby, 2002a: 249). It comes from the tabloid the *Daily Record*, Scotland's biggest selling newspaper.

One newspaper claimed that 'One girl said she was too scared to leave the house for fear of being attacked. Another described how a girl gang member had held a knife to the throat of her best friend' . . . Another 'angle' adopted by the press involved misquoting the research to back up the girl gang story ('Deadly as the males – Experts probe explosion of violence by girl gangs' . . . 'The shocking extent of violence among teenage girls in Scotland was revealed yesterday. A study found girl gangs taking part in unprovoked attacks is now commonplace'. The article went on to allege that 'The number of violent crimes committed by girl thugs in Scotland had almost doubled in the last decade.'

Yet this is hardly new: Geoffrey Pearson (originally 1983), reproduced in Jewkes and Letherby 2002a: 15) writes:

A brawl among three women . . . resulted in one of them 'scoring her face with a door key' because

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the other women 'tore her hair and beat her with a poker'. . . three girls aged 15 and 16 years were brought to court for robbing a woman of 9s 2½d after they had hustled her. Described by the police as a well-known gang of 'expert pick-pockets', the news headlines identified them as 'Girl Hooligans'. There were other mentions of 'Hooligan Girls' and 'Female Hooligans' and their 'hooliganesque' behaviour. Young women, for example, who were 'arm-in-arm' right across the pavement, and kept pushing people off, or another court report which described how 'a respectably-dressed young girl was set upon by four factory girls and unmercifully beaten'. She said that she had 'accidentally brushed against one of the four girls who were standing on the pavement', whereupon 'all four caught hold of her, and beat her in a most savage manner, using fearful language', and left her on the ground bleeding profusely from the nose and mouth (all reports from various English newspapers produced in August 1898).

Source: Jewkes and Letherby (2002a).

Despite the increasing number of articles focusing on 'girl gangs' the everyday experience of girls presents a very different picture (Batchelor, 2001). For example, in the article above the reporter did not cite the source of the data used and when we look at the data for the eleven years from 1987 to 1997 the number of women convicted of violent offending in Scotland had increased, but by 15 per cent (38 additional cases), not by close to 100 per cent as suggested by the *Daily Record*. For contrast it is interesting to note that in the same time period violent crime by men increased by 26 per cent (818 additional cases). It is also worth noting that because the number of such crimes committed by women is so low a very small rise can make a considerable difference in terms of percentage rises. The misrepresentation of available data in this way has serious consequences. This media stimulation of the 'myths' of girl gangs can contribute to unrealistic public attitudes and misdirected public policy (Batchelor, 2001). Further, the demonisation of young women by the media deflects attention away from the genuine problems that young women might have.

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Gender bias within the criminal justice system

Chivalry or just desserts?

Recently Criminologists have engaged in a debate regarding the treatment of women offenders in the criminal justice system (CJS). There are basically two perspectives: the chivalry (or paternalism) view and the 'evil women' position.

1. Chivalry – this view basically argues that women are treated with greater leniency than men within the male-dominated justice system due to feelings of chivalry which lead men to seek to act protectively towards weak women. Of course, this simply reiterates and reinforces the perception of female offenders as victims and passive.
2. Evil Women – this view is that women who offend receive harsher treatment than men for women who commit crime are seen as doubly deviant. Women who commit crimes are viewed as offending against the law and also against social norms regarding gender roles (Nagel and Hagan, 1983).

Associated with the 'evil women' thesis is the view that female offending tends to be sexualised whereas male offending is not, with female offenders assumed to be sexually deviant. As such women's crime produces more punitive attitudes. Frances Heidensohn (1985) points out that whether this view is overt or covert (usually presenting as a concern for the welfare of the women offenders) it can lead to a situation whereby female deviance can once more be presented as a 'sickness' which may result in sentences which include treatment plans, resulting in a punishment which could be more intrusive than that issued to a male convicted of a similar offence.

Some empirical evidence was produced in the 1980s which found that women did receive less severe sentences than men (Farrington and Morris, 1983) but it should be remembered that women are more likely than men to be first offenders and to have committed a less serious form of the particular crime (for example, in the offence of theft they may have stolen goods of lesser value on average than men convicted of

theft). An examination of the different stages of contact with the CJS provides the following summary (derived from Cavadino and Dignan, 2002):

- Police stop and search men more often than women (almost twice as frequently);
- Delinquent boys are more likely to be stopped by police than delinquent girls, and
- Girls are more likely to be stopped if their lifestyles and behaviour were deemed to be 'unfeminine', for example, being in mixed sex groups, involved with alcohol etc.

So, it would appear that the police do not treat girls worse than boys but the above list does add credence to feminist claims that males and females experience differences in their treatment by arms of the CJS, with girls and women having their femininity policed as much as their offending.

Femininity can also be seen as working to the advantage of women and there is a 'tendency not to arrest females as often as males if they behaved in expected stereotypical ways' (Cavadino and Dignan, 2003: 182), such as displaying concern for their children or implying that they had been led astray. Support for this view comes from the observation that those females who presented themselves as hostile and aggressive are more frequently arrested than those who exhibit stereotypical female behaviour (Cavadino and Dignan, 2002).

Judges tell me all the time that they never send women to prison. The truth is that the woman in the neat white blouse who is sorry and depressed is acceptable, but the girl in the leather jacket with the Mohican haircut and the drug problem is treated very badly.

(Chris Tchaikovsky, *Women In Prison*, *The Guardian*, 9 February 1994)

Evidence also shows that female offenders receive cautions rather than sentences at a higher rate than men. In 1999, 48 per cent of females found guilty of, or cautioned for, an indictable offence received a caution, compared with 30 per cent of males (Abbott *et al.*, 2005). This may be seen as evidence of chivalry operating in women's favour. However, it is necessary

to take into account the type of offences involved and the offenders' previous records in deciding whether any bias goes into the creation of the statistical difference between the sexes. In addition, other social variables such as class and ethnicity also influence sentencing as shown in World in Focus 17.1.

It may be that the Aboriginal women in Canadian prisons (detailed in World in Focus 17.1) are subject to bias against both sex and ethnicity. A Scottish study conducted by Pat Carlan (1983) concludes that sexist bias enters into the sentencing decision to the disadvantage of women who offend against the norms of femininity. From her interviews with sheriffs (Scottish judges) Carlan found that they expressed chivalrous views (such as saying they hated sending women to prison) and she concludes that they frequently include in their sentencing deliberations considerations such as their assessment of the woman's mothering role (being more likely to send a woman to prison if her children were in care). Despite this chivalry many also confessed that they sometimes imprisoned women in circumstances when they would have fined a man, because women were normally financially

dependent on men and often could not afford to pay a fine appropriate to the offence.

It appears that a disproportionate number of women in prisons have 'unconventional' family backgrounds. Carlan's Scottish sample consisted of 20 women, of which only one was married at the time of the research. Likewise, Farrington and Morris (1983: 244–5) found that women who were divorced or separated or were deemed to have a 'deviant family background' were more likely to receive a relatively severe sentence, but these factors made no difference to the kind of sentences which male offenders received. However, this suggests that sexist bias may be functioning in two directions for women who are married and looking after their children may be the beneficiaries of chivalry and receive a lighter sentence than a man.

When all the research evidence is weighed it suggests that women who offend are not on the whole sentenced more severely than comparable males, and that they sometimes receive more lenient sentences, including escaping custody where a male would not. What is not known, however, is to what extent this

World in focus 17.1

Aboriginals in the Canadian prison system

Federal prisons discriminate against aboriginals, says ombudsman

The Canadian prison system is practising 'systemic discrimination' against aboriginal offenders, says the federal ombudsman for inmates – a finding that his political masters in the Conservative government refuse to accept. Howard Sapers, in his annual report Monday [16 October, 2006], said the Correctional Service of Canada too often overestimates the risk posed by native prisoners and sends them to

maximum-security institutions when less rigorous treatment would do. Aboriginals are also more likely than non-aboriginals to be sent to solitary confinement, and to be overlooked for early parole and thus end up serving too much time behind bars, said Sapers.

'The general picture is one of institutionalized discrimination,' he told a news conference. 'That is, aboriginal people are routinely disadvantaged once they are placed into the custody of the correctional service.'

...

Sapers pointed to statistics that show the total number of people

incarcerated in federal institutions went down by 12 per cent between 1996 and 2004. But the number of native inmates increased 21 per cent in the same period.

The figures were even more dramatic for native women, whose numbers rose by a startling 74 per cent.

Just as troubling, said Sapers, is the fact that four in 10 natives behind bars are aged 25 or under, reflecting the frequency with which young aboriginals run afoul of the law.

Source: Jim Brown, Canadian Press, <http://www.cbc.ca/cp/national/061016/n1016104.html>.

Crime and deviance

could be accounted for by arguably relevant differences in the situations of male and female offenders, such as childcare responsibilities.

A closer look 17.4

Sex, murder and sentencing

Joseph McGrail killed his drunken, abusive common-law wife by repeatedly kicking her in the stomach as she lay in an alcoholic stupor. He had finally snapped after 10 years of torment during which Marion Kennedy went on massive drinking binges and became addicted to sleeping pills 'to enhance the mental effects of the alcohol'. She had repeatedly sworn at him and forced him to feed her vodka habit during the years they lived together in Kinstanding, Birmingham.

...

McGrail was found guilty of manslaughter and walked free from Birmingham Crown Court with a two-year suspended prison sentence. The judge, Mr Justice Popplewell, said the woman he had killed 'would have tried the patience of a saint'.

Two days earlier, Sara Thornton's appeal to have her murder conviction for killing her husband Malcolm changed to manslaughter was heard. She had stabbed him in the stomach as he lay, like Marion Kennedy, in alcoholic stupor. . . Mrs Thornton had been repeatedly battered by her husband during their 10-month marriage. He had once knocked her unconscious and threatened to kill both her and her 12-year-old daughter. On other occasions, he had punched her on the eye and on the back of the head, broken a glass over her hand, threatened to throw her through a plate-glass window and smashed furniture when he was drunk. The court was heard that only two days before she stabbed him Mrs Thornton told a friend: 'I'm going to kill him'.

Her appeal was rejected and she returned to Bullwood Hall prison in Essex to continue her life sentence for murder.

Source: Lloyd (1995: 72–3).

Stop and think 17.5

Do you think women and men are treated differently by the CJS? If so, how? If not, why not?

Imprisonment

For many men and women in prison, the feeling of stigmatisation and of being part of an underclass, with all its connotations of sub-humanness and subterranean invisibility, is the foremost aspect of their identity, and similarly 'washes away' all other facets of their personalities and histories. However, there are gender differences within the prison walls. As Joe Sim argued in 1994, despite focusing on men as the 'primary subject matter' (Sim, 1994: 100) many earlier prison studies failed to consider gendered aspects of male prisoners' experience: prisoners like criminals were sexless. Research focusing on masculinity and imprisonment suggests that for men prison life is characterised by fear, violence and represents a celebration of masculinity.

According to Erving Goffman (cited in Hester and Eglin, 1992) the initial experience of incarceration is often an emasculating one for men who are no longer able to fulfil their traditional masculine roles within their families. Perhaps as such then, one survival mechanism is to become hyper masculine. This may be manifest in physical demeanour or by demanding authority and control over other prisoners. This masculinity includes the exaggeration of heterosexuality, the expressing of homophobia, bragging about love letters from loyal women, outright sexism through to the rape of other men deemed to be less masculine both to feminise them and reinforce dominance of the rapist.

Incarceration is associated within some subcultures with masculinity, as almost a badge of honour or the entry into manhood. As Stanley 'Tookie' Williams (convicted of, and executed, for) murder describes below, prison was presented to him as a place to be a man.

I was eleven years old when Rock was released from the penitentiary where he had been imprisoned for murdering his father, who used to beat up his mother. I remember sitting wide-eyed on a porch with other kids my age, listening to Rock tell stories about the years he spent in different prisons, like Soledad, Folsom, and San Quentin. . . He said prisons were places where a man could prove his toughness to other men who were equally tough. . . Rock was a good storyteller. Now I see that he was good. His stories made prison sound like a fun

place to hang out with your homeboys. Rock had most of us wanting to go to prison when we were old enough.

(Williams, 2001: 13–14)

One means of displaying masculinity within prisons is in the development of physical prowess through body building (see A Closer Look 17.5).

A closer look 17.5

Doing time, doing masculinity, doing sport

In the quotes below Don Sabo (2005, originally 2001) describes the role sport plays in constructing and preserving masculinity within prisons.

. . . many men in prison deploy sports and fitness activities as resources to do masculinity – that is, to spin masculine identities, to build reputations, to achieve or dissolve status. For the men in prison, as elsewhere, masculine identity is earned, enacted, rehearsed, refined, and relived through each day's activities and choices.

(Sabo, 2005: 110)

. . . the most striking aspect of prison sports is their visibility. The yard is often a hub of athletic activity. Weight lifters huddle in small groups around barbells and bench press racks. Runners circle the periphery, while hoopsters spin and shoot on the basketball courts . . . Depending on the facility and time of year, there may be football practices or games, replete with equipment and fans along the sidelines. Some prisons maintain softball leagues and facilities.

(Sabo, 2005: 109)

There is no doubt that prison, with its all male inhabitants and a guard regime which follows a military hierarchical form, exudes masculinity. As Don Sabo (2005), a teacher in prisons in the USA notes, this masculinity influences even workers in the prison system:

The prison environment triggers a masculine awareness in me . . . The masculinity that surfaces in the prison is more an attitude, a hazy cluster of concerns and expectations that get translated into emotion and physical movement in ways that never

Gender bias within the criminal justice system

quite become clear. Though there are a few women around (for example, an occasional female guard, some women teachers), I see and smell the prison as an all-male domain . . . I have been told not to trust anybody – prisoners, guard or bureaucrats. Nobody. It sounds crazy, but the tinges of distrust and paranoia almost feel good. Indeed, there are parts of me . . . that embrace the distrust and welcome the presumed danger and potential for danger.

(Sabo, 2005: 109–10)

This distrust and presumed danger can also be experienced as fear. Fear within prisons is justifiable, after all some of the inmates are serving sentences for violent crimes. The culture of masculinity in prison equates personal power with physical domination. Of course, this also reflects the outside world but inside the dominance can be total as there is nowhere to hide from the bullying of other prisoners. Prisoners' violence is often part of the symbol, ritual and reality of a hostile, male environment. It would appear then that the culture of prisons encourages a particular form of hegemonic masculinity [**Hotlink** → **Gendered Perspectives – Theoretical Issues (Chapter 1)**], one which values physical strength and violence yet, of course, such hegemonic masculinities also exist within other institutions.

Just as male prisons emphasise masculinity, female prisons emphasise femininity. For women the so-called 'chivalry factor' assumes that women who are sentenced to a custodial sentence are 'failed' women and so need to be 'retrained' into femininity and 'women's work'. So the work that women do in prison is still dominated by domestic-type tasks such as cleaning, sewing and cooking and these feature significantly in the training provided for female prisoners, along with training for traditionally female jobs [**Hotlink** → **Work and Leisure (Chapter 14)**] such as typing, catering and hairdressing (Lloyd, 1995; Cavadino and Dignan, 2002). In addition, the 'mad not bad' stereotype of female offenders has had a particular influence on prison regimes for women in that female prisoners are more likely to be prescribed psychotropic medications than male prisoners, though, of course, this could also be the result of the stresses women prisoners face (Cavadino and Dignan, 2002).

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Cavadino and Dignan (2002) note that on the one hand it appears that women in prison are treated better as women's prisons are, on the whole, less unpleasant places than those for males. As imprisoned women are disproportionately (in comparison with the general population) more likely to have experienced interpersonal violence, ironically prison may be a safer place than their previous home environments (Lloyd, 1995; Bradley and Davino, 2002).

As women are a relatively small proportion of the prison population it has been argued that they are often 'easily forgotten in a criminal justice system which is run, very largely by men, to deal with male offenders' (NACRO, 1991: 3). Cavadino and Dignan (2002) have pointed out that although, on the whole, it may appear that women in prison are treated better than men this is not necessarily the case. As women do make up such a small number of the overall population they are often incarcerated in prisons far from their homes and family support networks. The remote locations of such prisons often make visiting and, therefore, maintaining family ties, all the more difficult. Evidence of this is visible in both the UK and abroad. For example, in Scotland there is only one women's prison – Corton Vale – which although it is situated in central Scotland means that women from the north and south are imprisoned far outside of their own communities. Likewise in Canada, until 2000, all women convicted of a federal crime requiring a sentence of two years or more, were sent to the Prison 4 Women in Kingston, Ontario which for many women was thousands of miles away from home.

Recently women prisoners seem to have suffered at least as much as male inmates from the 'security first' regime despite the fact that they generally pose much less of a threat to security. One manifestation of this was a policy introduced in the UK in April 1995 stating that women prisoners, including those in advanced stages of pregnancy, should be handcuffed or chained when being treated in hospitals outside of the prison. See Figure 17.2.

There is evidence that both motherhood and fatherhood adds to the pain of incarceration as World in Focus 17.2 suggests.

It has been suggested (Heidensohn, 1985), that women find the experience of prison more traumatic



Figure 17.2 Birthing woman in chains

Source: Mark Allen Johnson/Relentlessphoto.com

than men resulting in a greater incidence of self harm within women's prisons from cutting to eating disorders. Yet it is important to recognise that men in prison feel distress too. A focus on aspects of their identity (such as fatherhood, see World in Focus 17.2) highlights the fact that imprisonment does not completely wash away all other aspects of a convict's identity. Similarly, Cohen and Taylor (2002) report on research undertaken in the 1940s in an American prison which describes the problems of outside relationships in terms of the amount of suffering that the presence of such relationships produces. The researchers found that those who had few contacts with the outside through letters and visits did not suffer much, those who had medium contact suffered a great deal, while those who had high contact were again found to be low in suffering. In order to reduce their suffering there was evidence of prisoners who cut off all contact in order to reduce suffering. One said: 'I

World in focus 17.2

Mothers, fathers and imprisonment

Mothers in prison in the UK

In the UK approximately half the women in prison are mothers and there is evidence to suggest that their family responsibilities continue:

There's a lot of women still running the home from inside prison. All men care about is their baccy, their meals and whether they're top dog in the prison. But the women are still running the home and I've seen women in here (an open prison) write shopping

lists every week to give their fellas when they come so they get the right food and things for the kids.

(Senior Officer, quoted in Devlin, 1998: 54)

On the other hand of course imprisonment conflicts with and threatens the ideals of motherhood and some women in prison voluntarily stop seeing their children telling them they are in hospital or on holiday and others lose contact with their children. The threat of 'no visits' is also used to keep order in women's prisons.

(Adapted from Jewkes and Letherby, 2002b)

Fathers in prison in the US (and elsewhere)

Charles S. Lanier (2003), who himself was once an imprisoned father, points out that there are more men in prison than women and there are many more fathers than mothers yet there has been little research on fatherhood and imprisonment. Reflecting on one of the expected roles of fathers he argues that fathers on the 'inside' feel particularly distressed because they cannot provide for their children economically.

Source: Adapted from Lanier (2003).

do hard time. It's much easier if you get the outside off your mind and forget about your family, your folks and your wife' (Cohen and Taylor, 2002: 342).

One small group of prisoners who face great distress are those whose gender identity does not match their sex. For such transgendered prisoners the experience of being imprisoned in institutions which are incongruent with their sense of gender is both humili-

ating and physically dangerous. As Richard Edney (2004) shows the experience of a transgendered person in prison is frequently a terrifying one as she or he is extremely vulnerable to sexual violence from other prisoners. Added to this is that they may not receive adequate medical care. As such, they are exposed to risks not faced by other prisoners (see World in Focus 17.3).

World in focus 17.3

Transgendered persons and prisons

In both Canada and Australia the prison experience of transgendered persons is beginning to be addressed.

CSC loses appeal in transsexual human rights case

Canada's federal prisons will be forced to allow sex-change surgery for transsexual inmates as a result of a court ruling that concluded a blanket ban is discriminatory.

...

Corrections Canada will revise its policy because of the decision, spokeswoman Michele Pilon-Santilli said. But she warned that sex-change operations will not be available for all transsexual inmates. The decision upholds a 2001 decision from the Canadian Human Rights Tribunal in the case of Synthia Kavanagh. The tribunal said that it was discriminatory for prisons to have a blanket ban on sex-change

operations but not on 'non-essential' services such as the removal of tattoos.

The Corrections and Conditional Release Act requires prisons to provide essential health care to inmates. Kavanagh, a 41-year-old transsexual, alleged discrimination based on sex and disability after prison officials refused to allow her to undergo a sex-change operation that had been pre-approved before she was imprisoned. Kavanagh began

Crime and deviance

World in focus continued

hormone therapy and lived as a woman as a teenager. When she was convicted, she had been conditionally approved for sex reassignment surgery. She ended up paying the \$14,000 for her operation because of the prison's ban. After spending more than a decade in various men's prisons, she was transferred more than two years ago to Joliette Institution, a

medium-security women's prison north of Montreal.

The ruling is expected to affect less than a dozen transsexuals in Canadian prisons. In 2000, the most recent year for which statistics are available, 10 of the 2,500 inmates in federal penitentiaries were 'pre-operative' transsexuals, but not all of them wanted surgery. Sex-change

surgery is considered an essential service that is covered by medicare in most provinces when a patient has been diagnosed with gender dysphoria, the medical term for people who believe they are the wrong sex. It should be no different in Canadian prisons, said Justice Layden-Stevenson.

Source: *National Post*, Janice Tibbetts, 7 February 2003, www.nationalpost.com

Stop and think 17.6

1. Is imprisonment a less appropriate punishment for women than men? Why?
2. Comment on what do you think of the irony that the home is less safe for some women than the prison, whereas it seems that men need the love of a 'good woman' to stay away from a life of crime?
3. In what ways does prison life exaggerate 'normal' hegemonic masculinity and emphasised femininity?
4. How do women and men resist emphasised/hegemonic gender roles in prison?
5. What particular dangers may be faced by transgendered prisoners?

guidelines for implementation. By March 1992 all forces in England had written equal opportunity policies. Despite this, research continues to suggest that women officers feel discriminated and discouraged and that a major problem for them is sexual harassment from male colleagues (Heidensohn, 1994, 2002; Reiner, 2002). In addition, it appears that for male police officers sexual opportunity is part of the job. As Reiner points out:

Routinized 'sexual boasting and horseplay' [is] often at the expense of women colleagues (Policy Studies Institute 1983, iv: 91–7). Policemen are not notorious for their aversion to illicit heterosexual activities. There's always a bit of spare around the corner because of the glamour of the job.

(Reiner, 2002: 282)

Men and women as workers in the CJS

One contributing factor to gender bias in the CJS is the lack of women as workers – as police officers, prison officers, judges, lawyers and so on. Occupations that remain male dominated are more likely to reflect masculine values. Taking policing as an example Robert Reiner (2002) argues that police work is characterised by old-fashioned machismo. Sexism in police culture, he adds, is reinforced by discrimination in recruitment and promotion. In the 1970s women police officers took on full policing duties in both the UK and the US. In 1989, the UK Home Office issued a Circular about equal opportunities in the police service which set out objectives and

Andrew Billen's (1992) newspaper article on the British judiciary highlights the fact that the judiciary is drawn from a narrow band of society. Not only are judges more likely to be male but they have mostly attended fee-paying schools and have Oxbridge backgrounds. As Billen (1992) cites, only one of the 1989–91 intake was a woman and, not surprisingly given the stereotype that women are more interested in family affairs than men, she was appointed to the High Court Family Division in 1990. Clearly then the judiciary is not representative of society in general which can have negative consequences for many of the people – who are not male, white and upper-class – who come before them. From Billen's (1992: 316) article it certainly appears that judges are 'out of touch with ordinary people and ordinary life'.

Men and women as victims of crime

As Abbott and colleagues (2005: 288) note women are likely to be victims of all forms of crime, but they are especially vulnerable to violent attacks by men, both sexual and physical. In addition, it is not just that women are the victims of crime but that fear of crime is a powerful control over women's lives. Worldwide, it is estimated that 130 million women and girls have undergone clitoridectomy (a form of female circumcision), a trade estimated to be worth \$76 million annually. Between 700,000 and 4 million women are trafficked for commercial sex work and in the Rwandan genocide of 1994, women and children were raped, often by men who knew they were HIV positive. In India and China sex selection and the killing of baby girls occurs because of preference for boy children and in India women are killed by their husbands because their families of origin are unable to meet demands for dowries. In 48 surveys from around the world between 10 and 69 per cent of women reported being physically assaulted by male partners at some point in their lives (www.who.org) (Therborn 2004, Abbott *et al.*, 2005)

Tim Newburn and Elizabeth A. Stanko (2002[1994]: 257) point out that there have been relatively few studies of male victims of crime. The bulk of early victimology literature focused on victims as a group largely undifferentiated by gender and, more recently, attention has been directed at uncovering and detailing the impact of violence by men against women. Thus, little is known about men's experience of victimisation. Until recently it has been assumed that men would be unwilling to disclose their experience of crime which has perpetuated and justified the lack of attention to men as victims.

We do know though that although men are less likely to be victimised in the home when they are they are likely to meet with disbelief and disregard. Outside of the home especially where 'public' violence is concerned, men – particularly young men – are most likely to seek police or medical assistance for personal crime, and report such incidents to crime researchers.

Conclusion

It would appear then that the study of crime and deviance, housed within the interdisciplinary field of Criminology, is both peopled and dominated by men. Feminist theory has begun to dismantle the established and pervasive dichotomy of the daring and devilish male offender and the unappealing, inert and passive female offender. However, despite the fact that both the criminal and criminal activity are gendered, criminology has not yet truly become so.

Further reading

Rudy Wiebe and Yvonne Johnson (1998), *A Stolen Life: The Journey of a Cree Woman*, Canada, Vintage. This tells the tragic life story of Yvonne Johnson, a woman of Cree/White parentage. Yvonne suffered repeated physical and sexual abuse and was imprisoned for life for the murder of a man she and her friends suspected was a child abuser. This true story details the experiences of a native woman within the Canadian penal system.

Jake Blight (2000), 'Transgender Inmates', *trends and issues*, Australian Institute of Criminology, no. 168 at <http://www.alc.gov.au>. In this article Blight argues that people who transgress the traditional boundaries of sex and gender present a challenge for correctional systems. Blight argues that the small number of these inmates require particular policies to avoid self harm.

Yvonne Jewkes and Gayle Letherby (eds) (2002b), *Criminology: A Reader*, London, Sage. This edited collection covers a wide range of issues and topics, including men as victims, histories of the study of crime, crime mythologies, the CJS and crime and social stratification.

trends and issues, Australian Institute of Criminology, at <http://www.alc.gov.au>. This refereed journal, available online, is an excellent source of concise and informative articles relating to crime, deviance and criminology both in Australia and elsewhere.

Journal of Research in Crime and Delinquency – this journal explores the social, political and economic contexts of criminal justice and examine victims, criminals, courts and sanctions. It also covers theory, new research and statistical analyses.

Websites

In addition to those listed in end of chapter activity also see:

The Pelican Bay Prison Project –

<http://www.pelicanbayprisonproject.org/history.htm>. This is a site written by prisoners in the supermax prison of Pelican Bay (California Department of Corrections). In particular read the writings of Donny Johnson, a lifer serving his sentence in solitary confinement.

End of chapter activity

Visit the following websites:

- ▶ Canadian Association of Elizabeth Fry Societies – <http://www.elizabethfry.ca>
- ▶ Women in Prison UK – <http://womeninprison.org.uk>
- ▶ Nacro – <http://www.nacro.org.uk>

Read about their work, their mission and their aims. Draw comparisons among them regarding their campaigns, their interests, their methods etc.