

The Use of Theoretical Frameworks of Emotion to Address Gender Disparity in Criminal Justice Practice: Emotional Investments in Desistance

Dr Lauren Hall is an Assistant Professor in Criminology at the University of Nottingham, who researches the social factors associated with desistance from crime and recovery from addiction. Dr Linnéa Österman is a senior lecturer at the Department of Social Work at Gothenburg University Sweden, and researches women's experiences of criminal justice and the route out of it. Dr Lyndsey Harris is an Associate Professor at the University of Lincoln, researching whole systems approaches to supporting women and responding effectively to Violence Against Women and Girls.

Desistance as a theoretical framework broadly considers the ways and means by which people come to stop offending and live well-rounded lives. However, as a framework it has not sufficiently acknowledged and considered the range of resources invested in the support by those closest to the 'desister'. Such support is often understood to be fundamental to desistance success. As the antiquated saying goes, 'behind every successful man there stands a woman', and indeed — grounded in our own and others' research and experiences of practice — desistance support work is often carried out by women.¹ When working with people and families affected by the criminal legal system, the aspects of gendered roles and expectations, such as how and by whom emotional supportive work is carried out, are important factors to consider. It may be that the ways in which we conceptualise, respond to, and support desistance can acknowledge these relational dynamics in more defined, gender-sensitive ways. This article firstly explores how supporting desistance can be experienced by, and impact on, women holding different roles, both professional and personal, illustrating a continuum of gendered practices within and across these. It then goes on to propose two

theoretical mechanisms of identifying the emotional burdens of desistance, namely, Desistance Emotional Work and Emotional Capital. It is argued that incorporating these two mechanisms into practice may go some way to identify and recognise emotional investments in supporting desistance, including the gendered aspects of such, to ensure that practices in and around desistance do not further gender disparity and expectations of women's unpaid work.

Women, Desistance, and Criminal Justice: What is the relationship between women and desistance according to existing evidence?

Women doing desistance

After years of marginalisation of women's experiences, a literature that specifically highlights women's experiences of desistance has emerged in recent years and provides us with new insights into how gender may impact the road away from crime. Such research has, for example, illustrated how intimate partner violence can act as a hindrance to desistance for women,² that the consequences for mental health from violent victimisation is formative for many women's route out of crime,³ and that this also typically interlinks

1. See for example: Booth, N., Masson, I. & Dakri, F., (2023). (Wo)men in the middle: The gendered role of supporting prisoners, in I. Masson & N. Booth (Eds.) *Routledge handbook of women's experiences of criminal justice*. Routledge; Leverentz, A.M. (2006). The love of a good man? Romantic relationships as a source of support or hindrance for female ex-offenders. *Journal of Research in Crime and Delinquency*, 43(4), 459-488; Hall, L., & Harris, L. (2022). The gendered weight of desistance and understanding the 'love of a good woman': Desistance emotional work (DEW), *Probation Journal*; Barr, Ú. (2019). *Desisting sisters: Gender, power and desistance in the criminal (In)justice system*. Palgrave Macmillan; Österman, L.A.M. (2018). *Penal Cultures and Female Desistance*. Routledge.
2. Gålnander, R. (2019). Desistance from crime – to what? Exploring future aspirations and their implications for processes of desistance. *Feminist Criminology*, 15(3), 255-277.
3. Gomm, R.M. (2016). *Women making meaning of their desistance from offending*. Doctoral Thesis. Durham, UK: Durham University.

with substance abuse and family/relationship breakdowns.⁴ Moreover, studies have found that women's experiences of desistance are acutely affected by feelings of shame and guilt and that they face particular barriers in their route back into 'mainstream' society such as finding employment.⁵ What is clear from these examples is that to understand women's specific experiences of desistance, we need to locate them within broader life conditions, as well as wider processes of power and division in our society, which can contribute to women's criminalisation in the first place. For example, we know that certain experiences linked to power relations can increase the likelihood of criminalisation for women, including various forms of domestic abuse,⁶ as well as the risk for women to experience intimate partner violence, violent victimisation and rape increases by being within criminal environments.⁷ Indeed, research has persistently demonstrated the frequent duality of criminalisation and victimisation for women, with serious victimisation typically preceding offending.⁸ Data on this overlapping victim-offender position is challenging to identify with precision, but we know for example that around 50 per cent of the female prison population in England and Wales have experienced some form of physical, emotional and/or sexual abuse, with about a third having experienced sexual abuse specifically.⁹ To give an indication of the gendered nature of these figures, women in prison are twice as

likely as men to have been a victim of abuse in their childhood.¹⁰ The similarity of these figures across different jurisdictions, including those countries with top ratings on gender equality measures,¹¹ says something important about patterns of gender inequality in women's experiences that goes far beyond specific cultures or criminal justice organisations.

Responding to criminalised women who have often also been victimised adds a further layer of complexity to the consideration of putting in place resources to support desistance. Women who desist require positive social bonds, opportunities for generative paid employment, and support for mental health problems and unresolved or ongoing trauma.¹² These processes can, however, be severely and negatively impacted by stigma. Again there is a gendered dimension to this, as criminalised women have been found to experience more stigmatisation on their desistance path in comparison to men.¹³ In part this can be explained by the lens of 'double deviance', that criminalised women are transgressors of not only legal but also of gendered norms.¹⁴ Furthermore, women have more concurrent grounds for stigmatisation and discrimination than men when leaving prison because women experience: more frequent and extensive drug problems; more challenging mental health issues; and are more economically marginalised than men in the same position.¹⁵ All of these factors have the capacity to

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4. Berman J (2005). *Women offenders transition and reentry: Gender-responsive approaches to transitioning women offenders from prison to the community*. Washington, DC: Department of Justice; Hart, E. L. (2017). Women prisoners and the drive for desistance: capital and responsabilization as a barrier to change. *Women & Criminal Justice*, 27(3), 151–169; Huebner, B. M., DeJong, C., Cobbina, J. (2010). Women coming home: long term patterns of recidivism. *Justice Quarterly*, 27(2), 225–254.
 5. Rutter, N., & Barr, U. (2021). Being a 'good woman': Stigma, relationships and desistance. *Probation Journal*, 68(2), 166–185; Barr, Ú. (2023). Working together? Gendered barriers to employment and desistance from harm amongst criminalised English women. *Feminist Criminology* [Pre-print]; Österman, L. A.M. (2018). *Penal cultures and female desistance*. Routledge.
 6. Hulley, S. (2021). Defending "co-offending" women: Recognising domestic abuse and coercive control in "joint enterprise" cases involving women and their intimate partners. *The Howard Journal of Crime and Justice*, 1, 580–603; Chesney-Lind, M., & Pasko, L. (2004). *The Female Offender – Girls, Women and Crime* (2nd Ed.). Sage Publications; Salisbury, E. J., & Van Voorhis, P. (2009). Gendered pathways: A quantitative investigation of women probationers' paths to incarceration. *Criminal Justice and Behavior*, 36(6), 541–566.
 7. Havard, T. E., Densley, J. A., Whittaker, A., & Wills, J. (2021). Street gangs and coercive control: The gendered exploitation of young women and girls in county lines. *Criminology & Criminal Justice*, 1–17.
 8. Rumgay, J. (2004). Scripts for saver survival: Pathways out of female crime. *The Howard Journal of Criminal Justice*, 43(4), 405–419; Verrecchia, P. J. (2009). Female delinquents and restorative justice. *Women and Criminal Justice*, 19(1), 80–93; Österman, L.A.M. (2018). *Penal cultures and female desistance*. Routledge.
 9. HM Prison Service (2010). Female Prisoners. Ministry of Justice Online Data. Retrieved February 7 2011, from http://www.hmprisonservice.gov.uk/adviceandsupport/prison_life/femaleprisoners/; Fawcett Society (2008). *Women and the criminal justice system: The facts*. A Fawcett Briefing.
 10. Prison Reform Trust (2023). *January 2023. Bromley Briefings*.
 11. EI GE (2023). Gender Equality Index. *European Institute for Gender Equality*, Retrieved March 31, 2023 from <https://eige.europa.eu/gender-equality-index/2022/country/SE>; Kriminalvården (2014). Psykisk hälsa bland fängelsedömda kvinnor i Sverige. Kriminalvården. Retrieved May 12, 2015 from: www.kriminalvarden.se/globalassets/publikationer/forskningsrapporter/psykisk-halsabland-fangelsedomda-kvinnor-i-sverige_140310-slutgiltig.pdf
 12. Barr, Ú. (2023). Working together? Gendered barriers to employment and desistance from harm amongst criminalised English women, *Feminist Criminology* [Pre-print].
 13. LeBel, T. (2012). If one doesn't get you another one will": Formerly incarcerated persons' perceptions of discrimination'. *The Prison Journal*, 92(1), 63–87; McIvor, G., Murray, C., & Jamieson, J. (2004). Desistance from crime: Is it different for women and girls. In S. Maruna & R. Immarigeon (Eds.) *After crime and punishment: Pathways to offender reintegration* (pp. 181–200). Willan Publishing; Baldry, E. (2010). Women in Transition: From Prison to... *Current Issues in Criminal Justice*, 22(2), 253–268; Estrada, F., & Nilsson, A. (2012). Does it cost more to be a female offender? A life-course study of childhood circumstances. *Crime, drug Abuse, and living conditions. Feminist Criminology*, 7(3), 1–24.
 14. Lloyd, A. (1995). *Doubly deviant, doubly damned: society's treatment of violent women*. Penguin Books.
 15. LeBel, T. (2012). If one doesn't get you another one will": Formerly incarcerated persons' perceptions of discrimination'. *The Prison Journal*, 92(1), 63–87.

negatively impact on women's ability to build positive identities and so called 'replacement selves'¹⁶ during their desistance processes, which has been identified as an important factor for successful reintegration.

Additionally, criminalisation according to separate research by Rungay and Österman, acts to reduce access to the resources required to desist, such as access to social networks and personal resilience to build recovery.¹⁷ This is likely to be taking place in the context of damaged and conflictual family relations, with the background of women being more likely to have experiences of neglect/abuse in the family setting than male counterparts.¹⁸ As Doherty and Bersani highlight, it is important to note that cultural contexts and intersections of race and class with gender will also shape relational desistance outcomes.¹⁹ For example for Muslim women, due to constructs of cultural honour, familial support can sometimes become inaccessible.²⁰ Many women will therefore require greater investments of desistance-supportive resources than men; however, women may find them more difficult to access. The support required is often, due to the multiple harms and structural discrimination that mark women's engagement with the criminal justice system, also more complex in nature.²¹

Women providing desistance support in relationships

Although relationships are often cited as beneficial to the desistance process (see for example, Laub and Sampson), relational contexts also have the capacity to

increase risk and severity of criminalisation for women.²² When women co-offend with men, they tend to become involved in more serious offences; or, as Hulley identifies, women may even arrive at crime scenes being perpetrated by their partner not having known what was going to happen prior and are then to fearful to leave the crime scene, increasing their chances of being implicated.²³ In direct contrast to traditional desistance theories based on male samples (and perspectives) that argue for quality intimate relationships to act as a turning point for a man's route out of crime (neatly summarised by Leverentz as the 'love-of-a-good-woman-thesis'), research with (and often by) women instead shows that leaving intimate partner relationships can in fact increase the chances of a successful desistance process.²⁴ Gålnander's research highlights that factors such as intimate partner violence may, however, make this process of leaving extra challenging, as can aspects of economic — or other — types of dependency on a partner, with financial hardship being so common that it has been described as a way of life for women desisting from crime.²⁵ Furthermore, Hall and Harris's research found that when male desistance fails during heterosexual relationships this also increases the proximity of women to crime and addiction, adding to the risk of them becoming criminalised — one woman in the research for example was arrested at the same time as her partner, despite never having engaged in drug taking, because the drugs were found (unbeknownst to her) in her home, and was only released 24 hours later after being strip-searched, internally searched, X-Rayed and

16. Giordano, P. C., Cernkovich, S. A., & Rudolph, J. L. (2002). Gender, crime and desistance: toward a theory of cognitive transformation. *American Journal of Sociology*, 107(4), 990-1064.
17. Rungay, J. (2004). Scripts for saver survival: Pathways out of female crime. *The Howard Journal of Criminal Justice*, 43(4), 405-419; Österman, L. A. M. (2022). Longitudinal cross-national perspectives on female desistance: The role of social and emotional capitals in female narrations of maintaining change. *European Journal of Probation*, 14(1), 21-39; Gomm, R. M. (2016). *Women making meaning of their desistance from offending*. Doctoral Thesis. Durham University.
18. Bui H. N., & Morash M. (2010). The impact of network relationships, prison experiences, and internal transformation on women's success after prison release. *Journal of Offender Rehabilitation*, 49(1), 1-22; Mowen, T. J., & Visher, C. A. (2015). Drug use and crime after incarceration: the role of family support and family conflict. *Justice Quarterly*, 32(2), 337-359; Österman, L. A. M. (2022). Longitudinal cross-national perspectives on female desistance: The role of social and emotional capitals in female narrations of maintaining change. *European Journal of Probation*, 14(1), 21-39; Havard, T. E., Densley, J. A., Whittaker, A., & Wills, J. (2021). Street gangs and coercive control: The gendered exploitation of young women and girls in county lines. *Criminology & Criminal Justice*, 1-17.
19. Doherty, E. E., & Bersani, B. E. (2016). Understanding the mechanisms of desistance at the intersection of race, gender, and neighborhood context. *Journal of Research in Crime and Delinquency*, 53(50), 681-710.
20. Buncy, S., & Ahmed, I. (2019). Sisters in desistance: Community-based solutions for Muslim women post-prison. *Khidmat Centres*. Buncy, S., Bradley, A., & Goodwin, S. (2022). Muslim women moving on from Crime. In I. Masson & N. Booth (Eds). *The Routledge Handbook of Women's Experiences of Criminal Justice*. Routledge.
21. Seaman, V., & Lynch, O. (2023). Perpetrators and Victims, In *ibid*.
22. Laub, J. H., & Sampson, R. J. (1993). Turning points in the life course: Why change matters to the study of crime. *Criminology*, 31(3), 301-326; Laub, J. H. & Sampson, R. J. (2003). Life-course desisters? Trajectories of crime among delinquent boys followed to age 70. *Criminology*, 41(3), 555-592.
23. Hulley, S. (2021). Defending "co-offending" women: Recognising domestic abuse and coercive control in "joint enterprise" cases involving women and their intimate partners. *The Howard Journal of Crime and Justice*, 1, 580-603.
24. Leverentz, A. M. (2006). The love of a good man? Romantic relationships as a source of support or hindrance for female ex-offenders. *Journal of Research in Crime and Delinquency*, 43(4), 459-488; Barr, Ú. (2019). Desisting sisters: Gender, power and desistance in the criminal (In)justice system. Palgrave Macmillan; Österman, L. A. M. & Masson, I. (2018). Restorative justice with female offenders: The neglected role of gender in restorative conferencing. *Feminist Criminology*, 13(1), 3-27.
25. Gålnander, R. (2019). Desistance from crime – to what? Exploring future aspirations and their implications for processes of desistance. *Feminist Criminology*, 15(3), 255-277.

taken to hospital for bloodwork.²⁶ Essentially, although crimes committed by women are typically of lower severity than by men,²⁷ women are at risk of being further criminalised through their interactions and relationships with offending men. The negative interaction of socio-structural constraints with women's choices around offending, and indeed around desistance, is thus important to consider,²⁸ as they can limit a woman's 'space for action', with domestic abuse and coercively controlling behaviour further reducing women's agency:²⁹

Abuse here is understood as an attempt to impose his gender regime in the household (Lundgren, 1998; Morris, 2009). It is through the limitations imposed that women's 'space for action' (Kelly, 2003) is narrowed, as they adapt their behavior in attempts to avoid abuse. Although some women constantly accommodate to this changing 'abusive household gender regime' (Morris, 2009), most recall occasions when they resisted demands and expectations either overtly or covertly. But the cost of such assertions of autonomy is often high.

Although desistance can be a potentially protective process for women and holds promise in a range of regards for increasing social cohesion, directly and indirectly, rehabilitative expectations should not be made without sufficient structural supports in place. As argued by Österman in her study on cross-national perspectives on desistance, if independence from close relations allows more

women to take on a healthy and viable desistance path, then 'the state arguably also has a responsibility to provide capital compensations — economic and otherwise — that allow the woman to take this step'.³⁰

Practitioners supporting desistance

Desistance is not a process that is solely supported informally, and practitioners can play a key role in supporting its success. There are also gender disparities to consider in practice around desistance however, with practitioners in criminal justice likewise being affected by gender presentation in the workplace. Assumptions

based on gender — related to both the work itself and the workers — have been described as a defining feature of criminal justice agencies.³¹ In their comprehensive exploration of gender and crime, Silvestri and Crowther-Dowey argue that gendered inequality, together with hegemonic masculinity, has a pervasive influence on, and is sustained through, criminal justice organisations, which in turn subverts human-rights agendas and reforms.³² The exact form that this takes varies in different parts of the system. For example, research shows that gender stereotypes are pervasive and can change how women are expected to behave and how

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they are responded to when working in prison.³³ Although the management of relationships between staff and prisoners requires an investment and balance of emotional labour, and this has a range of implications for all prison officers, gender has been particularly emphasised as capable of interacting with emotional labour in this setting:

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26. Hall, L., & Harris, L. (2022). The gendered weight of desistance and understanding the 'love of a good woman': Desistance emotional work (DEW), *Probation Journal*.
 27. Hulley, S. (2021). Defending "co-offending" women: Recognising domestic abuse and coercive control in "joint enterprise" cases involving women and their intimate partners. *The Howard Journal of Crime and Justice*, 1, 580-603; Clarke, B. & Chadwick, K. (2020). *Stories of injustice: The criminalisation of women convicted under joint enterprise laws*. Barrow Cadbury.
 28. Barlow, C. (2016). *Coercion and women co-offenders: A Gendered pathway Into Crime*. Policy Press; Hulley, S. (2021). Defending "co-offending" women: Recognising domestic abuse and coercive control in "joint enterprise" cases involving women and their intimate partners. *The Howard Journal of Crime and Justice*, 1, 580-603.
 29. Sharp-Jeffs, N., Kelly, L., & Klein, R. (2017). Long journeys toward freedom: The relationship between coercive control and space for action – Measurement and emerging evidence. *Violence Against Women*, 24(2), 163-185; Lundgren, E. (1998). The hand that strikes and comforts: Gender construction and the tension between body and symbol. In R. E. Dobash & R. P. Dobash (Eds.), *Rethinking violence against women* (169-196). Sage.
 30. Österman, L. A. M. (2022). Longitudinal cross-national perspectives on female desistance: The role of social and emotional capitals in female narrations of maintaining change. *European Journal of Probation*, 14(1), 26.
 31. Silvestri, M., & Crowther-Dowey, C. (2008). *Gender and crime – A human rights approach* (2nd Ed.). SAGE Publications.
 32. Silvestri, M., & Crowther-Dowey, C. (2008). *Gender and crime – A human rights approach* (2nd Ed.). SAGE Publications.
 33. Farnworth, L. (1992). Women doing a man's job: Female prison officers working in a male prison. *Australian & New Zealand Journal of Criminology*, 25(3), 278-296.

While some male officers see women as a risk or unable to match the performance of officers in men's prisons, others emphasise their calming impact in the wings. However, female prison officers often experience sexist attitudes and harassment from male colleagues. Other studies have argued that there is a gendered division of labour in prison wings today, as female staff are expected to think more about rehabilitation and do more deep emotional labour (e.g., counselling and caring tasks), whereas male staff are supposed to be more active in security matters (e.g., when there are conflicts with staff or violence among prisoners).³⁴

Undertaking desistance work as a practitioner is commonly framed as rehabilitative in nature, and rehabilitative probation, as well as wider criminal justice-oriented work, also frequently requires an undertaking of emotional labour.³⁵ In Österman and Masson's study examining the role of gender in restorative justice (RJ) conferences, it was found that practitioners often worked with emotions in different ways in cases with girls/women comparatively to boys/men.³⁶ For example, the girls and women the practitioners' worked with typically had more emotional intelligence than many boys and men, and due to the fact that the girls and women typically struggled with heavier burdens of guilt and shame from their criminalisation, practitioners needed to be able to deal with more emotional anguish while doing restorative justice with women and girls. The emotional labour invested by the practitioners to get the girls or women to the point of being 'ready' to participate in a restorative justice conference was thus more extensive, and — due to the gendered experiences of abuse or trauma that were so common

DEW refers to the emotional work and the range of support and capital types that the women provided to their desisting partners.

in the women's stories — this work was often seen to be best performed by a female practitioner.³⁷ This is in line with research that has persistently shown that relationship-building is especially important when working with women in criminal justice contexts.³⁸

Criminal justice settings can therefore be challenging not only for women who have been criminalised, but also for women whose families or partners are criminalised, and for women who work within this sector. This is not to say that men or people outside of the gender binary do not experience similar challenges, but that desistance research, policy and practice needs to acknowledge the investment by women of various emotional, relational and social resources in order to better support them in a range of circumstances including in their relationships, at work and for their own desistance. We below bring to light two frameworks that we suggest could potentially aid the growth of this awareness.

Two frameworks to enhance awareness of gendered desistance burdens: 'Desistance Emotional Work' and 'Emotional Capital'

Desistance emotional work (DEW) is a broad overarching, emerging framework that can be used to consider the associated labour investment by women who are both proximate to, and potentially directly affected by the criminal legal system.³⁹ Based

on interviews with six women whose partners had an offending history, analysis resulted in themes which broadly constituted the concept of DEW, including relational strengths; pains and strains of relational desistance support; and women's agency, roles and identity:

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34. Nylander, P. A. & Bruhn, A. (2020). The emotional labour of prison work. In A. Fowler, C. Westaby, J. Phillips & Waters (Eds) *Emotional labour in criminal justice and criminology*. Routledge, 77.
35. Fowler, A., Phillips, J., & Westaby, C. (2020). Emotions in context: The marginalisation and persistence of emotional labour in probation. In A. Fowler, C. Westaby, J. Phillips, & J. Waters (Eds) *Emotional labour in criminal justice and criminology*. London.
36. Österman, L. A. M., & Masson, I. (2018). Restorative justice with female offenders: The neglected role of gender in restorative conferencing. *Feminist Criminology*, 13(1), 3-27.
37. Ibid.
38. Crowley, A. (2021). Practitioner perspectives on working with young women in the criminal justice sphere: The importance of relationships. *A Scottish Justice Fellowship Briefing Paper*.
39. Hall, L., & Harris, L. (2022). The gendered weight of desistance and understanding the 'love of a good woman': Desistance emotional work (DEW), *Probation Journal*.

which was reciprocated when desistance was successful through investment of shared relational strengths, but which could damage or deplete the women's resources when desistance lapsed or ended entirely. DEW includes, but is not limited to, emotional work particularly around guilt and hope; caregiving; parenting; practical and financial desistance support such as transport and prison visitation; and identity and agency change often as dictated by the socio-structural, as well as the desistance-related, context. Each of these aspects can develop positively or negatively alongside the desistance process.⁴⁰

The framework can be used to create a broad awareness of the gendered ripple effects of desistance, and as a starting point for thinking about more subjective experiences on an individual basis. Women who participated in this study, whose partners had been or were desisting from crime, spoke of various touch points with the criminal legal system, including the police, prison and probation, and the nature of these interactions could both alleviate and exacerbate desistance related work. For example, one woman's partner experienced desistance and recovery relapse and was incarcerated, and as such although prison was felt to be a required break in the relationship for her at that time, her interactions with the police led to her also being framed as an offender and experiencing Post Traumatic Stress Disorder (PTSD). Although more than two years later the woman and her partner have maintained their relationship since his release from prison and during his subsequent desistance, there have been ongoing probation-related interactions which have required significant investment and time by the woman. This included driving her partner to appointments with the recovery service from which he was receiving opioid replacement therapy. Awareness of the level of investment women make into desisting relationships may have helped prison and

probation staff better prepare this woman's partner to ultimately realise his desistance more independently, or to direct the woman towards appropriate support (increasing her space for action). Ultimately therefore, desistance often requires a range of long-term investments of emotional work from women, and awareness of the expectations of support provision on family, and on women specifically, could help to foster cultures of rehabilitation which permeate to deeper levels of the criminal legal system. It should also not be presumed that as DEW awareness is rehabilitative in nature that it should fall to women working in criminal legal practice to identify. As such, we propose that practitioners are included within DEW's remit.

DEW as a framework should encourage consideration of the resources available to support desistance and who invests them. More detailed and individualised understandings of the types of resource invested are also required from a gendered perspective, however. Social capital is a common theoretical approach within the desistance literature in terms of conceptualising support and can be understood as the sum of the resources that an individual holds through the possession of a durable network of relationships building on mutual trust and recognition.⁴¹ Social capital is connected to a range of desirable outcomes,⁴² including supporting

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desistance,⁴³ and can be linked for example to practical assistance with housing, food, job opportunities and other essentials.⁴⁴ While social capital commonly includes an element of emotional support, it has been suggested that social capital alone is limited in capturing this dimension. In her work looking at women's narratives of maintaining desistance pathways across time and space, Österman proposes that the concept of emotional capital may be a useful addition to the desistance field in terms of acting as a tool for thinking about the extent to which emotional resources are invested in, and by, women doing and supporting desistance.⁴⁵ Reay, drawing on Nowotny's development of the social capital framework, defines emotional

40 Ibid, p.13.

41 Bourdieu, P. (1986). *The forms of capital*. Policy Press.

42 Reising, M., Holtfreter, K., & Morash, M. (2002). Social capital among women offenders: Examining the distribution of social networks and resources. *Journal of Contemporary Criminal Justice*, 18(2), 167-187.

43 Nugent, B. & Schinkel, M. (2016). The pains of desistance, *Criminology and Criminal Justice*, 16(5), 568-584

44 Wolff, N. & Draine, J. (2004). Dynamics of social capital of prisoners and community reentry: Ties that bind? *Journal of Contemporary Health Care*, 10(3), 457-490.

45 Österman, L. A. M. (2022). Longitudinal cross-national perspectives on female desistance: The role of social and emotional capitals in female narrations of maintaining change. *European Journal of Probation*, 14(1), 21-39.

capital in basic terms as the stock of emotional resources that a person holds.⁴⁶ It can be understood as a variant of social capital but, being closely linked to both emotional labour and caregiving, it can also be understood as a gendered form of capital. Emotional capital is accordingly the second theoretical mechanism we propose can be useful for the analysis of gender disparity concerning emotional investments in desistance, as it helps us to recognise, and conceptualise, how these resources are invested and spent, and the beneficiary of such. Emotional capital is suggested to be relevant for women who are desisting themselves, to understand how other gendered care roles and expectations in their immediate relations mean that their personal emotional resources can be drained, therefore limiting their capacity to desist, but extending on this, it may also be a useful tool to consider for women proximate to desistance, including practitioners.⁴⁷

Österman has identified various forms of emotional investment by women who are doing desistance themselves but simultaneously proximate to desistance through supporting men. Not uncommonly, children are highlighted as a key aspect of this, that is, women are trying to support men's straight path for the benefit of their children.⁴⁸ Often though, this comes at a cost to their own desistance resources, as exemplified by Johanna:

No ugh, I get really sad [gets teary]. I sat there and cried and felt it was just [nervous laugh], but it's so sensitive, you know, I just really want her [the daughter] to be happy. [...]. I

mean if he continues to keep doing this [visiting their daughter while taking drugs], then, then, then, why should I...I have supported him like hell, I've been there and well... yeah I've done that because, yeah so he'd be able to meet her and it should be good everything, you know, but I mean no...I mean, you can't just hold on indefinitely.⁴⁹

Stories like these are commonplace in feminist research with women.⁵⁰ The sense of responsibility of supporting a partner's desistance, and the emotional weight that such a responsibility has, is clearly highlighted in this quote. As Österman and Hall have written about previously, the problem in this context is that this type of support is commonly unilateral: it is the

women doing the supporting and others, often men, who are the beneficiaries of this support.⁵¹

Common expressions captured during the research included for example 'why can't he be the strong one for once?'. It is important to note that there are cases when the support is experienced as mutual and valuable to the woman's well-being,⁵² although they can be understood as exceptions and not the rule. Additionally, it should be stressed that reciprocity and mutual trust are key ingredients for a social relation to be defined as a capital;

a relation that can be seen as an asset to the individual in question.⁵³ For many of these women, we need to problematise the aspect of social relations versus social and emotional capital, and in doing so, recognise the unequal relations of care and investment that are being carried out in and around desistance. These aspects

Reciprocity and mutual trust are key ingredients for a social relation to be defined as a capital; a relation that can be seen as an asset to the individual in question

46. Reay, D. (2004). Education and cultural capital: The implications of changing trends in education policies, *Cultural Trends*, 13(2), 73-86.

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must furthermore be situated in the wider context of unpaid household and care work, which remain one of the major gender divides in the world: women carry out a minimum of two and a half times more unpaid labour in the home compared to men, propping up economies, both on micro and macro levels, across the globe.⁵⁴

In the desistance field, we need to be acutely aware and critically attuned as to whether practice reproduces existing gender inequality patterns. In DEW and emotional capital frameworks, this is about explicitly considering whether practice is placing additional patriarchal expectations on women's care in the context of supporting routes out of crime and addiction: to bring the concept of emotional capital into view may be a way of revealing and recognising the consequences of DEW. We ask practitioners to consider: Could an informal consideration of the emotional capital that is being invested and spent on an individual level help to reveal the extent of emotional expenditure that DEW demands? Could this in turn aid the identification of when this investment is experienced as reciprocated, and can therefore be strengthening, or indeed when it is in fact depleting and thus draining the woman of her emotional resources, leaving little left for her self-care and in some cases, her own desistance path? Could we also use this as a tool to explore the emotional resources that are invested in desistance through professional roles? It should be made clear that to pose these questions is not in any way about undermining women's agency, but rather, it is about leaning on mechanisms that may aid a critical reflection on aspects of caregiving, desistance support, and a lived sense of equality. In turn, we are reminded that this is set against the background that we know from previous research — that for many women, uncoupling from unhealthy and draining relations may be a supportive factor for their own desistance path.

**Emotional Investments in Women's Desistance:
Some concluding thoughts on DEW and
Emotional Capital**

The role of gender in constructions of the criminalised female, in the victimised woman, and the

professional setting for women in the field have been forcefully placed on the criminological agenda by feminists working in the area of crime and punishment over the last 50 years.⁵⁵ To bring wider processes of gender equality into view is essential for a deeper understanding of these topics. In this article, the authors have raised how gendered power relations and divisions of labour and care create an important backdrop to the specifics of desistance-related practice. While practitioners in the field may have varying experiences of observing and/or acknowledging such power dynamics in their day-to-day work, the tools that the authors offer in this article are an attempt to further make visible — and indeed normalise the questioning of — some of these patterns. On the one hand, DEW as a framework has the power to give a name to, and therefore help practitioners recognise and define the emotional work that desistance support involves and who is being asked to undertake it. Emotional capital, on the other hand, is a concept that can be used to assess the emotional weight of this work, and how it impacts on women's own resources (including helping to identify the draining versus repleting nature of such). The authors argue that combining these two theoretical mechanisms into a practical framework would go some way to ensuring that desistance practice does not further gender inequality and reproduce existing gendered expectations and behaviour that ultimately acts against women's equal chances to health, empowerment, and freedom to choose. A key part of this is to ensure that: a) women are not responsabilised for men's desistance paths, neither indirectly through internalised gendered expectations; or b) through encouragement of support specific roles within the family that are not gender sensitive; and c) that the unpaid work women do is not only recognised and assessed in term of personal costs, but also importantly, that it is valued. In essence, women should not be filling the gaps where social — and other — systems have fallen, and continue to fall, short.

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