

# editorial

gender and crime

Hazel Croall and Peter Francis put this issue into perspective.

The subject of this issue is one that *Criminal Justice Matters* has focused upon in various guises over the last thirteen years. Our first issue on the subject – entitled ‘Women and Crime’ (Issue 5) – was published in 1991, and was accompanied by an editorial written by Martin Farrell that welcomed the reader to what he described as a ‘rather more controversial territory’ than CJM had hitherto explored in its first four issues. Four years later, in 1995, we published a resume of key controversies and debates entitled *Gender, Crime and Criminal Justice*. Additionally, CJM has attempted to address gender within almost all of the issues we have published to date.

This issue sees CJM revisit the subject of gender for the third time. Our decision to compile a further issue on gender was based in part on demand – previous issues on the subject continue to be requested, and given levels of demand, it was our view that a more recent resume of controversies and debates was needed. Our decision was also based upon a wish to critically reflect on the progress that has been made and on issues which continue to cause concern. In particular, we were interested in exploring a number of related questions – what are some of the most significant features of the study of gender and crime; what have been its major achievements; what lies ahead for the future (both positive and negative aspects) and what are some of the most pressing future issues for research and practice?

To help us address these questions we have been fortunate to enlist the support of a number of contributors who have played a major role in placing the issue of gender firmly on the criminological agenda, an indication to us at least, of the continuing relevance of CJM to criminological debate today. We are pleased to welcome back a number of contributors whose articles appeared in one of the two previous issues on the subject of gender, and delighted to offer a

warm welcome to a number of contributors whose prose is new to the pages of CJM. Each has taken the opportunity to reflect upon the current state of debate on gender and criminology, and on the issues that continue to raise concern.

We have been concerned with structuring the issue around a core set of themes. Since feminists first questioned criminologists’ neglect of the female offender, explored women’s involvement in crime, exposed the extent of women’s victimisation and raised important questions about women’s treatment in the criminal justice process, the volume of research and writing devoted to the subject, has, as Heidensohn’s introductory overview to this issue reveals, expanded enormously. Gelsthorpe looks at the considerable contribution made by feminist research to our understanding of women’s experiences as offenders and victims and, as Walklate argues, there have also been important legislative changes. Yet, as the focus has somewhat expanded from women to gender, criminology has also, as Naffine contests, failed to fully explore the significance of the maleness of crime. Hearne reviews the many ways in which the study of men is important for the study of crime. There are no simple links between crime and gender however – any understanding of masculine violence, for example, as Hall and Winlow argue, should be related to economic factors, and, as Walklate further notes, race is also an important variable.

There has been a long-standing tendency to pathologise women’s crime and to view women as victims – victimisation which is also seen as a contributing factor to crime. The relationship between gender and victimisation may however be far more complex. Gadd, Farrall, Dallimore and Lombard’s study of male victims demonstrates that victim surveys may not take account of the complex relationship between men as perpetrators and victims of violence, while Burman points out that violence in girls cannot simply be pathologised or attributed to

victimisation, but can be part of girls’ self esteem. Similarly, Davies argues that women’s involvement in acquisitive crime is not always the result of ‘need’, poverty or victimisation.

Other areas remain, as Heidensohn describes, ‘gender free’. In relation to drugs for example, Measham criticises the neglect of gender in studies of drug use and Malloch argues that more drugs related services should recognise the specific needs of women. Croall directs attention to the potential significance of gender in relation to economic and organisational crime and Davies criticises feminists and criminologists for neglecting the complex relationships between gender, work and the economy and women’s involvement in a range of acquisitive crimes.

Criminal law and criminal justice policies have also been subject to critical attention and while there have been many improvements, the gender implications of new legislation and penal policy continue to be problematic. Brooks-Gordon argues, for example, that the proposals in the recent *Sexual Offences Bill* may further stigmatise and exclude female prostitutes and Vera Baird outlines aspects of women’s experiences as victims and offenders currently being investigated by the Fawcett Society’s Commission on Women Offenders. Indicative of the impact of gender issues on policy are recent Government initiatives and the Women’s Offending Reduction Programme (WORP) described by Murphy.

A major achievement of work on gender is the almost universal recognition amongst academics and many governments that the use of prison for women is often inappropriate. Women are more often sent to prison for shorter periods and commit less serious crimes than men. Their problems are more likely to lie in their immediate family and community and are exacerbated by imprisonment. Yet, as several contributors point out, the female prison population has risen over recent years and Wahidin draws attention to an often-ignored group, the older woman in prison. Carlen criticises the assumptions underlying government strategies to increase programming for women in prison which, she argues can also increase the numbers of women being sent to prison – a danger also recognised, as Hannah-Moffat’s contribution shows, in Canada. Player,

analysing the proposed new custodial sentences, also argues that these might lead to higher numbers of custodial sentences for women. While therefore community sentences are more appropriate for women, as Worrall argues, these may fail to prioritise women’s particular needs and access to women’s programmes may be limited as Hannah Moffat points out in relation to Canada. There is also a risk that the change from ‘needs assessment’ to risk assessment may, in view of the many problems faced by women, place them in a high-risk category that moves them ‘up tariff’. For example, Hayman highlights how the good intentions of the transforming prison agenda in Canada have had unforeseen consequences – notably in relation to risk and security.

Gender remains highly relevant therefore to crime and criminal justice. Despite the vast volume of work on the subject, whether, ‘criminology has been as shaken at its core as the pioneers had hoped’, for Heidensohn, ‘is a more difficult question to answer’. There has been, as Heidensohn aptly puts it, no ‘regime change’, nor, as Naffine points out, any complete overhaul of criminological theory. Yet understanding the many different circumstances in which men and women turn to crime and exploring the role played by different kinds of masculinities and femininities will vastly enhance our understanding of crime, as will exploration of how gender relates to other variables – class, social exclusion, race and age. For example, Walklate questions whether gender is the only salient variable, while Gelsthorpe asks if we should move towards a more ‘humanistic’ perspective in criminology. Despite the formal recognition of women’s needs and gender issues in the criminal justice process there are still fears that women continue to face more prison sentences and more social exclusion.

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## References

- Criminal Justice Matters* (1991) ‘Women and Crime’ No. 5 Winter.
- Criminal Justice Matters* (1995) ‘Gender, Crime and Criminal Justice’ No. 19 Spring.