

# TROUBLESOME YOUNG WOMEN

## 'Sugar and spice but not at all nice'

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If we are to believe what we read in the papers then the next moral panic, waiting round the corner, is Tank Girl, a shaven-headed, beer-swilling, feminist superheroine with her biker boots, tattoos, bright red lipstick and 'cocky, feminist, aggressive persona'. She and her all-girl gang are menacing the streets, targeting vulnerable *women* (note the media tactics of divide and rule) who don't expect to be attacked by a group of young girls, some as young as 14 years. But that's not all. These girls may be devious but they are not stupid. They *know*, we are told, that the legal system is soft on them. They *know* how to work it to their advantage, dressing smartly and playing up to the magistrates.

And all this, of course, is due to feminism. This is what happens when you loosen the controls on women. This is what happens when adolescent girls are allowed to think themselves equal or superior to boys. It is every mother's and father's nightmare - their daughter's sexuality rampant and violent. Put succinctly, 'no man is safe'.

Yet our criminal courts are not filled with over-educated, ambitious young women. When girls raise their sights, broaden their horizons, increase their aspirations and self-esteem, they are *less* likely, not *more* likely to behave deviantly (James and Thornton 1980). *If* there is an increase in violent adolescent female delinquency - and there is no clear evidence that this is the case - it is certainly not the result of women's liberation.

On the contrary, it has far more to do with certain impoverished young women seeing no future for themselves other than lone parenthood, state dependency and social stigma and saying 'anything must be better than that'.

### 'Respectable' masculinity

Crime is overwhelmingly a masculine activity and the history of juvenile justice and youth social work has been the history of interest in white, working class young men by white, working and middle class men. The underlying philosophy has been dominated by ideals of respectable masculinity. The belief that most kids grow out of crime if left alone is also based on assumptions about male adolescence - assumptions that crime is an irritating but bearable extension of normal adolescent masculinity - that 'boys

will be boys'.

But crime is emphatically not an extension of normal adolescent femininity - it epitomises everything which challenges our expectations of the ways in which 'nice girls' behave. As Lees (1993) points out, the predominant feature of adolescent femininity is walking the tightrope of sexual reputation, avoiding being labelled as either a 'slag' or a 'drag'. It may be true that girls, like boys, will grow out of crime, but the possible damage to their reputations and future life prospects as respectable wives and mothers may be too great to risk radical non-intervention.

### Young female offenders

Contrary to popular belief (fuelled by media hyperbole), there has been a dramatic decrease in overall known juvenile offending since the early 1980s. The decline in female juvenile (10-16 year old) offending has not been quite so great as for males and there has been a slight increase in young adult (17-20 year old) female offending. The peak age for female offending is 15 years compared to 18 years for men but at no age does offending by women remotely approach that of men. About 1 in 5 known young offenders is female. In numbers that means about 48,000 out of a total of 240,000 (Home Office 1994a). On the whole young women commit less serious crime than

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young men. They commit proportionately more theft and less burglary. It is true that the second most common crime for young women is violence and its *proportionate* significance is increasing but we are still talking about only 190 girls (compared with 546 boys) placed on supervision for offences of violence in 1993 (Home Office 1994b).

Although cautioning rates for young offenders are high for both males and females, they are significantly higher for young women - 63% for those under 21, compared with 44% of men in the same age group. This is often attributed to male chivalry and an unwillingness to stigmatise young women with court proceedings. There may also be a belief that young women are more amenable to the shaming process of informal control and that

more formal procedures are unnecessary.

By the time they get to court, the proportion of young offenders who are women has reduced to about 1 in 10. They are more likely than young men to be given a conditional discharge or a supervision/probation order and less likely to be fined or given either an attendance centre or community service order. They are far less likely than young men to receive a custodial sentence. In 1992 only 3% or 1 in 33 young offenders (excluding fine defaulters) in prison was female (Home Office 1994c). The average prison population of young female offenders was 139, of whom fewer than 10 at any one time were juveniles. That figure represents a steady decline over the past ten years and even the latest figures for November 1994 show no increase (Boards of Visitors Coordinating Committee 1994).

### Sentencing paradoxes

At first glance, then, it may appear that young women are treated leniently by the system. However, a number of factors hidden by these statistics may cause concern. First, young women appear to be sent to custody for less serious crimes and with fewer previous convictions. Second, young women remanded in custody are only half as likely as young men eventually to receive a custodial sentence. This would appear to imply that, even though the numbers of young women remanded in custody are relatively small, they could safely be reduced further. Finally, in relation to custodial sentences, it has to be noted that 20% of young women in custody are black - a figure out of all proportion to their numbers in the general population - and that increases to 30% for long sentences. The currently accepted explanation for this is that many are drug couriers but that does not by any means account for the whole of the discrepancy between black and white female custody rates.

As for non-custodial sentences, Community Service and Probation (Day) Centre provision for women is known to be inadequate. Probation officers complain that they receive very few referrals and that it is therefore difficult to make any special provision for women (such as all-female projects or groups). Courts tend to see Community Service and Probation Centres as unsuitable for women, both in principle and in practice. So a vicious circle exists whereby the male-orientation of both disposals is perpetuated.

Attendance Centres for women are so few and far between as to be fairly irrelevant.

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evant as disposals for young women. So the field of choice is rather restricted. It becomes even more restricted, though, when we look at what has been happening to the probation order and supervision order in relation to juvenile women. The decline of orders made on females has been from 2,200 in 1982 to 583 in 1992. (The increase in 1993 can be accounted for largely by the transfer of 17 year olds to the Youth Court following the Criminal Justice Act 1991). There has been a similar trend in relation to adult women. The current received wisdom is that this decline in the use of 'welfare' disposals is a good thing for women. In the past, it is argued, far too many women have been placed under supervision at early stages of their criminal careers and for minor offences, because they appear to be 'in need' of help. Concern for women's welfare tends to mean concern that they are not fulfilling gender role expectations

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and, particularly in the case of young women, concern that they are in 'moral danger', rather than straightforward concern about their likelihood of re-offending. Having been drawn into the criminal justice/welfare net, however, there is a danger that they will escalate up the tariff and into custody. So evidence of a reduction in supervision orders is generally welcomed. Nevertheless, it does raise the question, particularly in relation to young women; if they *are* in need of help, who is going to provide it?



## Ways forward

One answer may be found in Intermediate Treatment which has a very honourable tradition of work with girls. The Cambridge Institute of Criminology national survey of Intermediate Treatment (1990), found that girls accounted for nearly a quarter of young people involved in the programmes. But they also found that girls tended to be involved in 'preventive' type programmes than in 'alternative to custody or care' type programmes. Only a third of the girls were classed as offenders, compared with 80% of the boys.

Standard youth justice thinking (and some feminist thinking) would argue that such provision for girls is discriminatory because it is net-widening and stigmatising. But there is a counter-argument which says that provision for girls in youth work is generally inadequate and that there is a case for what might be termed 'promotional' work with girls to encourage them to realise their potential by providing a supportive female environment in which to explore, through shared experiences, their hopes and fears about their lives.

Despite (or perhaps because of) their small numbers, young women who break the law may encounter discrimination which is both subtle and indirect. But it would be a mistake to imply that formal criminal justice intervention is the most important method of controlling the behaviour of troubled and troublesome girls.

Reporting on her research on the assessment and treatment of young women assessed for local authority care, Annie Hudson says:

'Embedded at the heart of contemporary British welfare practice with adolescent girls is an almost psychic fear of a predatory female sexuality. The irony of this should be obvious: it is men who rape and the sexual abuse of children is almost entirely perpetrated by men. Yet, perhaps highest on the professional agenda is the assumption ... that girls in trouble fundamentally have problems with *their* sexuality'. (1989:197)

Many young women who leave home do so because of sexual exploitation within the family, yet they are expected to want to recreate precisely the same form of oppressive relationships which has served them so badly. All the social, moral and economic pressures on these young women push them towards dependency on men, however feckless and abusive those men might be. At the moment, it seems that all the ills of the world are being laid at the door of 'lone mothers'

including responsibility for producing the next generation of young male delinquents. And today's young women in trouble are the next generation of lone mothers, so they need to be watched, controlled and, wherever possible, sent back to the bosom of their families.

All the research that has been done on adult women criminals shows unequivocally that the roots of their criminal careers have lain in the narrowing options of their adolescence. Abuse at home leads to tru-

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ancy or running away. School exclusion, social workers, residential care, drug-taking and pregnancy narrow the choices even further. Poverty, exploitation and crime lead all too quickly to imprisonment. The stories that have happy endings are always dependent on the slow and often painful re-opening of choice and the associated increase in self-esteem (Eaton 1993).

We don't have to believe (indeed, we should not believe) in the spectre of Tank Girl in order to draw attention to the fact that young women deserve a better deal.

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