

Hazel Croall: 'Crime and society in Britain' (edited extract)

Chapter 8: Gender and crime

It has for long been assumed, on the basis of conviction rates, that men commit more crime than women. Indeed, one criminologist once commented that 'if men behaved like women, the courts would be idle and the prisons empty' (Wooton 1959: 32, cited in Walklate 1995: 20). While early theoretical approaches took for granted that offenders were male, often referring to the criminal as 'he', this characteristic of offenders was rarely discussed. However, a number of questions should be asked. Do women really commit less crime and men more? How can this be explained? As was so often assumed, are women 'naturally' less criminal and men 'naturally' more so? Alternatively, are men more subject to criminalization? It has also been seen that victimization is related to gender and that women's victimization in the home for long remained a hidden form of crime. Feminists criticized sociological and criminological approaches for their neglect of both women's crime and victimization and sought to make women more visible. The gendered nature of both crime and victimization turns attention to the maleness of crime and to asking how crime can be related to masculinity.

The gender gap: male and female involvement in crime

Gender and offending

The different conviction rates of men and women can be expressed in many ways, all of which reflect the so-called gender gap. In 1991, 82 per cent of known offenders were male and around one-third of men are likely to be convicted for at least one standard list offence before the age of 35,

compared with only 8 per cent of women (Barclay 1993). The ratio of male to female offenders is currently 4.5 to 1 for indictable offences (Coleman and Moynihan 1996). It can therefore be argued that criminal convictions are relatively 'normal' for males but very unusual for females (Heidensohn 1997).

Men and women are convicted for different kinds of offences, with women having even lower rates for murder, serious violence and professional crime. Figure 8.1, which incorporates both summary and indictable offences, illustrates how the sex ratio varies for different offences. It also shows that while women are found in all offence groups, they form a majority in only two – prostitution and failing to pay a TV licence. Prostitution is primarily defined as a female offence whereas sexual offences which include offences of rape and indecent assault are primarily defined as male (Coleman and Moynihan 1996). The higher figure for not paying a TV licence is partly due to women being more likely to answer the door to enforcers and thus being prosecuted (Hedderman 1995; Coleman and Moynihan 1996). Men form a majority of every other offence category, with taking and driving away motor vehicles being the second most

FIGURE 8.1 Ratio of male:female offenders found guilty or cautioned for selected offence groupings

Over 20:1	Sexual offences	75:1
	Taking and driving away motor vehicles	33:1
	Burglary	23:1
	Motoring offences (indictable)	20.6:1
5–20:1	Offences under the Public Order Act 1986	17:1
	Criminal damage (summary/less than £2,000)	16.5:1
	Drunkenness	16.5:1
	Robbery	13.5:1
	Criminal damage (indictable/over £2,000)	9.4:1
	Drug offences	9.4:1
	Common assault (summary)	7.0:1
	Violence against the person (indictable)	5.7:1
	Assault on constable	5.5:1
	Under 5:1	Theft and handling stolen goods
Fraud and forgery		2.8:1
Under 1:1 (women form majority)	TV licence evasion	0.5:1
	Offence by prostitute	0.01:1

(After Coleman and Moynihan 1996: 95–6)

male-dominated offence, and violence falling closer to the average ratio. When women are convicted it is more likely to be for offences involving theft and handling stolen goods and fraud and forgery, with the former accounting for over 70 per cent of women cautioned or convicted in 1992 (Walklate 1995).

In general terms women are convicted of less serious offences. The ratio for summary offences, generally assumed to be less serious, is 2.4 to 1 (Coleman and Moynihan 1996). Within offence categories, men tend to be convicted of more serious offences, with women committing more serious crimes far less often than men (Walklate 1995). A slight narrowing of the gap for overall convictions has been noted, from 7.1 during the 1950s and 1960s to around 5.1 in 1991 (Walklate 1995). These figures of course reflect convictions and are not necessarily an indicator of 'crime'.

Explaining the gender gap

The weaker sex: biological and psychological approaches

The assumption that women were 'naturally' less criminal than men was related to biological differences and women's hormones, and their reproductive functions were related to weakness and lack of aggression. Lombroso and Ferrero, to whom criminal men were biologically less evolved, saw women as being less evolved than men and closer to primitive types and argued that natural selection had bred out their criminal tendencies. The female criminal was therefore more abnormal and more 'evil' (Walklate 1995; Heidensohn 1996). Thus, they argued, 'women are big children ... their moral sense is deficient', and the female criminal was masculine and virile, showing 'an inversion of all the qualities which specially distinguish the normal woman; namely reserve, docility and sexual apathy' (Lombroso and Ferrero 1895: 153, cited in Heidensohn 1996: 114).

Other theories also saw female crime as pathological. To Thomas, delinquency among 'unadjusted' girls was a sign of sexual delinquency. They were unadjusted to social change and, for the deprived, crime was related to a desire for 'costly and luxurious articles of women's wear' which disorganized the lives of many 'who crave these pretty things' (Thomas 1923: 71, cited in Heidensohn 1996: 117). Female crime among girls and women has also been related to biological abnormalities and to girls being more 'masculine'. Cowie and his colleagues argued that women's chromosome pattern was different to men's and related female delinquency to biological and masculine traits. Delinquent girls were described as 'oversized, lumpish uncouth and graceless' (Cowie et al 1968: 167, cited in Heidensohn 1996: 123). Many other problems and pathologies have been associated with women's crime including mental illness and 'women's problems' such as pre-menstrual tension and the menopause. Women are more likely to be referred for medical and psychiatric reports in court which reflects these assumptions (Edwards 1981).

The arguments against biological and other pathological theories also apply to gender. It has been argued that gender differences cannot be reduced to a biological difference alone, and women cannot be said to be innately less

disposed to crime as many women do commit crime. Such an argument would also imply that men are 'naturally' criminal, but not all men commit crime. Moreover, as will be seen below, women's involvement in crime cannot be attributed to pathologies.

If the gender gap is not biologically determined, is it therefore related to the different social roles of men and women? Sex role theory suggested that crime is more consistent with male roles. Boys are brought up to be tough, to be able to look after themselves in a fight, to be protective of women and to be 'breadwinners' and a certain amount of violence is tolerated and indeed encouraged among boys. Girls, on the other hand, are socialized into the more caring roles of wives and mothers and fighting and non-conformity are seen as unfeminine. Early versions of sex role theory however, based on functionalist approaches, rarely questioned the 'naturalness' of these role distinctions or the gender relationships which they reflected. They too, therefore, saw criminal women as 'abnormal' (Heidensohn 1996).

The invisible sex

To other sociological approaches, issues of class, social deprivation and age were more significant than gender. While it was recognized that offenders were male, and the focus was on delinquent 'boys', this was not seen as a feature worthy of exploration. Women, whether as offenders, victims or conformists, were largely invisible. Thus the so-called 'causes' of crime were in effect the causes of male crime. The anomie paradigm discussed goals as if they were universal and did not question whether women had the same goals. Taking this into account would have entailed asking different kinds of questions. If, for example, women's goals were different and centred round the home and family rather than material success, could this explain their lesser criminality? Alternatively, it could be asked whether failure on the part of women to achieve their goals could be related to women's deviance.

Subcultural theory similarly neglected gender, even though it focused clearly on the male-based culture of the 'lads'. Major questions surrounded the invisibility of girls (McRobbie and Garber 1976). Were the strains of adolescence different for girls, suggesting a different 'solution'? McRobbie and Garber, for example, argued that girls' culture was centred around the private space of the 'bedroom', and that girls experienced a strain between preparing for their future role by being available to boys without at the same time being seen as 'sluts'. Teeny bopper and fan culture, for example, could resolve this problem by idolizing the male 'star' with little risk to a girl's reputation (McRobbie and Garber 1976). Yet girls are involved in delinquency and do get involved in gangs, although, this was liable to be 'sexualized'.

While later theories were critical of many aspects of these approaches, gender did not form a part of these criticisms and it has often been pointed out that Taylor, Walton and Young's *The New Criminology* makes no reference to gender (Heidensohn 1996). While labelling theory looked at how stereotypes affected the production of deviant categories, gender did not feature significantly in their studies. Critical and radical approaches, with their focus on class, control,

criminalization and the crimes of the powerful were also criticized for being gender blind. While they focused on power relations in their work on the criminal law, the relationship between gender and power involved in, for example, laws on rape, prostitution, family and sexual violence were not systematically explored, although these have now, as a result of feminist work, been incorporated into many critical approaches.

Control theories did have the potential to explore gender, as girls and women may be subject to greater control. Girls are more likely to be 'chaperoned' by parents and subject to more restrictions in their use of free time and discouraged from hanging about on the streets. As adults, family roles also control women in that they are expected to be caring for children and looking after the home rather than engaging in the more public pursuits associated with crime. The family itself can therefore be seen as a means of controlling women. While this appears a convincing argument, it is difficult to substantiate empirically and it also rather unquestioningly accepts stereotypical notions about gender (Heidensohn 1997). Women and girls may resist gendered stereotypes and may resent the different treatment they receive in comparison to boys.

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Source: Croall, 1998, pp.136–8, 141–3