

VIOLENT AND NON-VIOLENT CONVICTED WOMEN OFFENDERS IN FIFE

AN ANALYSIS OF OFFENDING PATTERNS, CRIMINOGENIC NEED

AND EFFECTIVE SERVICE PROVISION

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PhD

Declaration

This work has been composed by me and is my own work. This work has not been previously submitted for a degree or professional qualification in any other university. To the best of my knowledge and belief this work contains no material previously published or written by another person except where due reference is made in the thesis itself.

Arlon Pullar

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Abstract

This research emerged out of an idea which originated in an earlier MSc dissertation, in which I had explored the differences between male and female offenders (Pullar, 2000). Here I discovered that a substantial number of women had been found guilty of offences that were violent in nature. This finding was backed up by my own recent practice experience relating to women involved in the probation services. What I began to suspect was that women offenders, contrary to conventional assumptions operating within criminal justice social work services, were not an homogeneous group. On the contrary, I began to consider whether there were identifiable differences between women who had been convicted of offences involving violence and those who had been convicted of non-violent offences.

This observation led me to turn to some of the more recent research on women offenders, some of which, (e.g. Loucks and Zamble, 2001), suggested that in practice, women offenders display significantly different offending patterns in terms of their pathways into offending, their offending behaviour and the factors that sustain that behaviour. It is also suggested that women who are convicted of violent offences display behaviour that is very similar to that of male offenders.

The target group for my own research was all women who had appeared in court and had had a social enquiry report prepared about them and were living in Fife within the financial year April 2003 to March 2004. This time-scale allowed verification of the quantitative data collected, by comparison with figures submitted by Fife Council Criminal Justice Service to the Audit Commission for Scotland. A population of

women offenders was considered in this year and 200 separate cases were included. In addition to the quantitative data collected, in-depth qualitative interviews were conducted with 21 women, all of whom were subject to statutory supervision. Both parts of the data collection were completed by August 2004.

In order that the quantitative data could be collected in a systematic fashion, the Level of Service Inventory (Revised), or L.S.I.-R., was used to collect information about the target group. Furthermore, two additional parameters were added to this inventory, both of which were factors that had been identified previously by researchers as being associated with offending behaviour in women. These were firstly, experiences of childhood abuse and neglect, and secondly, having a male partner who was involved in criminal activity. The differences between the two groups of women offenders were analysed for statistical significance, using the Excel worksheet package.

The L.S.I.-R. was also used in helping to construct a framework for the collection of the qualitative data. The interview schedule for the semi-structured interviews with women probationers was devised to reflect the areas of criminogenic need identified as relevant both by the L.S.I.-R. and by researchers in the field of women offenders (e.g. Carlen, 1988). Once completed, the interviews were transcribed, coded and analysed, with the help of the NUD*IST qualitative data analysis computer package.

The research concludes that marked differences were found between women offenders convicted of violent offences and those convicted of offences which did

not involve violence. Strong evidence was gathered regarding differences in the ways that the women had become involved in offending and some of the elements that sustained that behaviour, notably substance abuse. There was also some indication that life-course experiences were particularly significant for the group of women who had been convicted of violent offences. The thesis concludes that, in view of the differences, these groups require different kinds of social work service provision.

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Chapter 1

Introduction

My Interest in this Topic

I cannot remember exactly when I first became interested in the study of women offenders. Perhaps it began when I first qualified in social work in the mid 1970's. At that time, the women's movement was beginning to raise important issues about the role of women in society and I was interested in what its proponents had to say, but I did not work in this field at the time.

It is more likely that my interest started in the late 1980's. At that time, I was thinking about returning to social work following a five-year absence and I decided that I would like to specialise in criminal justice work. I was successful in gaining employment as a criminal justice social worker with Fife Council. This was a new area of work for me and I had much to learn, in order to become competent in this field. As I developed my own practice and became familiar with court processes and procedures, I became interested in how people were treated within a court setting. Women, I observed, appeared to receive a different kind of service from men, but this was not always consistent. Sometimes they would be treated more leniently than would otherwise have been expected. On other occasions, they would be placed on probation for what seemed to be very trivial offences. Supervising these women on probation was often no easy task, because much time and energy was taken up with attending to their welfare needs. Their attendance at probation meetings was often erratic, usually because of child-care commitments. Whilst there was nothing wrong with this in principle, I did conclude that working with women who had been

convicted of offences presented completely different challenges from working with male offenders.

In order to try to understand this phenomenon, I began to read some books on the topic. It was then that I discovered writers like Smart (1976) and Carlen (1988). From reading their work, I began to realise that there was indeed an academic basis for my own observations about working with women convicted of offences. Both of these writers challenged the notion that women's offending can be understood in terms of male paradigms, because of the way females are socialised and because of the inherent power imbalance between men and women. My reading of the literature also introduced me to something that I had not, surprisingly, even considered before. Why is it that many more men involve themselves in criminal activity than women? I was also introduced to the notion that women often commit different sorts of crimes than men do, like shoplifting and fraud. Seldom, at least according to the earlier theorists, do women engage in crimes of violence.

In 1996, I was fortunate to be offered funding to study for a Master of Science degree in Social Service Management, on a part-time basis. I completed the coursework in 1998 and was about to undertake the dissertation. That year, a ground-breaking report was published by the Scottish Prison's Inspectorate, entitled *Women Offenders - a Safer Way?*. This paper publicly acknowledged for the first time that male and female offending is different, in much the same way as the feminist theorists has argued. The report drew heavily upon the research carried out in Cornton Vale prison by Loucks (1997). Faced with increasing political pressure to close the prison in the

wake of several suicides by inmates, the Scottish Executive advocated a raft of new initiatives by local authorities in Scotland to reduce the use of custody for convicted women offenders and to cater better for their welfare needs when they were released.

I decided that my dissertation would be about the differences between male and female offenders, in order to explore whether the feminist perspective should be applied to offenders in Fife. I undertook a comparative quantitative study that concentrated upon male and female probationers. The study produced many interesting results that appeared to support the view that male and female offenders are different. The findings indicated that male probationers had longer criminal records and were sentenced to custody on a more regular basis. One observation did puzzle me. In the course of collecting data regarding the types of offences committed, I noticed that the female offenders had been convicted of assaults, usually of a minor nature, with greater frequency than I would have expected. Nevertheless, I had by this time completed my course of study and had submitted my work (see Pullar, 2000), for which I was awarded the M.Sc. a short time later.

The following year, I began studying for a PhD. By this time, I had become interested in the phenomenon of women who commit crimes of violence. I wanted to know how frequent this was and in what circumstances these crimes occurred. I also wanted to explore whether the women who committed these kinds of offences were in any way different from other women convicted of offences. Therefore, I decided to conduct another comparative study in Fife, but this time solely with convicted

women offenders. One group had been convicted of an offence of violence, the other group had not. Accordingly, the following outline for the research was proposed.

The Aims of the Research

- a) To profile the characteristics of a sample of convicted women offenders, in order to learn more about their offending patterns, age distributions etc.
- b) To compare and contrast groups of women who had been convicted of violent and non-violent offences, to discover whether there were any significant differences between the two groups.
- c) To gain insight into these women's perceptions of their own behaviour by talking with them.
- d) To reach a better understanding of the factors that are significant in the types of behaviours to be studied.
- e) To draw conclusions, from the evidence presented by the research, about the most appropriate services for the two groups of women.

The Research Questions

The study explored the following questions:

1. Regarding Statistical Profiling
 - a) What was the statistical profile of convicted women offenders in Fife in relation to demographic factors such as age, unemployment and marital status?

- b) What was the criminal behaviour of these women, in terms of most recent offences, previous offending history and age at first conviction?
- c) What were the social characteristics of these women, with respect to criminal associations, substance misuse and medical issues?

2. Regarding Women's Own Perceptions of their Behaviour

How did these women conceptualise their reasons for committing offences and how did these conceptualisations match with the statistical evidence?

3. Regarding Policy/ Practice Issues

What do the findings indicate in terms of service-provision for convicted women offenders? Principally, should women who are convicted of violent and non-violent offences receive a different kind of service from each other and if so, how should it differ?

Statistical Sources Used

At this point, it may be helpful to briefly outline the sources of statistical data that were used in the study. The primary source of data that was used was collected by me in the course of the fieldwork. Whilst there were associated difficulties in choosing such a source, it was felt that this would provide the best possibility of producing relevant data for the study. This is discussed in further detail in the Methodology Chapter.

Another important source of statistical data was the information provided on an annual basis by the Scottish Executive Statistical Division. This department provides annual statistical summary of, for example, Social Enquiry Reports produced and the numbers of Court Orders supervised by each Scottish Local Authority. These statistics are then combined to give an overall view of the amount and type of work being carried out by Criminal Justice Services throughout Scotland. The statistics are collected between April and March annually and published the following January. Although there are difficulties in using secondary sources of data such as this, these statistics did provide a national context for the study. The data collection for this study was timed to coincide with the national statistics to allow comparisons to be made. Again, the possible difficulties that were presented by this are discussed in the Methodology Chapter.

Other sources of statistical information were used in addition to these two main ones. For example, Home Office (1992b, 1997) research carried out in England with women convicted of offences was used to provide further statistical context for the study. The Crime Survey was also used in this regard. These sources were not used as extensively as the Scottish Executive statistics because they did not concentrate upon Scottish figures.

Once the research proposal had been developed and accepted, the fieldwork began. It took more a year to collect the data, which was done between April 2003 and August 2004. Both quantitative and qualitative data were gathered. The quantitative data were collected by examining the case-files of all the women who had appeared in

court and who were living in Fife during the financial year 2003/2004. Two hundred cases were considered. The qualitative data were based upon semi-structured in-depth interviews with 21 women who had agreed to take part in the project. The quantitative data were analysed using an Excel workbook and a statistical analysis pack. The qualitative data were coded and analysed by using N.U.D.*I.S.T. a computer package designed to help understand and draw conclusions from non-numerical unstructured data. This thesis presents the findings from these analyses, together with some speculation about their implications for policy and practice.

Indicative Content of Chapters

Chapter Two discusses some contemporary issues for criminal justice services within Scotland, in order to place the study within its geographical and professional context. In particular, the “What Works?” agenda developed by Andrews et al (1991) is considered, alongside its impact upon criminal justice social work in Scotland. The chapter puts forward the argument that, in order to be effective, a balanced approach must be taken, incorporating “What Works” cognitive/ behavioural techniques with the more traditional holistic approach that has been developed in this country.

Chapter Three discusses some of the literature that is relevant to this study, with particular relevance to studies about the offending behaviour of women. Wherever possible, the literature review has concentrated upon British research. The feminist critique, together with Nancy Loucks’ (1997) study of women within Cornton Vale prison is considered and the impact her study had upon government policy regarding women offenders. Some literature that indicates that diversity exists in the offending

behaviour of women is also included. In addition, literature regarding how life-course experiences affect adult behaviour (e.g. Moffitt et al, 2001) is explored. The literature review concludes that although there have been few studies that have taken as their starting point diverse behaviour in offending women, those that do indicate that those who commit violent offences tend to have a greater rate of recidivism and have more incidences of substance abuse and negative childhood experiences than women who do not commit such offences. The studies considered in this review provided the basis for the study that was carried out in Fife.

Chapter Four discusses the research aims and questions, the method that was used to collect and analyse the empirical data and the reasons for choosing the types of analysis used. The possible definitions of a violent offence are discussed in some detail and the definition of violence used in the study is explained. Ethical considerations are also explored, since the study involved the collection of data that were highly sensitive and confidential. Finally, some limitations regarding the methods chosen and the research instruments used are discussed.

Chapter Five introduces the women who participated in the qualitative part of the study. A short “pen picture” of each of the 21 women interviewed is provided, giving brief details of their personal circumstances and offending behaviour.

Chapter Six presents the findings obtained when offending behaviour was considered. In this chapter, as in the following three findings chapters, the quantitative and qualitative data are presented together, so that a clear comparison

could be made between the two types of analysis. Strong evidence was found in both sets of analysis that the women who were convicted of violent offences tended to begin offending at an earlier age and continue offending for longer.

Chapter Seven discusses findings in relation to the relationships experiences by the women in the qualitative part of the study and the incidence of relationship difficulties that they reported as part of the social enquiry report analysis. There is some evidence that those women who had been convicted of a violent offence had experienced incidences of unhappy childhood experiences with greater frequency. This chapter also considers personal considerations, such as moral reasoning and substance abuse.

Chapter Eight takes as its focus the part that education and employment play when offending behaviour is considered. The women were asked about their experiences of the education system and their academic progress whilst at school and as adults. The women were also asked about their employment record and the types of jobs they had done in the past. This chapter also considers the role that neighbourhoods and communities have in the sustaining of criminal behaviour.

Chapter Nine focuses upon the sentences that the women had received in the past and their current experiences of statutory supervision. The auxiliary services offered to the women, such as specialist services dealing with substance abuse and employment are explored, since these factors were identified by the document *Women Offenders - a Safer Way* (Social Work and Prisons Inspectorate, 1998) as having special

importance for women convicted of offences. The quantitative analysis provides information regarding the sentencing record of the entire population of convicted women for the year under examination.

Chapter Ten discusses the findings of the previous four chapters regarding their implications for policy and practice of criminal justice social work in Scotland. The justification for adopting a different service delivery strategy for convicted women is analysed in the light of the results obtained. The building of individual and social capital as a strategy for helping offenders to desist from offending is highlighted, as is the need to develop practice skills that reflect the offending behaviour and factors that sustain that behaviour, in women.

Chapter Eleven concludes the paper with a proposal for further research, based on the findings obtained from the study.

The Originality of the Work

There is a sense in which no research project can claim absolute originality, since there is a fundamental inter-dependence between new research and papers that have been written before. This implies that the term “originality” requires some interpretation. The underlying thesis of this paper is not new, because other researchers have written about the possible diversity in the offending behaviour of women in the past. Nevertheless, this paper does contain some elements of originality that are perhaps worthy of note.

Firstly, much of the research carried out in Britain about women convicted of offences has either been designed to explore the differences between female and male offenders, or with all women samples or participants. This implies that women can be thought of as an homogenous group for research purposes. It should be noted that a great deal of valuable knowledge has been gained from these perspectives, but in some respects, perhaps other pieces of information have not come to light because of the underlying assumptions of the research. This study makes a different assumption. It is posited upon the notion that diversity might exist within groups of women offenders and that these could be important considerations when designing service provision. Hence, within a British context, the research is original.

Secondly, this study takes as its focal point the possibility that this diversity can be located by considering violent and non-violent offending behaviour. Again, this is not a completely original idea, since some research, making the same assumption, has been carried out in Canada. However, to the best of my knowledge, no such research has been carried out in Scotland. Scotland differs from Canada in several respects. Culturally the two countries differ because Scotland is a much smaller country and has a different history and type of population. For example, it would be extremely unlikely for a study carried out in Scotland to include Native Americans in the sample to be studied, whereas this is much more likely in Canada. Also, the legal systems of the two countries differ in important respects. The Canadian system is based upon its constitution. In Scotland there is no written constitution. The legal system of Scotland is largely based upon common law, which in turn has been

shaped by the National Church (the Presbyterian Church of Scotland) which was established as the only lawful Church in Scotland in 1690 (Whatley, 1998:1). The Church of Scotland is organised thus: parishes which are looked after by a minister and the Kirk Session made up of the elders of the Church. The Session had the power to punish parishioners who had transgressed what it considered appropriate standards of behaviour. This sometimes, but by no means exclusively, concerned matters of a sexual nature. The poet Robert Burns (1759-1796) wrote about this in his song “The Rantin’ Dog”, in which he mentions “The Creepy Chair”, where erring parishioners were required to sit, while being reprimanded by the minister. All such situations were in turn reported to the Presbytery, which is responsible for several parishes. The highest level of Church governance in Scotland was (and is) the General Assembly, which meets in Edinburgh in May every year. It was from this system that much of the common law of Scotland was developed. For example there is an offence in Scottish common law known as Lewd and Libidinous Practices, which does not exist anywhere else, including Canada (Gane and Stoddart, 1988:677). For all of these reasons, this study is original.

Thirdly, the study was carried out with those subject to probation orders and who were resident in Fife when the data were collected. Other studies have, of course, studied women probationers (e.g. McIvor and Barry, 1998). However, as far as I am aware, no other study has been concentrated upon this area of Scotland.

Conclusion

This introductory chapter has proved a challenge to write. After more than six years of study within this field, it has been difficult to identify the main “triggers” for my interest in women offenders. During this time, I have found the study of this subject to be fascinating and full of surprises and it has never failed to hold my interest. However, the study has now been completed; literature review, fieldwork and analyses have all been finished. All that remains is to communicate the findings to those other than my supervisors.

Chapter 2

Criminal Justice Social Work - The Policy and Practice Context

Introduction

In order to understand the context in which the research was undertaken, this chapter seeks to explore some of the current themes within criminal justice work, primarily within Scotland. Initially, a discussion of the “What Works?” debate and its development in Canada and Britain is undertaken, together with a review of relevant research regarding its effectiveness in reducing offending behaviour. Following this, current issues within criminal justice social work in Scotland are highlighted, notably the emphasis upon risk assessment and management. Finally, the notion of social and cultural capital is introduced and the chapter concludes with a model of practice that places these different perspectives in context.

The “What Works?” Debate within Criminal Justice Social Work

Beginnings

“Late one gloomy winter afternoon in 1980, New York sociologist Robert Martinson hurled himself through the ninth floor window of his Manhattan apartment while his teenaged son looked on from across the room. An articulate criminologist, Martinson had become the leading debunker of the idea that we could “rehabilitate” criminals. His melancholy suicide was to be a metaphor for what would follow in American corrections” (Miller, 1989: 1).

In 1974, Robert Martinson published an article in an American periodical, *The Public Interest* that cast some doubts upon the then prevalent methods of working with offenders in the community. He argued that, although there were instances of successful probation interventions, these were “...isolated, producing no clear pattern

to indicate the efficacy of any particular method of treatment.” (1974: 49). The article was based upon an extensive study, directed by Douglas Lipton and assisted by Judith Wilks. Robert Martinson joined the research team relatively late in their work and interestingly, the results of their efforts were not published until 1975, a year after Martinson’s famous article.

The Lipton et al (1975) study was designed to consider the effectiveness of community interventions with offenders that had been carried out in the United States of America between 1945 and 1967. Some 231 studies were evaluated, mainly by considering whether programme participants had re-offended within a two-year period following their “treatment”. When the results were finally published, the conclusions that the researchers reached were perhaps more circumspect than Martinson’s article had been, but supported Martinson’s central conclusion that there was no clear evidence in favour of community rehabilitation. However, by this time, a leading protagonist for the rehabilitation agenda, Ted Palmer, took issue with these findings and with Robert Martinson in particular. Palmer argued (1976) that, as the Lipton et al study only considered projects that had been implemented up until 1967 and this excluded more recent work that had been carried out up until 1973. This, Palmer argued, ignored the positive results that he and his colleagues had produced in California (the Community Treatment Program, or C.P.T.). Palmer had good reason to be concerned. President Johnstone’s administration had endorsed the California project, hailing it as a success story in American youth corrections. The President had accordingly devoted generous funding to the scheme. Martinson and

Palmer engaged in vigorous debate about the notion that there was no clear evidence about effective intervention and as Wilson (1984:165) recalls "...battle was joined".

To complicate the situation further, another sociologist and social worker, Paul Lerman, had entered the debate by this time. Lerman had made an extensive and painstaking study of Palmer et al's project in California and published his results in 1975. He concluded that "The social balance sheet for California clearly indicates that many more youths are being locked away at a local level in 1970 than in 1965 or 1960." (Lerman, 1975:209). Lerman's findings appeared to lend weight to the conclusions drawn by Lipton, Martinson and Wilks, but the debate nevertheless continued. Empey and Erikson (1972) also reported positive results in their *Provo Experiment* carried out in Chicago with young offenders, which appeared to support the rehabilitative argument.

It may be instructive to consider why Martinson's opinions carried such weight, given the dissenting voices around him. By this time his (1974) article had come to the attention of both the national press and the campaign to re-elect President Nixon. Against a backdrop of rising unemployment and a large increase in violent crime, both the Republican and Democratic parties were anxious to demonstrate that their policies were not "soft" on offending. As the bulk of Martinson's research had taken place within prisons, his work was used to substantiate the political rhetoric of both main parties. As a result, Martinson was attributed with the phrase "nothing works with offenders", although in fact, this was an inaccurate interpretation of his work. Nevertheless, from the middle of the 1970's, the rehabilitation of criminals ceased to

be a central tenet within American correctional policy. The academic debate continued unabated, however, and with such intensity that in 1976 the National Academy of Sciences appointed a panel to review the Lipton, Martinson and Wilks (1975) study. The conclusions were open to interpretation. Some scholars (e.g. Wilson, 1984:167) interpreted the results as supporting the conclusions of Lipton et al. Others (e.g. Miller, 1989) took the opposite view, arguing that several studies had shown substantial reductions in re-offending, by using a variety of different techniques, such as family therapy, training in interpersonal skills and individual and group counselling. The argument for rehabilitation was alive and well and Martinson acknowledged this in an article published in 1979 in the *Hofsta Law Review*. He wrote:

“...contrary to my previous position, some treatment programs do have an appreciable effect upon recidivism.... The most general conclusion [from the 555 research studies taken from our national survey] is that no treatment program now used in criminal justice is inherently either substantially helpful or harmful. The critical fact seems to be the conditions under which the program is delivered” (Martinson, 1979:258).

This does not quite read as the absolute retraction of Martinson’s original position as is sometimes portrayed. The point he appears to make is that programme delivery is more important than programme content. This shift was partly to do with the preliminary results that he had obtained from his own empirical study, which had begun in 1977. It may also have been prompted by a realisation that successful programmes of intervention rely heavily upon the interactions between participants and programme deliverers. This thought is to be found in literature that is much more contemporary, for example, Trotter’s pro-social modelling theory (1999). However, following Martinson’s death in 1980, most of the correctional research that was

carried out assumed the opposite; that content and programme integrity (i.e. consistency in delivery) were the essential ingredients of successful interventions.

During the 1980's and 1990's, several researchers aimed to demonstrate that "something works" and to identify the underlying principles of effective programme design. In 1987, Gendreau and Ross conducted another review of correctional programmes, but this time using meta-analysis to produce their results, a technique that permitted the merging together of results produced in small studies, so that they could be tested for statistical significance. They concluded that successful programmes, although quite different in their delivery, nonetheless had common characteristics. These included programme integrity (delivered in the same way over time), multi-modality (programmes should be capable of responding to various offending related issues) and intensity (more serious offenders should be offered more intense programmes of work). This last principle implied that services needed to be targeted correctly if programmes were to be successful. In this regard, Andrews et al (1990b) carried out an important piece of research, which involved looking at the characteristics of those who offend, and drawing conclusions from the statistical analysis carried out. The research was large-scale and again used meta-analysis. Andrews and his colleagues concluded that risk of offending was based on static factors (such as age at first conviction, offence type etc) and dynamic factors (such as employment, substance abuse etc). They suggested that probation resources should be targeted at the most dangerous/ persistent offenders. From this study the Level of Service Inventory (L.S.I.-R.) was developed. Andrews concluded that the delivery of

structured programmes of work, based upon the cognitive and behavioural schools of psychology were more effective than more traditional therapeutic models.

The Welfare *versus* Responsibility Debate in Britain

In Britain, James McGuire (1982) introduced these ideas to Britain and his publications encouraged practitioners to use more cognitive and behavioural approaches to their work and this became established within social work practice in Britain from about 1985 onwards. This perspective, however, re-launched the sociological debate regarding the nature of justice and punishment, but with a slightly different emphasis. The practice of providing programmes of work with offenders as part of a probation action plan pre-empted a drift towards more punitive community sentencing, as outlined by Gendreau (1993). Also, the work done by Andrews (1990b) and his colleagues indicated that offenders have social needs (e.g. poor accommodation and education etc) as well as exhibiting offence-inducing behaviour, or criminogenic needs (e.g. drug misuse and poor peer group associations). Both writers indicated that both social and criminogenic needs must be addressed if probation programmes are to be effective.

The actions of the British Government, however, did not reflect this duality of purpose within probation work. In 1996, the then Home Secretary, Michael Howard, instructed the removal of the necessity to hold a social work qualification for practising probation officers (Worrall, 98). This measure, Worrall argued, was taken in order to “toughen up” the image of the probation service in England by attracting fewer women and more ex-services personnel. In Scotland, the publication of the

report, *Community Sentencing - the Tough Option* (1998), set out the Government's plans to increase public confidence in the use of community sentences by ensuring that they were not a "soft option".

More recently, also within a Scottish context, the Labour Party's manifesto (2003) underlined their intention to "get tough" with offenders, notably young offenders, by introducing measures such as:

- Special youth courts for persistent young offenders.
- Allowing courts to impose a Restriction of Liberty Order (electronic tagging) upon young offenders.
- Imposing prison sentences on parents who failed to control their children.
- The establishment of a Criminal Justice Authorities, to incorporate prison and probation service personnel. The effectiveness of these agencies was to be gauged by their success in reducing offending, presumably by inspecting local and national crime statistics. The Key Performance Indicators (K.P.I.'s) to be used would be based upon "What Works?" principles.

It is clear that the political leadership of Scotland has embraced some of the major tenets of the "What Works?" debate, whilst perhaps simultaneously failing to recognise the subtleties of some of its arguments. Writers such as Andrews (1990b) and McGuire (1982) never denied the legitimate application of welfare within criminal justice work, but merely questioned its use at the expense of helping the offender to develop the thinking skills necessary for desistance from offending. Current government policy seems to place great emphasis upon the responsibility of

the offender not to offend, but has practically nothing to say about the welfare needs of these people.

The only exception to this assumption regarding how best to work effectively with convicted offenders seems to be located with women. In sharp contrast to the rest of the offending population, government policy does recognise that welfare needs are important parameters of offending behaviour for women. This policy would seem to concur with some recent research regarding convicted women. For example, McIvor (1998) indicated that the majority of the women interviewed in the course of her research did not consider themselves to be particularly criminal, but instead required assistance with their welfare. However, since public protection and public confidence in community sentencing is now driving the criminal justice debate, it seems unlikely that welfare issues will receive the attention that they perhaps deserve for the majority of offenders.

The “What Works?” Debate in Practice; Some British Research

One interesting consequence of this rather Janus-like attitude to criminal justice policy is that it has provided the opportunity for research that considers the appropriateness of “What Works?” principles within a working environment, as opposed to a research setting. British research into what works with offenders is now well established and several interesting pieces of research have been produced over the last few years. The results presented thus far, however, tend to be contradictory and are inconclusive regarding programme effectiveness in reducing offending behaviour.

In England and Wales, two studies are worthy of note. The first was carried out by Colin Roberts (1989), with young offenders in Hereford and Worcester probation areas, and produced some positive results in its first year of evaluation. The re-conviction rates of the participants were about five percentage points lower than for those who had not had this programme delivered to them. Similar results were obtained by Peter Raynor and Maurice Vanstone in Mid-Glamorgan (1997). This was an evaluative study of the “Straight Thinking on Probation” (S.T.O.P.) programme, developed by that probation service and delivered to about 40 offenders in each of the two years of the evaluation. The programme was well resourced, well supported by the management group and delivered by trained staff, in order to ensure consistency of programme delivery. The results at the end of the first year of delivery were encouraging; there was a measurable difference in re-conviction rates between the programme participants and a control group. However, the second year results were disappointing, yielding no significant differences between the groups.

Despite these rather equivocal results, the Home Office proceeded with the Effective Practice Initiative during the mid to late 1990’s, which encouraged all probation areas to run programmes of work, based on “What Works?” principles. However, an inspection report prepared by Andrew Underdown and published in 1998, designed to discover how these programmes were being delivered, yielded very poor results.

“...of the 297 programmes which probation areas claimed they were running based on effective practice principles, evidence of effectiveness based on reasonably convincing evaluation was available only for four, one of which was not included in the initial responses” (Raynor, 2003: 1188).

More recently, a study conducted by Hollin et al (2002, 2004) evaluated seven programmes, run by 13 different probation areas in England. This particular study was conducted as part of a three-year evaluation of the “Pathfinder” programme, which was initiated by the Home Office in 1998 following the Underdown report to develop effective programmes for reducing offending behaviour. The first stage of the study, published as an interim report in 2002 did not consider the impact of the programmes on re-offending, but did so in the later stages of the research. This first stage concentrated upon the design of the programmes and their administration.

A variety of different programmes were considered that targeted different aspects of offending behaviour. These included, for example, programmes that concentrated upon cognitive skills training, addressing substance misuse and programmes that focussed upon violent behaviour.

The essential findings of this part of the study were:

- Staff were well motivated and enthusiastic.
- Sufficient referrals were available for most programmes, but their appropriateness was questionable. Proper targeting was not always completed at the pre-sentence report stage.
- Dropout rates were high, both before and during programmes. The researchers speculated that this could be due to poor targeting, or inappropriate programme materials.
- Programme integrity proved difficult to achieve, not because programme leaders did not understand the concept, but because of lack of time and resources. The

researchers contended that this could be improved by the use of programme managers to support the work.

- The probation areas studied need to support the Pathfinder programmes in a more practical way. This would include, for example, the provision of administrative support and suitable accommodation.

The results produced nevertheless point to some difficulties, both theoretical and practical, with applying the “What Works?” principles to probation practice, outside of a research environment.

The tension between programme integrity and responsivity factors within the “What Works?” approach is evident in at least some of the programmes considered. Programme integrity demands that each programme within the project is delivered in a consistent manner, with the elements of the programme remaining the same. Responsivity requires that the individual’s responses and needs are taken into consideration by those who deliver the programme. Clearly, these two concepts, if taken to extremes, are mutually exclusive. This implies that a further refining of these definitions is required.

There were also several practical problems identified by the researchers regarding levels of training for the staff involved, the lack of physical resources such as accommodation and administrative and management support. This raises questions regarding the practicality of running such programmes within busy and sometimes overworked probation departments, if resources are not made available to the staff

involved in sufficient quantities. However, despite these problems, the interim report highlighted that such programmes can be run successfully. In the particular context of this study, two such programmes are worthy of note:

Firstly, Wiltshire Probation Service runs an Aggression Replacement Training programme (A.R.T.) for male and female offenders. In the best traditions of “What Works?” literature, the programme is multi-modal, comprising of three elements: social skills training, self-control training and training in moral reasoning. About eight to ten programmes are delivered per year. The number of women in each programme remains low, despite higher referral rates than most programmes. Completion rates are high, however, with about 65 percent finishing the programme successfully.

Secondly, Derbyshire Probation Service has designed a Focus on Violence (F.O.V.) programme that runs parallel programmes for male offenders within the community and female offenders who are serving prison sentences. In common with the Wiltshire programme, this initiative concentrates upon cognitive skills training. Eleven such programmes have been run between 1999 and 2000. Seventy-four per cent of the male group completed the programme successfully, but only 45 per cent of females. The results regarding completion rates are simultaneously encouraging for the male offenders and less so for the female offenders. Female offenders tend to be referred less and have lower completion rates in any case. This raises issues regarding the undiluted application of “What Works?” principles to female

offending. This may lend some weight to the stance that the Scottish Executive has taken, regarding appropriate service delivery for convicted women offenders.

In December 2004, Hollin and his colleagues produced the results of the two-year follow-up of re-conviction rates for those who had participated in the pathfinder programmes (Hollin et al, 2004). These were, to say the least, disappointing. When compared with control groups who had not had the benefit of the Pathfinder initiatives, 70 per cent of the treatment group were known to have re-offended, compared with 60 per cent of the control group. Taken at face value, these findings seem to indicate that those who did not participate in the programmes offended less often. Hollin et al (2004:16) reported this as a “null finding”. However, in defence of the Pathfinder initiative, the incidence of re-offending is perhaps too crude a measurement to provide useful information regarding the offending behaviour following probation supervision. Perhaps factors such as the type, or seriousness of the offence could be taken into consideration. In addition, the rate of offending and whether this has slowed could be another useful measure of recidivism.

These findings were also considered by Harper and Chitty (2005), in their review of the impact of these methods of intervention upon re-offending, conducted on behalf of the Home Office. The authors considered all of the evaluative studies carried out within this field in England and Wales and found most of them to be methodologically unsound. In most cases, these difficulties were caused by inconsistencies in the use of control groups. In order to fulfil their function, participants must be randomly assigned and this was difficult to achieve for most of

the studies considered. In other cases, notably Raynor's (1989) study mentioned earlier, the groups considered were too small for the results to be generalisable. Whilst it has to be conceded that true randomisation is very difficult to attain in a fieldwork setting, not least for ethical reasons, the results of this evaluation make uncomfortable reading for the protagonists of the "What Works?" agenda within a British context. To date, there is at best, some supporting evidence, but it is anecdotal, rather than statistical. It may be that with improved methodology, data that are more robust can be generated, but this seems unlikely, given the problems that the researchers have encountered.

Some of these rather inconclusive results have contributed to a re-vitalisation of the academic debate, certainly in Britain, about the effectiveness of "What Works?" principles. As Mair (2004) observes:

"In the rush to embrace the tenets of What Works there has been surprisingly little academic or professional debate about the risks associated with it. What works has been sold as the answer to all the problems of probation: it will prove its effectiveness as a credible sentence, it will lead to more funding, it will secure its future as a powerful organisation within the criminal justice system...To question What Works is seen to be casting doubt on the very foundations of probation work at a time when the service is trying to build up confidence among its stakeholders that it can be trusted. Those individuals who dare to question What Works...are mocked as working within a "professional ideology" of "knowledge destruction" (Cullen and Gendreau, 2001: 325), or relying on BAD common sense (Gendreau et al, 2002: 362)" (Mair, 2004: 2).

What is interesting about the academic doubts that are beginning to emerge in Britain is that, as Mair suggests, they are based upon concerns that are theoretical and professional. They also are based, however, upon the link between probation work and political will. This, in some ways, echoes the situation in which Robert

Martinson found himself in the 1970's. The reduction in offending behaviour was a major theme in the last general election for both the Labour and Conservative parties, just as it had been in America when Martinson wrote his article. Those in a position of political power assumed also, in both cases, that the answer to this problem is to be located in one paradigm of response. The only difference is that the paradigms have now reversed. Given the relatively poor results produced in England and Wales about the application of "What Works?" programmes, it remains to be seen whether there will be any change in current government policy.

Yes but... The "What Really Works? (in Scotland)" Debate

Whilst the contribution made by researchers such as Andrews, McGuire and Hollin should not be diminished, there are nevertheless several questions that remain unanswered by their theories. Modern probation work in Scotland, driven as it is by issues of public safety, is as much concerned with the reduction of recidivism as it is with helping the offender to gain a cognitive insight into their offending behaviour, or helping them to access services. When taken together with current policy regarding convicted women, the implication is that services should be based upon programmes that concentrate upon:

- Reducing the unnecessary use of custodial sentences.
- Delivering programmes of work that are effective in reducing offending behaviour.
- Attending to welfare needs, such as housing and health that are seen to be problematic, although this imperative is most frequently related to women.

Recent research carried out in Scotland has emphasised three basic aspects of this problem: risk assessment, risk management and desistance from offending. It is clear that each is dependent upon the other, if the goal of reducing crime is to be achieved. Proper risk management cannot take place without effective risk assessment and both of these leads, hopefully, to the reduction of offending behaviour. This, however, cannot be sustained without proper community support for the behavioural change. Hence, literature regarding desistance from offending is also relevant.

Risk Assessment

Effective risk assessment essentially consists of two elements: actuarial assessment, which is based upon aggregate statistical data, and clinical assessment, which is dependent upon the professional judgement of the assessor (Kemshall 1996). Both of these are needed. If statistical data is used in isolation, the chances are that the assessor will fall into the trap of trying to predict individual behaviour from aggregate data (the ecological fallacy). If clinical judgement is the only method used, the assessment process is totally reliant upon the skills and abilities of the assessor, which can vary from individual to individual. So, a combination of these methods is used to produce a “defensible decision”, that is, one that can be justified if the offender re-offends and questions are asked regarding his/her supervision within the community.

Currently in Scotland, there are several risk assessment tools in use. The Level of Service Inventory (L.S.I.-R.) is widely used by local authority criminal justice services to assess the chances of a person re-offending within a given time period

(see appendix 11). However, this tool is based upon large, delinquent, predominantly male samples, from research carried out in Canada. As yet, it has not been validated for use in Scotland, nor has it been validated for use with convicted women offenders. Also, as Andrews and Bonta (1996) concede, the L.S.I.-R. scoring system has a tendency to produce “false positive” effects, that is, attributing a higher level of risk than the individual actually poses and leaving large margins of error in individual assessments. Therefore, the use of the tool has some associated difficulties.

In 1998, Social Work Services Group developed the RA 1-4 framework for assessing risk (see appendix 12). This was an attempt to combine more effectively clinical and actuarial methodology. However, the statistical part of the framework still relies upon the assumptions regarding offending that L.S.I.-R. makes and whilst it is a useful tool when used by an experienced practitioner, it is less effective with inexperienced staff. For sexual and violent offenders, Risk Matrix 2000, which was developed in England, has been used by many local authorities to assess both risk of re-offending, but not risk of harm, for these groups of offenders. As it is essentially based upon large samples of offenders in these categories, it has generally been found to have a greater predictive value than the other tools available. As yet, there have been no tools developed that predict risk with convicted women, largely because of the difficulty of gaining large enough samples of convicted women to ensure validity.

Gill McIvor and Hazel Kemshall *Serious Violent and Sexual Offenders: the use of Risk Assessment Tools in Scotland*

McIvor and Kemshall (2002) have recently reviewed the assessment tools currently used to assess risk in serious and violent offenders in Scotland. This piece of research was carried out following the report of the McLean committee, which advocated more research into risk assessment regarding serious violent and sexual offenders. The researchers found that a range of different methods were used by different professional groups. For example, psychologists tend to use more specialist tools, validated for Scottish populations, whereas social workers tended to use tools such as L.S.I.-R. to assess the risk of re-offending. However, there remain difficulties with the use of these instruments, since the risk assessment tools that are currently available inadequately assess many groups of offenders, notably women. Another issue highlighted by the research was the amount of resources, in terms of money, time and training that would need to be made available to sustain an effective risk assessment strategy across Scotland. The researchers concluded that although there is some evidence that a more consistent approach is beginning to emerge, greater inter-agency planning and co-ordination needs to be developed if an effective risk management strategy is to be adopted.

The researchers also reviewed the assessment tools currently used within the Scottish context. The researchers concluded that violent offenders present special problems as far as the prediction of risk and harm are concerned. Firstly, violent offenders are not an homogenous group, which inhibits the transferability of tools across the different groups of offenders. In general, tools that utilise structural clinical judgement to

assess risk, such as the Violence Risk Assessment Guide (V.R.A.G.) have been found to present the best possibility of accurate prediction. Another important conclusion drawn by McIvor and Kemshall was the lack of emphasis in the tools currently available upon other potential risk predictors. For example, victim impact is never addressed in risk tools, nor is offence commission. Whilst these aspects of risk assessment have yet to be developed, statistical analysis that makes use of multivariate techniques, such as factor analysis and decision trees, may provide more robust methods of risk assessment.

As has been already stated, the difficulties of applying risk assessment tools to women remain unresolved. However, it may well be that these are no greater than any other group of offenders. Emerging research is beginning to identify some similarities in male and female offending, particularly in serious and violent offenders. Therefore, perhaps the problem of risk prediction is more general than merely a question of gender. In the final analysis, those who would seek to predict risk are faced with the dilemma presented by the theoretical physicist Shroddinger (Gribbin and Gribbin, 1984). He posed the thought experiment of a cat contained within a hermetically sealed box, with a plate of poison. How do we know if the cat is alive or dead? We cannot say, for certain, until of course the box is opened. In other words, all future possibilities co-exist until one actually does exist. Risk assessment is similar; often it is difficult to predict a specific risk until it happens. However, there seems no doubt that risk prediction will continue to feature strongly within the Scottish criminal justice system, because of its central position in the management of criminal behaviour.

Risk Management

Even if it is assumed that the risk prediction tools that are used are adequate, the identified risk must be properly managed if criminality is to be reduced. This in turn implies that programmes of work with offenders have to be tailored to this end. As has already been mentioned, programmes that address cognitive skills have been shown to be more effective in this regard in some studies. However, recent research carried out in Scotland, particularly with women (e.g. McIvor, 1998), has also highlighted the need to consider the welfare needs of offenders, in order to increase the chances of reducing offending. The Scottish Executive report, *Women Offenders - a Better Way* (2002), stressed the importance of attending to issues like access to public services, such as housing, the Department of Social Security (D.S.S.) etc., in order to facilitate the return of women to the community following a prison sentence. This approach towards convicted women emphasises welfare needs, possibly at the expense of developing cognitive skills. By implication, there is a danger of creating services for women that are discriminatory, if such services were to be delivered exclusively to women. This begs the question, however, of whether these ideas are equally applicable to male offenders, again raising the debate regarding the proper balance between welfare and control within criminal justice service provision.

Welfare and Control- Two Recent Scottish Studies

Two recent studies carried out in Fife and Glasgow have evaluated projects that were designed to address both offending behaviour and welfare needs for both males and females. The recently introduced Drug Treatment and Testing Order projects in both

of these locations were evaluated recently by Eley et al (2002). A D.T.T.O. is intended to be a high-tariff disposal, designed to reduce the drug taking of drug users who offend, rather than offenders who use drugs. This research evaluated the two pilot projects in Fife and Glasgow. Forty-seven of these orders had been imposed in Glasgow and 49 in Fife. Those subject to orders received a methadone prescription to control their drug use.

From this it is apparent that the schemes were attempting to reduce offending behaviour by reducing drug abuse, as no conventional probation services were offered (such as offence-related work, or work to address other, more general welfare issues). The major findings of the evaluation were that the proportion of positive tests for opiate use decreased over time. Offenders found that continued drug testing acted as a deterrent and as an incentive to stop offending. It was also found that sentencers regularly reviewed the cases. This, according to those interviewed, assisted the process of refraining from drug abuse. Moreover, the professionals interviewed were optimistic that D.T.T.O's could make a significant contribution to the reduction in crime by reducing and controlling drug abuse. Finally, offenders interviewed reported a "Marked reductions in drug use and drug related offending" whilst the subject of orders although there were also some reported relapses whilst on the programme.

The study claimed that marked reductions in drug abuse and drug-related offending were self-reported by the offenders. The follow-up study, published in 2004, reported significant reductions in re-offending in the two-year period following participation

in the D.T.T.O. scheme. Both the Fife and Glasgow schemes were considered and the researchers found that this was most marked in the older age group (25 years and older). As the Glasgow project had more offenders within this category, the results produced there were better. Although it could be argued that the actual numbers of people who did not re-offend were comparatively low (about 50 individuals), the results produced are, nevertheless, encouraging.

This study is relevant to the research which I carried out in Fife, because both explore the link between offending and drug misuse. In particular, with regard to my own research questions, I was interested to explore the link between drug abuse and the sustainment of criminal behaviour among the women sampled in the quantitative analysis and also those who agreed to participate in the qualitative part of the study.

Another study, this time carried out solely in Fife and with a group of young offenders, evaluated the Scottish Association for the Care and Resettlement of Offenders (S.A.C.R.O.) Young Offender Mediation Project (Sawyer, 2002). This was an evaluation of a project aimed at young offenders in Fife between the ages of 11 and 16 years. It was designed as an early intervention, aimed at those who had committed one offence. The project was based on the restorative justice model and involved the offender meeting face-to-face with victims. The three main aims of the project were: raising awareness of victims' issues, giving the young person a chance to make amends, and reducing offending behaviour. The sample studied 505 cases. All of these were invited to participate in the study, 359 of whom agreed to participate, 54 of whom were females. The major findings of the evaluation were:

- The programme was seen to be important in raising awareness of victims' issues.
- The involvement of the victim appeared to be beneficial to both young offender and victims, who reported their appreciation of being given a central role in their case.
- The assessment of the impact the project had upon recidivism proved to be more difficult to assess. A 12-month follow-up study was carried out, but many were "lost" in the system, making it difficult to draw firm conclusions. Of the 87 young people who participated in the follow-up study 54 (62 per cent) were not referred to the Reporter to the Children's Panel again.
- There appeared to be little difference in the proportion of re-referrals to the Reporter to the Children's Panel in the 12 months after the project between those who had participated and those who had not.
- The researchers found no differences in these figures for the female participants.

The study raises several interesting questions pertinent to the "What Really Works (in Scotland) Debate". The project assumed that a greater awareness of victims' issues would lead to a reduction in offending behaviour, but this was not proven to be the case. This may indicate a more complex relationship between welfare, retribution, knowledge and recidivism. Comparing it with the D.T.T.O. evaluation already described, the structured approach taken by the D.T.T.O. projects, concentrating as it did on one identifiable welfare need, seemed to be more successful than the project that concentrated upon raising awareness, in a relatively unstructured way.

As with the previous study outlined, this study holds relevance to my own research project. Although the study was carried out with younger participants, it nonetheless yielded some ideas regarding recidivism and its links to relationships.

Finally, both of these studies indicated that the reduction of offending behaviour, was probably reliant upon factors that were not part of the project itself, but more to do with general support systems within the community. This, in turn, raises questions about the role the community plays in reducing and controlling offending behaviour over time. This was one of the concepts that I wished to explore in my own work.

The Desistance Factor

The “What Works?” agenda offers a view of working with offending behaviour that concentrates solely upon assessment of risk and criminogenic needs and encouraging offenders to desist from offending by giving them the cognitive skills to do so. It could be argued, given the results of recent evaluative studies carried out in Scotland, that life is more complicated than this model would suggest. Both studies point towards the addressing of “needs” with offenders, but have differing definitions of this concept and perhaps consequently, they produced different results. This raises the debate regarding the factors that are important in encouraging desistance from offending.

Recent literature concerning Criminal Justice Social Work has highlighted the need to consider what role social groups and communities play to help the offender desist from offending. Much of this literature relies heavily upon the notions of cultural and

social capital, first offered by Pierre Bourdieu (1986) and developed by other theorists such as James Coleman (1986) and Robert Putnam (1995)

Bourdieu identifies three forms of capital. “Economic capital” is envisaged as capital that can directly be transferred into money. By concentrating only upon this form of capital, only forms of exchange that make a profit are seen to have any value. Bourdieu suggests that a science of capital (which he defines as power) should be developed. “Social capital”, in contrast, consists of a permanent network of institutionalised relationships. These are seen as the personal assets that are valued by groups and communities. This concept was further developed by Coleman and Putnam, who also define social capital in terms of attributes like “trust” and “solidarity” as community assets which are valued in some communities and neighbourhoods more than in others. Finally, “cultural capital”, as Bourdieu characterises it, exists within the individual, but is objectified as cultural goods or institutionalised as in, for example, academic qualifications. Bourdieu is particularly concerned with the replication of social inequalities and views access to cultural capital, particularly the education system, as playing a crucial role in this process. Both Coleman (1986) and Putnam (1995) developed these ideas further, to offer the concept of “individual capital”, which can be understood as the summation, within the individual, of economic, social and cultural capital.

The concepts of social and cultural capital are central to the basic research question in this research study, that is, developing effective services for convicted women

offenders, since the fostering of these qualities within offenders is seen to assist the process of desistance from offending. This has two major implications:

- How are social and cultural capital built in the first place?
- If they are missing, how can they be re-built?

The growing body of literature that focuses upon the reasons why people desist from offending has produced many useful insights in this regard and is relevant to those who work with offenders to achieve this goal. The interest in desistance was probably re-kindled by Sampson and Laub (1994), who had re-visited a series of research studies carried out in the 1940's by Glueck and Glueck (1950). The Gluecks had collected longitudinal data with several groups of offenders (including women) and noted the important link between age and crime; the younger a person was at the onset of offending behaviour, the more likely they were to continue to offend. Sampson and Laub re-examined some of the data collected by the Gluecks regarding juvenile offenders. They interviewed 52 of this original sample, whose members were by this time aged between 62 and 70. The researchers found that as the group moved into adulthood they were able to desist from offending and had developed social bonds that were strong enough to support the decision to desist from offending. They identified the following factors as particularly important: marriage and partnerships; military service; employment; and a change of neighbourhood. Sampson and Laub also found that desistance requires a complete disassociation with the past. It is enhanced by situations that provide supervision, growth and support, and those who can sustain desistance seem to go through an identity transformation.

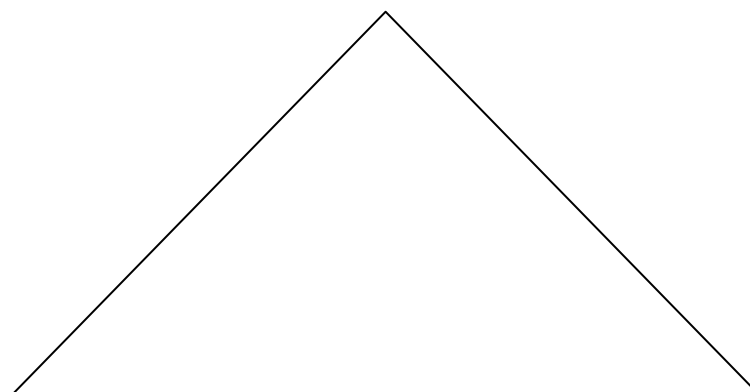
Arguably, one of the most influential of the writers and researchers in the study of desistance has been Shadd Maruna. In his book, *Making Good How Ex-Convicts Reform and Rebuild Their Lives* (2000), Maruna premised the book upon the idea “...that to successfully maintain [this] abstinence from crime, ex-offenders need to make sense of their lives”. Taking the Liverpool Desistance Study, which was carried out by Maruna and completed in 1998, as a basis for his arguments, Maruna agrees with Sampson and Laub that “making sense of your life” is achieved by the construction and reconstruction of a personal life story, which is prosocial. He theorises that this involves both acknowledging the occurrence of past criminal behaviour and accepting that they do not behave in that way any more. In addition, Maruna writes that this process is more complicated than was previously assumed by earlier writers in this field. He challenges the idea of “a criminal career”, stating that criminality is not a job that can be stopped at will.

In the context of this study, Maruna does state that “few differences could be found between the narratives of men and women in this sample” (2000, 175). Although the sample of women was oversampled to increase the number of participants, they still only accounted for 20 per cent of the total sample (50 respondents in all). Maruna writes that the stories of the women were included “in an effort to uncover the universal, rather than the gender-specific aspects of making good” (2000, 176). This statement perhaps points towards the similarities, as well as the differences, between male and female offenders.

Several researchers in Britain have also made important contributions to the understanding of desistance (e.g. Farrell, 2002; Rex, 2001), but within a Scottish context, McIvor et al (2000) conducted a recent Scottish study designed to research the question of why young people do not offend. The study was concerned with both persistent offenders and those who ceased to commit crimes. The total sample size was 184 (109 offenders and 75 non-offenders) and three age bands were considered, 14-15, 18-19 and 22-25 years. The researchers found differences in both age and gender in the samples drawn. Between the three age groups, the reasons given for not offending were related to different aspects of their lives. For younger people, an awareness of the wrongfulness of offending was given as a reason for desisting. The middle age band saw educational opportunities and maturation as important factors in their non-offending. For the older age group, their assumption of family and parental responsibilities prevented them from offending. The researchers also explored differences between the genders. The males interviewed emphasised the importance of taking responsibility for one's own actions, whereas female respondents saw the onset of parenthood as being central to their decision not to offend.

McNeill (2002) has identified, from the above research and available theoretical concepts, three basic factors that seem to be strongly associated with desistance from offending and has developed a schematic way of presenting the interplay between them:

age/maturity



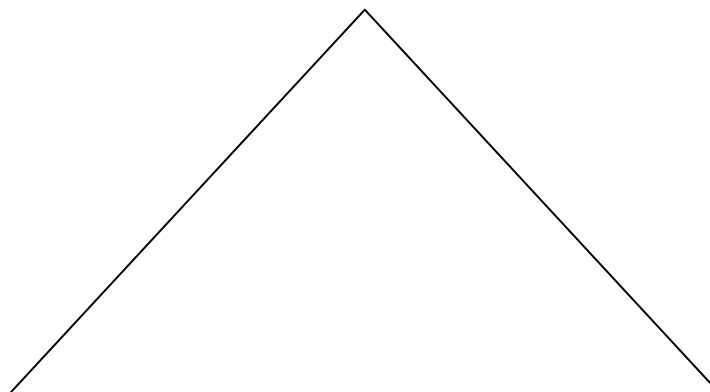
social bonds

subjective narrative

(i.e. how a person thinks and feels about their situation)

Those who desist have high positive levels of these three characteristics. If the “What Really Works (in Scotland)” debate is more about desistance than cognition, as McNeill suggested, how is this stance to be reconciled with the traditional areas of work covered by the “What Works?” debate? These are presented schematically below. The “What Works?” debate has developed a model for effective practice that is based upon risk assessment to determine the likelihood of harm and re-offending and to identify those who are most likely to respond to treatment. Secondly, the “What Works?” protagonists argue that structured programmes, designed to equip offenders with the cognitive skills they need to stop offending are more effective than unstructured, welfare approaches. Thirdly, the “What Works?” agenda acknowledges that needs that are criminogenic (i.e. linked with offending behaviour) should be addressed within programmes, since to ignore them allows persistence of the offending behaviour. This can be represented thus:

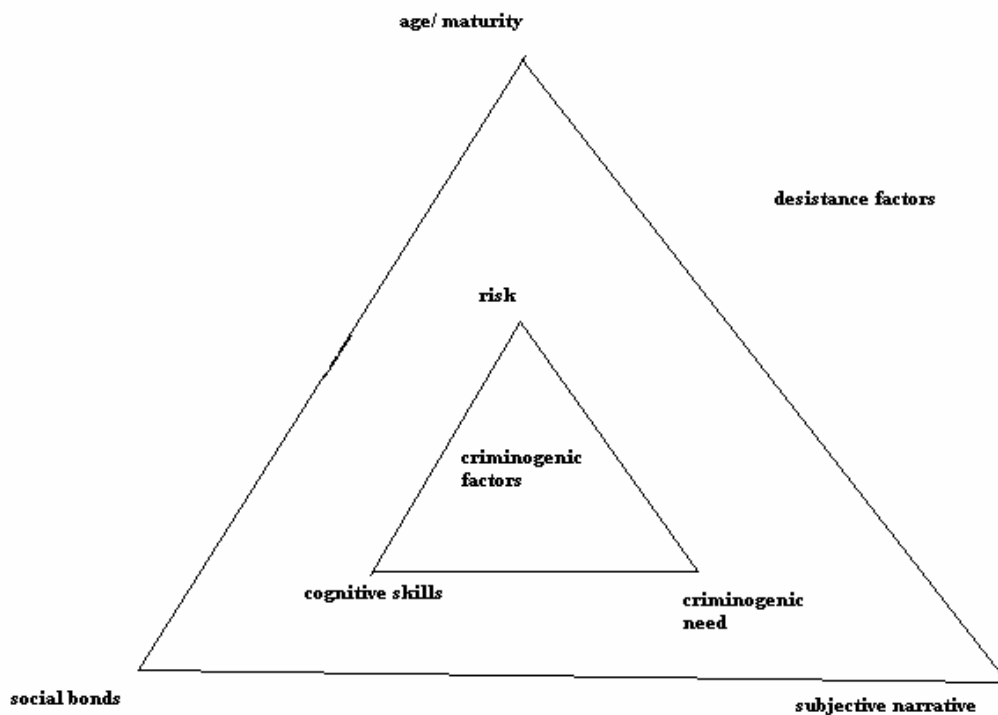
risk



cognitive skills

criminogenic need

It may well be that effective criminal justice practice has to work with both of these triangles simultaneously and again schematically, the domains of work would then look like the following diagram:



Each of these factors affects the others. For example, levels of maturity will undoubtedly affect the success or failure of cognitive programmes, because the individual's capacity for processing the information and acting upon it. Risk affects subjective narrative, since an assessment of high risk will reinforce internal narratives that the individual is indeed a dangerous person and so on.

This implies that, perhaps, the traditional “What Works?” debate’s conception of what constitutes a criminogenic need is too narrow and ignores other social and personal factors which, although not directly supporting criminality, nevertheless are important desistance domains. It also implies that the task of criminal justice social work is more complex than merely concentrating upon the behaviour and individual needs of the offender. The role that communities, networks and the individual’s perception of their own situation play are also relevant. If this is the case, the task becomes, ultimately, to reduce, or at least contain, the inner triangle and maximise the outer one.

Conclusion

When the “What Works?” approach is contrasted with the debate regarding desistance that is beginning to emerge in Scotland, the indications are that the “What Works?” debate may be focused upon concepts that are too narrow to describe the phenomena that it is trying to address. Whilst it cannot be denied that the “What Works?” agenda has been extremely influential over the last few years in shaping probation practice, there are nevertheless limitations in these concepts. In particular, the “What Works?” debate plays down the influence communities and the individual’s concepts of themselves have upon their behaviour. The “What really works” debate attempts to combine both desistance scholarship and the arguments presented by the “What Works?” debate. This adopts the view that the concept of criminogenic need has to be expanded if it is to reflect the complexity of the behaviour known as criminality.

One recurring theme throughout this chapter has been the issue of appropriate services for women who have been convicted of offences. Women offenders do not fit neatly into current “What Works?” practice, although it could be argued that this is true of other groups of offenders also. The principles may be thought of as directional, working for some people in some circumstances some of the time. This, however, may well turn out to be the catalyst for an expansion of the concept of a “criminogenic need” and the development of services that are more holistic in their approach to dealing with offending behaviour.

The exploration of the material contained within this chapter has informed the planning of the study carried out in Fife in several ways. I have come to recognise the “What Works?” debate is complicated and cannot be understood in isolation from other theoretical perspectives. Whilst there is a substantial body of literature that supports “What Works?” principles, some of its tenets remain problematic for some groups of offenders, notably women. The Fife study was designed to explore some of these issues, by identifying the factors that sustain criminal activity for the group of women that were included in the research.

Chapter 3

Literature Review

Introduction

This chapter explores the literature regarding the nature of female offending, from several different standpoints. Firstly, the debate regarding its similarity to, or difference from, male offending is examined in the light of research evidence. Following this, a discussion about violent behaviour in females is undertaken. The chapter concludes by identifying the essential questions that influenced the study that was carried out in Fife.

Male and Female Offenders; Dichotomy or Similarity?

In the Beginning

Like any other activity that concerns itself with social conditions, the study of women's offending has had many influences that have shaped its development. It might be fair to argue that the British philosopher John Stuart Mill was the first to recognise the parallels between the slavery and the conditions women were expected to endure. In his famous pamphlet, *The Subjection of Women*, published in 1869, he wrote in paragraph 1 of the first chapter:

“The object of this essay is to explain as clearly as I am able the grounds of an opinion I have had from the earliest period. That the principal which regulates the existing social relations between the two sexes, the legal subordination of one sex to another is wrong in itself and is now one of the chief hindrances to human improvement and that it ought to be replaced by a principal of perfect equality, admitting no power or privilege on one side nor disability on the other” (Mill 1869).

As Frances Heidensohn (2002:492) explains, the history of gender issues within criminology is complex and has changed over time, making the concepts involved extremely subtle. Early Victorian studies tended to concentrate on women's vulnerability and hence the propensity of some women to fall into a criminal lifestyle. The latter half of the 19th century witnessed a more positivist stance on female (as well as male) criminality. For example, the work of Lombroso and Ferrero offered the possibility that some people were born criminals, but failed to establish this assertion empirically in respect of female criminals, because of the relatively low numbers of women offenders compared with their male counterparts.

The early part of the 20th century saw the development of different explanations of this phenomenon, but again, much of this research was based on fieldwork with male offenders. Moreover, the research concentrated for the most part upon young male offenders, which may, or may not, have been typical of male offenders in general. For example, the sociologists Robert Park and Ernest Burgess wrote in 1921 about the influences of "the group" on individual behaviour, offering the thesis that criminal behaviour is influenced by the social groups that people belong to. The research on which these claims were based was carried out in Chicago with young male offenders, but the theory was generalised to explain all types of offending. Edwin Sutherland, who was also a researcher with the University of Chicago, postulated that systematic criminal behaviour is a highly technical activity that can be learned (1947:19). This happens in interaction with social groups, in a process of communication, both verbal and non-verbal. The learning of criminal behaviour involves both the technical aspects of committing the crime and the rationalisations

for that behaviour. These rationalisations are linked to perceptions of the legal codes, which are seen as favourable or unfavourable. A person becomes delinquent when there is an excess of unfavourable definitions.

For Sutherland, then, criminal behaviour can only be understood in relation to the social context of the individual. It is in fact a form of social learning theory. The mechanism by which antisocial behaviour becomes a substitute for more socially acceptable ways to act is seen as being connected with an individual's social contacts and the learning of behaviours that would be acceptable to that group. The teenage years are, of course, a time for experimentation different forms of social interaction, as young people make the transition from childhood to adulthood. It is suggested that a combination of weak parental influence, access to alcohol or drugs and negative peer influences all act together to produce offending at a relatively young age.

These ideas were developed as general theories and there was an assumption (often implicit) that they would apply to female offenders in the same way as male offenders. Later writers and researchers of female criminality questioned this approach.

The Feminist Critique

The assumption that women's offending could be explained in terms of existing criminological theory was not seriously challenged until the publication of Carol Smart's book, *Women, Crime and Criminology – a Feminist Critique*, in 1976 (Smart, 1976). This important book offered, for the first time, a perspective of

women's offending that attempted to answer a very obvious question: why do women offend less than men do? Smart explains this phenomenon in terms of feminist theory, and postulates that social controls on women are stronger, preventing them from offending to the same extent. She is also highly critical of an earlier study of female delinquency by Cowie, Cowie and Slater (1968). She claims that their notion of "predisposing factors associated with delinquency", such as minor physical defects, bear "an uncanny resemblance to Lombroso's classifications of the factors that predispose a female to offend" (1976: 55). Smart further argues that these authors fail to explore the impact of social processes on female delinquency.

Smart goes on to raise the possibility that gender might have an effect on the types of crimes that are committed. She suggests that female offenders engage in criminal activity that is "...an extension of the normal feminine gender role, rather than deviation from it" (1976:15). This implies that power in close relationships might have an impact upon criminal behaviour. By offering this explanation, Smart not only challenged the lack of concern for gender issues in existing theory, but also prompted other writers and researchers to develop this view of offending still further.

In 1985, another important contribution was published by Frances Heidensohn. Her book, *Women and Crime*, drew heavily upon the work of Smart, but developed her arguments to consider a different aspect of female offending, that is, the reaction of the courts and the police to women who offend. Heidensohn challenges the myth that the system "is chivalrous. Women are protected from its full rigours and receive

lesser punishments and lighter treatment” (1985: 32). Heidensohn concludes that there is little evidence to support the chivalry argument (1985: 58). She does, however, concede that the area of prosecution and sentencing is deeply sexist and many women are confused and bewildered by these processes.

Heidensohn based her findings on a series of statements made by women, who recounted their experiences of being prosecuted and brought to court. Whilst this was not, in the accepted sense, a report about a research project, it nevertheless provided some empirical evidence to back up her conclusions. Heidensohn’s work remains an important contribution to the debate about women’s experiences of the criminal justice system, because of her emphasis upon processes, particularly court processes, rather than wider notions of class, gender, or social control.

Writers such as Pat Carlen (1988) refined Smart’s (1976) notion that social control is important in the study of women’s criminality. In her book, *Women, Crime and Poverty*, she introduces the important idea that women’s crime can at least be partly understood by the marginalisation experienced by those who live in poverty. Carlen’s book is based upon her study of 39 women who were serving custodial sentences at the time the research was conducted. The research is ethnographical in design and draws upon control theory to underpin its theoretical perspective (Carlen, 1988: 11). Carlen argues that some women become involved in criminal activity because of the possibility that breaking the law would bring some gains or rewards that would otherwise not have been available to them.

Carlen reported that the women she interviewed identified four major factors that had influenced them to offend. These were poverty, having been looked after by the local authority as children, dependence upon drugs and alcohol and the quest for excitement. She concludes from her study that effective rehabilitation for convicted women would need to take these factors into account:

“In so far as women’s prisons debilitate, prisons feed off their own product. But it is an indictment of British society that at the end of the twentieth century, and not of the penal system itself, when women tell me that they will go out to a world that has even less to offer them than the prison...In fact the buck does not stop at the prison. It stops with a government whose present policies on social security, health, housing, education and employment are likely to ensure that many more young women will be sentenced to lives of poverty, and that many more will be outlawed by lives of crime” (Carlen, 1988: 163).

It could be argued that Carlen’s conclusions are as relevant today as they were in 1988. More women than ever are being sent to prison, despite the initiatives by the Scottish Government outlined in the previous chapter to reduce these numbers. However, despite this trend the numbers of detected female offenders remains much lower than their male counterparts. Is this the only difference?

Some writers have postulated that the epistemology of female studies has to be different from that of male studies because of the differences in thought processes between females and males. One such writer is the psychologist Carol Gilligan. Her book, *In a Different Voice*, was first published in 1982 and argues that in order to understand women’s development, a different kind of analysis is necessary, one which takes as its starting point the relational and emotional aspects of women’s experiences. Gilligan proposes that an “ethic of care” be applied to social situations:

“The truth of relationship, however, return in the rediscovery of connection, in the realization that self and other are interdependent and that life, however valuable in itself, can only be sustained by care in relationships” (1982: 127).

Gilligan has not been without her critics, however. The American academic Christina Hoff Sommers, writing in *Who Stole Feminism* (1994), sharply criticises Gilligan’s work, largely upon the basis that Gilligan’s theories regarding women’s psychology are not based upon any empirical evidence and therefore do not stand up to close scrutiny. In addition, she argues that Gilligan’s ideas have adversely affected social policy towards young males within the education system within the United States of America. Sommers writes in the last paragraph of her book:

“The readers of this book may wonder whether there is anything I like about the gender feminists...I do like the features that they share with classical feminism: a concern for women and a determination to see them fairly treated. We very much need that concern and energy, but we decidedly do not need their militant gynocentrism and misandry. It’s too bad that in the case of the gender feminists, we can’t have the concern without the rest of the baggage” (Sommers 2000:275).

Despite Sommers’ misgivings about Gilligan’s work, it cannot be denied that she has had a great influence upon the theoretical development of feminism. This, in turn, has influenced the writings of academics within the field of criminal justice. One such writer is Ngaire Naffine (1996). In her book *Feminism and Criminology*, she describes her efforts to get criminologists to “reconsider their most basic assumptions about human behaviour” (1996: 5) and is critical of the fact that leading figures within criminology, as she sees it, have sought other fields of research. But some researchers have remained working within the criminal justice field, for example, Kelly Hannah-Moffat, who researches in the Canadian Criminal Justice System. Hannah-Moffat has been extremely influential, particularly by encouraging reflection

upon the way in which women's prisons are organised and in criticising the use of risk assessment tools developed using male populations with women offenders (e.g. L.S.I.-R.). It could therefore be argued with some cogency that feminist thought has had a great influence upon the development of criminology. What this discussion demonstrates is the multiplicity of feminist viewpoints and the range of views they contain about women's experiences.

Research About the Differences between Males and Female Offenders

In recent years, much of the British research in this area has concentrated upon the different treatment women receive from sentencing courts. Researchers such as McIvor (1992) have pointed out that in Scotland, probation is the disposal that is used more frequently with women, while community service is under-used by the courts. More recently, Worrall (1997) has identified the same pattern in England and Wales. Both researchers have highlighted the tendency for the courts to view women differently, in two major ways. They are either seen as in need of care and protection, or viewed as failed wives and mothers. Research carried out with convicted women offenders seems to confirm that they themselves view their behaviour as linked not so much to criminality, but to welfare needs (McIvor and Barry, 1998). This is perhaps a reflection of the emphasis which research in Britain has placed upon identifying the differences in female offending and sentencing patterns, as compared with male offenders.

Taking a further example, the Home Office and Prisons Inspectorate (1992b) report noted the relatively sparse use of community service for convicted women in a large-

scale review of this sentence in four probation areas throughout England. The report also highlighted that women's personal circumstances regarding responsibilities for child-care in particular, made them less likely to be sentenced to community service. However, combined with the relatively high use of custodial sentences for women who have been convicted for the first time (HMSO 1992b), the report recommended that women could, and should, form a target group for community service. Other researchers, such as Mitchell (1992), point out that community service provision, with its "macho" image is often perceived to be an inappropriate sentence for women by those writing reports for the courts. In consequence, probation recommendations are often made in these circumstances, sometimes inappropriately.

Gelsthorpe and Hedderman (1997) provide more evidence of this. They studied sentencing patterns of men and women who had been convicted of shoplifting, violence and drug offences. Some 13,000 cases were analysed. Their study revealed major differences in the use of non-custodial penalties for men and women. Sentencers were reluctant to fine women, possibly because of the burden that this would place on the family. Because of this, women often attracted a more severe non-custodial penalty, including probation.

These findings raise fundamental questions regarding assumptions made about the relationship between criminality, gender and welfare needs and further underline the issues raised by Carlen (1988). Another part of the picture is found in the "Thematic Review" carried out by the Home Office and Prisons Inspectorate and published in 1997. The review was conducted based on empirical data from the official statistics

held by the prison authorities regarding female prisoners and follow-up interviews with 10 per cent of the population of convicted women in England and Wales. The study identified a number of important features regarding these women:

- Two-thirds of the sample were mothers.
- Seventy per cent had no previous employment.
- Self-harm occurred in 40 per cent of cases.
- Substance abuse (especially heroin) was commonplace.
- Sexual, physical and emotional abuse was reported in about 60 per cent of cases.
- Around half of the sample had no previous prison sentences.

It might be safe to assume that the women in this study were more serious or persistent offenders than the general population of women offenders. It could also be the case that male prisoners, if studied in the same manner, would show similar patterns.

Statistical surveys also appear to support the argument that male and female offending is different in many ways. For example, a statistical review carried out by the Home Office (2002) considering those born in England and Wales between 1958 and 1978, reveals many statistical differences between the two groups. The survey found more recidivism among males than females (25-27 per cent of males have criminal careers of 10 years or more, whereas this is only 12 per cent for women). More women have a first conviction for shoplifting and handling offences than males (66 per cent of females, compared with 50 per cent of males). When desistance from offending is considered (defined as no further convictions for five years) it was found

that the rate of desistance increases steadily with males with age (from about 20 per cent to 60 per cent, but remains constant with age for females (at about 65 per cent).

In Scotland, a similar statistical bulletin, also published in 2002, presents a contradictory picture. For example, the statistical bulletin examines age ranges of males and females who had social enquiry reports completed regarding them. The data were analysed using the percentages in each age range per 10,000 of the population in Scotland. A completely different pattern can be seen when males and females are compared. Firstly, the male sample is much greater in all age ranges (1540 social enquiry reports per 10,000 population regarding males, but only 290 regarding women). Secondly, a greater proportion of the male sample was under 21 years of age (61 per cent of the male sample compared with 48 per cent of the female sample). This indicates that about half the women who appear in court and have social enquiry reports completed about them are over 21 and this seems to be concentrated in the 21-30 age group.

Sentencing patterns also showed some differences between the two groups, although not quite so dramatically as one might expect. Taken as a percentage of the total number of social enquiry reports prepared with regard to each group, the following results are obtained for the year 2000-2002:

Figure 3.1 Summary of Scottish Executive Statistical Review 2001-2002

Main Outcome	% of Reports	
	Males	Females
Custody with Supervised Release Order	0.3	0.1
Custody with extended sentence	0	0.0
Custody	17.5	8.1
Probation with unpaid work (229)	4.6	3.5
Community Service	11.9	8.2
Probation with Conditions	4.2	4.7
Standard Probation Order	6.5	12.6
Monetary Penalty	11.5	9.1
Deferred (3 months or more)	14.1	18.7
WTA	6.5	4.0
Outcome not yet known	2.7	4.0
Other (absolute discharge, admonition)	20.1	32.3

The above statistics indicate possible contradictory trends in the sentencing of males and females. For example, concurring with the arguments presented by Worrall (1997), there appears to be a marked difference in the percentage of females sentenced to probation (with or without conditions) compared with males (20.8 per cent of females compared with 14.3 per cent of males). However, custody also shows a marked difference, but this time in the opposite direction, with males receiving more of these sentences by far than females. It is also noted in the report that males tend to receive longer custodial sentences and longer community service and probation orders. These statistics, in contrast to earlier feminist research, would seem to support the view that, in some cases, the courts treat women more leniently. However, there are also some similarities between the two groups. Most other categories of sentence occur with broadly equal frequency in both groups.

Hence, certainly within Britain, the debate regarding similarities and differences between male and female offenders is probably not as dichotomous as some writers and researchers would seem to suggest. In some respects, there are major differences, notably in the much lower number of women appearing before the courts, the types of offences they commit and their desistance rates are demonstrably different. However, recent statistical information provides no clear evidence that the courts treat women more harshly. In fact, it could be argued that, at least in some respects, they are treated more leniently.

There is another important issue here. Whilst the use of statistical analysis is probably essential in order to gain an aggregate picture of offending patterns within the group being studied, there is a danger in such analysis (often known as the ecological fallacy), that cautions against making assumptions about individual behaviour from large-scale statistical analysis. It could well be that the individuals whose statistics contribute to this wider picture have very different offending patterns and needs. In most of the studies quoted, quantitative analysis was used in the first instance, followed by some qualitative analysis, almost in a confirmatory capacity. However, because of the assumptions made in the quantitative part of the study, it is understandable that, in all cases, very dichotomous conclusions were drawn regarding the differences between male and female offending behaviour. A combination of aggregate statistical analysis and theoretical assumptions probably combined to produce the results obtained. (In making this point, it has to be conceded that all research is inevitably affected by biases of one kind or another and these are difficult to eradicate completely.)

This raises several questions regarding criminal justice social work practice with convicted women offenders. If women's offending behaviour, age groupings and recidivism are different from male offenders, should they receive a completely different kind of service? If some of the convicted women commit similar offences and show similar behaviour, should they receive a similar service to their male counterparts?

The Concept of a Criminogenic Need

Central to the debate concerning offending behaviour in both males and females is the isolation and measurement of factors that can be described as "criminogenic". As the term suggests, a criminogenic need is a social or personal factor that is associated with offending (Andrews and Bonta, 1996). Over the last 20 years or so, much research effort has been directed towards the study of criminogenics, with a view to linking these to statistical analysis. The first major study to undertake this work was carried out by Andrews et al (1990b). By conducting a meta-analysis of some 500 different programmes of work with offenders, they were able to identify the needs in participants that were criminogenic. From the statistical analysis undertaken Andrews and his colleagues noted that there were two distinct types of factors that could be described as criminogenic:

- Static factors that were defined as those which do not change over time. For example, age at first conviction is an important static factor, since the earlier persons are convicted of an offence, the more likely they are to continue

offending. Another significant static factor is gender (males are more likely to offend and re-offend than females).

- Dynamic factors, which were defined as changing over time. Among the most statistically significant of these were factors such as poor personal relationships and substance misuse.

Andrews et al concluded that for programmes of work to be effective, proper targeting of resources was essential. Therefore, a checklist called the “Level of Service Inventory” was developed which included all the significant static and dynamic factors that were statistically linked to offending behaviour. This was used to identify potential participants for programmes of work designed to reduce offending. It was found that programmes that offered skills in cognition and behaviour and which also targeted criminogenic needs within the mid-range of the L.S.I. scoring system were statistically more successful. The L.S.I. tool has gone through several revisions over the years is now known as the Level of Service Inventory (revised), or L.S.I.-R.

In 1999, Dowden and Andrews published the findings of their meta-analysis of programmes of work with convicted women offenders, in order to investigate whether L.S.I.-R. was valid for female offenders. Some 46 studies were considered and their findings were combined to produce what the researchers hoped would be more valid results. There were, nevertheless, relatively few of these research programmes that dealt exclusively with convicted women. In addition, even when the findings were combined, some of the results were too small to be statistically valid.

Nevertheless, the researchers concluded that the L.S.I.-R. tool worked sufficiently well as a risk predictor for convicted women, adding further fuel to the debate regarding the differences and similarities between the genders regarding their offending and criminogenic needs.

From the preceding discussion, it can be seen that the concept of criminogenic need plays a central role in the appropriate targeting of programmes and intervention with offenders by providing a measurement of risk of re-offending and the criminogenic needs that sustain the behaviour. Of course, the use of criminogenic needs in the targeting of resources can only be accurate if the most important needs are identified and appropriate weight is given to each factor.

It is the contention of some researchers, (e.g. Bloom and Covington, (1999) that that the idea of criminogenic need requires some revision and re-definition when applied to a group of women offenders. The researchers advocate a more gender-responsive attitude to the social needs convicted women and a re-definition of needs that are criminogenic. They argue that, as the pathways into offending are different for females and because they tend to commit different kinds of offences, the factors that instigate and sustain offending are different for women. Among the factors highlighted by the researchers as being criminogenic for women are: sexual abuse; sexual assault; domestic abuse; substance abuse; and 'race'/ethnicity.

It is important to note that these writers do not contend that these factors are not evidently criminogenic for males, but that their prevalence in the female group is

much more marked. Therefore, they would argue that the application of the concept of criminogenic need is gendered and racialised. The argument presented by Bloom and Covington strikes at the heart of the debate regarding criminogenic need. If it is the case that the definition of what is criminogenic shifts with gender (and with 'race'/ethnicity), this calls into question its use as a predictive tool for offending behaviour. However, it has to be conceded that research carried out over a number of years in Canada disputes these assertions, with the advantage, some would argue, of having substantial statistical evidence that supports their claims. How is this dilemma to be resolved?

Perhaps the solution lies, not so much in the dichotomous debate that has been presented so far, but in the definitions of criminogenic needs, the domains used to categorise them and the possibility that there may be similarities between the genders for certain categories of offenders. In this regard, one further Canadian study is perhaps worthy of note. Loucks and Zamble (2001) argue that criminological studies on this topic are sparse and, in addition, tend to concentrate upon limited sets of behaviour, samples that are unrepresentative and concentrate upon women's socialisation within prison settings, or court processing procedures. They set out to measure criminogenic needs in a sample of 100 males and 100 females who were serving prison sentences in Canada. The objective of their research was to investigate differences and similarities between the groups in terms of social background, criminal history and social/ emotional adjustment, with a view to predicting re-offending over a five-year period. Data were collected by structured interviews, inspection of files and self-report tests. The variables were then categorised into four

groups; social, personal and criminal behaviour; maladaptive behaviour (including substance misuse); history of abuse (physical, sexual and psychological); current personality, ability and emotional functioning. All the variables were examined with respect to previous offending, violent offending, prison misconduct and violent misconduct. Multiple regression was used to analyse the category of data. The researchers found that psychopathy was the most influential variable, followed by measures of personality and current functioning. The study concludes that similar levels of criminogenic needs were evident in “high-risk” male and female offenders, i.e. those who were likely to commit serious offences, such as assault. The criminogenic needs that were most similar were: disadvantaged socio-economic backgrounds; parental separation in their pre-school years; and difficulties in employment and educational opportunity. There were also some differences between the samples in terms of higher levels of depressive illness in the female sample; lower levels of reported alcohol abuse and higher levels of drug abuse within the female sample; and more women were imprisoned for non-fatal assaults, whereas more men were imprisoned for robbery.

To test the predictive value of the study, releases and re-admissions were examined in a five-year follow-up study. The most significant predictors were found to be psychopathy, previous convictions and substance abuse. As a predictor, the study results were high. The researchers state that the study gives support to the view that there are considerable similarities in the factors that help to predict recidivism in serious and violent offenders. Differences between genders were not predictive of continued criminal behaviour for this group.

If the results of the above study are valid, it has to be concluded that when criminogenic needs are considered, there is very little difference between serious and violent offenders in terms of gender. This study also indicates that, within the male and female categories, there are substantial differences in offending patterns and criminogenic needs. These findings are particularly relevant to the study that was carried out in Fife, since it was designed to explore variations in the offending patterns of a sample that consisted entirely of women.

Violent Behaviour in Females

Comparative Studies

Within a British context, a recently completed major study is worthy of note. Dobash, Dobash et al (2002) conducted a research project across Britain regarding men and women convicted of homicide. The total population is made up of 3,000 men and 115 women in England and 500 men and 11 women in Scotland. A sample of 786 men and 80 women was considered and 200 interviews were conducted with subjects of both genders. A higher percentage of females than males were interviewed to increase the generalisability of the study (60 per cent of the women in England and 100 per cent of the women in Scotland). The case files of all participants were also examined. The results of the study demonstrate that males outnumber females in this category of offending by almost ten to one. Additionally, in cases where a child was murdered, 85 were committed by males, but only two by females. This represents 10 per cent of the male sample, but only 2.5 per cent of the female sample.

The study concentrated upon several aspects of the offenders' background and offending behaviour, including:

- Childhood/ background details.
- Personal circumstances before committing the offence.
- Circumstances at the time of the offence.
- Attitudes and perceptions.
- Prison behaviour and participation in prison offending reduction programmes.

Substantial problems were identified regarding childhood experiences for the males in the study. Over 60 per cent had problems at school, 35 per cent came from broken homes, and around one quarter of the sample had been accommodated by the local authority and had experienced violence between their parents. About half reported having difficulties with alcohol and one quarter with drug abuse. The vast majority of the male sample had a lengthy list of previous convictions, with over half the sample having committed violent offences. Alcohol appeared to play an important part in the committing of the homicides, since nearly 40 per cent were described as being "drunk" or very "drunk" during at the time of the offence.

Some important differences were noted in the female sample. Whilst there are substantial similarities in the childhood experiences of both males and females in terms of educational opportunity, poor parenting and in-care experiences, the women informants reported a much higher incidence of sexual abuse as children (60 per cent). Also, in sharp contrast to the male sample, alcohol was much less prevalent at

the time of committing the offence. Drugs, particularly opiates, appeared to be more in evidence for the female sample (31 per cent). From these results, it may be inferred that, although the criminal behaviour is the same for males and females, there are some differences in the background experiences and current circumstances of the two groups. In particular, the childhood experiences of sexual abuse and current prevalent drug use seem peculiar to the female sample, but it should also be acknowledged that it may be more socially acceptable for women to report such experiences than men.

These findings are supported by another study, but this time longitudinal and conducted in Edinburgh. *The Edinburgh Study of Youth Transitions and Crime* (Smith et al) began in 1998 and was designed to study patterns of criminality as boys and girls moved through adolescence and into adulthood. The research team was primarily interested to see if any distinctions could be drawn between “broad” or adolescence-persistent delinquency and “serious” or life-course persistent delinquency. Approximately 4,3000 young people throughout Edinburgh were included in the study; all 12 years-of-age at the time the research began. Information is collected from various sources, such as self-reports, parents, schools and data held by other agencies, such as social work departments and police.

The researchers have already identified some 20 factors that influence criminal behaviour in adolescents, which they have divided into six categories, or domains.

These are:

- Socio-economic factors, at both a family and a neighbourhood level.

- Parenting, in terms of supervision and parent/child conflict.
- School and peer relationships and parental involvement.
- Personality measures, such as self-esteem and risk-taking.
- Victimization.
- Moral beliefs.

Numerous research papers and articles have been produced from this major piece of ongoing Scottish research, but some of the major findings are as follows. Delinquency was found to increase sharply for both boys and girls between the ages of 12 and 14. This increase was greater for girls, but this decreased again as they got older, with boys showing much greater persistency in their offending. Boys and girls displayed different kinds of delinquency, with girls tending to commit offences like stealing from home and writing graffiti, whereas boys tended to commit housebreaking and robbery. They were also much more likely to have been convicted of carrying an offensive weapon. The same explanatory model is said to apply to both genders regarding “broad” delinquency, in that it appeared to be linked to factors such as low self-esteem and a high propensity to take risks. Despite this, however, the researchers state that “...there are substantial differences between the models needed to explain serious delinquency in boys and girls.” (Smith and McAra, 2004: 3). Although it is reported that boys said they committed more assaults than girls, the incidence of females committing assaults was not as low as public perception might suggest (Smith and McAra, 2004: 14). Most interestingly, the researchers so far have found no substantial differences between violent and non-violent boys. They did, however, find differences between violent and non-violent

girls, in terms of their levels of truancy, their alcohol consumption and their membership of gangs.

Female only Studies

It has already been argued in this chapter that, at the level of serious crime, women and men's circumstances and criminogenic needs may contain at least some similarities. Does this imply that differences exist within groups of female offenders, when violent offending is considered? Within this context, two Canadian studies are of particular interest. Blanchette (2001) examined the backgrounds of violent and non-violent female offenders, where she defined violent offences as homicide, arson, kidnapping, assault and non-violent offences as those involving property and drugs. She noted some differences between the two groups that were not significant, in terms of variables related to criminal history and institutional adjustment. However, significant differences were found in need analysis (violent women were much higher). Surprisingly, the violent offenders in her study tended to have less criminal associates than those convicted of non-violent offences. In another study, Dickie and Ward (1997) reported that, in contrast to common perceptions, women incarcerated for offences of assault and robbery pose a higher risk to society than those incarcerated for homicide. The offenders in their research who had committed robbery were much more likely to be unemployed than assault perpetrators, although they had similar educational levels. Assault offenders received higher criminal risk classifications, although they were similar in criminogenic need classification. Recidivism was higher in the group committing robbery.

Particularly relevant to the study carried out in Fife is a major piece of research conducted in Scotland by Tisdall et al (2002). The research considered various aspects of violent behaviour among girls in Scotland. *A View from the Girls* focused upon girls between 13 and 16 years of age. The major aims of the research were to understand the functionality of violence for this group of individuals and to challenge male assumptions regarding its nature. Three main research methods were used: a questionnaire (671 participants); small group discussions (involving 80 participants); and individual interviews (12 participants).

The researchers found that the respondents' perceptions about what constituted violent behaviour did not exactly correspond to legal definitions of violence. They seemed to depend more upon social and contextual definitions. For example, the participants drew distinctions between physical and sexual assaults and other forms of behaviour that do not involve physical contact, such as verbal abuse and threatening behaviour. The girls also reported witnessing physical violence within their own localities on a regular basis, both with peers and less frequently with adults.

A subsequent quantitative analysis of the data gathered bore out the findings of the qualitative part of the study. Whilst only five per cent of the participants admitted to using physically violent behaviour on a regular basis, almost 30 per cent reported having been physically violent at some point in their lives and 40 per cent reported having been physically hurt at some point. However, the figures for non-physical violence were much higher, with 80 per cent of participants acknowledging they had

behaved in this way and 90 per cent claiming to be the victims of it. The researchers also emphasise the role of drugs and alcohol in producing aggressive behaviour, particularly physical aggression. Girls who repeatedly used physical violence also reported a higher level of illicit drug use.

The roles the participants played, in terms of perpetrating violence and being victims, are reported as being extremely complex. The participants said that they frequently could play both roles, sometimes within the same situation. This raises questions about the interplay between “feeling a victim” and “feeling aggressive”. Does a perception that one is being victimised lead (among other things) to aggressive behaviour? In terms of desistance from violent behaviour, informants reported that friendships and good family relationships were important elements in this process. Also, the learning and application of coping mechanisms to re-channel energies was seen as important (e.g. recognising and avoiding potentially aggressive situations). Smith et al’s work (already discussed above) supports these findings. Smith agrees that there is “evidence for a genuine causal link between victimisation and offending, running in both directions. This is because the two are linked over time, after allowing for the effects of many explanatory variables” (2004: 3).

Whilst this study was conducted with a younger age group, I believe that this piece of research is particularly relevant to the study of women in Fife for several reasons. Firstly, the definitions of violence and aggression would appear to have a socio-situational base. This implies that these definitions are shaped by individual and societal perceptions of what constitutes a violent act. Secondly, this study indicates

that substance misuse, particularly drugs, is associated with physically violent behaviour in young women. Learned coping mechanisms also seem to be important in avoiding potentially violent situations. This implies that some degree of cognitive skills is desirable to avoid violent situations. Finally, the design of the study is essentially qualitative, with quantitative analysis following the group discussions and individual interviews with the respondents. All of these factors were considered to be significant in the Fife study.

The studies examined in this section suggest that violence and aggression in females is in some ways different from males, but similarities are also noted. In addition, recent work carried out in Scotland indicates that there are differences in the behaviour and background experiences of females who commit violent acts and those who do not. This raises an important question about the current emphasis in Scotland on reducing offending behaviour in women, whether violent or non-violent, by increasing the welfare services that are made available to them. Whilst such a policy may well be appropriate for some women offenders, it may be inappropriate to downplay criminality in other cases, particularly when there is a risk to potential victims.

Research on the Impact of Life-course Experiences on Adult Offending

The studies described in the previous section strongly suggest that the manifestation of violent and aggressive behaviour is linked to other difficulties, for example, substance abuse, difficulties with relationships and poor problem solving abilities. Some of the studies also maintained that these difficulties begin in childhood. This in turn implies that literature which takes as its perspective the development of these

behaviours in the course of a lifetime. This section of the review will examine some of the literature in this field.

Life-course studies, in the main, assume the cycle of violence hypothesis (i.e. that violent behaviour is learned by children and is socially transmitted and sustained) (Bandura, 1975). Although children are unlikely to be the perpetrators of violent crime, they nevertheless exhibit aggressive behaviour, usually in the context of play (Unger and Crawford, 1999). Socialisation is gendered and many people play a role in this (e.g. parents, teachers and peers). It has also been suggested that gendered socialisation, which encourages girls not to exhibit direct aggression and to be dependent, combined with faster physical maturation, leads to the internalisation of aggressive behaviour. (Keenan and Shaw, 1997).

The influence of parental style in this socialisation process has also been seen as a major influence upon the reinforcement of aggressive and violent behaviour. Several studies have concentrated upon parental style, especially the application of physical punishment by parents towards their children (White, 2000). White concluded that these messages learned as a result of early experiences are repeated and reinforced in adolescence and young adulthood. For example, the effects of severe physical punishment are different for boys and girls at different stages of their development. Young boys tend to exhibit bullying behaviour, whereas girls do not (Strassberg et al 1994).

During adolescence, however, some researchers suggest that this pattern changes. Gender roles become more polarised and stereotypic. By the process of sexual

disassociation, juvenile delinquency in males is evident (Lott, 1995) Recent research (e.g. Ellickson and McGuigan, 2000), has indicated a difference in both the range and intensity of aggressive behaviour between adolescent males and females. Female predictors of violence included low levels of self-esteem and poverty. For males, drug-taking and peer influences were found to be more predictive.

When males and females move into adulthood, the same patterns are apparent as in adolescents. (White, 2000). Gender patterns are evident in violence committed in public (predominantly perpetrated by male strangers on other males) as opposed to women, who tend to commit violence against others that they know. Furthermore, in cases of domestic abuse, women tend to be the victims of such crimes. In the home, violence against children often takes the form of neglect with females and physical or sexual abuse with males (Featherstone, 1996).

This observation, when linked to the evidence presented earlier, regarding victimisation in childhood, would suggest that the cycle of violence hypothesis has at least some basis in fact. However, the model does have some associated problems. It does not explain why neglect causes more problematic behaviour than physical abuse (McCord, 1991). In addition, the theory does not explain why most neglected and abused children do not go on to commit violent offences. Wisdom (1989) puts this figure at 89 per cent. Wisdom concludes that the effects of neglect or abuse can produce other behaviours, which could be viewed as dysfunctional (e.g. self-harm).

It would seem that the relationship between childhood experiences and violent behaviour in adulthood is only partly explained by questionable parenting. It has been suggested that other factors play an important role in the production and sustaining of violent behaviour. McCord (1991) advocated the use of construct theory to understand more completely the subjective meanings for subjects of rewards and punishments. This, she argued provides a way of reconciling the inconsistencies in the cycle of violence data, in that whilst poor parenting is a factor in the process, it is not the only one. Other factors, such as peers and environmental considerations, might be as, or more important. Future research may well be directed towards the study of both these considerations and to isolating those factors that encourage resilience to their effects.

Studies that take a life-course perspective are relevant to questions of criminality and aggression, because they highlight early experiences as leading to this sort of behaviour. They also give information about whether the behaviour is evident throughout the life-course or particular to a certain point in time. For example, Moffitt (1997) suggests that two distinct groups are to be found among juvenile delinquents; those whose behaviour is temporary and who will mature out of criminality (adolescent persistent) and those whose behaviour is stable over time and who will continue to offend (life-course persistent). She further states that this may go some way to explain the reduction in criminal activity with age (the age/crime curve). This implies that different theoretical explanations must be developed for these two groups.

A major study, undertaken by Moffitt et al and described in their book, *Sex Differences in Anti-social Behaviour* (2001), provides new empirical evidence regarding the similarities and differences in anti-social behaviour in males and females. Some 1500 subjects were studied over period of 30 years, using a multi-disciplinary approach among the fields of criminology, psychology and health to analyse the data that were produced. Differences were found between the male and female samples in the following areas:

- The lifetime prevalence of antisocial disorder was found to be 2.4 males to every one female.
- More males have antisocial conduct diagnosed at an early age than females.
- Males show more violent and aggressive behaviour at every age than females.
- Males' antisocial behaviour is more often punished officially, probably because it is more frequent and more serious.
- High rates of serious and violent offending are concentrated in the same percentage of both samples, but the females who engage in this behaviour offend at a lower rate.
- Life-course persistent violent offending is rare in females. The male-female ratio is ten to one.
- Almost all females best fit the adolescence-limited type of offending behaviour.

As far as differences are concerned, Moffitt and her colleagues conclude that, for males, those who were life-course persistent offenders had poor outcomes as young adults. This was less prevalent for those who were adolescence limited. For females, mental health issues, particularly depressive illnesses, follow conduct disorders and

grow worse as they enter adulthood. However, some similarities were also found between the male and female samples. Among these were:

- Males and females show similar antisocial behaviour around the age of mid-adolescence.
- Males and females are similar in drug/ alcohol related offences at every age.
- Measures of partner abuse show this to be as or more prevalent within the female sample.
- From the data collected from parents, teachers and self-reports, antisocial behaviour is predictable across time for both sexes.
- The same risk factors predict antisocial behaviour in both sexes. The researchers report that they did not detect any gender-specific factors.
- During their first twenty years, antisocial males and females are as likely as each other to retain stability in their behaviour.

It is perhaps worthy of note that Moffitt (2002) has also re-launched the debate regarding the role of biology in producing aggressive behaviour. The team studied the gene MAOA that occurs on the X chromosome. Its function is to produce an enzyme, which in effect clears up excess neurotransmitter functions in synapses. Moffitt is quoted as describing this enzyme as “a little pacman”. Children maltreated over the first ten years of their lives were studied. It was discovered that persons who had a less active strand of the gene were more likely to exhibit behaviour which violates the rights and safety of others. Moffitt also speculated that females, having two X-chromosomes, were more likely to inherit the more active version of the gene.

In the general population studied, when there was no maltreatment in childhood, no pattern was found.

Possible Differences between Prison Based Studies and Those Carried Out in the Community

It seems self-evident that there are major differences between research that has been based within a prison setting and that which has been carried out in the community. The institute of the prison has the potential to have a powerful effect upon an individual's behaviour. This is, in fact one of the reasons why people are required to serve custodial sentences. Moreover, the prison sentence is also designed to punish the individual for the crimes they have committed.

Several writers have addressed this duality of purpose within the prison system and the effects this has on individual behaviours within this setting. Michel Foucault published his seminal book, *Discipline and Punis*, in 1977. Here he describes the 19th Century prison thus:

“...the nineteenth Century constructed rigorous channels which, within the system, inculcated docility and produced delinquency by the same mechanisms. There was a sort of disciplinary “training”, continuous and compelling, that had something of the pedagogical curriculum and something of the professional network. Careers emerged from it, as predictable as those of public life...” (Foucault, 1977: 299).

If Foucault's analysis is accepted, the power of the prison system will affect the conduct of the research and its outcomes. For example, Loukes and Zamble's (2001) study referred to earlier was based within a prison setting, looking at violent behaviour in women convicted of these types of crimes and women who had no such

convictions. In the prison setting, there would be less opportunity to opt out of participation, so in that sense, the researchers had a captive audience. Also, since the research was funded by the penal service of Canada, there was probably a vested interest in producing outcomes that favourably reflected the prison regime and its effectiveness.

It is sometimes argued that these tendencies within research carried out in prison settings does not apply, or applies to a far less extent, to research carried out within the community. People are free to participate or not as they choose and “the institution” has less effect upon the results of the research. How accurate is this, however? Pat Carlen in her book, *The Power of Law* (1989), discusses Foucault’s conceptualisation of power and poses a very pertinent question: “why do we still look to the old forms of power if they are no longer appropriate?” (as discussed in Muncie et al, 1996: 423). Carlen’s point is that two main discourses about power are currently in existence: rights and normalisation. In order to maintain these two discourses, the law “...is extending its terrain in every direction.” (1996: 430). This implies that total freedom does not exist and therefore that individual choice is curtailed, regarding whether or not to participate in a research project. For instance, although Dowden and Andrews (1999) carried out their research with young women convicted offenders within the community, how free did these individuals feel not to participate?

The blurring of the distinction between institutions and the community is discussed by Stanley Cohen in *The Punitive City: Notes on the Dispersal of Social Control* (1979). Cohen writes:

“The segregated and insulated institutions made the actual business of deviancy control invisible, but it did make its boundaries obvious enough. Whether prisons were built in the middle of cities, out in the remote countryside or on deserted islands, they had clear spatial boundaries to mark off the normal from the deviant.... In today’s world of community corrections, these boundaries are no longer as clear. There is, we are told, a “correctional continuum” or a “correctional spectrum: criminals and delinquents may be found anywhere in these spaces” (Cohen, 1979 in Muncie et al, 1996 :399).

The analysis that these three writers provide us with appears to argue against the community-based research project providing much more opportunities to study persons without the effect of the institution to contend with. In short, the whole of society is an institution which imposes various levels of control upon us all. This has important implications for my own research methodology and findings.

Women Offenders in Scotland; A Safer Way, a Better Way, or Another Way?

Scotland’s interest in the behaviour and needs of women offenders is now well established. This was intensified by activities within Cornton Vale, Scotland’s only women’s prison and by a piece of research carried out within that institution by Nancy Loucks (1997). Loucks uncovered a disturbing picture within Cornton Vale. Her study revealed that:

- Before 1995 there had only been one suicide in the prison. Between then and 1997 there had been eight suicides, committed by young women, some of whom were in their teens.

- Thirty-eight per cent of women in Cornton Vale had attempted to take their own lives at some point.
- Around 17 per cent of female prisoners had also deliberately injured themselves without intending suicide. Taken together, these last two statistics imply that around half of the inmates showed either suicidal or self-harming behaviour.
- Staff often overlooked warning signs and tended to treat self-harm differently from a "real" suicide attempt.
- Each woman received into Cornton Vale had on average two risk factors identified. Only 12 per cent of women prisoners were assessed as presenting no risk to themselves or others. Risk factors in this context were based upon considerations like drug and alcohol abuse and a history of self-harming behaviour.
- Almost 75 per cent reported being the victim of bullying and emotional abuse, from both inmates and staff.
- Physical abuse had affected 60 per cent of inmates and sexual abuse had affected 47 per cent.

This research attracted considerable publicity. It also prompted political pressure, and a Government and Prisons' Inspectorate inquiry into the management of Cornton Vale Prison. The result of these deliberations was publication of *Women Offenders - A Safer Way?* (1998). In many respects, this was a ground-breaking piece of work, since its major findings confirmed what Nancy Loucks had discovered in the course of her research. The report concluded that the use of remand for women (at about 40 per cent of inmates) was too high. The report advocated that this should be reduced.

It also noted that women are often imprisoned for minor offences (such as failure to pay fines). The report recommended that such sentences should be reduced. Finally, it stated that criminal justice social work services should work towards increasing women's access to services. These would include housing, health, debt management, domestic abuse counselling etc, in an attempt to increase their capacity to avoid offending and the propensity of the courts to jail them.

The *Safer Way?* document did much to provoke debate among criminal justice professionals. A further government report, *Women Offenders - a Better Way?* (2002) showed that little progress had been made in the four years since the *Safer Way?* paper was published. Far from reducing custodial sentences for women, the incidence of these had actually increased, particularly for young women. The report also concluded that remands for women offenders had shown a commensurate increase. Its recommendations, in line with the earlier report, was for a predominantly welfare approach to dealing with women offenders. The *Better Way?* report advocated a "passport system", whereby prisoners released from Cornton Vale could be "fast-tracked" into welfare services, in order to support their integration into the community. The report again urged sentencers to reduce remands and custodial sentences for women.

On reflection, I believe that this approach contains two major difficulties. Firstly, as the literature presented in the previous section demonstrates, there is at least some overlap between the behaviour and criminogenic needs of male and female offenders. So, why is it that similar services are not afforded to male offenders who

display similar criminogenic needs? As McIvor (1998) points out, to deliver such services on purely gender-based lines carries the potential of creating services that are discriminatory and in some respects possibly inappropriate. At the same time, I believe that attention must be drawn to what is effectively a minimisation of the suicides of males held within Scottish prisons. A recently published Scottish Prison Service document *Suicide Risk Management and Custodial Care* (2002) confirms that in the year 2001, there were 11 such incidents and 15 in the year 2000. The majority of these were young males between the ages of 16-25 years. Whilst it can be argued with some cogency that the male prison population is much greater, it has to be conceded that these statistics make disturbing reading. This is not only because suicides are tragic events in themselves, but also because the young males who committed suicide did not receive much media attention. It could well be that similar services to the ones advocated in the *Better Way?* (2002) report need to be delivered to men showing similar behaviour patterns.

Secondly, there is practically no mention in either Loucks' research or the two government reports about the criminal behaviour of these women and what can be done to reduce their offending. The fact that, certainly in some cases, women held within Cornton Vale have committed serious crimes seems to have been minimised by all three reports. Given the research evidence presented in this chapter, there are indications that women do sometimes commit acts of violence and that these women display different levels of criminogenic need from women who do not commit these types of offences. This implies that women who are convicted of violent offences might require different levels of services to address their greater criminogenic needs.

They might also require services that place more emphasis upon the risk they pose to the community.

Conclusion

Several themes have emerged in this review of some of the literature regarding the nature of women's offending. Much of the available research has been underpinned by the theoretical stance adopted by writers and researchers from the feminist tradition, such as Smart (1976), Heidensohn (1987) and Carlen (1988). The underlying assumption made by these writers is that the offending behaviour of women cannot be understood in terms of male theories about criminality, since women commit offences at much lower rates than males, and tend to commit different sorts of offences. There is also some research evidence that women are treated differently when they are sentenced at court.

More recently, however, some research evidence has indicated that there are some similarities between male and female offenders when serious or violent offending is considered (Loucks, 2001). In addition, demonstrable differences have been noted in the criminogenic needs of violent and non-violent convicted women offenders, with particular reference to their negative childhood experiences and their use of alcohol and drugs. Recent government initiatives in Scotland, however, have not reflected these research findings. Presently, it is the policy of the Scottish executive to encourage the delivery of services to women that assume a welfare approach to their offending, that perhaps underplays the danger some of them pose to the community.

Care must be taken in interpreting both prison-based research and research carried out in the community. Although there are important differences between these two strands of enquiry, the difference between them might not be as marked as sometimes is assumed.

The study in Fife was informed by these developing findings and they continued to influence it as it progressed. It was designed to explore whether there were any differences between a group of women who were convicted of violent offences and a group of women who were convicted of offences that were not violent in nature. The factors that were considered included those identified by the above researchers as being relevant to the understanding of offending behaviour in females, such as childhood experiences, pathways into offending behaviour, how offending behaviour is sustained, and drug and alcohol misuse. The intention was to compare the two groups of women to discover whether these factors were, in fact, different and if so, what the implications would be for policy and practice within criminal justice social work services in Fife.

Chapter 4

Methodology

Introduction

As outlined in the previous chapters, recent Canadian research (e.g. Loucks and Zamble, 2001, Blanchette, 2001) identified differences in the personal and social characteristics of women who commit violent or serious offences as compared with women whose offences are not of a violent or serious nature. I learned about this research in the course of doing preparatory work for my study in Fife and was already interested in the exploration of possible differences between women convicted of violent offences and women whose offences were not violent in nature. My study set out to explore this further. This chapter describes how this was done. Firstly, the research aims and questions are identified and this is followed by a discussion of how the working definitions of a “violent offence” were reached. The research frameworks are then explained and also the research instruments that were used in the course of the fieldwork. Consideration is then given to questions of validity, reliability and possible sources of bias. The chapter concludes with an outline of some of the ethical issues involved in the study.

Aims, Questions and Definitions

The Aims of the Research

- a) To profile the characteristics of a sample of convicted women offenders, in order to learn more about their offending patterns, age distributions etc.

- b) To compare and contrast groups of women who had been convicted of violent and non-violent offences, to discover whether there were any significant differences between the two groups.
- c) To gain insight into these women's perceptions of their own behaviour by talking with them.
- d) To reach a better understanding of the factors that are significant in the types of behaviours to be studied.
- e) To draw conclusions, from the evidence presented by the research, about the most appropriate services for the two groups of women.

The Research Questions

The study explores the following questions:

1. Regarding Statistical Profiling:
 - What was the statistical profile of convicted women offenders in Fife in relation to demographic factors such as age, unemployment and marital status?
 - What was the criminal behaviour of these women, in terms of most recent offences, previous offending history and age at first conviction?
 - What were the social characteristics of these women, with respect to criminal associations, substance misuse and medical issues?
2. Regarding Women's Own Perceptions of their Behaviour:
 - How did these women conceptualise their reasons for committing offences and how did these conceptualisations match with the statistical evidence?

3. Regarding Policy/ Practice Issues:

- What do the findings indicate in terms of service-provision for convicted women offenders? Principally, should women who are convicted of violent and non-violent offences receive a different kind of service from each other and if so, how should it differ?

A Definition of Violent Behaviour

Before any research could be carried out, it was important to define the terms of reference for the project. The concept of “violence” may mean different things to different people and its meaning can change with cultural differences (Lee and Stanko, 2003: 3). This study, however, was specifically interested in violent offences, and these are set down in law. In Scotland, most criminal acts and statutory offences are defined by common law. Statutory offences tend to be aggravations of previously defined common law crimes. For example, assaulting a member of the police force whilst in the course of their duties is not only a crime, but also an offence under s41 (1) (a) of the Police (Scotland) Act 1967.

Crimes such as rape, sexual assault and others have by their definition a violent element, but the classic crimes of violence are homicide and assault. These are defined by case law as follows:

1) Homicide

- a) Murder: When a human being is unlawfully killed with either criminal intent, or to be so reckless that as to imply total disregard for the consequences. (Cawthorne v H.M.A. 1968.)

b) Culpable Homicide: This occurs when a person is unlawfully killed, but no intention is attached to the deed. (HMA v Hill (1941) JC 59.)

2) Assault

a) Assault without Aggravation: A person makes a criminal attack intended to physically affect the victim.

b) Assault with Aggravation: (e.g. robbery, which is the felonious appropriation of the property of another by means of violence or threats of violence.)

c) Reckless Injury or Endangerment, e.g. Reckless cycling that results in striking a pedestrian. (Quinn v Cunningham (1956) JC 22.)

d) Abduction. To “steal” and unlawfully detain a subject. (Elliot v Tudthorpe (1987) SCCR 85.)

e) Threats: For example, to issue threats by letter. (James Miller (1862) 4 Irvine 238.) Also included in this definition are verbal threats to persuade victim not to give evidence in court. (Kenny v HMA (1951) J.C. 104.)

As can be seen from the above examples of Scottish case law, violence need not be physical, need not be intentional, need not be direct and need not involve personal injury. Violence may be interpreted as threatening gestures and may result from an accidental occurrence. It would seem that the only common denominator of a violent offence is one that causes harm, either physical or emotional, to a victim.

A Working Definition of a Violent Offence

For the purposes of this study, the following definition of violence was used:

- The violent crimes and offences of interest were those that involve intent (*mens rea*) to harm another person.
- The crimes or offences committed matched the definitions of a violent criminal act as defined in law.
- All types of violent criminal acts were considered.
- The violent acts were interpersonal.
- A criminal charge must have been proven or admitted.

The use of a legal definition of violence makes some sense within the context of this study, given that it was conducted with women who had been convicted of offences. However, this definition does present the researcher with some problems. Firstly, the legal definition of violence is extremely wide, as can be seen from the discussion so far. This has the potential to cause conflation between the definition of “a violent act” and how it is dealt within the court system. Also, the legal definition of what constitutes a violent act makes no use of the research that has been carried out regarding violence in human beings (e.g. Bandura, 1960). Lee and Stanko (2001: 224) make the important point that what they describe as “the messiness of the criminal justice system” makes it very difficult to research this area with any degree of confidence. These comments are highly relevant to the study carried out in Fife.

Strategy and Frames

The Research Strategy

The choice of a research strategy is fundamental to any research design (Blaikie, 2000: 87). This is because the strategic decisions that are made affect the methods

chosen and the construction of theory and these are probably based upon what kind of knowledge the researcher would choose to create

In this study, a combination of abductive and inductive methods was used. Abduction seeks to uncover the personal experiences of the subjects of the study, without necessarily making value judgements upon the information that is collected. Induction attempts to create general statements, or theories, from particular cases. The collection of the quantitative data helped to formulate precise questions for the qualitative part of the study. In turn, the qualitative interviews provided information for the understanding of the informants' personal circumstances, within the context of the wider population of convicted women offenders in Fife. Hence, the results of the qualitative analysis were combined with a statistical analysis of a larger sample, thus allowing triangulation to take place.

It is worth noting that the use of triangulation, that is, the use of different methods and methodologies within the same research project, has received a mixed reception among social scientists. Some researchers (e.g. Denzin, 1970) argue that triangulation methods are superior because they produce more valid results. On the other hand, others (e.g. Blaikie, 2000: 266) argue that triangulation in social science requires careful interpretation, depending upon the proposed methodology. In this research project, it was hoped that the different methodologies used (quantitative and qualitative) would contribute to a greater understanding of the issues concerned. However, it is acknowledged that combining qualitative and quantitative methods was, in some respects, problematic. Most notably, there was a substantial difference

in the sample size for the quantitative part of the study and the number of women who agreed to be interviewed as part of the qualitative analysis. This meant that it became difficult to compare the two parts of the study. It should also be noted that the women who participated in the qualitative part of the study self-selected, so comparing the two sets of results was also difficult for this reason. It may be safe to assume that the women who agreed to be interviewed held positive views about the services they received from their probation officer, which may have favoured positive comments about this.

Having decided upon the most appropriate research strategy, the task then became one of deciding the precise frameworks for the study, both in terms of the samples to be considered and the analytical assumptions and techniques to be used. The next section will consider these questions.

The Sampling Frame

A sampling frame is generally defined as the notional boundary, or “box” from which the sample is drawn (Denscombe, 1998: 17). In this particular study, the sampling frame was defined by four parameters: gender, location, time and the group of women who were targeted for the study.

In contrast to many studies in this field, this research concentrates upon convicted women offenders and does not attempt to contrast their behaviour with their male counterparts. As previously explained in the literature review, this was done for two reasons. Firstly, such analyses tend to concentrate upon differences between the

genders, at the expense of exploring the similarities between them, and possible differences within genders. Secondly, as also outlined in the literature review, it is unwise to assume that convicted women offenders are an homogenous group.

The fieldwork for the study was conducted within Fife Council Social Work Service. The sampling frame included all women who were referred for the preparation of a social enquiry report and who lived in Fife. This frame was chosen in large part for pragmatic reasons. As an employee of Fife Council, the process of gaining access to records in Fife seemed likely to be more straightforward than approaching a local authority with which I had no formal contact. I was subsequently granted permission for the study in December 2001.

The quantitative data collection was started in April 2003. This date was chosen because it allowed the quantitative data collected to be verified by the figures submitted by Fife Council to the Audit Commission for Scotland and for the data collected in Fife to be compared with national statistics (*National Statistical Bulletin for Criminal Justice 03-04, published in 2005*). These two sets of data are collected at the end of each financial year (see appendix 1). This start date also allowed the possibility for the data collection to continue for a two-year period, if this had proved necessary, to ensure that sufficient information was collected to conduct the study. In the event, this was not necessary. Previous Fife statistics had indicated that between 150 and 180 social enquiry reports had been prepared about convicted women each year. However, during the course of the data collection, it became evident that more convicted women had appeared at court and had had a social enquiry report prepared

about them than had been originally estimated. Some 261 social enquiry reports had been prepared regarding convicted women during the financial year 2003-2004 (see appendix 2), representing approximately 12 per cent of all reports submitted. (Interestingly, Scottish figures for the same financial year recorded that 6,318 social enquiry reports were prepared about women, representing 16 per cent of the total number of reports compiled in Scotland (National Statistical Bulletin 2003-2004: paragraph 3.1).) In light of the available cases, a decision was taken in March 2004 to limit the quantitative data collection to one year.

Although 261 social enquiry reports were submitted in 2003-2004, the total population for this study was in fact 200. Forty-six social enquiry reports were “repeat reports” prepared about the same person. These were disregarded for the purposes of the study. Fifteen further case files could not be accessed for a variety of different reasons, usually because the cases had been transferred to another local authority area and were therefore unavailable. A further 12 reports were compiled in respect of the women’s suitability for a Drug Treatment and Testing Order (D.T.T.O.). These reports were also excluded from this study, because their contents were different from social enquiry reports, as they did not contain information regarding the subject’s background.

The qualitative data collection was started in June 2003, some six weeks after the quantitative data collection commenced. This was done for two reasons. Firstly, it was evident that to maximise the women’s participation in the study, the time-lag between sentencing in court and research interview should be as short as possible.

Other studies that have attempted to conduct qualitative interviews with convicted women outside of a prison environment have reported difficulties with getting sufficient numbers of informants to participate (Goodwin and McIvor, 2001). Secondly, this was done in order to complete the practical work for the study within a reasonable period, in order to maximise the time available for the analysis of the data. In the event, many of the women who participated were not interviewed until several months after their court appearance, because of the inevitable delays in arranging interviews, as will be discussed in more detail overleaf. The qualitative data collection was finally completed in August 2004.

At the outset, critical decisions had to be taken regarding who should be approached to participate in the study. Should all potential informants be included? If not, who should be excluded and for what reasons? Most critically, should all those who had ever committed a violent offence be included, or only those whose present offence was classified as violent?

A key decision taken at this time was to approach all women who were the subject of a statutory order (that is, they were on probation), because one of the main research questions was to be an exploration of the women's views about social work services. The women were first approached by their supervising officers, who provided them with an introductory letter from me which briefly explained the aims of the research and how it would be conducted, and invited them to take part in the study (see appendix 6). In the end, 21 women took part in individual interviews. Although this

may seem a relatively small number, the accounts which the women gave far outweighed the actual numbers, providing ample qualitative data for the analysis.

The following table summarises the major characteristics of the quantitative and qualitative data that was gathered.

Figure 4.1 Summary of the Quantitative and Qualitative Data

	Convicted of Violent Offences	Convicted of Non-violent Offences	Total
Number in Sample	105	95	200
Number placed on Probation	42	24	66
Potential Interview Sample	42	24	66
Actual Interview Sample	11	9	20

As can be seen from figure 4.1, the decision to approach only those women placed on probation considerably reduced the number of potential informants for the qualitative part of the study, from 200 to 66. All of these women were asked to participate in the study, but only 20 were actually interviewed (one additional informant was subject to a parole licence, making the actual number 21 in total). Of the remaining 46 women, 15 initially agreed to be interviewed, but did not attend the meeting (each woman was offered a total of three appointments). Twenty-six women did not respond to the invitation, and five women refused to participate.

The Analytical Frame

The analytical frame is defined as the type of analysis that will be used in the study and this framework defines how the data collected are to be understood and presented. In this research, two methods of analysis were used, qualitative analysis and quantitative analysis. It is worth noting that the distinction drawn between these two frames is not perhaps as stark as is sometimes presented. It is possible to analyse qualitative data in a quantitative way and vice versa (Mendenhall et al, 1998). The real distinction between these two approaches lies in the techniques they use and the assumptions they make about the subjects of the study.

There are several different ways of analysing quantitative data. Descriptive statistics can be used to great effect to discover the general characteristics of a sample, giving information about the various categories of variables in terms of their distribution, i.e. mean and median values etc. If two samples are being considered, as in this case, using descriptive statistics can indicate which variables are similar and which are different allowing for some matching of the samples drawn for the qualitative analysis to take place. This brings the possibility that, as far as possible, the subjects used for the qualitative analysis might be representative of the larger population.

Another useful area of statistical analysis is a family of techniques known as inferential statistics. All of these seek to make inferences or predictions about larger samples from the data that has been collected. Some rely upon the comparison of two or more data sets and infer differences by the use of statistical tests of significance.

The study made use of both of these techniques for two reasons. Firstly, it allowed the data collected qualitatively to be linked and matched to the wider sample of convicted women offenders who had social enquiry reports prepared about them within the dates of the fieldwork for the study. Secondly, services are usually planned using some form of statistical data analysis, even if it is merely to answer questions of “how many?”. Since the study was designed to identify appropriate services for convicted women, based upon their experiences and offending patterns, it made sense to quantify this as far as possible, in order to reach conclusions that might be seen as defensible in terms of service planning.

The term “qualitative research” is a generic term used to describe techniques that are designed to examine the essential qualities of the subject of the study. Rossman and Rallis categorise qualitative research in the following way:

- a) It takes place in a natural environment
- b) Uses interactive methods that respect the subjects.
- c) Is emergent, rather than working from pre-conceived ideas.
- d) Is interpretive. (1998:9)

From this, they go on to argue that the qualitative researcher also has certain attributes:

- a) Views the world holistically.
- b) Reflects upon the place that s/he holds within the enquiry.
- c) Uses complex reasoning that is multi-facteted and iterative. (1998:9)

Beyond these general statements, a number of methodologies co-exist, and these differ both in their theoretical assumptions and the methods that they use to interpret the data collected. Marshall and Rossman offer a helpful overview here, suggesting

that qualitative methodologies draw on three genres, focusing on either individual experience, on culture or on language and communication (1999:9). Interestingly, although they point out that different perspectives can be used to theoretically frame a research project, they do not suggest that these methods are mutually exclusive; it is, they assert, the emphasis that differs. Where the real differences would appear to be found is in assumptions made about epistemology. For example, critical theorists might take the view that there are certain types of knowledge that have been excluded from traditional knowledge bases (see, for example, Harding, 1991). More traditional qualitative theory, in contrast, tends to assume that the structure of society is understandable and predictable (Marshall and Rossman, 1999). These differing viewpoints required careful consideration when deciding upon the qualitative frame for the study. This was because the assumptions that were made at the outset would inevitably play an important part in the nature of the data gathered and its subsequent interpretation. It was decided in this study to opt for a research method which would allow emphasis to be placed upon the informants' personal experiences, since this fitted best with the aims of the research.

There is another key aspect of qualitative research which requires attention. The qualitative analytic method acknowledges that objectivity is difficult, if not impossible, to achieve within social science research; indeed, it may not even be desirable (Kvale, 1995). From this viewpoint, it is argued that there will always be an interaction between the researcher and the researched in qualitative research. But a reflexive approach to qualitative research takes this idea even further, arguing that we can never, as researchers, separate ourselves from the research which we are

undertaking (Hertz, 1997; Finlay, 2003). From this perspective, the personal views and history of the researcher are important and so my personal standpoints should therefore be interrogated. Reflecting on this, it is clear that I brought to my Ph.D. study the following “selves”:

- As a qualified social worker with nearly 30 years of experience, the last 18 years of which have been spent within the specialism of criminal justice.
- As a woman.
- As a manager of criminal justice social work.
- As a person who has always practised within Scotland.

These “facts” about me have undoubtedly shaped my belief systems and it is important to attempt to articulate these at this point.

- I believe that, whilst it is true that individuals can be disadvantaged by class, race and gender, there are always individuals who seem to rise above this. I believe in individual capital.
- It is difficult to reach a firm conclusion regarding the nature of disadvantage and discrimination, because their definition is individually and culturally based.
- I believe that social work can have a positive effect upon people. I have to believe this; otherwise, I could not continue to work in this field.
- I believe that persons should be justly punished for breaking just laws. My major difficulty is in deciding what a “just” law actually means.

These beliefs, although easily stated, are not mutually exclusive. One belief can affect the others and has the potential to create bias within the research. For instance, the belief in individual capital can lead to a minimisation of the effect that the

circumstances that informants in the research find themselves. Another potential source of bias was my own position as a manager within the organisation. Did informants feel they were being coerced to take part? (This is explored more fully in a later section on Validity, Reliability and Possible Sources of Bias.)

The complexity of the qualitative frame becomes made even more so when the subject-matter of the research is considered. Attitudes to violence, which is one of the essential topics of this research, are likely to be moral questions. These are not always amenable to dichotomous analysis, because of the complicated way that persons develop, sustain and justify moral decisions (Attanucci, 1988). In her research into issues of adolescents' attitudes to violence, Attanucci firstly proposed that two operands shape attitudes to violence: "care" and "justice". The informants in her study who used the care operand organised their moral arguments in terms of the negative effects of violence upon the victims, whereas those who primarily used a justice operand would tend to express judgements in terms of "unfairness" or "retribution".

This posed several interesting issues for the study in Fife. The study was essentially dichotomous in its design, since the informants were divided into a group of offenders who had been convicted of violent offences and a group of women who had been convicted of non-violent offences. Whilst this was intended to yield insights into the offending behaviour of these women, it is perhaps important to remember that moral reasoning is sometimes not as straightforward as this model would suggest. Therefore, the qualitative frame for this study acknowledged this

complexity and worked from the premise that people's moral reasoning is complex and comes from many different sources. In addition, it was assumed that not all of these sources are necessarily based upon logic. Some are based upon experiences, some upon personal identity and some originate in the opinions of other people. This also relates to the link between actions and morals. It is perfectly conceivable that persons act in a manner that they consider to be morally wrong. For example, a woman could commit a violent offence, but not be able to justify it morally. It is also acknowledged that not being convicted of an offence involving violence did not make one woman necessarily less violent than another; she may simply have been "lucky" enough not to get caught in an act of violence.

In order to try to address these issues in the research, it was decided to construct an interview schedule that would allow the informants to articulate their reasoning and viewpoints regarding offending behaviour (see appendix 5). This is discussed in the following section.

Data Collection and Analysis

Data Collection

Many kinds of data could in theory have been used in this study, because, as the Literature Review demonstrates, there were many variables that could have influenced the women's criminal behaviour. For example, it could well have been that early childhood experiences provided the methods by which these kinds of behaviours evolved (Moffitt, 2001). Also close personal associations and addiction have been found to sustain the behaviour (McKegany et al, 2002). There were also

potentially many underlying factors, perhaps not quite so obviously linked to violent or non-violent criminal behaviour in women that could have played a part in producing the eventual behavioural outcomes, for example, being partnered with a criminal male (Carlen, 1988).

Faced with so many different variables and choices, decisions had to be made about the sources of data to be used. It was decided to use two sources of data, as outlined above. In the first instance, data were collected from the existing records in case files of Fife Council's Social Work Service. These records provided information over a wide range of different considerations, such as social enquiry report information, history of offending and some family background information. This documentary information provided some, but not all of the data required for the study.

The quantitative data were collected at two-monthly intervals after the women had appeared in court for sentence. A list of all the women who had appeared in court in the previous month was obtained from criminal justice clerical staff, who maintained a database of all those who are referred for the preparation of a social enquiry report. This timing usually allowed the disposal to be recorded on each case file, but in some cases, a further visit was necessary, because of delays in disposing of the case at court, or because the necessary information had not yet been recorded. The files were examined in each of the five criminal justice offices in Fife, based in Dunfermline, Kirkcaldy, Buckhaven, Glenrothes and Cupar. This system was adopted because of the highly confidential nature of the data, which made it preferable to collect the material *in situ*, rather than removing files from their proper

location. This work was usually carried out after office hours, so that the work of the service was not disrupted by the research.

For the quantitative part of the study, the cases were statistically profiled, using a checklist that was based upon the Level of Service Inventory (revised), or L.S.I.-R. As previously explained, this instrument has been developed over the last thirty years or so, essentially to assess the likelihood of a person re-offending. From research carried out in Canada, using meta-analytic techniques, statistical data were gathered to produce a profile of the factors that sustain criminality. L.S.I.-R. consists of 54 separate questions grouped into ten “domains”. A domain can be defined as groupings of questions that broadly address the same areas of criminogenic considerations. The L.S.I.-R checklist is available as appendix (11). L.S.I.-R has been validated in Canada as a measurement of recidivism and has more recently been validated for use in England and Wales by Raynor (1998b). As yet, no formal validation of the L.S.I.-R. checklist has been carried out in Scotland. However, since in this study it is intended to use merely as a profiling tool, this is viewed as a less serious problem than it might have been.

The checklist developed for this study also included other factors that might have been relevant to the understanding of criminality and women’s offending behaviour. In particular, the age at first adult conviction seemed to be an important indicator of the prevalence of violent offending behaviour, as was the detailed offending history of the subjects. In addition, data were collected that have been linked specifically to criminal/antisocial behaviour in women. These included whether the women were

partnered with a criminal male, whether they had been the subject of domestic abuse, or abuse as children and mental/physical health considerations. These were analysed, in addition to the material gained from the L.S.I.-R format. The checklist used to collect the data appears as appendix (3).

The second source of data collected was from semi-structured interviews with a group of informants who had been convicted of violent offences and a group who had been convicted of offences which did not involve violence. This form of data collection was designed to complement the information gained from case records, by encouraging the women themselves to give their own accounts of their own situations.

The qualitative in-depth interviews were conducted some months after the quantitative data had been collected. This was done in stages, by examining each batch of quantitative data and identifying those women who were subject to statutory supervision and who could be approached to participate in the study. This was done for two reasons. Firstly, this allows data collected from case files to be used in the face-to-face interviews with informants, demonstrating that time had been taken to become familiar with their personal circumstances. Secondly, it also allowed the informants to correct any errors in the details recorded about them. Although nearly all of the women were approached and asked to participate a few weeks after their court appearance, the actual timing of the interviews varied. Some were conducted shortly after the women had appeared in court, but most were undertaken some months afterwards. This was mainly due to the availability of the women and the

logistics of organising the interviews. Since the study was targeted at those subject to statutory supervision, this delay did not prove to be a problem, because it produced a group of women who were at different stages in their orders. Had they all been interviewed at the start of their supervision, this may not have produced a group of informants who had a great deal of experience of probation.

Following the approach from their social workers and having expressed an interest in participating, each prospective informant was sent a letter explaining the purpose of the research and the plan to tape-record the interviews, with their consent (see appendix 6). During the course of the research, 21 women agreed to be interviewed, 12 of whom had been convicted of a violent offence. For the qualitative data collection, an interview schedule was prepared (see appendix 5). This was devised to reflect the domains of L.S.I-R. and the additional factors that were added about women's offending behaviour that were included in the checklist for the quantitative data collection. The interview schedule was prepared to facilitate semi-structured interviews and so the schedule identifies themes, rather than definitive questions. This was done because it was anticipated that the women who came forward to participate in the study would perhaps wish to expand upon the responses that they gave and the schedule was designed to reflect this.

The qualitative interview schedule also contained information in note form about the theories underlying each theme. These were retained in order to act as a reminder of the literature that underpinned each question and why it had been included in the schedule. The list of questions included those that had been derived from general

correctional literature, such as how the women had first been involved in offending behaviour, whether they were involved in substance abuse and what their educational and employment status was. The schedule also included elements of literature specific to convicted women offenders, such as their history of abuse and their present criminal associations, especially with partners. This acknowledges the contribution that feminist scholarship has made to the understanding of women's criminal behaviour (e.g. Worrall, 1998, Moffitt, 2001)

Data Analysis

Each batch of quantitative data that was collected during the fieldwork period was entered on to an Excel spreadsheet. The spreadsheet was designed to tabulate the quantitative data collected and to count the numerical incidences of each category. The data were entered as soon as they had been collected, in order that the emerging patterns could be studied.

When the quantitative data had been collected, they were divided into two groups: those women who had been convicted of violent offences and those who had been convicted of non-violent offences. At that point, statistical tests were applied to the data sets, in order to discover whether there were any statistically significant differences between the two groups. The Excel spreadsheet package has a data analysis function that allows for this kind of analysis to be undertaken. It was decided to use Excel in preference to other statistical packages (e.g. Statistical Package for the Social Sciences, or S.P.S.S.) for two major reasons. Firstly, Excel provided more than sufficient capacity to analyse the quantitative data. Since this

study was designed primarily as a qualitative study, the quantitative data provided a context for the research. It had never been the intention to analyse the data in a sophisticated manner, but merely to understand their major parameters. Secondly, the Excel spreadsheet package is available on all computers within Fife Council Social Work Service. This allowed the data to be entered at any location and at any time. Had another package been used, this would not have been possible.

Although the qualitative data could have been analysed by merely listening to the tape recordings and identifying themes, it was decided to adopt a more systematic approach to the data analysis. This was mostly concerned with trying to ensure that all the relevant themes were covered in the course of the analysis. This decision was also made to try to link the qualitative analysis to the statistical data that had been collected by adopting a similar, if not identical, method of extracting information. The qualitative data were therefore analysed with the assistance of another computer programme. This was N.U.D.*I.S.T. which is an acronym of Non-numerical Unstructured Data*Indexing, Searching and Theorising. The N6 version of this package was used. When the tape-recorded interviews were transcribed, they were entered onto this system. The analysis was carried out after first coding the data according to the major themes that were devised for the qualitative interview schedule. The results of this analysis are discussed in the findings chapters that follow and the code-books appear as appendices 7-10.

It is perhaps worthy of note that although N.U.D.*I.S.T. provides the qualitative researcher with a useful package for the analysis of unstructured data, there are also

some limitations associated with its use (Barry, 1998). The package can cope with large samples and allows the researcher to carry out complex searching by using, for example matrix associations. However, despite these advantages, N.U.D.*I.S.T. cannot help with how to analyse the data. Only the researcher can make these decisions and that is probably the most difficult part of the process.

Validity, Reliability and Possible Sources of Bias

It is important to recognise both the advantages and the possible limitations of the study and their implications for validity and reliability. Validity is usually defined as the likelihood that the study measures what it was designed to measure, and reliability is defined as the “repeatability” of the research study (Bell, 1993). This section of the chapter will consider some of the more important considerations that might have affected the findings of the study.

Insider research

Being an insider carries many advantages and it could be argued that these advantages far outweigh the disadvantages. Because I am a member of staff of the organisation to be studied, I had ready access to the data and was able to collect them quickly. Once collected, the data required analysis and interpretation. My own extensive experience of Criminal Justice Social Work provided a major advantage in this particular study. Because of my experience in this field, I have the ability to interpret and analyse the data in a deeper way than perhaps a less experienced person would.

The advantages and disadvantages of “insider” research have been discussed by several writers, who have sometimes reached different conclusions about its relevance to the institutions studied and to the research eventually produced. Critics argue (e.g. Moller, 1998) that insider research is idiosyncratic and threatens the practice of an organisation, producing few benefits. However, others see insider research as contributing greatly to the practice of organisations and the individuals who work within them (e.g. Adlem, 1998). Whilst there are obvious issues in using this method, insider research offers the opportunity to contribute to organisational change and development in a way that perhaps other methodologies cannot.

Within Fife Council Criminal Justice Service, there is a need both to collate statistical information about convicted women offenders and also to reach an understanding regarding a service response to the issues that emerge from working with these women. This implies that insider research may hold the key to producing answers to the questions posed in a realistic way. Because the researcher had direct access to the records of the service on a daily basis, this assisted the data collection process. In addition, insights gained from the experience of managing staff and directly supervising convicted women assisted in the interpretation of the data that were collected.

However, it has to be acknowledged that insider research has several disadvantages and potential sources of bias. If the researcher is a member of the organisation being studied, this will affect how the data is collected and the conclusions that are drawn from it. In this particular case, most of the women who agreed to participate in the

qualitative part of the study were known to me in my professional capacity. It is highly probable that this affected both the responses that the women gave during the interviews and how these were analysed by me. As far as possible, efforts were made to minimise this by the development of a research protocol, which is discussed in more detail later in this section.

Time factors

As Bechhofer and Paterson (2000:105) point out, time affects social research in two conflicting ways. A study conducted over a short period of time will give a “snapshot” of the situation being studied that is time-dependent. However, because the historical processes that produced the studied event have not been examined, snapshots may not be as illuminating as one would wish. On the other hand, emphasis on historical processes can make the comparison and control issues in research difficult to achieve. This is because data studied some time apart are likely to contain differences that cannot be controlled, analysed or understood because of these time differences.

Both the qualitative and quantitative samples were naturally limited by this “snapshot”, because the women interviewed in the qualitative part of the study had to be included in the statistical sample analysed, otherwise the analysis would not have been valid. However, this tactic did carry the disadvantage of attempting to draw valid conclusions from a relatively small and time-limited sampling frame.

Choice of data

The choice of data that were collected in the course of the study was also relevant. It was decided to collect the data directly for the study, as opposed to using secondary sources of data, for example statistical data collected by Fife Constabulary. This had the advantage of providing the information required for analysis without having to re-interpret it from data that has been collated for a different purpose. However, this method carried the disadvantage of providing a much smaller and potentially less valid study. It did seem, in defence of the choice made, that small samples are a feature of the study of convicted women, which, in all probability, could not have been circumvented in a relatively small-scale study of this nature.

Another problem associated with this project was the decision to use information from social enquiry reports as the basis of the quantitative analysis. It is probable that these documents provide information which is not typical of women offenders in general. It is likely that the women who were the subject of these reports were representative of women who had been convicted of more serious offences or who had more convictions than the general population of women offenders. Therefore, it may be unwise to draw general conclusions from this study.

The Research Instruments

One difficulty in the statistical analysis of women's offending patterns is the construction of the research instruments. For example, instruments such as L.S.I.-R. were constructed from large-scale statistical analyses of, predominantly male, offenders. Because the number of convicted women offenders is so much smaller,

their offending patterns tend to be subsumed by the larger male sample. The version of L.S.I.-R. used in this study, whilst acknowledging this problem, also states that no exact prediction of risk of re-offending for women can be made using the scale until further research has been completed. To date, L.S.I.-R. has not been validated in Scotland, for either males or females, although Raynor (1998) has validated it for male samples in England. At the time of writing this paper, no validated instrument exists that measures risk of re-offending in women. However, as a method of profiling offenders' characteristics, it is a well-researched and validated instrument (Andrews and Bonta, 1996) and it is in this capacity that it has been used in this particular study.

The use of L.S.I.-R. as a risk assessment tool for women offenders has been criticised by several writers, notably the Canadian criminologist, Kelly Hannah-Moffat. Hannah-Moffat has cast serious doubt upon the use of this inventory to categorise the risk of re-offending that women offenders present. Although she acknowledges that similarities exist between male and female offenders, she does highlight important differences, notably that women offenders display more extensive health problems and report more physical and sexual abuse as children (2000:30). Given these considerations, it is likely that this inventory will not be as applicable to the women in this study as it would have been to a male sample.

Missing data

Any study is only as good as the quality of the data that is collected. Whilst every effort was made to ensure the accuracy of the information in social enquiry reports

and service records, it is possible that pieces of information were missed. Errors could also have occurred when conducting the research. It is easy, for example, to miscalculate the number of previous convictions attributed to a person, when examining long lists of court appearances. This would have had an impact upon both the reliability and validity of the study. There are no easy answers to this issue. This study, however, was designed to collect quantitative data and qualitative data at the same time. This may go some way to providing a check upon at least some of the quantitative data that has been collected. Additionally, the researcher's "inside" knowledge of departmental records allowed further checks to be made in this regard. However, it has to be acknowledged that these issues cannot be fully resolved, but merely controlled to a certain extent.

Analysis of data

The use of statistical tests in the analysis of quantitative data has been debated by statisticians for over forty years (Cohen, 1994). Significance testing is problematic for several reasons. Most of them, particularly parametric tests such as the T-test assume a normal distribution about the mean. If this is not the case, errors are possible. In addition, these tests are premised upon probability modelling. In this study, results were assumed to be significant at $\alpha=0.05$, which is the convention for social science research. However, it must be remembered that this means that there is a five per cent chance of the claim of significance being wrong, even if no other errors have occurred. Cohen also argued those that the dichotomous nature of significance testing might lead to conclusions that only consider two mutually exclusive elements. There is a possibility, however that they can be simultaneously

true, or there may be other factors that are important. These issues have implications for both the validity and reliability of the study.

Qualitative data analysis, because of its interpretive nature relies heavily upon the researcher's judgements about the statements that are made by the informants. The complex relationship between researcher and participant cannot be overestimated. This does open up the possibility of bias on the behalf of the researcher. The person conducting the study conceives the research project and it would be reasonable to assume that s/he has a personal stake in reaching a satisfactory conclusion to this effort. This might normally mean substantiating the original thesis. In order to try to control this effect, the interview schedule was constructed from the one used for the quantitative analysis and based upon research evidence linked to offending behaviour in women. This however did not remove the possibility of, for example, the role of body language and voice tone in the actual interviews, which might have influenced the answers that the women gave. Additionally, bias could have occurred in the analysis of the data, because of the views and opinions of the researcher influencing the interpretation of the results.

Another potential source of bias in the qualitative part of the study came from the informants themselves. Sometimes, informants have "...good reasons not to be truthful" (Marshall and Rossman, 1999: 110) and this may have affected the data produced in the study. For example, if people are asked to self-report their alcohol or drug intake, it might be safe to assume that this will be under-reported, certainly in some cases. Studies that rely on self-reports are usually prone to this threat, since

there is usually no way to ratify the statements made by the informants. This also applied to the quantitative part of the study in many respects. Although some of the data were collected from sources that could be independently verified (e.g. previous convictions and court appearances) other data collected relied upon statements made by the subjects of the social enquiry reports, which might not have been accurate. Additionally, the report writers could have misinterpreted the information that they received and inaccurately represented this in the writing of the reports.

Ethical Considerations

There were several important ethical considerations that required to be addressed in the detailed planning of this study, most notably confidentiality, consent, and awareness of a possible conflict of roles between being a researcher and a manager.

It was recognised that the information gathered in the study was of a highly confidential and sensitive nature. This applied to several areas of the proposed study. For example, the statistical analysis involved the collection of the personal details of the subjects and necessitated storing these on a computer programme for analysis. This had implications under the Data Protection Act (1998) that makes it illegal to store such data about persons without their knowledge or consent and if they can be identified from the information stored. This also had implications for the University of Edinburgh, which, under this act, performs the role of the controller of information (Code of Practice for Supervisors and Research Students, University of Edinburgh, 2000). Therefore, steps were taken to ensure that all identifiers (e.g. names, pin numbers etc) were removed from the stored data and that it was secured

at all times by a computer password known only to me. The data will be destroyed at the end of the assessment process.

The question of gaining the informed consent of the informants was addressed on several different levels, since agency staff participated, in addition to the informants who were willing to be interviewed. Agency staff needed to be fully aware of the aims and research methods to be used, so that they would understand and support the research. Therefore, draft copies of the research proposal were circulated within the service to all participating team leaders for discussion within their teams. The consent of senior management was given in 2001, again with access to a copy of the research proposal.

The ethical considerations regarding interview informants were even more complicated. The individuals who agreed to take part in the study were entitled to the opportunity to give consent that was truly informed. Homans (1991:71) describes this as:

Informed =

1. That all pertinent aspects of what is to occur and what might occur are disclosed to the subject.
2. That the subject should be able to comprehend this information.

Consent =

1. That the subject is competent to make a rational and mature judgement.
2. That the agreement to participate should be voluntary, free from coercion and undue influence.

It is always, however, difficult to ensure informed consent in a study of this nature.

For example, it would have been clearly possible for each prospective informant to

be sent a copy of the research outline. However, had this been done, those receiving the document would have been faced with reading a long, academic paper, much of which contained information that was unnecessary for them to know (such as the preliminary literature review). So instead, a letter outlining the major aims of the study was sent to the women once they had indicated that they would be prepared to consider participating, with the offer of further information should they require it. In particular, potential informants needed to be informed of the intention to tape-record interviews and be given the opportunity to refuse to do this, even if they did agree to be interviewed.

Related to the considerations outlined in the previous paragraphs, it was also recognised that I occupied a managerial position within Fife Criminal Justice Service. This placed me in a position of organisational power, both in terms of service users and with main grade staff. Care was taken therefore not to use this power to put pressure upon people to participate, or to convey any possibility that participation will impact upon court outcomes, or the supervision of court orders. It had also to be acknowledged that this dual role created another potential to conflate the roles of manager and researcher. For example, if I discovered a social enquiry report that I considered to be of low quality, what action, if any, should I have taken? In order to avoid potential conflict of interests, I negotiated with my colleague managers that I could not give information to them regarding quality of reports, since this was not one of the aims of the research. I also did not discuss reports surveyed with my own staff in a supervisory capacity.

Another ethical dilemma regarding this study was the possibility of the informants disclosing that they had committed offences that placed others in danger. Owing to my dual role as researcher and manager, there was a possibility that these two roles could have conflicted. For example, what was to be done in the situation where an informant revealed that they had placed a child at risk? If absolute confidentiality had been guaranteed, how were my statutory duties to be fulfilled, in terms of my employer's responsibility to protect children? There were three possible solutions to this question. The first was not to offer absolute confidentiality at the outset, but to explain to informants that disclosures of this nature would have to be reported to the relevant authorities. This tactic presented two major problems, however, which may have adversely affected the validity of the research. Informants may have felt that they were being restricted, or even pre-judged should they decide to participate. This might, in turn, have led to potential informants deciding not to participate, or to an interview that was guarded and tentative. Neither of these was particularly desirable.

The second possibility was not to attempt to pre-judge what would happen in the interview and to deal with situations as they arose. The difficulty with this strategy is obvious; if no method of dealing with potentially dangerous information had been formulated, this increased the potential for creating difficulties for the informants, for the organisation and for the researcher. Hence, this was not really an option in this situation. The third possibility probably offered the most promising way of avoiding the difficulties that have been outlined. This involved framing the questions in such a way as to minimise the probability of disclosure within a research situation. In other words, no questions were deliberately asked that may have led to such a disclosure.

This had the advantage of reducing situations where disclosures might have occurred. This did not eradicate the problem completely, but it did provide an opportunity to control the flow of information and direct the informants to the question that has been asked, with some legitimacy. It may also, inevitably, have influenced the depth of some of the material shared by the women.

The ethical considerations that emerged during the course of the study were extremely complex and required ongoing reflection. It was therefore decided to design a research protocol, which was used throughout the study to inform the research process (see appendix 4).

Conclusion

The methodological issues discussed in this chapter are of central importance to the research project. The research strategy chosen appeared to offer the best possibility of producing a valid and reliable study. The sampling and analytical frameworks adopted provided theoretical ways of extracting and understanding the data that was produced in the course of the study, within the general strategy that had been devised. In turn, the research instruments that were used provided practical methods for data collection and analysis.

Whilst care was taken to control possible sources of bias in order to ensure the validity and reliability of the study, it has been argued that these could not be eradicated completely and therefore have had an impact on the validity and reliability

of the study. This does not, however, take away from the usefulness of the findings overall, as I will present in the following chapters.

Chapter 5

Introducing the Informants

Introduction

This chapter provides basic information about the 21 women who participated in the qualitative part of the study, with regard to their offending behaviour. The names of all the women have been changed to protect their anonymity. Although it was possible to check some of the statements given during interview (for example, about previous convictions), the information provided in this chapter and the following findings chapters relies largely upon self-reports of the women. (Issues in relation to the reliability and validity of qualitative data have already been discussed in the Methodology chapter.) All the women who took part in the study were from the white, indigenous population.

The Women who were Convicted of Violent Offences

Avril, aged 28 years

Avril was made the subject of a probation order after smuggling drugs into the prison where her partner was a serving prisoner. Most of her previous convictions were for police assault and all of them were alcohol or drug-related. She was convicted of her first offence when she was 14 years of age. This was a charge of fire-raising. Deemed to be beyond the control of her mother, she was looked after and accommodated by the local authority. Her first official adult conviction was an assault against a police officer, when she was 16 years. She had served many short prison sentences for police assault.

Betty, aged thirty-two years

Betty was a relatively late entrant to offending, as she stated that she did not commit her first offence until she was 23 years of age. Betty's first conviction was fraud, but she had gone on to commit other types of offences, including common assaults. Her most recent court appearance was for a minor road traffic incident, for which she received an absolute discharge. She was the subject of a parole order, having served a seven-year prison sentence for drug trafficking.

Claire aged 18 years

Claire was the only woman who had been convicted for the first time in this group. She had been convicted of a serious assault against another woman in a night-club, using a broken glass. She had therefore made the subject of a two-year probation order. She pled not guilty, offering as a defence that she had been taking a drug for depression, following the death of her grandmother. However, the court did not accept this plea.

Donna aged 22 years

At the time of the interview, Donna had a lengthy list of previous convictions, including assault, robbery, theft and shoplifting. Her first adult conviction was when she was 16 years of age, but she stated that she had offended before this, at 14 years. This involved illegal drug use, but she was never charged with any offence. Her offending continued and she has been on probation on two previous occasions.

Edwina aged 27 years

Most of Edwina's convictions were for assault and misuse of drugs. Her most recent offences at the time of her interview were an assault and carrying an offensive weapon. She was sentenced to a six-month probation order. She stated that her first official offence was committed when she was seventeen, although she admitted to offending as young as 14 years of age. These were shoplifting offences and she stated that she had been taught how to do this by her former partner.

Frances aged 39 years

Frances was 31 years of age when she entered the criminal justice system. This was a conviction for serious assault, involving both herself and her partner. This involved her partner driving a car at a victim with intent to injure them, whilst Frances was a passenger. She was held on remand for this. At first, she was sentenced to probation with a condition of unpaid work, but this condition was dropped because she was pregnant. She breached this and a further two probation orders for non-compliance and further offending. At the time of the interview, she was the subject of a two-year probation order, imposed for shoplifting.

Georgina aged 31 years

Georgina was 26 when she was first convicted and since then had gone on to commit several other offences. These were all assaults, or breach of the peace and assaults. Georgina's convictions were all related to her use of alcohol. She stated that she was arrested because she reacted badly to highly emotional situations, such as the break-up with her partner that led to her most recent offence being committed. She was

placed on probation for this for one year. This was the second time that Georgina has been made the subject of a probation order. She did not comply with her first order and this resulted in her serving a prison sentence.

Hannah aged 36 years

Hannah was 16 when she was convicted of her first offences. These were a series of acts of vandalism against her neighbours. Most of Hannah's subsequent offending involved breaches of the peace. When she was arrested, she said she frequently committed assaults against the police. She had served several prison sentences because of this. At the time of the interview, she had been made the subject of a probation order for such an offence, for one year.

Iris aged 21 years

Iris said she was 12 when she was convicted of shoplifting and was referred to the Children's Hearing system. She continued to offend and at the age 16 years appeared in court for offences of shoplifting and assault. She had many convictions at the time of the interview, but had never served a prison sentence. She reported that her most recent offence was assault and robbery, for which she was placed on probation for one year.

Joanne aged forty-one years

Joanne had been placed on probation for two years following her conviction for trying to set fire to a house with petrol and was co-accused with the 18-year-old boyfriend of her daughter. This was the second offence Joanne had committed. The

first one happened when she was 24 years of age and this was an assault against her daughter, then aged five years.

Kelly aged 18 years

Kelly reported that she had been convicted of her first offence when she was aged 17, an assault against her sister and a further two assaults shortly afterwards. The final assault she committed was against medical staff in a local hospital, as they tried to assist her. Kelly stated that she could not recall anything about this incident, apart from waking up in police custody the next day. She was placed on probation for one year.

Libby aged 22 years

Libby told me that she had been convicted of drinking in a public place when she was 13 years of age. She was then referred to the Children's Hearing system and eventually was looked after and accommodated by the local authority, on the grounds of her offending and being beyond parental control. She remained in foster care until she was aged 16, at which point she moved to a flat of her own. Libby was the subject of a one-year probation order for breach of the peace and police assault at the time the interview took place. She said that this offence was committed with her former partner who was serving a prison sentence. She had been convicted of several of these types of offences in the course of her offending career, but this was the first time she had been placed on probation.

The Women who were Convicted of Non-violent Offences

Margaret aged 26 years

Margaret said she was first convicted of drug offences (supplying) when she was 25 years old. She told me that she had not been involved with the courts before this time, although she did admit to misusing heroin and cannabis before this, but had not been caught. She received a six-month prison sentence for the first offence and stated that she enjoyed it. Her most recent offence was committed in a prison setting, for attempting to supply drugs to her partner, who was a serving prisoner at the time. This latest offence did not attract the custodial sentence that Margaret said she and her solicitor were expecting. She was placed on a probation order for two years, with a condition of drug counselling. She was also ordered to complete one hundred and fifty hours of unpaid work, as a condition of this order.

Nora aged 28 years

Nora had been convicted for the first time of an offence in terms of the Children and Young Person's Act (1937) because she had left her 18-month old son unattended in her car, while she was in her house. For this offence, she received a probation order of three years duration.

Olive aged 32 years

Olive had only been convicted of two offences, 12 years apart. The most recent one was for supplying and possessing drugs (cannabis). She was charged jointly with her partner. Her first offence was theft and deception. She committed this on her own. She was placed on probation this time for one year.

Pat aged 33 years

Pat had been convicted for the first time. This involved the offence of driving whilst under the influence of alcohol and placed on probation for one year. She stated that her children were in the back of the car at the time, as she was taking them to school.

Roberta aged 46 years

Roberta had been convicted for the first time, of possessing heroin and was placed on probation for one year. She had been using heroin for about ten years, but had never been caught. She started using cannabis before this, so had been using illegal drugs for about 15 years, since her early thirties. She stated that she always got her drugs from the same dealer, who lived in the same neighbourhood as she did. She started abusing alcohol when she was fifteen. She was on a methadone programme at the time of her interview.

Sandra aged 42 years

Sandra had been convicted for the first time of defrauding the Department of Social Security, an offence she committed with her husband. She was placed on probation for one year, with a condition of compensation. She said she had not offended before this.

Tina aged 42 years

Tina had been convicted for the first time of driving whilst under the influence of alcohol. She was placed on probation for one year for this offence.

Vera aged 25 years

Vera was convicted of supplying drugs to her husband whilst he was a serving prisoner. She was placed on probation for two years with a condition of drug counselling, because of her addiction to heroin and Valium. She committed her first offence when she was 21 years old. This was a road traffic offence.

Wilma aged 35 years

Wilma was convicted of theft by housebreaking and fraud a few months before the interview took place and had been jointly charged with her partner. She was placed on probation for one year and he received a fine. She committed her first offence when she was 27 years old, also a conviction for fraud and continued committing similar offences. She had in the past been sent to prison for this and was remanded for a time, before being placed on probation for one year.

Conclusion

The 21 women who participated in the study varied a great deal in their offending patterns and the types of offences that they had committed. Additionally, some had committed several offences, whilst others were women who had been convicted for the first time and who had entered the criminal justice system at a relatively late stage in their lives. The following four chapters, which present the findings of the study, explore whether these differences are linked to the women's personal circumstances and how these have affected the women's offending behaviour.

Chapter 6

Findings - Offending Behaviour

Introduction

This chapter explores offending behaviour. This topic is of central importance, because it is the offending patterns of the women that provide the basis for the analysis in the following chapters.

Firstly, the chapter reports on the quantitative analysis was carried out, using the data from 200 social enquiry reports and case files, by using an Excel spreadsheet. This analysis permitted information to be extracted regarding the age considerations of the population and the offending history of the two groups of offenders, their age at first conviction and the types of offences they typically committed. The first domain of the Level of Service Inventory (Revised) or (L.S.I.-R.) is also included, since it deals with offending history.

This is followed by the findings from the qualitative part of the study. The 21 women interviewed were asked questions about their patterns of offending, in order to investigate whether the results obtained in the quantitative analysis were paralleled in this group. In addition, the women were asked about other aspects of their offending, which it had not been possible to gain from statistics and documents. These related to the circumstances surrounding their first conviction and their subsequent offending behaviour.

Quantitative Findings

Age Considerations

Age at First Conviction

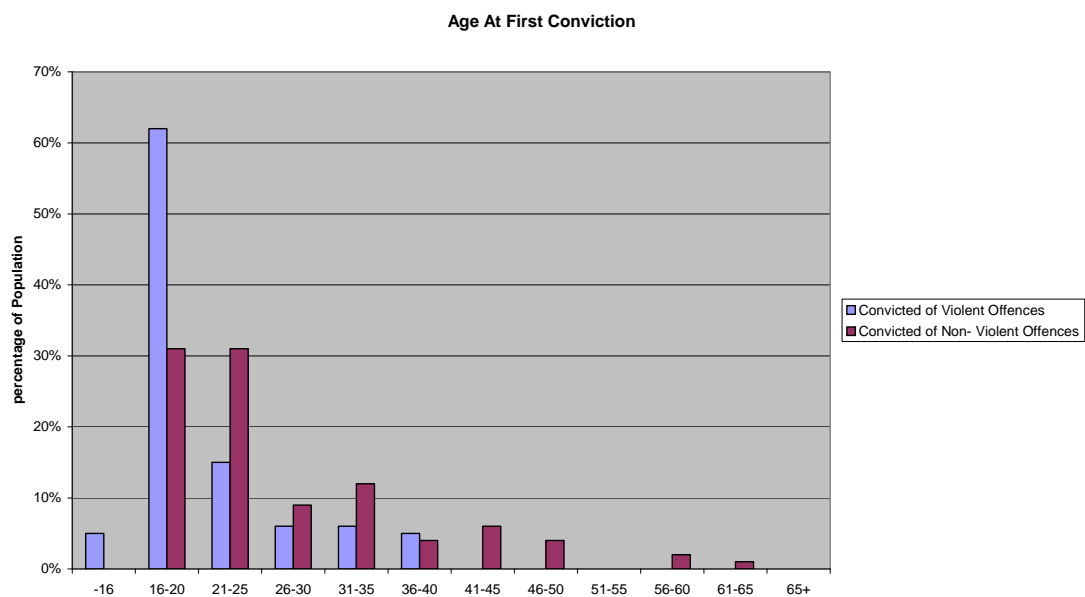
Age at first conviction is an important indicator of the likelihood of an offender continuing to offend (Andrews et al, 1990b). In the population of women offenders considered, it was clear that the women who were convicted of violent offences appeared in court at an early age. Nearly 70 per cent of this group were first convicted under the age of 21 years. Additionally, none of this group was first convicted over the age of 40 years.

It is impossible to tell from these statistics whether these women were offending at an even earlier stage, since this information was not available at the time the research was conducted. Persons who offend under the age of 16 years are not referred to Fife Council Criminal Justice Services, because this piece of work is usually undertaken by the Children and Family section of the department. Therefore, it could well be the case that these women are “life-course persistent” offenders, in the main, as described by Moffitt (2001:208). Those females who were offending in their early teenage years, but had stopped (“adolescent-persistent”) would not have been included in this study.

The women who were convicted of non-violent offences showed a completely different pattern (see figure 6.1). Whilst some members of this group were convicted under the age of 21 years, this figure only accounted for about 30 per cent of the sample. The remainder entered the adult criminal justice system over the age of 21

and some began their offending career at a relatively late stage in their lives. For a few women, this occurred in their 50's and 60's. As the median for this group is 24 for age at first conviction, this indicated that the majority of the group members began offending, at least officially, in their 20's and 30's.

Figure 6.1 Age at First Conviction



There could be several reasons for the later onset of conviction in this group. This may be seen as linked to the way in which these statistics have been gathered and so these findings should be interpreted with some caution. Scottish Criminal Records Office checks (S.C.R.O.'s) have only been used consistently in all of the Fife courts during the three years preceding the collection of the data. This was linked to difficulties in obtaining the Unique Reference Number (U.R.N.) on each offender. These reference numbers are assigned by the Crown Office and follow the offender through the system, in much the same way as a National Insurance number operates in the benefit system. There have been instances of these references being confused

with each other or lost, which might have affected the results obtained. Additionally, if some of the subjects had offended out-with Scotland, these offences would not have been recorded in this system. However, these objections applied equally to the other group and so therefore the conclusion reached was assumed to be valid. When the T-test was applied to this data, the difference between the two groups was found to be statistically significant. The t statistic was calculated to be -4.7. The critical value for t was 1.6 (one-tailed test). The probability (p) ($T < t$) was 3.28×10^{-6} . The degrees of freedom were 127. Alpha was assumed to be 0.05.

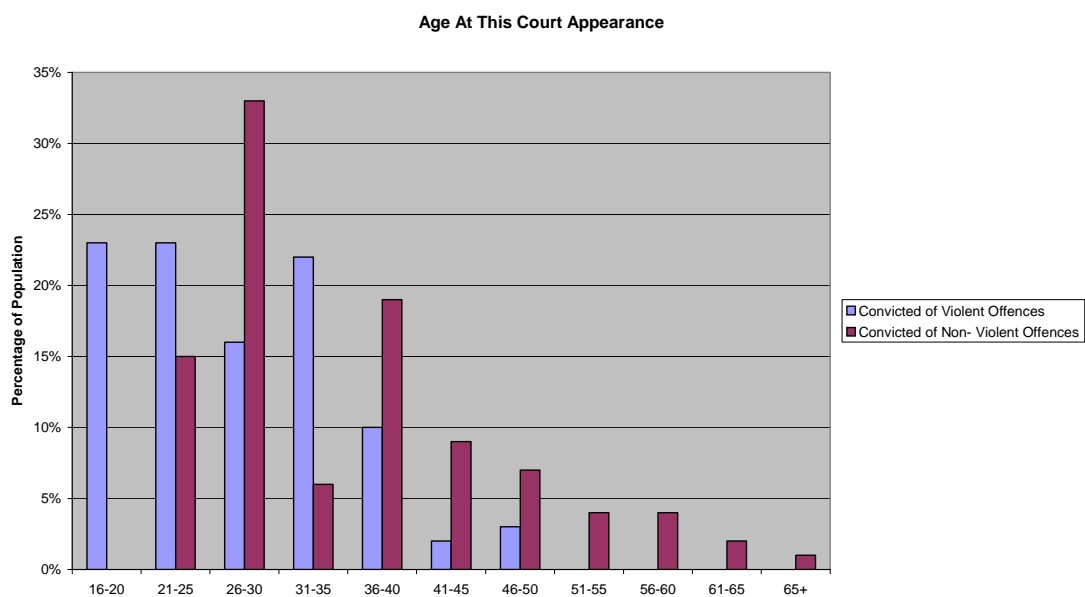
Age at Most Recent Court Appearance

In general, the entire sample of women was older than perhaps might be expected. The median for both groups calculated at age 27 years, that is, half the sample (or 100 individuals) was aged 27 or over at their most recent court appearance. This finding does not, at first sight, reflect most research regarding aggregate offending patterns, which indicates that the peak age for offending in women occurs under the age of 21 (Smith, 2003:717). However, it must be remembered that the women considered in this study might not be representative of women offenders as a whole, but only of those who were convicted and referred for the preparation of a social enquiry report. This could mean that the population considered contains greater numbers of persistent or serious offenders.

Looking at this in more detail, just under half (46 per cent) of the women who were convicted of violent offences were aged between 16 and 21 years of age. The

remainder were older, but most of these offenders were in their late 20's or early 30's, with only a few being convicted of offences after this point (about 15 per cent). Those who were convicted of non-violent offences appeared to be much older. There were no offenders under the age of 21 years in this group and over 50 per cent were between the ages of 21 and 35 years. These women also tended to offend and be convicted relatively late in their lives (see Figure 6.2).

Figure 6.2 Age at Most Recent Court Appearance



When the T-test was applied to this data, statistically significant differences were found between the two groups. The t-statistic was calculated to be -2. The critical value of T was 1.6. The probability (p) ($T < t$) was 0.02. The degrees of freedom were 145. Alpha was assumed to be 0.05.

These results are not inconsistent with national statistics. In the year 2003-2004, as 23 per cent of all social enquiry reports prepared about women concerned those in the age-group 16-21 years. The remainder were older and most of these women were

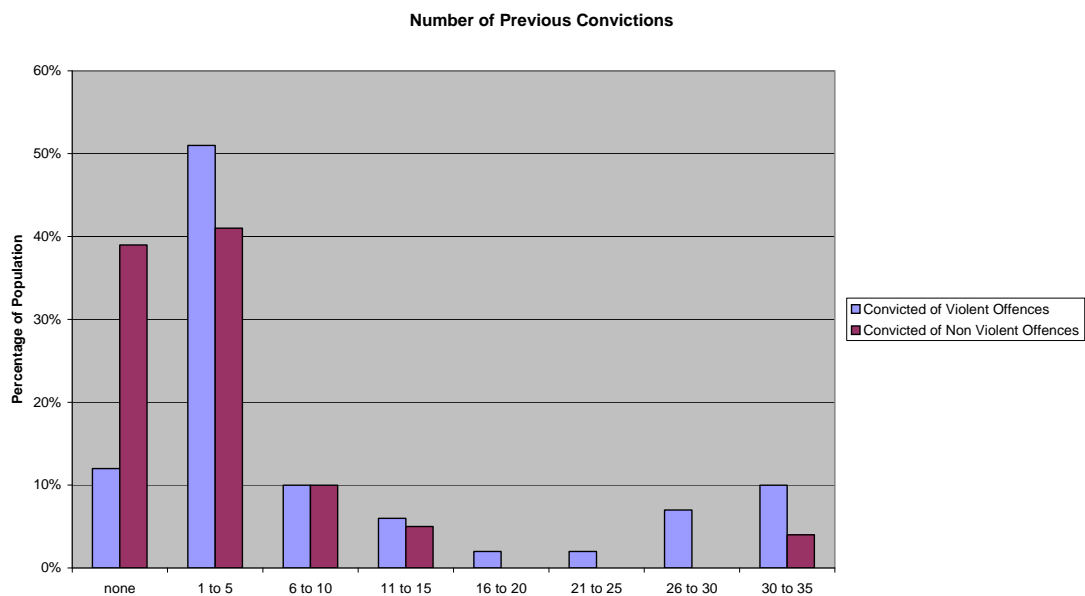
aged 21-40, with 10 per cent of the population aged 40 years and above (National Statistical Bulletin, 2005).

Offending Behaviour

Number of Previous Convictions

Those who were convicted of violent offences tended to have several previous convictions and relatively few had been convicted for the first time. This does show a degree of recidivism, although it is reasonable to suggest that a male sample might have displayed even higher numbers of previous convictions. (Brown et al's Scottish study (2004) found that on average males had a much higher rate of recidivism than females.) Although there were more women who had been convicted of non-violent offences, just under half had between one and five recorded convictions (Figure 6.3).

Figure 6.3 Number of Previous Convictions

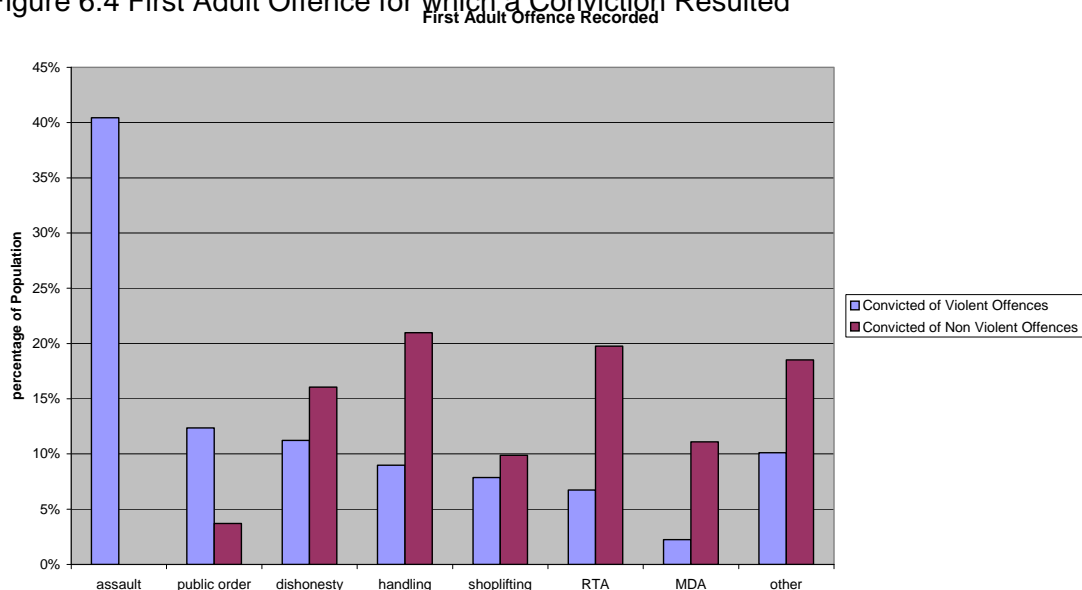


The results obtained when the t-test was applied to this data indicated that these differences were statistically significant. The t-statistic was calculated at 4.3. The critical value of T was 1.6. The probability (p) ($T < t$) was 1.9×10^{-5} . The degrees of freedom were 197. Alpha was assumed to be 0.05.

Types of Offences for which the Women were Convicted

The following graph depicts the first recorded adult offence that the women in the population ever committed. The quantitative data shows great variance between the two groups in this regard. In addition to the assaults they had committed, the group of women convicted of violent offences were more likely to be found guilty of public order offences, as compared with the rest of the population studied. The women convicted of non-violent offences committed a greater variety of different crimes (see Figure 6.4). Road traffic offences were also prevalent, but rather surprisingly, shoplifting was not particularly frequent in either group. This is at odds with some research on women's offending (e.g. Carlen, 1988). The relative scarcity of this offence within this group of women raises some interesting questions. Is shoplifting as prevalent among convicted women offenders as some feminist literature would have us believe?

Figure 6.4 First Adult Offence for which a Conviction Resulted



The categories for this and the following part of the analysis were chosen because of the frequency of their occurrence in the data. The category “serious assault” which is used in government statistical information was omitted (see for example Scottish Executive Statistical Bulletin, 2005), because only one of the entire sample had committed a serious assault. This means that, although some of the women did commit assaults, in the vast majority of the cases they were not classed as serious. Public order offences are a general description for offences like breach of the peace or being drunk and incapable in a public place. Dishonesty offences include theft, theft by housebreaking and theft by opening a lockfast place (O.L.P.). Shoplifting, road traffic offences and offences under the Misuse of Drugs Act (1980) are self-explanatory.

Those crimes labelled “other” included offences whose frequency was too small to construct a separate category. There were ten of these in the group of women who were convicted of violent offences. These included offences such as contraventions of the Civic Government Act, the Children and Young Persons Act (1937), carrying an offensive weapon and wilful fire-raising. The women who were convicted of non-violent offences had committed broadly similar “other” offences, but with slightly more frequency, as there were 15 women in this category. As far as the other categories were concerned, assaults and public order offences together account for more than half of the original convictions of the women who were convicted of violent offences. They also however committed other crimes, but with far less frequency in the categories outlined above. This suggests some degree of specialisation, since other categories of offences did not feature strongly in the

distribution. The differences in the distributions were found to be statistically significant. χ^2 for the distributions was calculated to be 36, with 7 degrees of freedom. The critical value of χ^2 was 14. The level of significance (p) was 0.05.

When the women's present offending was considered, the distributions showed many similarities to the results obtained when first offences were analysed. Again, over 50 per cent of the women who were convicted of violent offences appeared in court regarding, either assault or public order offences, with the other categories occurring with much less frequency. Shoplifting accounted for less than 5 per cent of these appearances. Road traffic and dishonesty offences occurred with about equal frequency in the group who commit non-violent offences, but again shoplifting does not feature strongly in the distribution.

These results are difficult to interpret, since most aggregated national statistics tend to count shoplifting as a form of theft. Of course, consideration must also be given to the possibility that these women were committing other offences (including shoplifting) but were not getting caught, charged and brought to court. This would affect the previous conviction list of these women. Unfortunately, statistical analysis cannot answer this question. When χ^2 was applied to this set of data, the differences in the distributions was found to be statistically significant. χ^2 for the distributions was calculated to be 28, with 7 degrees of freedom. The critical value of χ^2 was 14. The level of significance (p) was 0.05.

L.S.I.-R Analysis Domain (1) Criminal History

The following table represents the results of the data collection undertaken, using L.S.I.-R. as a statistical gathering tool. There are ten categories, or “domains” in L.S.I.-R. and domain one deals with the criminal history of the subject. When all the findings were aggregated, these results were obtained. The actual number of people in each category is given in brackets and the sample size is given at the head of each category.

These results obtained supported the observations made in the demographic data. The vast majority of those who were convicted of violent offences were not women who had been convicted for the first time. Interestingly, 15 per cent of the women who were convicted of violent offences were arrested under the age of 16 years. This compares with only one per cent of those convicted of non-violent offences. Comparatively few women convicted of a violent offence had had a custodial sentence imposed, just 17 individuals out of a total of 105 subjects. The use of custody was even rarer for the women who were convicted of non-violent offences, with only three of this sample having this disposal in their criminal records. Using statistical analysis, the differences between the two groups of offenders was found to be statistically significant in half of the categories. The critical value for χ^2 in each category was 3.84, with $p \leq 0.05$. The degrees of freedom in each category was=1. Domains 5, 6, 7, 8 and 10 were not tested because the percentages in the categories were insufficient. A number less than 5 invalidates the test (Mendenball et al, 1993: 830).

Figure 6.5 L.S.I.-R. Analysis; Domain One Criminal History

		Convicted of Violent Offences	Convicted of Non- Violent Offences	χ^2	Significant
Domain 1	Criminal History	100% (105)	100% (95)		
1	Any prior adult convictions	84% (88)	54% (51)	16.6	Yes
2	Two or more previous convictions	70% (74)	42% (40)	18.6	Yes
3	Three or more previous convictions	62% (65)	35% (33)	20.8	Yes
4	Three or more present offences	24% (25)	9% (9)	25.0	Yes
5	Arrested under age 16	15% (16)	1% (1)	n/a	n/a
6	Ever incarcerated on conviction	16% (17)	3% (3)	n/a	n/a
7	Escape history from correctional facility	0	0	n/a	n/a
8	Punished for institutional misconduct	5% (5)	0	n/a	n/a
9	Charge laid during supervision	34% (36)	9% (9)	69.4	Yes
10	Record of violence	100%	0%	n/a	n/a

Taken together the L.S.I.-R analysis demonstrates that those convicted of violent offences displayed greater levels of criminality than those who had not been found guilty of such an offence. This is not unexpected, given research evidence on this subject (Loukes and Zamble, 2001).

Qualitative Findings

Age Considerations

When conducting the qualitative interviews, the women were asked about the age at which they began offending and their age at their most recent court appearance. This

was done in order to ascertain whether this group of discussants was broadly similar to the population considered in the quantitative part of the study. In addition, this provided valuable information about the length of time that they had been involved in criminal behaviour.

Eight of the women in the group who were convicted of violent offences had committed their first offence under the age of 21 years and one informant admitted to doing this at the age of 12 years. Only two of the informants admitted having been involved with the Children's Hearing system for offending behaviour, although a further three described offending under the age of 16, but not getting caught. This means that about half of these informants described being involved in juvenile offending. The remainder of the group began offending in their late teens or later. Only two of the informants in this group were under the age of 21 years at the time their most recent court appearance. One of these was the only woman in the group who had been convicted for the first time. Most of the others were in their late 20's or early 30's, but one was older, aged 42 years.

There were nine informants in the group of women who were convicted of non-violent offences. Without exception, they reported that they had begun offending over the age of 21 years. At the time they participated in the study, three were aged between 25 and 30, three were aged between 31 and 40 and three were over 40.

These findings indicate that the group of women who were interviewed reflect the characteristics of the population considered in the quantitative part of the study.

Pathways into Offending

The women were asked to comment upon the circumstances surrounding their first offence and whether anyone else was involved. When the data were analysed, it became clear that there was no particular pattern in evidence with regard to the women who had been convicted of violent offences. Some women had committed offences with partners, others had done so with friends and yet others offended alone. The first offences committed by this group of women were equally divided among these three categories. In contrast, the women who had no convictions involving violence were either primarily influenced to offend by their partners or they offended alone.

In most cases, the group that committed violent offences begin their offending careers with a public order offence or an assault and in many instances, this was linked to alcohol or drug use. Kelly, for example, committed her first offence (an assault) following consumption of alcohol, in the company of friends:

Int: So, would you like to tell me a wee bit about what was going on that night?

Kelly: It was during the day. I was at M. Gala and I had a wee drink. It must have got spiked, because I've never been that way before with drink. I can't remember anything else. I just remember waking up in the cells.

Int: So, what time of day was this about, roughly?

Kelly: Just about the time that the gala started- about twelve.

Int: Were you alone or with friends?

Kelly: I was with my pals to start with.

Int: So, you went to the gala. Do you remember anything about the gala?

Kelly: No, I just remember that I was having a wee drink.

Int: What were you drinking?

Kelly: Smirnoff ices.

Int: And you say that somebody must have spiked your drink. Where were you drinking? Were you drinking outside?

Kelly: Aye. I was drinking all over the place.

Int: Right. So it could have been done at any time?

Kelly: Yes.

Int: And then what happened?

Kelly: I just remember waking up in the police cells.

Int: You don't remember anything at all about the assaults when you got to the hospital?

Kelly: No. I just remember waking up in the police cells and then going up to court.

Int: You must have been involved in some kind of fight?

Kelly: No, I can't remember whether I was or not. But my auntie and that says that I was bad with the drink. I've never been that way before.

She stated during her interview that this was not normal behaviour for her. Despite this, she went on to commit other assaults soon afterwards. When describing these, she believed they were a reaction to the combination of alcohol and situations that she found difficult to manage.

For the women in this group, as teenagers, the findings indicate that the relational bonds made by them at that time had a major effect upon their initial offending behaviour. This was not the only influence, however, since some offended alone on

this first occasion. This would appear to have been a reaction to an adverse family situation. For example, Avril's conviction as a teenager (for wilful fire-raising) was the result of offending alone. However, she also stated during interview that she attributed her actions to a poor relationship with her parents, notably her mother. Therefore, this suggests that, even if offences are committed alone, there is still a relational aspect to them that is worthy of consideration. This link to relationships within families is stressed by Moffitt (2001).

Several writers, notably Edwin Sutherland (1947), have postulated social explanations of crime. He argued that systematic criminal behaviour is a technical activity that can be learned (1947:19). This happens in interaction with social groups, in a process of communication, both verbal and non-verbal. The learning of criminal behaviour involves both the technical aspects of committing the crime and the rationalisations for that behaviour. These rationalisations are linked to perceptions of the legal codes, which are seen as favourable or unfavourable. A person becomes delinquent when there is an excess of unfavourable definitions.

The importance of peer influences is also recognised by more recent literature that considers the offending of young women. For example, Batchelor and Burman (2004:279) highlighted the importance of understanding how relationships are used and interpreted by girls and women. Their study, recently carried out in Scotland examined the attitudes to violence of 279 teenage girls. There were indications that the informants in the study had a distinctly relational attitude to violence and aggression. The researchers relate, for example, how aggression is frequently

expressed as a result of difficulties with close peer or family connections. These researchers also found that, whereas males will respect rules because they are rules, females will often adopt a more relational attitude to situations, “bending” conventions to circumstances.

For the women in this group who began offending later, particularly in their 20’s, the influence of partners appeared to be of most importance in encouraging the women to offend. During her interview, Betty told me that her offending started when she left her original partner for a new one:

Betty: It is. It’s just that I do everything back to front. I was in a steady relationship from when I was sixteen to twenty-three. I had my little boy in that time. When I was twenty-three I split up from my little boy's dad and that's when I started going right downhill.

Int: What led up to that?

Betty: We just weren’t getting on. He was going out with somebody else behind my back. So I just had enough and left him.

Int: You never committed offences when you were a young person, then? Were you ever involved in the Children’s panel or anything?

Betty: No. I've never been in trouble until I was in my early twenties, never been arrested by the police or cautioned or been involved in fights. Nothing

Int: So this first offence of fraud and deception. What was that all about? How did you get involved in that?

Betty: What happened was that when I split up with my little boy's dad I started getting involved with the wrong crowds. I started taking heroin and crack and formed a habit. I started committing crime to fund the habit. I was doing things like cheque books and credit cards and that's how I ended up getting done for fraud and deception.

Int: Why do you think you started taking drugs at that time? Had you ever taken drugs before?

Betty: I basically met this guy who was into drugs big time. I started using because he did.

Betty's account fitted with much of feminist literature on this subject, which acknowledges the important role that partners have upon the offending behaviour of women. One of the major underpinnings of feminist scholarship is that women are highly influenced to commit criminal acts by their partners (e.g. Smart, 1976). She was probably the first author to emphasise this aspect of female offending. Certainly in Betty's case, this analysis would seem to describe her view of her actions accurately.

The women who were convicted of non-violent offences showed considerably different patterns to those of the group convicted of violent offences. Partners appeared to have a considerable influence upon the offending behaviour of this group of informants. In most cases where a criminal partner existed, the women stated that this was the greatest influence upon their actions.

For example, Margaret supplied drugs to the surrounding neighbourhood and said she had done so for several years. She told me that she was first introduced to drugs by her boyfriend when she was a teenager. As time went by, he encouraged her to deal in drugs as well. Therefore, supplying drugs appeared to be a joint venture for this couple. Margaret blamed her first conviction on someone "grassing her up", probably a neighbour, she thought. However, she acknowledged that she has been supplying drugs for years before this and she would probably not have even started taking drugs had it not been for her partner.

For other informants, the pathway to offending behaviour was more sudden and linked to financial circumstances. When Sandra defrauded the Department of Health and Social Security with her husband, she stated that this was committed in response to lack of finances:

Int: Tell me about the offence. What was it about?

Sandra: I got done for Social Security fraud.

Int: How did you do this?

Sandra: It was my man who basically did it. He made the claim and put the money in my account. So I got done as well.

Int: How much money was this, roughly?

Sandra: Must have been about two grand.

Int: Why did you do this?

Sandra: We had no money, basically. My man got made redundant a few months before and we were skint. It went on for over a year.

Int: How did you manage to get away with it for so long?

Sandra: Because they didn't bother to check if I was working or not. They did eventually. That was how we were found out.

Her husband had made the fraudulent claim and had arranged for it to be placed in her bank account. This had gone on for several months and clearly was linked to her husband's redundancy, which had happened several months before. From Sandra's account, her offence was linked to a loophole within the regulations and when they saw an opportunity to exploit it, they did.

Some women who had been convicted of non-violent offences reported that peer influences did not play a large part in their decision to offend and there were two

informants who had committed their first offence alone. These were women who had been convicted for the first time, for driving whilst under the influence of alcohol. Although there was no-one else involved directly in these offences, the women both made connections with their offending and events in their lives that they found to be problematic. For example, Pat linked her offence directly to the (then recent) death of her sister, since it was this that had led her to drink to excess initially.

The influence of partners in this group is marked and this is well supported by feminist literature. For example, Gelsthorpe (2004:24) highlights the role that male dominance, within a framework of patriarchy plays in the offending behaviour of women. Although she acknowledged that the rather imprecise term “patriarchy” is a difficult one to define and measure, it has nevertheless contributed to our understanding of female offending. In Margaret’s case, the scene was set for her to offend officially at some point, because of the dominant role that her husband played in the relationship and his involvement in criminal activity. In Sandra’s situation, the decision to offend was clearly linked to finances and in that sense was a rational decision to jointly offend with her husband.

The influence of partners may play a more crucial role in the initial offending behaviour of the group who were convicted of non-violent offences, probably because they were older and perhaps would be less likely to be influenced by peers. All of these women were over the age of 21 years of age when they were convicted of their first offence and none admitted to offending officially as juveniles. Although there was some evidence in a few cases of unruly behaviour as teenagers, this was

not an issue for most of the group. These findings are not supported by much of the current literature on this subject. Most studies estimate that the peak age for female offending is less than 21 years (Smith et al, 2004).

Circumstances Surrounding the First Admitted Offence

The first offence committed and the circumstances in which it took place are important indicators of the nature and duration of offending behaviour.

Eight of the women who were convicted of violent offences stated that they committed first offences that involved either a public order offence or an actual assault. This, in most cases, set the scene for further violent criminal activity. As we have already established that only two of this group stated that they appeared before the Children's Hearing system, so what was the "trigger" that led to this first offence being committed?

For most of the women convicted of violent offences, it would seem that the circumstances surrounding the offence were conducive to such an offence being committed. In most instances, the women reported that this was unplanned. For example, in the case of Donna, a weapon (a cut-throat razor) had been made available to her by her boyfriend:

Int: Can you take me back a bit to when you committed your very first offence?

Donna: My very first offence was when I was sixteen and it was a cut-throat razor. I was going out with this Glaswegian guy I had met and, to cut a long story short, I seen these girls who were wanting to have a fight with me. So, they were actually in a phone-box. I chapped the door and said, "get yourself outside". She said "I'm on the phone to my dad; I'll be out just

now, you cow.” She actually went to put the phone down, and when I wasn’t watching, she phoned the police. So, the police are hearing me saying, “You cow, blah, blah, blah”. The next thing I know, they come flying down.

Int: Did you have the weapon on you?

Donna: Yes, I had the razor down my pants.

Int: Was it a cut-throat razor?

Donna: Yes, it was a proper cut-throat razor.

Int: Where did you get a hold of that?

Donna. It was the Glaswegian guy who had given it to me. He had broke into a hairdressers and stolen it. He said he got it from a hairdresser’s.

Int: In Glasgow?

Donna: Yes.

Int: That must be very unusual now. I haven’t seen one for years and years.

Donna: That happened when I was sixteen. I’m twenty-two now.

Int: I was meaning longer than that.

Donna: Anyway, I got lifted, went to court for it the next day. Because it was my very first offence, the judge ordered it to be destroyed and gave me a £75 fine.

Although the weapon was never used, this made the whole incident more serious, because it might have led to a serious assault being committed. The availability of weapons is linked to violent behaviour by many researchers, notably Chesney-Lind and Brown (1999). In their review of literature on this subject, they found that having a weapon increases the chance of actual violence taking place, because the person carrying the weapon feels more powerful and less likely to avoid confrontation.

This was not the only factor in producing acts of violence in this group. In most cases, the women reported some kind of adverse emotional reaction to a variety of different situations. For example, Georgina reported that her offending behaviour was always linked to difficulties in the relationship with her partner. Her first offence was committed because of this. Georgina told me that she had not accepted that the relationship was over and kept trying to repair it. This led to her ex-partner having her charged with breach of the peace. She was also charged with police assault when she tried to resist being arrested. Georgina also stated that she found great difficulties in her personal relationships and this got her into trouble. She did not seem to have moved on very easily from these situations and offended as a result. Other examples given by this group of women ranged from bullying at school, separating with a partner, and the death of a close relative. This implies that, whatever else it is, violent criminal activity is not seen pragmatically by this group, but seen as a highly charged emotional event.

Generally speaking, the role that emotions play in offending is not prominent in correctional literature. However, the *Women Offenders - A Safer Way?* (1998) does acknowledge that a person's emotional state can have a negative impact upon behaviour. This may imply that this aspect of criminal behaviour needs to be considered in addition to other criminogenic factors.

For the remaining four informants, two were convicted of shoplifting one was convicted of fraud and one was convicted of illegal drug use the first time they reported that they had committed an offence. In these cases, violent offending

behaviour became evident later. The circumstances in which these offences took place are perhaps worthy of note, because in three cases, the informants stated that these first offences were committed under the age of 16 years and that they were influenced to do so by their friends. For example, Donna reported that she had been misusing drugs since she was 14 and had started doing so because she had been encouraged to do so by friends at school.

Alcohol and drug misuse also appears to be closely linked to these women committing acts of violence and this will be fully discussed in Chapter Seven. There was only one case (Hannah) where she stated that her offence was not related to the misuse of substances. So, it may therefore be concluded that, for this group, the violent offences committed were linked to emotional stress, exacerbated by drugs and/or alcohol.

The group of women who were convicted of non-violent offences reported an “accidentalism” about their first offences and most seen themselves as the victim of circumstances. These responses closely resemble those given by the women who were convicted of violent offences. This took several forms. For example, Nora’s explanation for her offence was that she thought she was doing the right thing by leaving her young son unattended in her car while she was “getting on with her housework”:

Int: You’re on probation at the moment. What was that to do with?

Nora: I had left my, at that time, one-year-old son in my car outside my home.

Int: Outside your house?

Nora: Yes, outside my house. I live in a sort of farm area. It was my anniversary and I'd been doing a lot of housework. Of course, one half hour goes into the next half-hour. So, I left my son there too long, obviously. The health visitor came along and couldn't raise me. I was doing housework and she couldn't get hold of me. I got charged with abandonment. It went to court and I was given three years probation.

Int: Three years is a long time. Why did you leave him in the car?

Nora: I left him in the car because he had been upset and stuff throughout the night, so this is the quietest and safest place for him to be at the moment. I thought I'll clear up the house, he won't make too much racket and then I'll bring him back. He was teething pretty hard at the time. I was just trying to make him comfortable. If I had done things differently in the house, he would never have been in the car. I didn't think that what I was doing could have been a hazard at the time.

Int: The court papers said that you were in bed at the time. Is this true?

Nora: No. It happened like I told you. I just didn't hear the health visitor coming to the door.

Int: How do you see it now? What would you do?

Nora: I think I would have tried not to make so much mess the night before. I can't stop the fact that he was teething. I think I would have tried to keep him with me, rather than put him in the car, because of the hazard. It wasn't the best thing to do at the time. At the time, I just didn't have a thought for it.

She also told me that she had been "surprised" when the health visitor had involved the police and she felt the court had dealt with her harshly when she was placed on probation for three years.

This "it was really nothing to do with me" attitude manifested itself in many different forms. One woman (Olive) even described her first offence as "A stage I was going through". These comments made by the women appeared to indicate that they view their first offence as some sort of mistake, one that they did not intend to repeat. In

one case (Pat), the informant said she could clearly link her first and only offence to the suicide of her sister. She said that she started drinking heavily after this happened and this resulted in her committing a drink driving offence. She admitted that she drank to excess before her sister died, but also stated that she had not consumed alcohol at all the year before the offence was committed because she was pregnant. She directly related her offence to her sister's death and this was the only informant in this group to do so. Pat stated that she did not intend to commit any offences ever again.

These responses given by the women may be linked to how qualitative interview subjects seek to present themselves in this situation. As Marshall and Rossman (1999:110) discuss, some subjects of this kind of data collection "have good reasons not to be truthful". It may well be the case that the women reported their situations in a way that presented them in the best possible light. Nevertheless, the women who had been convicted for the first time in the group did show optimism about being able to avoid offending in the future. This is probably justified, given that they had managed to do this for a large part of their lives. Therefore, this may indicate that these women did not see themselves as being particularly criminal. This conjecture is supported by McIvor and Barry's (1998) study of women probationers. Their findings indicated that the majority of women probationers did not categorise themselves as "criminals" but rather as people requiring help with various aspects of their lives.

Subsequent Offending Behaviour

Within the group of women convicted of violent offences and who had committed more than one offence, only three had committed exactly the same type of offence as their original one. In all cases, this was an assault. For the remaining nine informants subsequent offending behaviour tended to be diverse, evidencing the commission of a variety of different crimes. For example, Edwina started out her offending career as a shoplifter, but quickly began committing assaults. She also has convictions for drugs misuse. Whilst her earlier convictions were committed with her then partner, her later convictions were not and sometimes her assaults were perpetrated against her partner. Edwina told me that she got involved in these incidents because she liked to “sort things out herself”. She stated that she “never involves the police if she can help it”.

Also, there was a tendency for the offending of this group to become more serious as their criminal careers progressed. For example, one of the informants, Joanne reported that her first offence was an assault, but her most recent offence was wilful fire-raising:

Int: Would you like to tell me a bit about the offence that you got put on probation for?

Joanne: I got done for wilful fire-raising. There wasn't much to tell really. My part in it was to give this boy a lift to get the petrol. I ran him to the petrol station. He asked me to take him for fags and that was what I thought I was going for. When we got to the petrol station there was a petrol container in the back. I didn't know it was there. It's my boyfriend that deals with all that kind of stuff- containers and that kind of stuff. When I asked him- the boy in the car- what it was all about, he gave me some story about needing to get petrol for a lawnmower.

Int: So this was your co-accused then?

Joanne: Yes, he was my co-accused.

Int: What age was he?

Joanne: seventeen.

Int: And then what happened?

Joanne: He took the container out of the boot and asked if I could put petrol in it. Took it out and took the lid off and said to him I think you should do it yourself.

Int: And what happened after that?

Joanne: He went and paid for the petrol and his fags. After that I dropped him and my son off at L. Street because he lives there. My son said to him, can I go with you and then I drove away. That's the last I seen of him.

int: So what else happened that night?

Joanne: He put the petrol through the letterbox. I wasn't there. My solicitor says it's a thing called "arts and parts". Even although I wasn't there, I was still involved. That was my part. I just took him to get the petrol.

These findings are not supported by much of the recent research regarding women's offending. Literature on this topic tends to conclude that female criminality is neither serious nor diverse. For example, the introductory remark made by the prisons reform trust (*Women Offenders - a Safer Way?* 1998: iv) states: "The number of women prisoners who actually pose a grave danger to the general public can probably be counted on the fingers of one hand."

Of course, crucial to the understanding of the above sentence is the definition of "a grave danger to the public". Nevertheless, for this group of offenders, it is clear that the usual assumptions made about the nature of women's offending were not borne out by the statements that they made during the course of their interviews. These women sometimes committed offences that were extremely serious.

In addition, the women reported that they sometimes committed offences that were not linked to acquisitive crimes, such as shoplifting, theft and fraud. Apart from the violent offences that the informants had committed, they had also been involved in other types of criminal activity. Liz for example reported that she had committed road traffic offences and Donna stated that she had been convicted of drug offences. The acquisitive nature of women's offending is another major assumption made by feminist scholarship on this subject (Carlen, 1988). The findings of this study indicate that, although some of the women in this group did commit acquisitive crimes some of the time, most had a diversity about their offending that is not fully explained by some current theories about female offending.

Within the group of women who were convicted of non-violent offences, only four members had been convicted of more than one offence. Although this entire group showed much less criminality than the group who were convicted of violent offences, those who did commit further offences tended to escalate their offending in all cases. These informants all offended with their partners. Wilma said that she graduated from fraud to house-breaking during the course of her criminal career, which at the time of interview had lasted seven years. At first, Wilma stated that she has committed her first offence only a year before, but on further prompting stated that she had committed another offence several years earlier, describing it as "just fraud":

Int: Can you remember how many offences you've actually committed?

Wilma: About ten or something. Or more. I can't remember.

Int: What kinds of offences do you commit?

Wilma: Mainly theft and fraud. I've committed a few frauds.

Int: So when did you commit your first offence?

Wilma: About a year ago.

Int: What age were you then?

Wilma: I was thirty four.

Int: And you had never offended before that?

Wilma: Just fraud.

Int: What was that about?

Wilma: I took a credit card from my gran's house. It was only about fifty quid, but I got fined and had to pay the money back.

Int: When was that?

Wilma: About seven years ago.

Int: What age are you now?

Wilma. I'm thirty-five.

Int: So you would be about twenty-seven or twenty-eight?

Wilma: About that, yes.

Int: When you were a youngster did you commit any offences?

Wilma: No never.

Int: You didn't have anything to do with the children's panels or anything like that?

Wilma: No, I never had anything to do with them.

Int: Was your boyfriend involved in your first one?

Wilma: Yes.

Int: Do you jointly offend quite a lot?

Wilma: Yes. All of my offences have been committed with him.

From what she said, Wilma herself did not regard the fraud offence as very serious and in fact, the sum of money involved was not large. The house-breaking offence was more serious, in that a much larger sum of money was involved and the offence itself was regarded more serious by the court and attracted a more severe sentence.

This story and the similar tales told by the other three informants may link with Worrall's suggestion (2004:334) that what influences persons to offend and sustains that behaviour cannot be understood purely in terms of individual criminogenic needs. The individual's relationships and the environment in which they live must also be taken into account.

The primary social bond that appeared to have influenced these four informants was not their peer group, but the relationship they had with their partners. This appeared to be the mechanism by which these women learned to offend and were sustained in this activity. This phenomenon would also be explained by Sutherland's differential association theory, in that the strongest social bond has the most influence (1947:9)

What Sutherland did not perhaps address in his analysis was the possibility that that relationships other than the ones formed in childhood and adolescence might enter an individual's life at a later stage. These might provide a stronger bond than the parental one experienced in their earlier years. This "new bond" would fulfil all of the modalities outlined by Sutherland. The bonding could take many forms, but the most obvious bond that a person makes in adult life is the one that is formed with a partner. Feminist theorists may offer some insights in this regard. This perspective has tended

to emphasise the important role that criminal male partners have upon the offending behaviour of women (e.g. Carlen, 1998). The impression, however, has been given that the woman in somehow coerced into offending by her partner. Whilst this may be true in some cases, it does not accurately describe the criminal activities of the repeat offenders in this group. From the statements made by these women, it would seem that they played a willing role in the commission of the offences. In some cases, this actually involved smuggling drugs into the prison where their partners were serving sentences. This did not appear to be linked to coercion, since clearly the partner was absent, but more related to the woman choosing to act in this fashion. Cornish and Clarke (1988), who proposed the concept of “the reasoning criminal” highlighted the role that choice plays in offending behaviour, although this idea had been highlighted by criminologists before, for example Matza (1964). In the view of Cornish and Clarke, all criminal acts involve making choices about which crimes to commit.

However, this begs the question, what is rationality? Why do people “decide” to do things? Of course, Cornish and Clarke may be correct, in the sense that people normally have thought processes about an action before the action takes place. Is this the same, however, as a rational decision, which presumably implies a conscious deliberation to act in a particular way? It would seem from the statements given by the women that their decisions to offend were partly based on rationality, in the above definition; but they were also based upon more relational factors. For example, Vera smuggled drugs to her husband whilst he was in prison. This must have been a conscious decision on her part, since no-one appeared to force her to do so. She stated that she has a good relationship with her partner and was willing to help him in this

situation. These examples indicate there appeared to be a complex interaction between rationality and the more relational aspects of the informants' lives.

Conclusion

The results obtained from this part of the analysis are in some ways at odds with current literature on the nature of women's offending. The portrayal of "the woman offender" found, for example, in *Women Offenders - a Safer Way?* (1988), strongly suggests a non-violent, minor criminal who is greatly influenced by their partner to offend. Whilst this would seem to be the case for some of these women, it is clearly not typical of the women in this study who had been convicted of violent offences. This perhaps begins to suggest that convicted women cannot be viewed as an homogenous group.

Chapter 7

Findings - Personal and Family Considerations

Introduction

This chapter explores the personal and family experiences of the women in this study. In doing so, discussion and analysis is organised according to the following “domains” that form part of the Level of Service Inventory (Revised) or L.S.I.-R.:

- Family and Marital Considerations (domain 4)
- Alcohol/drug Problems (domain 8)
- Emotional/Personal Considerations (domain 9)
- Attitudes and Orientation (domain 10)

Before turning to the L.S.I.-R. findings, a theme that is missing from the inventory is considered. Childhood family experiences do not form part of the checklist, because they were not considered to be criminogenic needs by the authors of the inventory (Andrews and Bonta, 1996). This may seem a remarkable omission, but reflects the very particular view that the explanations of offending behaviour are to be found in the present and not in the past. (Mair, 2004). Childhood family experiences are included here because of the alternative view that these experiences are important, especially in relation to violent behaviour in women (Moffitt et al 2001).

Quantitative Findings

Childhood and Family Experiences

The data in relation to childhood and family experiences show several interesting trends. The women who were convicted of violent offences displayed more

problematic experiences in most categories, detailed in the social enquiry reports under investigation. Just under half of them had been subject to care proceedings as children and just over half of the population had a history of abuse of some kind. The figures presented should be interpreted with some caution. Data for “history of sexual abuse” may be under-reported because of informants’ unwillingness to disclose these details and social workers’ reluctance to ask about this sensitive topic. The same is true about care proceedings that are also likely to be under-reported. Hence, the results obtained (figure 7.1) should be interpreted with caution. The critical value for χ^2 was 3.84 with degrees of freedom =1. The level of significance (p) ≤ 0.05 .

Figure 7.1 Childhood Family Experiences

	Convicted of Violent Offences 100% (105)	Convicted of Non-violent offences 100% (95)	χ^2	Significant
Care proceedings taken as a child?	41% (43)	24% (22)	12.0	Yes
History of abuse (any type)	55% (58)	37% (35)	8.75	Yes
History of sexual abuse	27% (28)	18% (17)	4.50	Yes
History of physical/emotional abuse	41% (43)	24% (23)	12.0	Yes
Evidence of Domestic abuse	40% (42)	32% (45)	2.00	no

These results imply that there may be a link between negative experiences in childhood and future offending and, at least for some of this population, these experiences were criminogenic. There are several sources of literature that would support this conjecture. As far back as 1953, John Bowlby postulated that family relationships, particularly the mother’s relationship with the child, were instrumental

in the formation of the child's character. He also theorised that "broken homes" cause delinquency and that this tended to produce a "vicious circle" leading eventually to criminal behaviour. In 1953, he wrote:

"It starts in one generation with a home that may have been accidentally broken by death or illness; as a result the children of the next generation grow up to have difficulties in their interpersonal relations; as a consequence the children of the third generation grow up to have conduct disorders" (Bowlby, 1953:229).

Whilst some criminologists might wish to challenge this rather positivist view of the causes of criminal behaviour, there seem to be at least some links between unhappy childhood experiences and later offending. This is particularly true of childhood abuse or neglect. Farrington (2003:674) reported a study, carried out by Smith and Thornberry in 1995. This longitudinal research project followed the behaviour patterns of 1000 schoolchildren in Rochester. They found that child maltreatment under the age of 12 years of age was a strong predictor of self-reported delinquency in adult life. The findings were evident, even when the results were controlled for gender, race and socio-economic status.

Some theorists, particularly those working within the feminist tradition, have stressed the relational aspects of women's offending and how the internalisation of negative events produces problematic behaviour when women become adults. Sexual abuse seems to be a particularly strong predictor of anti-social behaviour in women (Moffitt, 2001:299). Therefore, the results that have been obtained in this part of the study are supported by both the general literature on this topic and studies that take a more gendered view of these issues.

Family and marital considerations feature in L.S.I.-R. and appear in the checklist as domain four. The social enquiry reports that were examined noted high incidences within the population of dissatisfaction with family situation and with relationships with birth families. Most of the information regarding criminality in families relates to whether or not the subject of the report was partnered with a criminal male. Criminal families were only mentioned in a few reports and so therefore these figures could be different to those presented in figure 7.2.

In some categories, the women who were convicted of violent offences recorded higher incidences of family and marital problems. In particular, difficulties in their relationships with their birth families appeared to be exceptionally high. The other categories showed some similarities between the groups. Both showed a tendency to be partnered with criminal males and there is practically no difference between the groups in the numbers of social enquiry reports recording this. Also, many of the women in this population expressed dissatisfaction with their family situation. In all categories, the critical value for χ^2 was 3.84, with 1 degree of freedom. The level of significance was assumed to be ≤ 0.05 .

Figure 7.2 L.S.I.-R. Domain 4 Family and Marital Considerations

Domain 4	Family/ Marital	Convicted of Violent Offences 100% (105)	Convicted of Non-Violent Offences 100% (95)	χ^2	Significant
23	Dissatisfaction with marital situation or equivalent	69% (61)	57% (46)	2.53	Yes
24	Non-rewarding	70% (62)	37% (30)	29.4	Yes

	parental				
25	Non-rewarding other relatives	42% (37)	26% (21)	9.84	Yes
26	Criminal family/ spouse	57% (56)	52% (51)	0.48	No

These findings are supported by the work of Bloom and Covington (1999) and Covington and Surrey (1997) who stress both the relational aspects of women's offending and high rates of domestic abuse. These researchers point out that whilst, in the main, males stop being victims as adults, women do not. As Covington and Surrey write, "While both male and female children are at risk for abuse, females continue to be at risk for interpersonal violence in their adolescence and adult lives (1997: 335).

The prevalence of domestic abuse in women's lives has been well documented. Many studies (e.g. Dobash and Dobash, 1992) have addressed the issue of male violence towards women. Some studies have also pointed out the potential scale of this problem since these crimes tend to have low reporting rates and produce high levels of distress (Heidensohn, 2003:499). These studies have some resonance with the findings relating to convicted women offenders in Fife. The findings leave certain questions unanswered however. Since both groups reported high incidences of domestic abuse, this phenomenon seems endemic within this population. What is the reason for this? The qualitative part of the study may help to clarify this.

The incidence of the women being partnered with a criminal male was equally high in both groups of offenders and this finding is supported by much of the feminist literature regarding women's offending (e.g. Carlen, 1988). Some women, notably in

the group which was convicted of non-violent offences, appeared to be committing offences where no criminal partner had been identified by them. Often these were handling offences, such as embezzlement. This could mean that there is a more complex pattern of partner involvement in these women's offending than some of the feminist writers would have us believe. Of course, the findings may also indicate that the incidence of criminal partners was under-reported, for example, because of separation or divorce.

The results obtained also indicated that those who experienced trauma in their childhood tended to transfer these experiences into adulthood, because they reported poor relationships with their own families at the time their reports were completed. This is not true in all cases however and it could well be that the women's behaviour in adulthood was a contributory factor in this situation. Again, it is impossible to answer this question without the data obtained in the qualitative analysis.

Substance Misuse

Alcohol and drug misuse issues were always addressed in social enquiry reports, since this is a requirement of National Objectives and Standards for Social Enquiry Reports (Scottish Executive, 2000). However, this data is based upon the self-reports of the women and therefore may not be robust. There was found to be a high incidence of drug and alcohol misuse across the entire population and more women admitted to misusing substances in the past than when they were interviewed for the preparation of the social enquiry reports. In many cases, this appears to have led to law violations, either in the past, or at their most recent court appearance. Substance

misuse had also affected other areas of their lives, such as the ability to hold down a job, or the affect the misuse had upon their health. “Other indicators” categorised other areas of their lives that had been affected by drugs or alcohol, such as friendships, accommodation and finances.

In all categories, the women who had been convicted of violent offences appeared to experience more problems with substance abuse. Most of them revealed to the authors of the social enquiry reports having used drugs and alcohol and linked this to problems in other areas of their lives. Although the figures were lower for the women who had been convicted of non-violent offences, the amount and effect of substance abuse was still high, perhaps an indication of its important links to offending for both groups of women. Figure 7.3 summarises the results obtained. In all categories, the critical value for χ^2 was 3.84, with 1 degree of freedom. The level of significance (p) was assumed to be 0.05.

Figure 7.3 L.S.I.-R. Domain 8 Substance misuse

Domain 8	Alcohol/ Drug Problems	Convicted of Violent Offences 100% (105)	Convicted of Non-violent Offences 100% (95)	χ^2	Significant
37	Alcohol problems ever	59% (62)	35% (33)	16.4	Yes
38	Drug problems ever	66% (69)	51% (48)	4.4	Yes
39	Alcohol problems now	52% (55)	27% (26)	32.1	Yes
40	Drug problems now	61% (64)	45% (43)	5.7	Yes
41	Law violations	83% (87)	57% (54)	11.8	Yes
42	Marital/ family	81% (85)	47% (45)	24.6	Yes
43	School/ work	70% (73)	41% (39)	20.5	Yes
44	Medical	71% (75)	41% (39)	22.0	Yes
45	Other	56% (59)	37% (35)	9.8	Yes

	indicators				
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When the data were analysed regarding the type of substances used by the women, heroin was found to be the most popular drug across the entire population, closely followed by alcohol. Only about five per cent of the women who had been convicted of violent offences stated to report writers that they did not use any substances at all. This compared with nearly 30 per cent of the women who had been convicted of non-violent offences. In general, the group of women who were convicted of violent offences had a greater incidence of substance misuse and made very little use of other drugs, such as Valium and Diazepam.

Some women stated that they took a variety of different drugs at different times. Some also took more than one kind of drug. Frequently, heroin and alcohol were used together, or alcohol and cannabis. The use of two or more drugs was much more prevalent in the group of women who had been convicted of violent offences, in that 30 per cent of them revealed to their report-writers that they used more than one type of drug. In about ten per cent of these cases the other drug was methadone. This means, of course, that some of these women were being prescribed methadone by their GP, but were also “topping up” with heroin. None of the women in this population seemed to use methadone by itself. It was also surprising that the number of methadone prescriptions was low, given the prevalence of drug use within this group.

The group of women who were convicted of non-violent offences reported that they used two or more kinds of drugs only 15 per cent of the time (14 individuals) and

five per cent (or four women) had been prescribed methadone. All of these were heroin users.

Figure 7.4 Substance Type

Drug	Convicted of Violent Offences (n=105)	Convicted of Non-violent Offences (n=95)	χ^2	Significant
Heroin	58% (61)	34% (32)	17.0	Yes
Alcohol	35% (37)	25% (24)	4.0	Yes
Cannabis	22% (23)	10% (9)	14.4	Yes
Valium	1% (1)	11% (10)	n/a	n/a
Diazepam	1% (1)	2% (2)	n/a	n/a
Methadone	10% (11)	5% (5)	5.0	Yes
No Drug use	7% (7)	28% (26)	15.8	Yes

When these results were analysed, using the χ^2 test, five of the categories were found to be significantly different, with 1 degree of freedom and a critical value for χ^2 of 3.84. In all of these cases, drug use within the group of women who were convicted of violent offences was significantly greater. Two categories (Valium and Diazepam) were not tested, because the numbers in the cells were insufficient to meet the criteria of the test. Also, it should be noted that other categories contained relatively small numbers (e.g. “Methadone” and “No Drug Use”) and so these results should be interpreted with some caution.

These findings are supported by McKegany et al’s (2002) study, which included women offenders from Fife and which concluded that heroin was the most prevalent drug used in their sample. One interesting finding from this part of the study was the relatively high use of drugs among the women who were convicted of non-violent offences. There could be several reasons for this. It could be that, as was established

in the Chapter Six, Offending Behaviour, most of these women entered the criminal justice system at a later age. This may imply that drug and alcohol abuse developed in their adult years. The qualitative data may help to clarify this question.

Health

L.S.I.-R. includes emotional and personal difficulties as a separate domain in the checklist, since often these are linked to offending and sustain that behaviour. Although poor mental health is considered an important criminogenic need in the Level of Service Inventory, physical health considerations are not included, because there is little evidence to relate them to offending behaviour. This analysis did consider physical health, in order to provide a more complete picture of the general health of the population in the study.

The information illustrated in figure 7.5 was extracted from the statements made in the social enquiry reports examined. In all categories, the group of women who were convicted of violent offences reported having emotional and personal difficulties more frequently and these were found to be statistically significant when the χ^2 test was applied. In fact, the frequency is nearly double that of the group who had been convicted of non-violent offences in most categories. Just under half of the women who had been convicted of violent offences reported having mental health difficulties at the time they were interviewed and in most of these cases, a psychological assessment was indicated. Physical health considerations might have been seriously under-reported, since social enquiry reports do not routinely include this information. Nevertheless the group who were convicted of violent offences report this with much

more frequency. The statistical analysis assumed the level of significance (p) to be ≤ 0.05 , with 1 degree of freedom. The critical value for χ^2 was 3.84.

Figure 7.5 L.S.I.R. Domain 9 Emotional/ Personal Considerations

Domain 9	Emotional/ Personal	Convicted of Violent Offences (105)	Convicted of Non-violent offences (95)	χ^2	Significant
46	Moderate emotional/personal interference	67% (70)	35% (33)	29.2	Yes
47	Severe interference	48% (50)	23% (22)	27.2	Yes
48	Mental health treatment in the past	56% (59)	33% (31)	16.0	Yes
49	Mental health treatment now	48% (50)	27% (26)	16.3	Yes
50	Psychological assessment indicated	41% (43)	24% (23)	12.0	Yes
	Physical Health Considerations	31% (14)	14% (13)	20.6	Yes

Attitudes and Orientation

This part of L.S.I.-R. is designed to explore the offender's general attitudes to crime and to their own offending behaviour. It consists of four elements, each measuring a different aspect of this. Unfortunately, the social enquiry reports that were examined contained few comments about these elements and so therefore, no meaningful data could be extracted. This suggests, in the main, that the authors of the social enquiry reports did not consider these factors when interviewing these women. The implications of this are explored further in Chapter Ten, Implications for Policy and Practice.

Figure 7.6 Attitudes and Orientation

Domain 10	Attitudes/ Orientation	
51	Supportive of crime	Missing Data
52	Unfavourable towards convention	Missing Data
53	Poor towards sentence	Missing Data
54	Poor towards supervision	Missing Data

Although the quantitative analysis produced several interesting results, there were still some questions that remained to be answered. For example, did the drug-taking start before or after the offending behaviour, to what extent is it criminogenic and how is this linked to being partnered with a criminal male? These questions will be addressed in the qualitative part of the analysis.

Qualitative Findings

Relationships

Childhood Experiences

Unhappy childhood relationships featured across the population of women in this study. Three quarters of the women who were convicted of violent offences reported poor relationships with their parents, whereas about half of the women who were convicted of non-violent offences reported childhood experiences that had been problematic for them.

The women who were convicted of violent offences gave several reasons for this:

For example, Libby stated during her interview that she hated her parents:

Int: Why did they put you in a place of safety?

Libby: They said I was a danger to myself.

Int: Was that just because of your drinking? You weren't self-harming or anything like that?

Libby: Just not going to school and drinking and that.

Int: What did your mum and dad think about that?

Libby: My mum didn't care.

Int: Didn't care? How would you describe your relationship with them at that time?

Libby: I hated them.

Int: And why would that be?

Libby: I hated them. They split up when I was young. I never see my dad. My mum's just a selfish old bitch.

Int: Why did they split up, do you remember?

Libby: He used to come home drunk and she used to wind him up. He'd be all right and she's just start nipping his head. She'd wake me up about five or six in the morning and say "we're going to your gran's". He used to beat her up then.

Int: What age were you at that stage?

Libby: I don't know. I must have been about eight or nine.

From the account given by Libby, there were probably faults on both sides. Her mother, in her words, "nagged" her father and he used to beat her mother. This frequently resulted in her mother taking the children from the house, often late at night. Libby started drinking at an early age and she said during her interview that her parents did not care about this.

This is how Libby described her relationship with her parents:

Int: And how would you describe your relationship with your parents?

Libby: Well, my mum actually died when I was eleven. But before that, I wouldn't say it was great, because my mum and my dad were always fighting. They were always throwing things about. Then she died in an

accident and he took to the drink. As soon as I was old enough, I left. I'd just had enough; I just couldn't live there anymore.

Other women also related the divorce or separation of their parents as causing a major trauma in their childhood. This frequently involved the women feeling that they had to choose one parent over another, a major cause of anxiety for them as children. In some cases, they were still making that choice.

Childhood abuse, emotional, physical or sexual, was reported by nine of the women in the group of women who had been convicted of violent offences. In many cases, this information was given without any prompting. None of the women gave the impression that they had come to terms with the abuse carried out against them, since it still engendered strong emotions. The women's accounts of all of the above experiences were vivid and traumatic and in most cases, the women themselves made a link between these events and their own unruly behaviour, leading eventually to offending. Only one woman in the group identified these unhappy experiences as leading directly and immediately to committing offences. For the others, the path to offending was slower and in some cases appeared to have taken several years before offending behaviour became apparent. In the main, unhappy events in childhood led to behaviour that could be described as anti-social, for example under-age drinking, truancy and exhibiting problematic behaviour at home.

Five of the women who were convicted of non-violent offences also cited examples of difficult childhoods, such as the death of a parent leading to a reception into the care of the local authority; excessive drinking by one or both parents; and the

witnessing of domestic abuse. For example, Margaret reported that the death of her father had been particularly traumatic for her:

Int: What about your relationships at school.

Margaret: I got on all right at school.

Int: Was there any bullying or anything like that?

Margaret: I got bullied in first year. My dad died halfway through first year. He died in 1990. There was this lassie- I'd known her from primary. She bullied me. My dad says "If she does that again, if you don't hit her, I'll smash you." So, one day, I just freaked and smashed her. She never bullied me again.

Int: That was the only time?

Margaret: Yes.

Int: So, your dad dying at that age must have been pretty traumatic for you.

Margaret: He died when I was eleven.

Int: That left you with your mum?

Margaret: No, her and my dad had split up a year and a half before he died.

Int: and do you know what that was about?

Margaret: Yes, she was seeing other men.

Margaret also stated that these events had affected her present relationship with her mother. In all of these cases, the accounts given by these five women were graphic, indicating, perhaps, the extent to which these incidents had affected them. However, none of the informants made a link between their offending and unhappy relationships with their parents.

Even for the four informants who reported happy relationships with their parents during their childhood, the stories they related were not always idyllic. These women

had also experienced death and divorce of parents within the course of their childhood, but seemed to be able to accept that this had happened and had been less traumatised by these events. This may indicate either that the parents involved were more concerned with the welfare of the children or that the divorce itself did not evoke particularly strong feelings.

For example, Tina described her parents' divorce in this way:

Tina: I've got two sisters and one brother.

Int: Are the older or younger than you?

Tina: I've got one older sister and a younger sister and brother.

Int: So you're the second oldest?

Tina: Yes. My younger sister is from my mum's second marriage.

Int: So that would be your step-father then?

Tina: Yes. He's been my step-dad since I was about five.

Int: So, what memories do you have of your childhood then?

Tina: Pretty happy really.

Int: Do you remember when your mum and dad split up?

Tina: Oh God, he was a Casanova! They were together about five years in all.

Int: Oh right.

Tina: About two years, three years later they got divorced.

Int: I suppose it was more difficult to get divorced in those days.

Tina: Yes but it was quite amicable; they still talked to each other.

Int: Well that's good. At least it wasn't too traumatic for you.

Tina: No, it was all right, really.

In contrast to the comments made by the women in both groups about parental relationships, the connections reported with brothers and sisters were much more positive. In a few cases, however, problems were related. Usually, this involved, indirectly, their perceptions of parental favouritism. However, these cases did not appear to have affected the women nearly so much as the adverse relationships they experienced with their parents.

These findings indicate some similarities between the two groups of women who had agreed to be interviewed as part of the study. When taken as a whole, the entire group of informants often related childhood experiences that were far from ideal and had led to out-of-control and difficult behaviour on their part. Childhood experiences for the women in both groups were problematic in some cases, although this seems to have been more prevalent in the women who were convicted of violent offences. The major difference, however, was not to be found in the numbers of women who had experienced these problems, but in their description of how these had affected their eventual criminal behaviour. The women who had been convicted of violent offences often described a link, whereas the other group did not. This appears to support other sections of the qualitative analysis, since this group tended to begin offending earlier, perhaps making it easier to make the inference between negative childhood experiences and offending.

By far the greatest influence on negative childhood memories is the lack of positive relationships with parents. This phenomenon is well supported in many sources of literature (Hedderman, 2004:227, Bloom and Covington, 1999). Many of the

informants in the group who were convicted of violent offences linked this in some way to their offending.

Family Experiences in Adulthood

Relationships with Partners

All the women who were convicted of violent offences had had, or were in, a relationship with a male partner. Seven of the women reported that their relationship with their current partner was, or had been problematic for one reason or another. Six of these informants cited domestic abuse and the drug abuse of their partners as the primary reason for these difficulties. In two of these cases, the informants themselves had committed the assault that led to the ending of the relationship. For example, one of these women, Hannah, describes her experience in this way:

Int: What about your partner?

Hannah: Yes, he is.

Int: Is this the same partner that you had when you were eighteen?

Hanna: Yes.

Int: And how would you describe your relationship with him?

Hannah: Volatile. He's the one I'm not allowed to speak to just now.

Int: Is that the bail condition?

Hannah: Yes.

Int: Why was the bail condition put on?

Hannah: Because the offence was against him. Whenever I go to his house, I get into trouble.

Int: So, you committed the assault against your partner.

Hannah: Well, he says it was assault, but I say it wasn't. I'm taking it to trial.

Int: You pleaded not guilty?

Hannah: Yes.

Int: And you're out on bail for that right now?

Hannah: Yes.

Int: So what makes it volatile?

Hannah: He drinks too much. He knows what buttons to push to make me upset. That's it really- we just argue all the time. We've been separated nearly ten years, but because of M. and L. he's always in the background.

Despite this, five of these six women had been in relationships that had lasted a long time, five years or more, and often stated that the partnership had survived previous breakdowns.

The findings of the qualitative part of the study are well supported by literature on this topic (Dobash and Dobash, 1992, Kershaw et al, 2001). Moffitt et al have also offered a possible explanation for female domestic violence against their partners. They found, in the course of their longitudinal study: "...The perpetration of partner violence in the context of intimate adult relationships is but another expression of an earlier emerging anti-social propensity; it is not only a self-defence response to violence committed against them by their partners" (2002: 65).

Five of the informants in this group did state that their relationship with their partner was stable and relatively happy, however. All of these women reported being in relationships that were long-term and often they had met these partners in their

teenage years. For example, although Donna's partner was a serving prisoner and she had experienced abusive relationships in the past, she stated that her relationship was stable at the time of the interview. She also said that he had been had been her partner for several years.

The incidence of having criminal partners was high for the women in this group who were convicted of violent offences. Eleven of the 12 informants were currently, or had been in the past, partnered with a criminal. Within this group, five of the women who were partnered with criminal males stated that they had offended with them. In three situations, this was concerned with drug dealing. In the other cases, however, other offences were committed, including one case of attempted murder. These three individuals also committed assaults with their partners (e.g. Libby.). To make the situation even more complex, some women (e.g. Edwina) had had several partners, some of whom she had offended with and some of whom she had not:

Edwina: To start with, I stole things out of shops for myself- mostly clothes, because I never has enough money. I couldn't exactly go down and buy myself a pair of jeans or a jacket off of a giro at the age of seventeen. But I got involved with a boy when I was seventeen- the father of my first daughter. I met him when I was seventeen. I didn't know how to steal until I met him.

Int: You hadn't been convicted of anything before that?

Edwina: No, that was the first time.

Int: Did you have any involvement with the children's panels or anything like that?

Edwina: Nothing like that, no.

Int: So this guy, was he into offending?

Edwina: Aye, he'd done a long sentence- he was only nineteen at the time, but when I met him, he'd been in a motor-bike crash. The lassie that was on

the back of the bike became disabled. Her spine was broken. He got six months for that. But he basically showed me the ropes on how to get your clothes for nothing. How to sneak into shops, take tags off. He showed me the ropes on how to steal, definitely.

Int: So did you continue to shoplift?

Edwina: No we split up when I was nineteen, nearly twenty. By the time I was twenty, he'd done a year and a half in jail. Now he's in the jail for another four and a half years. He's always in the jail.

Int: So what's your family set up just now? Are you with someone else?

Edwina: No, we split up at the New Year.

Int: Did he offend?

Edwina: No, he wasn't into that kind of thing.

Seven of the informants who were convicted of non-violent offences had partners at the time of their interviews and most of them were in long-term relationships. The women mostly reported that the quality of their relationship with their partners was good, at least most of the time. For example, Nora stated:

Int: How would you describe your relationship with your husband?

Nora: I would say it's very good. My husband has been there for me and we've been there for each other through thick and thin. We've had to be forgiving as well. I've had this situation and he's had the police situation. I believe he's never done anything out of place. Its not been proven anyway. I don't really need that, because I've been with him since I was fourteen. Since I was thirteen, sorry.

For some informants, relationships with partners were more problematic. Donna described her relationship to be good "sometimes". She did indicate that there had been periods when matters had deteriorated because of the domestic abuse. Two of the group stated that their current situation with their partners was highly

unsatisfactory and in both cases, this was due to them being the victim of domestic abuse. In Roberta's case, she stated that she had divorced her partner some ten years earlier, because of his abuse towards her.

There was a considerable degree of partner criminality in this group. The findings indicate only two women had partners who were not involved in criminal activity. The remaining informants were all actively involved in crimes of one sort or another and in all but one case, the women had been jointly charged with their partners. In the majority of cases, this involved drug offences. Olive, for example stated:

Int: This was about drugs offences, wasn't it?

Olive: Yes. Things had got deferred from last year.

Int: It says on the charge sheet that you were charged with possession of a controlled drug, class B. That was cannabis, wasn't it?

Olive: Yes that was way back in April or May last year.

Int: Were you co-accused with anyone?

Olive: Yes, my husband, but he was deferred as well the last time we went to court.

She also told me that they both had been using cannabis for some time and had obtained the drug for their own use. Olive said that she had in fact been introduced to taking drugs by her partner and her addiction had got steadily worse. Despite this, however, she reported a reasonable relationship with him at the time of the interview, although there had been some problems in the past.

These findings concur with the qualitative analysis completed earlier regarding these women's pathways into criminal activity. At that stage, it was observed that the

women convicted of non-violent offences tended to begin committing offences after the age of 21 years and that this was heavily influenced by their partners. This indicates that the women's own criminal behaviour was highly relational and perhaps can be best understood within the framework of the relationship they had with their partners. This also implies that drug-taking is a social activity (McKegany et al, 2002) and so it is not surprising that husbands and wives take and sell drugs together.

As has been stated, most of the women from both groups (16 in total) were, or had been, partnered with criminal males and this finding is supported by feminist scholarship on this subject (e.g. Smart, 1976). However, there were differences between the two groups, not in the incidence of having criminal partners, but how that criminality was expressed. The group of women who were convicted of non-violent offences and who had committed more than one offence tended to offend with their partners and frequently this was related to drug offences. There was some evidence that the women who had been convicted of violent offences tended to be more independent in their offending patterns, which probably related to their beginning offending at an earlier age and continuing longer. Therefore, for these two groups of women, the role partners played in their offending behaviour appeared to be different in some respects.

Relationships with their Own Children

The qualitative findings indicate that, for both groups of women, the management of their children was in most cases problematic and the degree of family fracture was high for both groups. Perhaps as a result of this, most informants reported having

difficulty in coping with the behaviour of their children. In cases where the children were over the age of 16, some (three people) had begun to offend themselves.

Most of the women (18 people) had children under the age of 16 years. Their personal circumstances varied greatly and displayed a considerable degree of disruption to their relationships with their children, sometimes because of their own offending behaviour. This sometimes resulted in the children being looked after, either by relatives or, in one instance, by the local authority. For example, Avril's child was looked after by her parents at the time of her interview, mainly because of her offending behaviour, which had resulted in her serving numerous prison sentences. Avril stated that she did not envisage gaining custody of her daughter again. Only two of the women had, at the time of being interviewed, responsibility for the physical care of all of their children. Both these women had children under the age of nine years of age and both stated that they have extensive support from their extended family to do so.

Only two of the women stated that their relationship with their children was unproblematic. Whilst none of the children under the age of 16 appeared to be involved in any criminal activity, most did display behavioural difficulties. This usually took the form of disruptive behaviour at home, with brothers and sisters, or difficulties at school. Several of the children had been referred to specialist services, such as educational psychology, to try to alleviate these difficulties. Olive, for example, described the behavioural difficulties that her son, then aged eight years, was displaying at school:

Int: What about your son who lives with your mum and dad. What was that about?

Olive: In January, we got evicted from our house. The neighbours were complaining about this, that and the next thing, which was a load of rubbish. We got busted as well. Basically, the hassles we were getting off of our neighbours. My son was at high school and he couldn't get on with his schoolwork. So, I asked my mum and dad if he could move in with them. He's now getting on ten times better.

Int: So is this a short-term thing? Do you see him coming back?

Olive: Yes and no, I couldn't really say.

Int: How do you mean?

Olive: Well, sometimes, when he's pissed off with my mum and dad, he'll come up the road, and then he sits and thinks about it. Then he goes back. He's probably better off with my mum and dad. With the two younger ones its - he can't concentrate on his work.

Int: What point is he at in his school work?

Olive: He's in his third year. He'll soon be sitting his exams.

Int: And how does your mum and dad feel about that?

Olive: They're happy about it.

Int: How do you feel about it?

Olive: It hurts me deep down. But I see him every day. He comes up to stay at weekends.

Olive directly linked her son's behaviour to the disruptions he had been experiencing at home. The family had been evicted the previous year and this meant that her son had to go and live with his grandparents.

There were four informants who, in addition to having children under the age of 16 years, also had older children. In these cases, these young adults, in their teenage years, were involved in criminal activity. This indicates that, at least in some cases,

criminal behaviour materialised as the children became older. Joanne, for example, reported that her daughter, who was 18 years of age at the time of the interview, had been involved in a series of offences, mainly involving shoplifting. Her son, then aged nine years, was looked after by Fife Council and was exhibiting extremely problematic behaviour. Joanne stated that she did not expect that he would be returned to her care in the near future.

Three informants did not have children. These women were younger (18-21 years). All of them stated that they had no intention of having children. Donna, for example described her attitude to having children in this way:

Int: What about your present situation. Have you got a partner at the moment?

Donna: Yes, I've got a partner. I've been with him four years. We're both on medication from the doctor and we're both doing really well. We get on great.

Int: Have you any children?

Donna.: No, I wouldn't wish kids into this world.

Int: Why not?

Donna: It's just, the world's not a nice place.

A piece of research, carried out in Scotland, supports these findings (McKay et al, 1998). The researchers found, in their study of over a thousand offending children in Scotland, that the following factors were prevalent in the backgrounds of offending children: "Hyper-activity, low intelligence, poor parental management, parental neglect, offending parents, early child bearing, deprived background, absent father and smoking or drinking during pregnancy" (Executive summary, page 1).

Relationships with the Extended Family

Ten of the informants who were convicted of violent offences stated that their relationships with their extended family were problematic for various reasons. Some of these were related to their negative experiences in childhood that had not been resolved and others were linked to their own behaviour in adulthood. Some of the informants seemed unable to forget their experiences of childhood and this had continued to affect their relationships with their families in adult life. Some had no contact with their families at all and did not intend to try to remedy this situation. Edwina, for instance, stated that she had experienced an unhappy childhood, mainly due to her father's drug abuse and his physical abuse towards her mother:

Int: How did you get on with your dad?

Edwina: When I was younger, I hated him. Since I was fourteen my dad never laid a hand on me- that's about fourteen years. I mean, we've said bad words to each other. My mum's not paranoid that she's not going to get battered anymore. So I started to, like, love my dad again. But when we were all younger, there's four of us in the family, two girls and two boys. My dad was in the Black Watch. He went to Ireland and all that with them. When he came back it was dead territorial in our house. My dad could just click his fingers and the four of us would jump on the couch. Like tin soldiers- that's what my mum used to say. My mum used to give us a lot of leeway- if we wanted anything, we would whisper it to our mum, because we knew our mum would say yes. Whereas my dad was that strict with us, you know. My mum took beatings for us as well. Like, if my dad said for us to be in by half past eight and my mum let us out till nine, she would always be dead worried that we were in before he walked up the street. So, she took beatings for us, she took beatings all the time. Quite a lot of things happened to my mum when she was younger- she had a bad life.

Although she said that her parents now get on well with each other, she has little contact with them, she said, because of these events in her past.

Others had attracted the disapproval of their families because of their own behaviour, particularly their offending behaviour. This was sometimes linked to their choice of partners, usually criminal, causing family friction. For example, Frances reported that she had practically lost touch with her own family, largely because of the behaviour of both herself and her partner:

Int: So by that time you were quite heavily into drugs?

Frances: All my re-offending recently has been just survival for drugs. You run out of people to borrow money from. I fell out with my mum and dad. They're quite well off. I couldn't let them down all the time by asking them for money. They think you inject cannabis.

Int: Do your parents live quite close?

Frances: Yes, they live in D. It's my real mum, but it's my step-dad.

Int: So how did you get on with them in the past?

Frances: I got on with them O.K. It's really since W. came on the scene I sort of stopped going to see them, because he thought, because I was at my mum and dad's that we were talking about him. Even like friends and that. I lost all my friends, because he thought we were talking about him. Rather than have all the arguments. I suppose it's more of a control thing, but at the time it was just for some peace.

She said that family members had not attempted to contact her for several years and that her partner "didn't like" her family and prevented her from contacting them.

Whatever the reasons given for the break between these women and their families, the picture emerging seems to be one of personal isolation, despite the help that the families offered with their children, in some cases. Given the other problems experienced by this group, a potential source of personal support, their own families, could not be accessed by them to any great extent. This made everything much more difficult.

Most of the informants (six women) who were convicted of non-violent offences reported experiencing difficulties with relationships with their extended families, for a variety of reasons. Sometimes, this was related to their own offending, usually drug-taking. Other reasons were also given, however. For example, Pat, who had been convicted for the first time, avoided some of her family because they were involved in drugs:

Int: Helped you get things off your chest. You mentioned your family a few moments ago. Can you tell me a bit more about them? You were talking earlier about your younger sister. Have you any other brothers and sisters?

Pat: I've got another sister and a brother, but I don't speak to them because they take drugs and I don't go along with anything like that. My dad, he came back on the scene just after my sister died, but I'm not speaking to him either because he drinks all the time and he's nothing but a liar. To me anyway. And then I've just fallen out with my mum about five weeks ago as well.

Int: What about?

Pat: She takes my dad's side about everything and I just said no way, no more.

Int: So basically, you're not getting on terribly well with any of them, then?

Pat: Since I've stopped speaking to my mum, I'm actually getting on better. That's what I said to D. last week. When I was speaking to my mum. I was drinking during the day and everything, but now I don't touch a drink at all. The last time I had a drink was a couple of tins of beer last Friday. I've never touched the cider since I lost my licence. I've just stopped that altogether. I've not got the stress of everybody else's worries. I've just got my own to worry about. I feel a lot better.

Another woman did not enjoy a good relationship with her family because of the friction within it. Yet another had become estranged from her family because of her marriage break-up. There was no evidence that these difficulties were the result of experiences in childhood, since these women stated that they had enjoyed a stable

life at that point. The difficulties related during the interview were linked, in all cases, to present circumstances. This may imply that, at least in some situations, if present circumstances were to improve, extended family relationships would improve also.

The remaining three members of this group stated that their relationships with their extended family were good and that they received a great deal of support from them. Two of these were women who had been convicted for the first time. Vera, for example, who was a drug addict, related how her family helped her with the children and encouraged her to stop using drugs. At the time of the interview, this seemed to be having some success.

The findings obtained suggest some differences between the two groups, when relationships with their extended families are concerned. In general, the women who were convicted of violent offences were estranged from their families because of their own criminal behaviour, or negative childhood experiences. Although these reasons applied to some members of the group who were convicted of non-violent offences, they were not so prevalent.

Drug and Alcohol Misuse

The findings indicate that although drug taking was evident in both groups of offenders, the women who were convicted of violent offences displayed more chaotic and frequent use of illegal substances, particularly heroin. All but one of this group stated that they misused alcohol or drugs and ten out of these twelve informants described their intake as being out of control. Heroin was the most

commonly used drug. Eight of these women began to misuse drugs under the age of 21 years and three of these began before they were 16 year of age. For these three informants, peer group influences played a large part in their decision to take drugs. Iris for example was only 12 years old when she first experimented with alcohol. In her teenage years, she was introduced to cannabis by friends and at the time she participated in the study, she was heavily addicted to heroin:

Iris: Yes, I just got my giro yesterday. I can't work because of my habit. Yesterday I bought a tenner bag and some vallies. I still feel a bit drowsy just now from yesterday. Apart from that I bought tobacco and loads of shopping. That's got to last me two weeks.

She stated that she "could not control her habit", although she was receiving support from her mother and her social worker.

The feeling of being "out of control" was very marked in this group of informants. Most had tried to give up their habit, either alone or with the help of various drug-counselling services, but had been unsuccessful. In many cases, they stated that this had affected their ability to hold down a job, or to gain the qualifications necessary to obtain employment. Libby stated during interview that her addiction to alcohol had got steadily worse, despite attending addiction counselling as part of her probation order. She said she did not anticipate finding employment, because of her drinking.

Some however felt that they were making a little progress with the help of their probation supervisors. Some of these women were currently on a methadone programme, but most admitted to using drugs in addition to this. Donna stated during her interview that she had tried to "go cold turkey" in order to give up heroin, but

had not been successful. She was at the time on a methadone script, obtained from her GP, but said that sometimes she needed “something extra” and bought a “tenner bag” of heroin. She thought she would give up eventually. These results concur with the quantitative analysis, which indicated that drug abuse was acute in this group, with many of the women taking more than one drug and “topping up” with heroin whilst being subject to a methadone programme.

In contrast, only four of the group who had been convicted of non-violent offences reported misusing alcohol or drugs, just under half of the informants. This is broadly similar to the results obtained in the quantitative analysis, which estimated this group’s current substance abuse as 35 per cent for alcohol and 45 per cent for drug abuse. All of these informants had begun taking illegal substances over the age of 21 years, usually because they were partnered with substance abusing males. All of these women had been convicted for drug offences and so there is a very clear link in these cases between the women’s offending patterns and their abuse of substances. The partners of these women appeared to play a large part in their offending behaviour. In some cases, the women had been convicted of taking drugs into the prison in which their partners had been serving sentences. Others had been involved with their partners in selling drugs, sometimes to children. These women did not give the impression that they were serious about stopping their substance abuse; they viewed selling drugs as a source of income and something that they did in conjunction with their partners. Margaret’s responses were typical of the group:

Int: Must have been for that kind of sentence. So, you’d been taking him drugs all the way through his sentence?

Margaret: Yes.

Int: You went a long time before you got caught, then?

Margaret: Yes. If somebody hadn't grassed me up, I'd still be doing it.

Int: You'd have just carried on?

Margaret: Yes.

Int: Can I take you back to your very first offence.

Margaret: I got caught selling. Somebody grassed us off again.

Int: When was this?

Margaret: [pause] I can't remember when it was. I got three months for that, but I only done about four weeks. No, I did six weeks, sorry.

Int: What age were you then?

Margaret: I was just in September last year.

Int: and that was the very first offence you ever got caught for?

Margaret: Yes. I got the jail for it.

Int: What age are you just now?

Margaret: Twenty-six.

Int: So you would have been about twenty-five?

Margaret: Yes.

Int: Had you been offending before that, but just hadn't got caught?

Margaret: We'd been selling for ages and hadn't got caught.

Int: How long had you been selling for?

Margaret: I've been taking it for about seven years. I was selling it for about two years.

Int: So what kind of drugs are you on?

Margaret: Heroin. I've been taking it for about seven years.

She and her husband, in conjunction with his extended family, had been supplying drugs to their local community for several years. Margaret stated that “it was not very likely” that they would give up this activity. According to Margaret selling drugs “gets me some money, so’s I can get my own drugs”.

The remainder of the group stated that they did not take illegal drugs and did not intend to do so. These were, in the main, women who had been convicted for the first time. Two of this group had been convicted of road traffic offences that involved driving whilst under the influence of alcohol. Even although their drinking had led to the commission of these offences, they did not view this as problematic for them at the time they were interviewed.

These results appear to indicate that opiate use (i.e. heroin) was very prevalent among convicted women in Fife, particularly those who were convicted of violent offences. Therefore, the influence drug taking has upon serious and/or violent offending cannot be under-estimated. These results are supported by a recent Scottish study, carried out by McKeganey et al (2002) in Fife and Glasgow. The Arrestee Drug and Monitoring methodology (ADAM) is the primary means of monitoring the link between drug abuse and offending in the United States. This pilot study was designed to test the feasibility of using it within a Scottish context. The study was conducted between June and November 1999, in Fife and Glasgow. A total sample of 427 arrestees was collected, 207 in Fife and 220 in Glasgow, 74 of whom were women. Information was collected on the arrestee’s use of legal and illegal drugs, drug dependence and involvement in criminal activities and their access to weapons,

their involvement in violence and their perceptions of their need for treatment. The major findings suggested that seventy-one per cent of the arrestees tested positively for drugs. Just over half the sample tested positive for cannabis 33 per cent for Benzodiazepines, 31 per cent for opiates, 12 per cent for methadone and three per cent for cocaine. The level of opiate use was found to be higher in the Scottish pilot than for any of the 35 areas in the United States that use the ADAM programme. The researchers found a much higher use of opiates among the women tested (51 per cent) than the males in the sample (26 per cent). About one third of the entire sample claimed to either own a gun or have access to one.

Health Considerations

Half of the subjects in this group of women who were convicted of violent offences stated that they suffered from poor mental health, whereas this was only true of three women who were convicted of non-violent offences. One of the informants (Avril) had been diagnosed as schizophrenic and a further two of them had been diagnosed as having a personality disorder (Hannah and Georgina). Georgina described her situation thus:

Int: What were you doing at this address?

Georgina: Because I was going with the lassie that was staying there, right? I went with her for about eight months. I went up there- it was my dad's birthday. I wanted to go and see her. All I wanted was to get in and go to sleep. She said I was too drunk and I wasn't getting in. I didn't want to go away, so I just sat outside the door and refused to move. The police came, but I wasn't kicking the door; I'm sure of it. But if she said that, I must have done it. I never lifted my hand to anybody. I said to the police, when they came "Don't handcuff me" because I'm claustrophobic. I hate getting my hands and feet tied up. But they just waded in. I knew they had to do it, but they put them on that tight as usual. I just went ballistic, so I started fighting him. So when I got in the back of the van the two of them beat the s... out of me. Obviously they didn't say anything about that. I was from head to

foot covered in bruises. So I don't know how they get police assault, because it was them who were assaulting me. I've been on the drink for six years, and I've got tablets from the doctor to try to get off the drink. I've also got anti-depressants. But I took them and went to the pub and got drunk. I just didn't know where I was.

Int: So, you had tablets and drink?

Georgina: Yes and I just went crazy.

Int: What kind of tablets were they?

Georgina: I was on Antabuse for the drink and anti-depressants, because I'd tried to take an overdose again. My life has just been s... for the last six years. Now it's getting better, like. That was in September; I'm getting on fine now.

Int: How long is it since you've worked?

Georgina: Two or three years ago. I worked for a while with K.P. but not any more. I've not got any confidence. If I've to go into work, I think everybody's staring at me. That's why I drink, to give me confidence to talk to people. I can't express myself. I just shut up. The doctor says I've got an underlying personality disorder. One minute I'm Jekyll the next minute I'm Hyde.

The others reported depressive illness. In all of these cases, excessive drug or alcohol consumption, together with their mental health problems had led to violent offending behaviour, sometimes against the police. For example, Hannah stated during her interview, that she was mainly convicted of police assaults. She said she did not "really assault people". The police, she said, stripped her when they arrested her and when she struggled against this was often charged with assaulting them. She also related that this happened because she was considered a suicide risk, given the poor state of her mental health.

From the comments made by the informants, poor mental health would seem to have played a large part in triggering offending behaviour, especially when it was linked to substance abuse. In all cases, their violent offences were precipitated by excessive consumption of alcohol or drugs. This may at least partially explain why this group's violent offending appeared to be so emotionally charged, as discussed in the previous chapter. The combination of being in a tricky situation and mental health problems that were exacerbated by substance misuse played a part in their violent behaviour.

Three of the women who were convicted of non-violent offences reported poor mental health and two of these were the informants who had committed road traffic offences. All of these women stated that they suffered from depressive illnesses. Tina, for instance, stated that she had suffered from depression for months, following the failure of her marriage:

Int: So where is your ex-husband now?

Tina: He's in the family house with the kids. At the moment he's in Cyprus. He's got no money, but he's has two holidays in the last nine months.

Int: But where does he normally live? Does he live locally?

Tina: W. He Lives in A. in the North-East of Fife.

Int: So, he's up there with the kids. What's your living circumstances at the moment?

Tina: I'm homeless now.

Int: Since when?

Tina: Since I came out of hospital.

Int: When was that?

Tina: A few weeks ago.

Int: What were you in hospital for?

Tina: Depression, eating disorder, attempted suicide.

This had affected her ability to hold down a job and gain access to stable accommodation. She also said that her drinking had worsened during this period. So, even although the numbers of people identifying mental health as a problem for them were lower in this group, the pattern of offending linking to substance abuse was the same. The difference would appear to be in the types of offences committed. Surprisingly, none of the informants who stated that they misused drugs on a regular basis and in conjunction with their partners reported poor mental health. There was not an obvious reason for this, but perhaps it could be conjectured that as drug taking was generally less chaotic in this group of offenders, it had less of an effect upon the mental health of these subjects.

The findings obtained from this part of the qualitative analysis, in relation to mental health issues are supported in some respects by literature on this subject., (for example (Loucks 1997). *Women Offenders- a Safer Way* (1998) seemed to suggest that women within the criminal justice system committed relatively minor, non-violent offences and frequently reported mental health difficulties. The subjects of the Fife study showed that women who were convicted of violent offences also experienced mental health problems. Often this was combined with substance abuse and triggered the committing of a violent offence.

Physical health considerations were not really an issue for the informants who had been convicted of violent offences, as only one woman claimed to have physical

health problems. This was Iris and was clearly linked to drug misuse, since she suffered from hepatitis. This was a much more marked problem for the groups of women who were convicted of non-violent offences. Three quarters of the informants who committed non-violent offences reported that physical health issues were a problem for them. There were a variety of different conditions reported. One woman (Vera.) said that she suffered from dyslexia, a condition that has been linked to offending (Reid and Kirk, 2001), although the precise relationship between them is not yet fully understood. Others reported medical issues, such as back problems and leg injuries, which had prevented them from remaining in employment. So, there may be a link for some of these women between physical health factors, lack of employment and offending.

Attitudes and Orientation

This section deals with the moral reasoning of the informants, both in terms of the rationalisations they give for their own offending and their reasoning regarding types of offences that they could not see themselves committing. All of the informants were asked about these aspects of their offending behaviour and all responded. There were no discernible differences between the groups and so therefore, the findings are presented together. Broadly, their responses could be separated into two major categories- those who made moral statements from the viewpoint of the potential victims of crime and those who couched their statements in terms of the perceived gains and losses to themselves.

Those women who made moral statements from the point of view of the victim concentrated upon concepts like “vulnerability” and “hurt”. Some of them stated that they would never commit offences against older people, or children, because they could not defend themselves, or were particularly vulnerable to becoming victims. This seemed a reasonable stance to take and one that was perhaps intuitively obvious. However, some of the women who made these statements had committed quite serious violent crimes. How did they reconcile their moral arguments with their violent actions? In the main, they justified this by saying that their actions were prompted by an attack upon them. Even more interesting was their definition of “hurt”. Some of these women defined “hurting” someone, not in a physical sense, but in the sense of taking their belongings or breaking into their home. Hannah said that she “didn’t go out of her way to hurt people” and that it “just seemed to happen”. When asked what was the difference between housebreaking and vandalism, Hannah replied that “writing can be easily scrubbed off”. She stated that she wanted people to see her and that she did not think that vandalising the houses was hurting her neighbours. In this particular case, Hannah drew a distinction between the vandalism she had committed and housebreaking. Vandalism, she said, is less hurtful because it can be erased. Whilst this viewpoint is perhaps debatable, it seemed to make sense to this informant.

Another theme in this category was the distinction drawn by some informants between stealing from shops and businesses, rather than from individuals. For example, Frances stated that although she recognised that stealing out of shops did affect people in the end, it was not direct and affected profits more than individuals. She also reported that she had committed a serious assault and that she also had

convictions for shoplifting. She clearly did not see, or want to accept, that shoplifting was still stealing, probably because she shoplifted herself:

Int: So although you had that serious assault at the beginning, most of your offences have been for shoplifting and fraud. Are there any offences you wouldn't commit?

Frances: I would never steal out of people's houses. I've got morals, I would never steal your purse. I could never do things like that. I've maybe stolen out of shops, but I wouldn't steal off of people.

Int: What makes the difference for you?

Frances: I know that stealing out of shops is people at the end, because it's our money, but it's not direct, if you know what I mean. It's like big business. Probably it's some of their profits. I couldn't steal from people, even if they were quite well off. I'm not that kind of person.

Those women who described their moral reasoning in terms of themselves highlighted the issues involved in a totally different way. For this group of informants, the major concerns were more to do with retaliation, the circumstances in which potential crimes can be committed and having the skills necessary to commit the crimes. These are a completely different way of looking at the moral issues involved in breaking the law. In fact, it could be argued that they are not moral statements at all. Betty said that she "wouldn't commit a crime unless it was something she couldn't get out of doing". She reasoned that she had done the best in the circumstances that faced her at the time and that if she had looked at things differently, she would never have committed it. Betty stated that she was not a thief and would never rob anyone, or steal from their house:

Int: The other thing I wanted to ask you is there any types of offences that you wouldn't commit under any circumstances?

Betty: Yeah.

Int: What then?

Betty: I would only commit a crime if I couldn't get out of it. I wouldn't rob people's houses. I wouldn't like anything to do with children, old people. Do you know the kind of thing I mean? Child molesters. Battering old men and women for their purses. Murder. I don't think I would be able to murder anybody. But at this present time, there is no crimes that I would commit. But, there's certain things like you say "no! no! no!" and that's things like children, old people, robbing people's houses, because you're actually taking it out on that individual, aren't you? If you're robbing a shop, you might think you aren't actually hurting anybody, but actually you are because of the insurance and stuff. This that and the other, you know they've still got to cover the stuff that's gone missing from the shop. I never used to think about it that way, but I do now.

Betty also said that she had a relative whose house had been broken into and this had had an effect upon her. She described these crimes as "horrible". Here, although the informant stated that there were some crimes she would not commit, this was countered in the first part of her statement; she would only commit a crime if she could not avoid doing so.

How did the statements from the women in both these categories compare with their experiences of being the victims of crime themselves and does this experience have any bearing upon their moral reasoning? Thirteen of the women reported that they had been the victim of a crime at some point in their lives (excluding domestic violence, which is dealt with in another part of the analysis). Most of these informants had been the victims of violent offences, such as assault. Others had had money or belongings stolen from either themselves or their homes. Almost all of the women who reported being the victim of a crime were not in the habit of committing the same sort of crime themselves. There were two notable exceptions to this. One woman, (Wilma), convicted of housebreaking also reported the same offence being committed against her. The other, (Claire), who had been convicted for the first time

of assault, stated that she was the one who had been assaulted. In both cases, however, they appeared to minimise their conscious part in their own offences, claiming to be victims of circumstances. In Wilma's case, she stated that her partner was the prime mover in the offence. Claire blamed her medication for her aggressive behaviour.

Int: So, what actually happened?

Claire: It's quite a long story. I got put on the drug four months before the it happened. My gran had just died and I was feeling a bit depressed. My doctor prescribed me Seroxat and it was making me quite aggressive: a totally different person. I went back to the doctor and I told him I was feeling worse. I had hit my dad and threatened my mum. He then actually put the dose up. A day later, I was out at a night-club in Dunfermline. This girl approached me. She was having an argument with my friend over some guy. She grabbed my hair and pulled me down. I had a glass in my hand. To defend myself I pushed her away. The glass smashed and that was it.

This led to the conjecture that, at least in some cases, most offences of whatever kind could be explained away by mitigating circumstances.

Probably one of the most quoted researchers in relation to women's moral reasoning is Carol Gilligan. Gilligan's work, summarised in her book *In a Different Voice* (1982) draws heavily upon the psychologist Lawrence Kohlberg's notion of the stages involved in the development of moral reasoning (Barger, 2000). Where the two researchers differ is in their perceptions of what constitutes the most advanced state of thinking in the post-conventional stage. For Kohlberg, this was characterised by an adherence to universal principles, whereas Gilligan advanced the argument that this state could best be understood (for women) in terms of social contracts:

“Since moral problems arise in situations of conflict where “either way I go, something or someone will not be served” there resolution is not just a simple yes or no decision, it is worse. In a world that extends through an

elaborate network of relationships, the fact that someone is hurt affects everyone who is involved, complicating the morality of any decision and removing the possibility of any clear or simple solution. Thus morality, rather than being opposed to integrity or tied to an ideal or agreement, is aligned with the “kind of integrity” that comes from “making decisions after working through very thing you think is involved and important in the situation,” and taking responsibility for choice. In the end, morality is a matter of care” (Gilligan, 1982: 147).

Within this group of informants, there was not much evidence that the women made moral judgements about their offending behaviour in terms of social contracts, as Gilligan suggested. The women’s descriptions of their behaviour were more personal than that, in that they appeared to be “deciding” to offend on the basis of a complex mixture of aspects that were cognitive, emotional and situational. When asked why they did not commit certain types of crimes, the women were much clearer about their reasons for desistance. So, there appears to be a distinction between moral judgements about actual acts of criminality and hypothetical statements about what the informants would not do. These findings would be supported by Sommers (1992), who suggested that both “absolute” and “relational” are co-existent in making moral judgements.

A study recently carried out in Scotland lends weight to Sommers’ arguments. Susan Batchelor’s (2005) study, carried out with 21 young women who had been imprisoned for committing violent offences in 2005 found that, far from “thinking things through” as Gilligan suggested in terms of what is best for everyone, the women she interviewed committed these crimes, often pre-emptively, in order to secure respect and avoid public humiliation. Batchelor’s findings resonate with at least some of the findings in this study. Real situations demand real solutions and these are not always in accordance with “absolute” or “relational” moral judgements.

Conclusion

The quantitative and qualitative findings produced in this chapter have again highlighted many differences between the two groups of offenders, particularly in the areas of negative childhood experiences, substance misuse and the incidence of mental health difficulties. There were also some similarities, however; notably most of the entire group is, or has been, partnered with a criminal male. Also, most of the women interviewed in the qualitative part of the study reported difficulties in their relationships with their extended families and displayed similar attitudes to crime.

The following chapter will further develop the themes that have emerged from this data analysis and will consider the domains of education and employment, together with the elements of L.S.I.-R. that deal with education, employment and the wider community.

What seems to be emerging from this part of the study is the diversity of ways by which women can find themselves involved in the criminal justice system, the influences that bring them to that point and the factors that sustain their offending behaviour. Different social bonds become more important at different stages in their lives. The following chapter explores these issues in further detail.

Chapter 8

Findings - Education, Employment and the Community

Introduction

This chapter discusses the remainder of the major “Domains” of the Level of Service Inventory (Revised) or L.S.I.-R. namely:

- Education and Employment (Domain 2)
- Financial Considerations (Domain 3)
- Associates and Neighbourhoods (Domain 5)
- Leisure and Recreation (Domain 7)

These factors are considered because of their central importance in current correctional literature, regarding effective risk prediction of re-offending and the interventions that are believed to be of most use when attempting to reduce offending behaviour.

The findings obtained are discussed in the light of the two major paradigms operating currently in the field of female offending in Scotland. The feminist critique as presented in the Scottish Executive document *Women Offenders- a Safer Way?* (1998) is considered as well as “What Works?” literature, which underpins L.S.I.-R. as presented by Andrews and Bonta (1996). Other sources of literature are also included, particularly in the field of women’s recreation, in order to assist the interpretation of the findings.

Quantitative Findings

Education and Employment

Domain two of L.S.I.-R. was designed to examine an individual's education and their employment history. It was also intended that the person's educational performance would be examined, together with their attitudes to school and work. Relationships with peers and authority whilst attending school or work were also considered (see figure 8.1).

In the social enquiry reports examined, it was evident that the women who were convicted of violent offences were more numerous in most categories, particularly when their current employment status was considered. Long-term unemployment was high for both groups, but it was more marked in the violent group at 74 per cent. It should be noted, however, that the women who were convicted of non-violent offences also displayed high levels of unemployment (46 per cent).

Figure 8.1 L.S.I.-R. Domain 2 Education and Employment

Domain 2	Education/ Employment	Convicted of Violent Offences 100% (105)	Convicted of Non-violent Offences 100% (95)	χ^2	Significant
11	unemployed	84% (88)	49% (47)	25.0	Yes
12	Frequently unemployed	75% (79)	38% (36)	36.0	Yes
13	Never employed for full year	74% (78)	37% (35)	37.0	Yes
14	Ever sacked	14% (15)	8% (8)	4.5	Yes
15	Left school no further training	68% (71)	47% (45)	9.4	Yes

16	Left without any qualifications	63% (66)	46% (44)	6.3	Yes
17	Suspended or expelled	38% (40)	13% (12)	48.0	Yes
18	Participation/performance	4% (4)	18% (17)	n/a	n/a
19	Peer interactions	3% (3)	13% (12)	n/a	n/a
20	Authority interactions	1% (1)	15% (14)	n/a	n/a

Educational attainment was not particularly high for either group, as considerable numbers of them had left school at the earliest opportunity. This phenomenon was more prevalent in the group that was convicted of violent offences, however. The findings indicated that most of the women in this population left school at the earliest opportunity with no formal qualifications. Neither was there a tendency for either group to go on to study for qualifications later in life.

When the χ^2 was applied to the first seven categories of this domain, all of the observed differences were found to be statistically significant. The critical value for χ^2 was 3.84 with 1 degree of freedom. The level of significance was assumed to be 0.05. Questions 18 to 20 were problematic in this population, because of the high levels of unemployment within the groups. For these individuals, a score of zero was entered, as advised by Andrews and Bonta (1995). However, this produced extremely low scores, especially in the group who were convicted of violent offences. Hence, these scores were not tested for statistical significance, because the data did not meet the test criteria, as discussed previously in Chapter Five.

These findings broadly concur with literature in this field. *Women Offenders - A Safer Way?* (1998: 9) indicates that “Over 90 per cent of women inmates [in Cornton

Vale] left school at age sixteen or under and roughly three quarters had a history of truancy”. Whilst the findings for this study were slightly lower, the same trends were evident. The population also showed relatively high rates of suspensions and expulsions, particularly among the women who were convicted of violent offences. Although these findings can give useful general indications of educational achievement within the groups, unfortunately L.S.I.-R. does not provide a sufficiently detailed framework to assess in detail how qualifications were (or were not) gained and the underlying reasons for this. The qualitative part of the study will perhaps illuminate some of these questions.

Employment matters account for no less than seven of the L.S.I.-R. ratings. Three relate to patterns of employment and four relate to relationships with peers and managers whilst at school or work. The scoring system that accompanies L.S.I.R. does allow scores not to be given for these parameters if someone cannot work for some reason. However, a closer examination of the scoring system reveals that “points” are awarded as if the person was having difficulties with relationships at work. This therefore artificially inflates the final scores (for males as well as females, of course). This suggests that any interpretation of the findings should be treated with caution.

Another confounding factor is the general level of unemployment within the area in which the women were living. Statistics issued by the Scottish Executive (2005) reveal that Fife has unemployment rates that exceed the national figures. The claimant unemployment rate (i.e. those who were claiming unemployment benefit

and looking for work) was reported to be about four per cent compared with about 3 per cent nationally. Long term unemployment, however appears to have risen much faster in Fife than in the rest of the country- 17 per cent, compared with a national figure of one per cent (National statistics, 2005).

L.S.I.-R. makes no allowances for unemployment rates within the offender's own community, assuming that unemployment is located within the individual's efforts to find a job. For this population, even if they were looking for employment, finding work would have been difficult. This is not just because of their relatively low academic qualifications and drug-addiction, as discussed in the previous chapter, but also because of the high rates of unemployment that are to be found in the Fife area.

Financial Considerations

Financial problems were only categorised as such, if these were highlighted in the social enquiry report, usually related to the inability to pay a fine. This may not be a reliable way to define this category, since nearly 70 per cent of the entire sample was in receipt of benefits.

The quantitative findings in this category (see figure 8.2) did show some differences between the groups of women in the population, which were found to be statistically significant. When the χ^2 test was applied to these two categories, the differences were found to be statistically significant, with a critical value for χ^2 of 3.84, with 1 degree of freedom. The level of significance (p) was assumed to be ≤ 0.05 .

However, “financial problems” appear to have been interpreted in a narrow sense by social enquiry report writers, in that this is usually linked to whether or not the subject of the report can pay a fine. Whilst this is understandable, given the purpose of social enquiry reports, the data collected probably does not reflect the true extent of financial difficulties for this group of women, given that most of them are unemployed.

Figure 8.2 L.S.I.-R. Domain 3 Financial Considerations

Domain 3	Financial	Convicted of Violent Offences 100% (105)	Convicted of Non-violent Offences 100% (95)	χ^2	Significant
21	Financial problems	42% (44)	21% (20)	21.0	Yes
22	Reliance upon social security	85% (89)	54% (51)	17.8	Yes

Lack of finances has been linked to offending behaviour in numerous sources of literature on this subject. Regarding women’s offending, several writers (e.g. Carlen, 1988:72) have highlighted the relationship between offending behaviour, lack of finances and the propensity of a woman to commit offences, particularly acquisitive ones. More general sources of literature have also linked poverty with crime and conversely, the ability to desist from offending increasing with improved finances. (Marunna, 2002:30).

Another area of concern was structural in nature. There seemed to be an overlap between elements 11 and 12 of domain two and element 22 of this domain. This meant that in some cases, persons were being scored twice for the same thing,

thereby potentially inflating the final L.S.I.R. score. This could have contributed to creating a “false positive” effect, that is attributing a higher risk of re-offending score than should be the case. Andrews and Bonta (1996:19) do admit that this is an issue when using L.S.I.-R. Within the context of this study, it would therefore be wise to exercise caution in the interpretation of these results.

Neighbourhoods and Accommodation

These questions are designed to measure the degree of “rootlessness” (or homelessness of the person) in the subject, which is often related to offending, particularly in young offenders (Andrews and Bonta, 1996). These elements did not appear to feature strongly in either group. This may be because social enquiry reports in Fife did not contain a separate heading for these categories and so it may be that this information had been missed, or not inserted in the report by the report writers. It may also reflect the prevalence of council housing in the area. It seems reasonable to assume, given all the other factors, that many of the women lived in council-owned property and were less likely to experience homelessness as a result.

The quantitative findings indicate that the women who were convicted of violent offences lived in a high crime area more frequently than the other group and this was statistically significant. Figure 8.3 summarises the results obtained.

Figure 8.3 L.S.I.-R. Domain 5 Accommodation

Domain 5	Accommodation	Convicted of Violent Offences 100% (105)	Convicted of Non-violent Offences 100% (95)	χ^2	Significant
27	Unsatisfactory accommodation	17% (18)	6% (6)	20.1	Yes

28	3 or more address changes last year	15% (16)	5% (5)	20.0	Yes
29	High crime neighbourhood	30% (32)	19% (18)	6.4	Yes

The differences between the three categories were found to be statistically significant. The critical value for χ^2 was 3.84, with 1 degree of freedom. The level of significance (p) was assumed to be 0.05.

It has long been recognised however that the neighbourhood that a person lives in can have an effect upon their offending behaviour. These notions probably have their roots in the work of the Chicago School, who spent a lot of time “mapping” crime zones in the city (e.g. Park, 1925). Although these ideas are therefore not new, they continue to influence Government policy regarding the control of crime and the protection of the victims of that crime. For example, a recently published Home Office White Paper entitled *Tackling Persistent Offenders: Social Reintegration* (2005:3.69) states: “There are networks of criminality, which reinforce the passage of dangerous, offensive and deeply anti-social behaviour”.

The paper advocated the further development of multi-disciplinary approach to this problem, since it involves not just a police response, but a fully integrated community solution. The notion that communities can help to reduce crime in their area has been a feature also of Scottish Executive policy, with the establishment of Community Crime Panels in many areas of Scotland, since 2001. This link is also recognised by Andrews and Bonta (1996) and forms one of the elements of L.S.I.-R. in conjunction with questions designed to ascertain a person’s criminal associations.

This contributes to the final score regarding the propensity of an offender to re-offend.

The definition of what constitutes a “high crime area” is nevertheless problematic. High compared with what? There are several areas of Fife with a high crime rate, but how would this compare with a city? Andrews and Bonta give no definition of a high crime area, but rely upon the offender’s perception of their own neighbourhood (1996: 8). This involves the interviewer asking questions like “How often do the police visit your area?” and “Do you think there is a lot of crime in your area?”. This leads to answers that are subjective and perhaps may not be accurate. In addition, this line of enquiry tends to link crime that is committed within the neighbourhood to the individual’s likelihood of re-offending. Whilst this may be true some of the time, it is not necessarily the case all of the time. For these reasons, the results should be interpreted with caution.

Leisure and Recreation

Unfortunately, no meaningful data could be extracted from the social enquiry reports for this domain, because this information was seldom included in these documents. The qualitative part of the analysis may help to provide information about this topic.

The link between offending and the lack of constructive leisure pursuits seems to have evolved over a period of time and is linked to research studies mainly carried out with young offenders. As far back as Glueck and Glueck (1950), researchers were identifying two things; offenders seldom had hobbies and non-offenders usually

did. This train of thought has persisted and underpins contemporary research, especially with young offenders. For example, the recent evaluation of Fregarrach, a project for young offenders managed by Stirling and Clackmannanshire Local Authorities, stresses the importance of developing in the young people who participated “structured activities... in order to teach them how to spend their free time more constructively”. (Lobely et al, 2000:17).

Hence, the manner in which offenders spend their leisure time is identified in L.S.I.-R. as an important indicator of the likelihood of their propensity to re-offend. An offender who spends their free time in pursuits, which Andrews and Bonta (1996: 4) describe as “participation in an organised activity” are presumed to be less likely to re-offend than other offenders who do not. Andrews and Bonta define an organised activity as “weight lifting, stamp collecting and car maintenance”. This clearly has male connotations and so raises the issue of how leisure and recreation is defined by the women informants themselves. This will be discussed in the qualitative part of the analysis.

Companions

All of the social enquiry reports prepared in Fife contain a section that deals with relationships and so the reports do contain the necessary information for this analysis. It can be seen from the aggregate data that few of the members of either group were social isolates. Also criminal associates and friendships are high in both groups, probably reflecting the prevalence of drug-misuse in this sample, as

discussed in the previous chapter. The group of violent offenders showed higher percentages in all categories.

Figure 8.4 L.S.I.-R Domain 7 Companions¹

Domain 7	Companions	Convicted of Violent Offences 100% (105)	Convicted of Non-violent Offences 100% (95)	χ^2	Significant
32	A social isolate	14% (15)	6% (6)	10.7	Yes
33	Some criminal acquaintances	84% (88)	51% (48)	21.4	Yes
34	Some criminal friends	80% (84)	48% (46)	21.3	Yes
35	Few anti criminal acquaintances	50% (52)	33% (31)	8.8	Yes
36	Few anti-criminal friends	45% (47)	24% (23)	18.3	Yes

All of the categories in domain 7 displayed significantly different results when the χ^2 test was applied. The critical value for χ^2 was 3.84, with 1 degree of freedom. The level of significance (p) was assumed to be 0.05.

Associating with criminals has linked by many criminologists to the sustaining of criminality (e.g. Sampson and Laub, 1980). Many examples of this can be found in literature and some writers have highlighted its relevance to female offending. (e.g. Chesney-Lind and Brown, 1999). Therefore, this domain appears in L.S.I.-R. in

¹ Question 32 is designed to record social isolation as a factor in sustaining criminal behaviour. This is defined as not getting along with people and lacking the social skills to sustain friendships. Criminal acquaintances are presumed to mean those with a criminal record, but who are not close friends of the subject. Andrews and Bonta (1995) advise that anyone who misuses drugs has, by definition, criminal acquaintances. Criminal friends are close associates of the person being assessed.

order that an assessment can be made about the extent to which the associates the person has are themselves involved in criminal activity.

Most of this population had criminal associations and this appeared in the social enquiry reports that had been prepared about them. This was significantly higher in the group who committed violent offences. This is probably partly related to their illegal substance misuse; by definition, persons who use illegal substances have criminal associates (Andrews and Bonta, 1996). What remains unclear from the analysis thus far is how these relationships are maintained and what effects if any they have upon the women's offending behaviour.

Qualitative Findings

Experiences of Education

All the women informants, apart from one, stated that they had enjoyed their primary school years. This was despite the fact that most of them had experienced some disruptions to their home situations.

Frances gave a typical example of this. She related during her interview that her early life during her primary school years had been quite traumatic for her, because she had been abused as a child. Nevertheless, her memories of her primary school years were happy. She stated that she "loved primary school" even although the rest of her life was perhaps a bit miserable for her:

Int: So you were quite bright at school. Did you like school?

Frances: Yes.

Int: What about primary school, did you like that?

Frances: I loved primary school. It was just me and my mum and we lived in B. and then when my mum married my step-dad, we moved to R. because he was in the Navy. But he was actually buying himself out at that point. Jumping from a wee place, to a big place was hard, but I actually made two friends. I worked with one of their uncles and he abused me. He sold eggs and fruit and that. Since then, you put up that sort of defence, you know? I don't know why I do it.

Edwina was the only informant to report that she had been bullied at primary school. These incidents, she related, started when she was about eight. Edwina was quite small for her age and had moved to a new primary school. This, she felt, made her a perfect target. However, she said the other children never actually assaulted her. They just ignored her. However, Edwina stated that she did get her own back. A few years later, over the summer break, she grew tall in a relatively short space of time. She was now bigger than the people who had bullied her. Therefore, she started to bully them, using similar tactics to the ones that had been used against her.

Other informants told similar stories during their interviews. The only difference was that the bullying seemed to start in the early years of secondary school. The situations were all different, but the underlying theme was the same; bullying seems to take place when the person being bullied is isolated and vulnerable, for some reason. Take, for example, the case of Hannah:

Int: How did you get on with your schoolmates?

Hannah: I didn't. I didn't have any friends.

Int: Nobody at all?

Hannah: No. I was bullied a lot at school.

Int: What kind of things did they do?

Hannah: Well, we lived in P. When I got on the school bus, the whole bus used to be against me. They used to pour water over our heads and talcum powder, because we were stinking. It was never physical; it was more mental - just laugh at us or just walk away from us. But it was mental stuff, never physical.

Int: So it was a pretty lonely time for you?

Hannah: Yes.

Int: When did the bullying start?

Hannah: I was about twelve.

Int: So it was O.K. at primary school?

Hannah: Yes. It was o.k. at primary school.

Her mother had died when she was eleven years of age, when Hannah was just about to go to secondary school. She and her sister lived with their father, who did not cope well with his wife's death. According to Hannah her father did not look after them properly and of course, some other children saw this as a reason to bully her. Again, this seemed to take the form of being ignored by the "in crowd" and was perpetrated by girls of roughly the same age, or a little bit older. However, this tactic persisted for years in Hannah's case and although she did not go on to be a bully herself, she did state that it had culminated in her committing her first offence, when she was 16 years of age. This was a series of acts of vandalism against her neighbours. Hannah directly linked her offending to her home situation and unhappy school life. She started committing assaults after this.

There were several other examples of the victims of bullies developing these "skills" for themselves, initially as a form of self-preservation, but then as an end in itself.

These individuals usually went on to commit assaults in adult life. This suggested that assaulting someone is not purely situational, as some of the informants would have us believe. It is also a learned response to difficult situations. If this line is crossed at an early age and aggression is legitimated, for whatever reason, then it seems more likely that violence will occur more often in adult life. This seems to be the story of most of the women who were convicted of violent offences.

The literature regarding bullying in schools is extensive and several large-scale studies have been carried out, both in Britain and internationally. Smith's (1999) study of bullying in schools found the problem widespread among both primary and secondary schoolchildren, although it was more prevalent in secondary schools. In general, boys tend to bully more than girls and the form it takes is different. Smith found that there were more instances of physical attacks with boys, whereas girls tended to use more indirect tactics, such as spreading rumours and ignoring their victims, in much the same way as Hannah described in her interview. Smith also found that bullies often go on to become bullies themselves, indicating that bullying can be a learned response.

Educational Attainment

As a group, few of these women did well at school. Most left at the earliest opportunity with no qualifications. Some did get Standard Grades, however, and three said they had been awarded "Higher" grade or "A" level passes. This raised the question of why so many of these women had not achieved academic success and if

this was linked to the negative experiences of school that many of the informants had been relating during their interviews.

They gave several reasons for this, sometimes related to their friends at school not being all that interested in study. Others however told me that, in their view, bad teaching practice had led to them not being able to understand the material and so they failed. For example, Olive related during the course of her interview that she was dyslexic and had great difficulties with reading, or recognising number patterns:

Int: So, if you moved up here when you were seven, you must have spent most of your education here?

Olive: I went to local schools in Glenrothes.

Int: Did you get any qualifications?

Olive: I think I passed my art and science.

Int: At standard grade?

Olive: I think so. But I wasn't very bright when I was at school.

Int: Why?

Olive: I was dyslexic.

Int: How did you find out that you were dyslexic?

Olive: They found out in primary school. I went through one of these tests.

Int: And did they do anything to help you?

Olive: I used to get help with my reading and spelling and things. And fractions; I couldn't do fractions.

Int: That must have been quite difficult.

Olive: Yes, it was. Like written instructions, I don't understand them. Unless somebody talks to me, I can't understand them properly.

Int: Is your dyslexia still a problem for you?

Olive: It's not as bad as it was when I was at school. I've managed to cope with it a bit better. As I've got older, I can cope with it better. I do sometimes find it quite hard if I've got to follow, for example a pattern, because I can't understand the written instructions. I've usually got to get somebody to explain it in more detail.

In addition, why did some informants report that they had gained some qualifications at school, whilst others had not? Was this linked to good general experiences of secondary education? Tina described her experience of school in this way:

Int: Did you get any qualifications at school?

Tina: Yes.

Int: What did you get?

Tina: Five "O" levels and three "A" levels.

Int: Very good. So, you're fairly bright, then?

Tina: Yes, I suppose I was. I didn't deserve it though- I was hardly ever there. Used to bunk it a lot.

Int: Why was that?

Tina: I was just bored with it.

Int: What were your "A" levels in?

Tina: English, maths and art.

Int: Did you think about going to uni after that?

Tina: No, I wasn't in to all that stuff.

Int: So what did you do when you left school?

Tina: I started hairdressing. Then I worked in offices and stuff.

Int: So, you had a fairly good education and done reasonably well. Did you like it?

Tina: Yes, it was a laugh. But I never used to study, so I could have done a lot better than I did. I was always the one who was going out. My brother used to study a lot herder than me.

What happened once the informants had left school paints a different picture. Just over half (11) stated that they had either completed a course at a further education college or had applied to do so. This was confirmed by the information contained in the social enquiry reports and case-files of the informants. In the majority of cases, these courses had been embarked on independently of their school experiences. The usual stated motivation for taking them was to gain some qualifications in order to find a job. Betty, for instance, gained no qualifications whilst at school. Whilst in prison, she was encouraged to pursue vocational courses and when she was released, she applied to a local college to study sports science:

Betty: I'm not working at the moment. I'm studying. I'm a full-time student, studying sports coaching.

Int: Do you enjoy that?

Betty: I love it. I only have to do this course, because I already have qualifications for this course sports-wise, but because I've got no qualifications from school in maths and English, this is why I've got to do this course. I need the academic stuff to qualify.

She did this with the support of her supervising officer and at the time of the interview, stated that she was progressing well with her course. She told me that she had always had an interest in this area of work and planned to look for employment as a coach when her course was finished. The course, she said, was good for her, in that it gave her an interest and a structure to her life. It had also helped her to remain free of drugs.

The role that educational experience plays in shaping individuals in society is well recognised. Pierre Bourdieu (1986), when formulating his ideas about social capital called this “habitus”, that is the control and transfer of social norms, symbols and meanings to individuals. Examination passes reward those who are successful in assimilating these norms. These can be used as a “bargaining chip” to gain status in society, usually by way of obtaining a better paid or more influential job. In Bourdieu’s analysis, the student makes an “investment” in education and is rewarded by an increase in social capital.

However, there seems to be more than one investment going on in this situation. Most of the women did not do well as far as examination passes are concerned. They did, however make investments in their peer group relationships. Therefore this must have been more important to them; but this also means that the norms and symbols that were supposed to be transmitted to these individuals by way of education were not. A different set of norms and symbols, this time from their fellow students took precedence and perhaps helped to shape their future behaviour.

The women’s continuing interest in their own education was marked as most of the informants stated that they were already attending a college of further education, or were intending to do so. The wider availability of further education courses in recent years and the diversity of the subjects offered (Morgan-Klein, 2003: 339) has probably helped this process. Moreover, the women showed a much greater level of commitment to their present educational efforts than they did when they were at school.

The complexity of the situation just described raises some questions about how attitudes to education are dealt with by L.S.I.-R. and whether it accurately describes this complexity. The L.S.I.-R. instruction manual (Andrews and Bonta, 1996: 6) states that a high level of participation and performance at school should be defined as: "...The client has a high interest in school-related activities. The client does homework, readings and assignments promptly and reliably and achieves above average grades (C or better). He/she has regular attendance at school."

Whilst this may be a very useful definition for academic achievement, it is perhaps less helpful when trying to understand the role that educational experience plays in the formulation of offending behaviour. Negative experiences of school can have a detrimental effect upon eventual academic attainment. Tett (2000:188) describes how working class higher education students, when describing their school years, were acutely aware of the structural inequalities that faced them. They did not view this as a personal failure on their part, but as a wider societal issue. It could well be that the expansion of further education might help to redress this imbalance. Certainly, for this group of informants, further education is seen as a way out of their present situation.

In addition, L.S.I.-R. makes no mention of bullying at school being a possible "trigger" for violent behaviour in later life. Since this has been highlighted in many recent studies (Moffitt, 2001, Smith, 1999), this perhaps needs to be addressed. Whilst it is recognised that this would be classed as a static criminogenic need,

because incidents that happened in the past cannot be changed, it nevertheless seems an important factor to consider. This is especially true of those women who commit violent offences, since they frequently reported bullying.

Employment

In the entire group of informants, only three were currently employed. Two of these were members of the group who were convicted of violent offences. Therefore, at face value, the qualitative data broadly supported the conclusions drawn in the quantitative analysis. When the data were further analysed, further information became known.

By far the most frequent reason for unemployment in the group of women who committed violent offences was chronic substance abuse. Three quarters of the informants reported that they could not work because of their drug or alcohol misuse. This was only true of two of the group who had been convicted of non-violent offences, both of whom had been convicted of drug offences. Therefore, the prevalence of drug-taking seems to be a major contributory factor to unemployment for these women. For example, Libby had tried to get help for her addiction and at the time of her interview stated that she was attending a local alcohol counselling service. She said that she did not hold out much hope of this being successful, however, but attended because it was a condition of her probation order. She stated that she had begun drinking in her teenage years and the problem steadily got worse, to the extent that she could not envisage herself as ever solving this problem.

Some women were currently unemployed because of child-care responsibilities, but this only applied to three individuals and all of them had been convicted of offences that were non-violent. These women stated that they had never worked and were not looking for employment preferring to stay at home with the children. These women probably should not have been classified as “unemployed” in the sense meant by Andrews and Bonta (1996), since they considered that their family responsibilities took precedence over the necessity to get a job. In all of these cases, the women said their partners were supporting them.

Two of the women could not work because of physical or mental health problems and had to claim disability allowance. Neither of these women held out any hope that they would ever be able to work again. For example, Avril described how she suffered from schizophrenia and anticipated that she would probably take medication for this for the rest of her life:

Int: So, when were you diagnosed with schizophrenia?

Avril: when I was about 17 or 18.

Int: And what kind of medication are you on?

Avril: I get injections once every three months. I'll probably be on these for ever.

Int: Has this affected your ability to work?

Avril: I haven't worked since then. I used to work in hotels and stuff, cleaning and doing laundry and stuff. But that was all.

Int: Are you getting any help with this?

Avril: The psychiatric nurse comes to see me about once a month.

Int: What do you think your chances are of getting a job?

Avril: Not very good, but I'm not really bothered if I work or not. I've got my benefits.

Despite Avril stating that her prospects of gaining employment were remote, she did not appear to be concerned about this, so perhaps employment was not an important issue for her.

As already stated, three informants were in employment at the time of their interview. Two were employed as shop assistants and the other was a part-time delivery driver. These three women had worked steadily for several years, despite two of them having young children. So, it would seem that they were able to continue working, albeit part-time, combining this with other responsibilities.

Some studies link unemployment to offending. For example, Farrington et al (1986) found in their study of 1500 offenders in England that offending rose during periods of unemployment. Other, more recent studies have concentrated on the gaining of employment and its link to the reduction of repeat offending. Sarno et al (2001) studied the data collected over a three-year period from two probation areas that were running programmes aimed at getting offenders into employment. The schemes were based in Inner London and Surrey and over 2000 participants were studied. The researchers found that, for both schemes, offending reduced significantly, when one year re-conviction rates were considered. However, all of these studies concentrated upon young, male offenders and so therefore might not be as relevant to the women in this study. Also, the schemes offered other services in addition to employment counselling, such as help with accommodation, advice on leisure pursuits and work

on offending behaviour with their probation supervisors. The study reported that approximately 200 offenders did find employment because of their participation (about 15 per cent).

So, as Hedderman (2004: 236) observes "...there is remarkably little robust evidence of a direct relationship between unemployment and offending". This, however, has not discouraged the assumption that unemployment is an important criminogenic need. This is especially true of convicted women offenders, since their employment patterns are more complex and there are less of them in the criminal justice system, which makes generalisations problematic. For example, Mair and May's (1999) study of probationers in England found that many more men described themselves as unemployed compared with the women in the sample. (59 per cent compared with 32 per cent respectively). Many of the women in Mair and May's study were single parents with caring responsibilities for young children and saw this as their major task.

This raises the question of whether being unemployed has the same meaning for these women. It would seem from the qualitative analysis carried out that many of the women did not view "getting a job" as particularly high up on their list of priorities at the time of their interview, for a variety of reasons. Although most of them would have liked to work outside the home at some point and were prepared to undertake training to achieve this, there were many other activities, such as child-care, which occupied them. In addition, many of the women interviewed had other

sources of income, some legal and some illegal, which served to supplement their income.

It may well be that L.S.I.-R. cannot describe this complexity, because of the assumptions made about the links between unemployment and offending. The simple fact is, not everyone lays great store by having a full-time job; for some people, this pursuit is secondary to other, more important areas of their lives.

Finance

As all but three of the informants were in receipt of state benefit at the time of their interview, so therefore it was likely that at least some of them would report difficulties with their financial situation. This indeed proved to be the case, as about half of the entire group of informants stated that their offending, at some point, was related to a lack of finances. There was no difference between the groups of women convicted of violent and non-violent offences in this regard.

For the women who did admit to committing offences for this reason, most stated that they had done so in order to gain money for drugs. This sometimes involved “traditional” women’s crimes, such as shoplifting, in order to substitute for example foodstuffs that should have been bought by legitimate means. Donna gave a particularly vivid account of how this process worked for her:

Int: I see you have a conviction for robbery. What was that about?

Donna: That was when I snatched a bag. I would say that’s my worst offence. That’s my most... that’s the offence that I feel...none of my offences are my character at all. I am a nice person. But that robbery, I can’t

believe I actually done it. It's the heroin; it just takes a grip of you and destroys the person that you are. All you're thinking about is where you're going to get your fix from. You would rob your granny. I stole a thousand quid from my mum's bank account and her building society account.

Int: So, what was the robbery about? Was it a stranger's bag?

Donna: Yes, it was a stranger's bag. She was just walking along. It was only because I couldn't get a shoplift and I didn't have any money to get myself down the town to get a shoplift. So, what I done was, I thought, I'm going to have to get money. I'm going to maybe have to snatch a bag. So, I was walking about the town and saw this woman. I just grabbed her bag. She was carrying it, like under her arm and I just snatched the handles, from underneath her. I got it and just ran and kept on running. I got to this place where I know a wee sort of alleyway, a tunnel thing and I went in there. I got about £130 out her purse. I got the credit cards and then I just slung it.

Int: How did they find out about it, then?

Donna: Because some dirty pig stuck me in it. The police actually said that they would never have thought of lifting me and questioning me for something like that. I was a shoplifter, not a bag-snatcher. Nothing like a robbery. They wouldn't have thought that that was my kind of character.

Apart from shoplifting, other informants stated that they had taken different actions to supplement their income. For example, Wilma stated that she and her partner often offended together, at his instigation and this was usually associated with drugs. On one such occasion, Wilma acted as a lookout while her partner broke into a house. She related that they both gained a considerable amount of cash from this crime and used this to buy drugs.

The above story appears to concur with feminist explanations of female crime, because of the pressure under which Wilma was put by her partner, according to her statement. Donna's story however suggests that sometimes other mechanisms might also be at work. The motivation for committing these crimes is the same- to get extra money for drugs. The tactics adopted and the ways in which the women became

involved in the offence were quite different. In Donna's case, she stated that she made the decision to become involved by herself and was working alone when she committed the crime. In Wilma's case this decision, she said, was practically made for her by her partner. This suggests that the act of supplementing income illegally cannot always be explained in a one-dimensional way.

So, there seems to be some contradictions in the data obtained from the women and the assumption made in some literature regarding the reasons for women's acquisitive offending behaviour. The "Informal Economy" was first proposed by Carlen (1988)- that gaining money for the family when finances were restricted was a major indicator of why women offend. Carlen's study was based upon 39 informants who had served, or were serving prison or youth custody sentences. However, only four of the women interviewed were addicted to heroin (1988:172). A very different situation was encountered with the group of respondents in this study as the majority of them misused illegal drugs. This was probably indicative of the spread of illegal drug use in Scotland in recent years (McKeganey et al, 2002).

The patterns of offending that were related in the qualitative interviews indicated that acquisitive crime can often have other motives than those ones proposed by Carlen (1988). The assumption made by the *Safer Way?* (1998) is that women's criminality is largely minor and acquisitive, following Carlen's (1988) analysis. Whilst there is no doubt that this is true sometimes, the women interviewed indicated that they also commit different sorts of crimes. The repeat offenders in the groups, with few exceptions, all stated that they had committed other crimes, besides those geared to

acquisition of resources. This was supported by the quantitative analysis, which confirmed that repeat offenders in this sample commit many different kinds of offences. This might mean that there is a more complex pattern of criminality present than the analyses presented by these two publications would suggest.

Neighbourhoods and Accommodation

Most of the informants reported that the neighbourhood in which they lived had little or no effect upon their offending behaviour. There were some notable exceptions to this, however. In most cases, these were women who had been convicted of violent offences. This appeared to be linked in most cases to drug misuse and not to, for example, their own pattern of offending.

The links between the women's statements about their offending and the neighbourhoods in which they lived was not always as straightforward as it first appeared. For example, Iris related a story about her accommodation at the time of the interview that illustrated this point.

Int: So, you're really going to make a go of trying to get your drug-taking under control.

Iris: The last time I used to get my methadone and my vallyies off the doctor. That was when I was doing my probation with A. I used to get methadone and that. I didn't need to bother doing anything. I used to get up in the morning, go to the post office, clean the house and that. Before, I would get steaming drunk and lie for days. But that' all done now. My Mum helps out, she's really good that way. She's really helping me.

Int: Do you stay with your mum?

Iris: No, She's my next door neighbour.

Int: That's even better. Whereabouts do you live?

Iris: In C.

Int: How would you describe the area that you live in? What is it like to live there?

Iris: Our block's all right. There's T. and C. That's where all my junkie pals stay. Half of them stay just up the road from me. So, they're around me all the time. It doesn't really bother me because my mum's there helping me.

From Iris' account there appeared to be two potential influences upon her pulling in opposite directions. On the one hand her drug-taking associates lived nearby, who would perhaps encourage her to take drugs; but on the other hand her mother, who also lived in close proximity gave her support to resist this.

Some women, eight in total, also reported that they had had their houses broken into and strongly suspected neighbours of the crime. In this regard, it was interesting to note how some neighbourhoods appeared to police themselves. When Wilma's house was broken into and some items of clothing and jewellery were taken, she stated that it was not the only reaction of herself and her partner to call the police:

Int: I've nearly asked all the questions I have for you. But could you tell me if you've ever been the victim of a crime? Have you ever had an offence committed against you?

Wilma: Yes, I've had my house broken into, by a guy who stays across the park from me.

Int: How did you know it was him?

Wilma: He told me. My boyfriend, he was going to hammer him, but he says he'll just wait until he gets him on his own.

Int: You didn't go to the police?

Wilma: Yes, but when they came all they said was "Now you know how it feels".

Int: So, they never did anything about it, then?

Wilma: Yes.

Int: So does that happen quite a lot in your area then?

Wilma: Yes.

Int: Like committing offences against each other?

Wilma: Yes.

Int: That must have been pretty rotten for you. What did he take?

Wilma: A pair of kicker shoes, a gold bangle, gold earrings, couple of DVD films and a shaver.

Int: So do you think your partner will hammer him, then?

Dianne G. Yes he will.

She said that her partner intended more direct action, probably involving an assault. This story appeared to link with the observations made in the Scottish Crime Survey (2000). This is the most recent survey that has been carried out in Scotland and it gives details of patterns of crime and victimisation across the country. The survey found that people living on housing estates (particularly in the most deprived council estate areas) were much more likely to be the victim of a housebreaking. They were also more likely to experience multiple victimisation, that is, be the victim of several crimes.

“Rootlessness”, defined by Andrews and Bonta (1996) as not having a stable address or family life, is often associated with offending behaviour, especially in young people, as was explained in the quantitative part of the analysis in this chapter. This did not feature strongly in this group of informants, however. Two

of them stated that they had experienced this when they were much younger and in both cases, this had led to drug-taking and subsequent offending. In Donna's case, this happened when she left home at the age of sixteen. In her own words she "jumped about from hostel to hostel". It was at that point that she said she began taking drugs. She met her first partner at this time and a few months later, she committed her first official offence (carrying an offensive weapon).

Most of the women did not report such experiences. Although many of them had unhappy memories of their childhood and adolescence, they could not be described as rootless. This raises the question of the relevance of this domain for this group of convicted women. Admittedly, this was a very small group of informants and the answers they gave might not have been representative of the total population of convicted women offenders in Fife. They were also older, in the main, than groups of young offenders studied by Andrews et al (1990b), which formed the basis of their theory that "rootlessness" was linked with criminality. However, this aspect of L.S.I.-R. did not appear to be a feature of the lived experiences of this group of women.

Associates

All of the informants who had been convicted of more than one offence had criminal associations, whereas only one of the women who had been convicted for the first time admitted doing so. This was Roberta, a woman in her early fifties who had been taking illegal drugs for years and had been caught for the first time:

Int: So, how long had you been taking cannabis before you got caught?

Roberta: Oh, must have been about 15 years.

Int: How did that happen?

Roberta: Somebody grassed me up. I think it was a neighbour, but I can't be sure about that.

Int: So, are you still taking cannabis?

Roberta: Yes, I've been taking it so long- can't see me giving it up now.

Int: How did you get the cannabis?

Roberta: There's this guy I know- I've known him for years and we're quite friendly. He gets me the stuff.

Int: So, you're still in touch with him, then?

Roberta: Aye- I see him about once or twice a week.

Roberta's responses perhaps give some insight into how associations are linked to drug misuse. In this case her friendship with the supplier of her drug played a part in sustaining her continued addiction.

Those who had been convicted of more than one offence all, without exception, had criminal associates and this was invariably linked to drug abuse. Heroin use is widespread in Fife and is the most frequently used drug (McKegany et al, 2002). The pattern that emerged from these interviews confirmed that, for the group of women who were convicted of non-violent offences, repeat offending was strongly linked to drug abuse and that these offences were usually committed with their partners. A good example of this was Vera, whose partner was a drug dealer and who was serving a custodial sentence at the time of the interview. Vera had accumulated several charges for the possession and the supplying of drugs, but had no convictions for any other types of offences. This raised the issue of whether drug abuse "causes"

crime or the other way round. Whilst this may be an impossible question to answer, there is no doubt that drug abuse is a powerful source of criminogenic need, since it affects so many aspects of offenders' lives.

The women who had criminal associates also had criminal friends, but these were not always related to their substance supply. Sometimes, these friends were neighbours and fellow drug users. The dividing line between an "associate" and a "friend" is not easy to draw in this analysis. This is probably because most of Fife operates upon a series of local networks and so small dealers are usually located within local communities. In this context, it is therefore difficult to distinguish between the two. Despite this, it seems reasonable to suggest that there was a strong link between recidivism and drug misuse for this group of informants.

Therefore, the local community is itself sustaining illegal activity. From the statements made by the women, drug taking and drug dealing were commonplace in the communities in which they lived. There were also strong social bonds between drug users and their suppliers. Some of the women were partnered with their dealers, or were dealers themselves, whilst others reported "friendships" with their dealers because they had known them for a long time. This implies that drug misuse had a social context for these women and so drug taking was not seen as a separate activity from the other social relationships that they had.

The social aspects of illegal drug misuse were probably best described By Howard Becker's classic study of marijuana among jazz musicians in the 1960's. For the

subjects of Becker's study, as for these women, drug-taking was viewed as an acceptable activity, and an intrinsic part of their lives.

Of course, "The Community" cannot be thought of as an homogenous entity. There were other influences active within the neighbourhoods in which the women lived that did not condone criminal activity. The most potent of these appeared to be the women's own families. Many of their parents did not condone their criminal activity and had tried to influence them to lead more law-abiding lives. However, at the point they were interviewed, this seemed to be meeting with little success. This suggested that the other social bonds, with family and friends were stronger and more important.

Leisure and Recreation

The quantitative findings have already drawn attention to the wider issues that emerge when we consider women and leisure. Most of the women who were interviewed stated that they did not have any hobbies, for a variety of reasons. There were no real differences between the groups in this respect. The women gave several different perspectives on their own particular situations during their interviews. For some, like Nora, this was related to lack of time because of child-care responsibilities:

Int: If you have any spare time, what are the things you like to do? Have you got any hobbies?

Heather A.: I'm not really a hobbies person, really. I'm more of a sit down and watch Eastenders type of person. Or if I'm bored, I'll go and see somebody in my family. There's that many of them to go round, I'm never bored. You could say that's my hobby. I used to do a bit of keep fit and stuff, but I don't do that anymore.

Int: So you're an Eastenders fan, not a Corrie Street fan?

Heather A.: No, any soap at all.

Int: But I guess the kids will keep you pretty busy.

Heather A.: Yes, you could say that.

Whilst this was understandable on one level, on another it raised the question of why these women did not pursue any leisure activities. Perhaps leisure activities were just not important to them. Some women, could not think of any leisure pursuits that they presently indulged in. Some could think no further than getting drunk, hardly what could be described as a leisure pursuit in the accepted sense of the word. It made sense to these women, probably because drinking sessions usually involved socialising with others. Donna stated, for instance, that she liked to spend her spare time drinking with her mother, or her friends.

Only two informants could tell me about hobbies that they had at the time they were interviewed and that, albeit loosely, fall into the perception of leisure activities proposed by Andrews and Bonta. Betty said that she liked playing a lot of sport and felt that this had helped her to make a fresh start when she left prison. This activity would fit with Andrews and Bonta's (1996) definition of an organised activity. Betty stated that she had used her interest in sport to support her efforts to lead a different kind of life. She stated that it had helped to "pull her out of offending". Joanne enjoyed listening to music and reading. Whilst this activity is not "organised" in any sense, it may be counted as a hobby, since much enjoyment and self-fulfilment can be gained from these activities.

The responses of the women to might have been linked to the way in which the questions were framed. All of the informants were asked what they liked to do when they have any free time. No mention was made of organised leisure pursuits. It is more likely however that the definition of “leisure” that had been assumed before the interviews had a different meaning for these women. They seemed to have interpreted the question in terms of “space fillers” in between other responsibilities, like working, child-minding and house-keeping.

Although almost all of the women said they did not have hobbies at the time they were interviewed, most could identify hobbies that they would liked to have done, or had participated in before. For example, Frances equated having a hobby with acquiring a new skill. She said that she would loved to learn how to use a computer, because she did not know how to do this. She thought it might even help her to get a job. Rebecca wanted to take up horse-riding again. She had learned to do this, when fostered with a family when she was a child. For her, this seemed to be a way of keeping in touch with her foster family.

Several studies conducted in Britain during the 1980’s and 1990’s sought to explore how women socially construct leisure. Probably the most extensive research project carried out in this area was in 1987, by Green at al. The study consisted of qualitative interviews with 707 women in Sheffield, randomly drawn from different class backgrounds and family situations. They concluded that: “the access to free time and leisure activities for the women are structured by social class and income level, age

and ethnic group, and their work and domestic situation. The main constraints took the form of lack of resources, such as lack of time, money, safe transport and childcare. Limitations to access to leisure were experienced most acutely by the women not currently in paid work, those with unemployed partners, single parents and married women with children under five. (Green et al, 1990:24)

It should be noted that the women who participated in the above study were not drawn specifically from an offending population. Yet, the patterns identified by Green and her colleagues appear to describe the leisure patterns of the informants in this study. Although studies of this nature have not continued in recent years for a variety of different reasons (Aitchison, 2003:55) it seems reasonable to suggest that the social structures identified could be applied to the women in this study. In other words, these women were not acting any differently from women in comparable situations who do not commit offences.

So, what conclusions can be drawn from these findings? It may be that this question has a certain irrelevance to understanding the criminal behaviour of these women, since the concept of leisure activities somehow obviating the need to re-offend has its roots in research carried out with young males. Since this group of informants was influenced to offend with partners, associates and the communities in which they live, as described earlier, perhaps these aspects are far more pertinent to the reduction of their criminality.

Conclusion

This part of the study has produced findings that indicate both similarities as well as differences in the two groups of convicted women considered. The women who were convicted of violent offences reported more instances of bullying and being bullied at school, higher levels of unemployment and higher drug abuse. Other factors that are known to be criminogenic, however, such as criminal associations and high crime areas applied equally to both groups.

The complexity of the results obtained indicated that the L.S.I.-R. checklist does not adequately encapsulate some important factors that appear to sustain criminality. Negative experiences of school are an example of this. Additionally, the results of the qualitative part of the study highlight a diversity about the way that criminality is sustained for these women that does not appear to be fully acknowledged by some feminist literature.

Chapter 9

Findings - Sentences and Services

Introduction

This chapter considers the types of sentences that the women received when they appeared in court and the services they were given when they were placed on probation. This analysis is of importance to the whole study, which takes as one of its themes the delivery of appropriate probation services.

As in the previous chapters, the findings of the quantitative analysis are discussed first. The population's experiences of the criminal justice system, in terms of previous and current sentences are explored. In addition, an analysis of the women's risk of re-offending, using the L.S.I-R. framework is discussed, in order to explore their propensity to re-offend. The qualitative part of the analysis considers whether the quantitative findings are reflected in the women's experiences of probation supervision and the accompanying auxiliary services to which they were referred. The analysis concentrates upon the women's experiences of their probation order. Some of the informants had previous experience of statutory supervision and custody and this is also considered.

Quantitative Findings

Previous Sentences

Figure 9.1 depicts the types of previous sentences that the women in the quantitative sample had experienced in the course of their criminal careers. The actual numbers of previous sentences are not considered. This was because it has already been

established that the group of women convicted of violent offences had accrued a greater number of previous convictions and so therefore would have accumulated a greater number of sentences. The data is presented in a way that broadly reflects the severity of each disposal.

Figure 9.1 Previous Sentences

	Violent (n=105)	Non-violent (n=95)	χ^2	significant
Custody	19% (20)	5% (5)	39.2	Yes
C.S	12% (13)	9% (8)	1.0	No
Probation	47% (49)	21% (20)	32.1	Yes
D.T.T.O.	3% (3)	1% (1)	n/a	n/a
Fine	65% (68)	44% (42)	10.0	Yes
D/S	30% (32)	15% (14)	15.0	Yes
Admonition	49% (52)	21% (20)	37.3	Yes
Children's Panel	10% (10)	6% (6)	2.6	No
Other	7% (7)	5% (5)	0.8	No

In all categories, the group of women who were convicted of violent offences experienced all of the sentences in greater quantities. This reflects the greater number of previous convictions within this group. There was comparatively little use of custody for both groups. This was especially marked in the group of women who were convicted of non-violent offences, as only five per cent of them had ever experienced a custodial sentence. The same pattern is observed in the use of

Community Service Orders (C.S.). About 10 per cent of each group had been sentenced to this disposal. Admonitions and deferred sentences were used with some frequency in both groups, but remittal to the children's hearing system was not prevalent for either. Perhaps this reflects the earlier statistical analysis carried out in Chapter Five, which indicated that only about half of the entire population had been convicted under the age of 21 years of age. It could also be linked to social work practice and the frequency with which this disposal was presented to the court. The "other" category denotes warrants to apprehend and short deferments.

When the χ^2 test was applied to the categories in figure 9.1, most of them were found to be statistically significantly different. No significant difference was found in the categories "Community Service", "Children's Panel" and "Other". The category "D.T.T.O." was not tested because of insufficient data. In the application of the test, 1 degree of freedom was used and the critical value of χ^2 was 3.84, at a level of significance of 0.05.

Several researchers have documented the lack of use of community service for convicted women. For example, McIvor (1992:35) found that in her study of 406 individuals who had received this sentence that the recipients were predominantly young, male and unemployed. Males accounted for just over 95 per cent of McIvor's sample. Probation is used more frequently than community service for both groups, although its past use in the group who were convicted of violent offences is nearly double that evident in the group of women who were convicted of non-violent offences. This concurs with some literature regarding women offenders (e.g. Worrall, 1998), which emphasises the frequent use of this disposal for women offenders. The

modal category for each group is the fine and this again concurs with research on this topic (Mair and May, 1998) although probation was often used, especially for the group of women who were convicted of violent offences. The use of Drug Treatment and Testing orders (D.T.T.O.) is predictably low for both groups, since this order was not available in Fife until August 2002.

Outcome at the Most Recent Court Appearance

When the two groups are compared, several interesting indicators are evident (see figure 9.2). Probation was the modal disposal for both groups. Surprisingly, custodial sentences and Community Service Orders were imposed with greater frequency in the group of women who were convicted of non-violent offences. There were also ten custodial sentences imposed on women in this group. Five of these were women who had been convicted for the first time, one of whom had committed embezzlement against her employers, which attracted a sentence of 18 months duration. Another had contravened the Value Added Tax Act and was imprisoned for one year. The remaining three had been convicted of supplying or possessing drugs. These women all received short sentences of three to four months. There were only two of these women who had been convicted for the first time under the age of 21 years. The women who had been convicted of more than one offence all were sentenced to short custodial sentences. Four were convicted of supplying drugs and the other had contravened the Road Traffic Act by driving whilst disqualified.

A Community Service Order was imposed on 14 women who had been convicted of non-violent offences and eight of these had been convicted for the first time. Four

had committed embezzlement, two had contravened the Road Traffic Act by driving whilst disqualified and leaving the scene of an accident. There was also one case of false representation (she was found guilty of making an untrue allegation of rape). All of the women who were sentenced to a Community Service Order were over the age of 21 years.

In contrast, only three women who were convicted of violent offences received a custodial sentence at their most recent court appearance. One of these was a severe assault and this woman was sentenced to 18 months custody. This woman was 17 years of age. There was also one case of common assault and one case of making a hoax call to the emergency services. Both of these offences attracted a custodial sentence of three months duration. A Community Service Order was imposed in five cases, only one of which was under 21 years of age. Four of these were assaults or breach of the peace and there was a further case of contravention of the Road Traffic Act (1980).

These trends are reversed when probation disposals are considered. This is the most frequently used disposal for both groups, but used more often for the group who were convicted of violent offences (42 individuals). For this group, the most frequent offence for which the women were placed on probation was assault, or police assault (19 women), followed by theft (nine women). The remainder of the orders were imposed for a variety of offences, including fire-raising, handling offences and road traffic offences. There was only one case of shoplifting in this category. Eleven of

these women were under the age of 21 years when the order was imposed, three of whom had been convicted for the first time.

The group of women who were convicted of non-violent offences had 24 Probation Orders imposed upon them and three of these contained a condition of unpaid work, under section 229 of the Criminal Procedures Act (1995). These Probation Orders were imposed for a variety of different offences, including theft, handling offences and contraventions of the Misuse of Drugs Act (1980). There were 10 women who had been convicted for the first time in this group, three of which were under the age of 21 years.

Several warrants to apprehend were outstanding at the time the data were collected, and these could alter these figures. However, it must be remembered that serious offences are committed that are not necessarily violent. Supplying drugs, for instance, would be regarded in most cases by the courts as very serious indeed, as would the embezzlement of money from one's employers. It does seem, however, that in some cases, the women who were convicted of non-violent offences attracted more severe sentences.

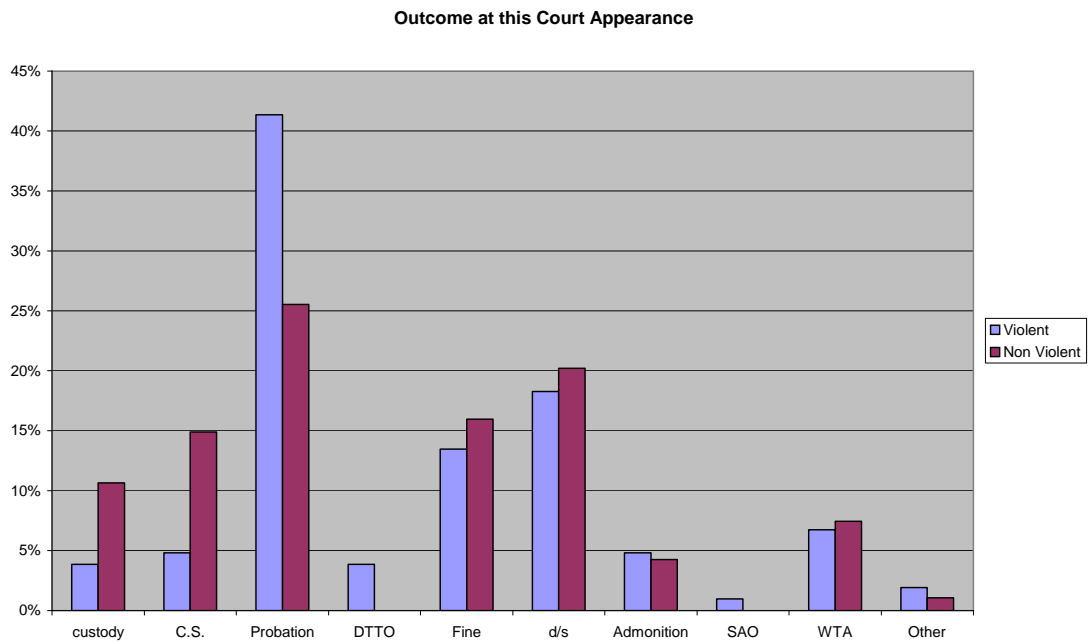
The difference in the use of probation at this most recent court appearance is very marked between the two groups. For the group who were convicted of violent offences, probation seemed to be used in many cases as a method of supervising their behaviour in the community, since many of the women had committed assaults and most of these were repeat offenders. The group who were convicted of non-violent

offences had proportionately more women who had been convicted for the first time who were sentenced to probation at their first court appearance.

Fines and deferments of sentence were imposed in similar proportions in both groups. Interestingly, only four Drug Treatment and Testing Orders were imposed, all of them violent offenders. Given the discussion in Chapter Six of the paper regarding the prevalence of drug taking among convicted women, this figure is surprisingly low, since this disposal was available to Fife courts at the time these sentences were imposed.

The incidence of being remanded in custody before their appearance was low for both groups. Only 12 in the entire population had been remanded at their most recent court appearance. This seems to be at odds with the information given in *Women Offenders- a Safer Way?* (1998), which highlighted the frequent use of remands for women offenders. It would seem from this examination of the data in Fife that remands are not used frequently. It could be that the sentencing patterns of the courts in Fife do not accurately reflect national sentencing trends. However, it could also mean that national figures are skewed by the frequent use of custody and remands in other parts of the country, notably the Stipendiary Magistrates' Courts in Glasgow, which have been found to make proportionately far more use of custody than elsewhere in the country (Scottish Executive Statistical Bulletin, 2005).

Figure 9.2 Outcome at the Most Recent Court Appearance



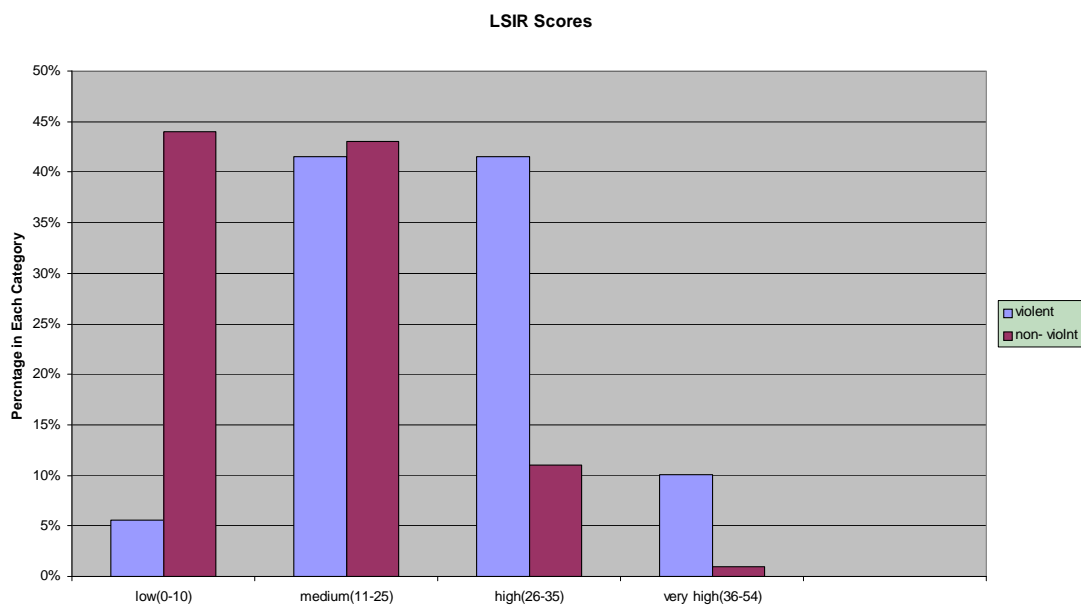
The χ^2 statistic was applied to these distributions and the differences between the two groups were found to be statistically significant. χ^2 was calculated to be 26, with 7 degrees of freedom. The critical value of the test, assuming a significance value on 0.05 was 14.07.

L.S.I.-R. Scores

Very few (n=6) of the group of women who were convicted of violent offences (n=105) were assessed as low risk. Medium and high-risk assessments applied to about 80 percent of the cases (88 women) and about only 10 per cent of this group scored in the “very high” category (11 women). This means that most of the members of this group had at least about a 45 per cent or greater chance of re-offending. This indicated a high level of potential recidivism in this group.

The 95 women who were convicted of non-violent offences were adjudged to be less likely to re-offend, according to Raynor’s scoring system. Nearly 90 per cent of them were assessed at “low” or “medium” risk of re-offending, whilst about 10 per cent of them were scored as “high” risk or “very high” risk. Figure 9.3 describes the Level of Service Inventory scores for the two groups of women.

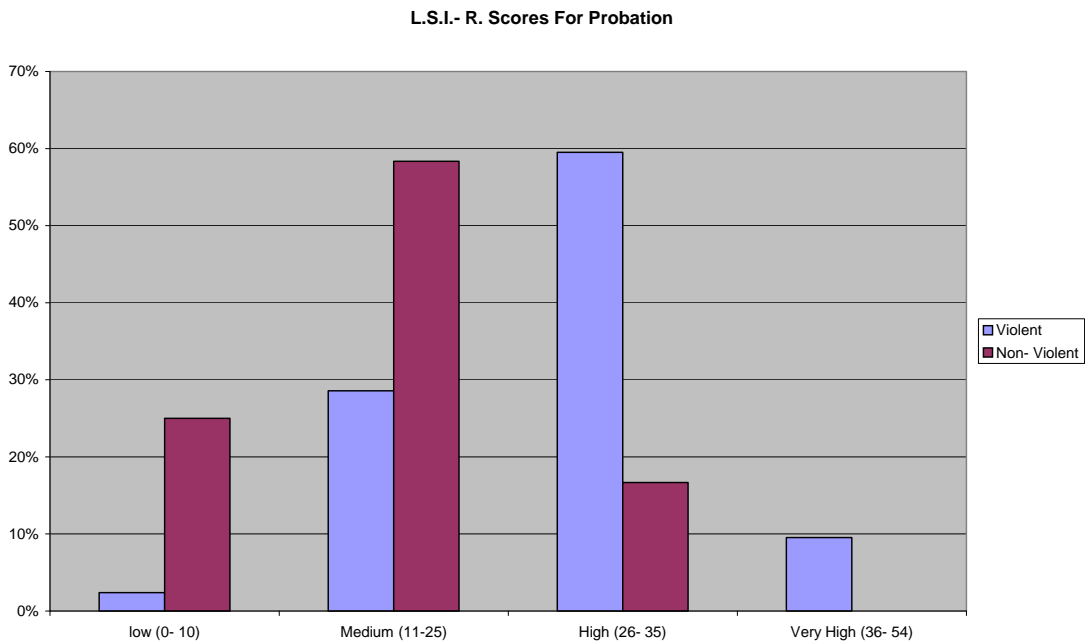
Figure 9.3 L.S.I.-R. Scores



When the raw data were tested, the difference between the two groups was found to be significant when the t-test was applied to the data, with t calculated at 8.9. The critical value of t was 1.6. The probability (p) that $(T \leq t)$ was 1.6×10^{-16} and degrees of freedom were 196.

L.S.I.-R. scores are used by Fife Criminal Justice Service to ascertain whether probation is required in a particular case. Therefore, it would be interesting to investigate if these distributions change if only these cases are considered (n=66). This was done and the following graph was obtained (see figure 9.4).

Figure 9.4 L.S.I.-R. Scores for those Placed on Probation



Whilst the women who were convicted of violent offences still tended to cluster in the “medium” to “high” range of L.S.I.-R., there was a distinct move in the other distribution. Those assessed as “low risk” of re-offending accounted for about 25 per cent of the women convicted of non-violent offences and who were made the subject of a Probation Order at their most recent court appearance. This is not as high a figure as the one obtained when the whole sample was considered (44 per cent), indicating that perhaps some of these cases were not being selected for probation as often, or being considered suitable for probation by the sentencing court. Nevertheless, this still means that about one quarter of this group of offenders is low risk, yet still get placed on probation. Nearly 60 per cent of the group of women convicted of non-violent offences were scored as a “medium risk” and 15 per cent as a “high risk”. This means that resources appeared to have been appropriately targeted, at least most of the time. Nevertheless, when the distributions were tested

using the t-test, the two groups were significantly different. The t statistic was calculated to be 4.8, with a critical value of $t=1.7$. The probability (p) that $(T \leq t)$ was 8.4×10^{-6} . Degrees of freedom were 47. Unfortunately, it was not possible to test whether probation was offered as a clear option to the courts in each case. Many social enquiry report writers offered several options at the point of sentence and so therefore, no statistical analysis could be carried out on this.

These results indicate that, in the majority of cases, probation disposals are targeted at “medium” to “high” risk categories. However, the women convicted of violent offenders clearly scored higher in most cases. The principle of resources following risk (Andrews and Bonta, 1996) would suggest that these offenders should have been offered a more intensive service, since in the main they offended more frequently and their criminogenic needs appeared to be greater (see Chapters Six and Seven). The qualitative part of the analysis addresses this issue.

Qualitative Findings

Sentences

Twenty of the 21 women who agreed to participate in the qualitative part of the study were subject to probation supervision at the time they were interviewed. One informant was the subject of a parole licence, following a lengthy prison sentence. Most of the group of women who had been convicted of violent offences had had some experience of custodial sentences and remands, whereas this only applied to four of the women who had no such convictions. Community Service Orders were imposed infrequently in both groups.

Probation and Parole

About half of the women who were convicted of violent offences had been placed on probation before and some of the women had several previous orders imposed upon them. Most of these had been breached, either for non-compliance or by further offending, but in most cases they had not complied by failing to attend appointments. The women's accounts of these orders, in the main, were not positive. Most stated that either they did not "get on" with their supervisor, or did not see the point of the order at all. Donna for example had been placed on a probation order on three previous occasions. Although she had managed to complete one of these successfully, the other two were breached, both for lack of compliance and re-offending. Donna stated that she had a "personality clash" with her supervising officer. She also related that she had requested a change of supervisor, but this had been refused.

By contrast, all of the women reported having a good relationship with their current supervisors. Several of them described the relationship between their supervisors and themselves as like a "friendship". Being treated with respect appeared to be important to most of the informants:

Betty: When I first came out of prison I had [] or my supervisor. She was very honest with me from the start. She would say "Betty, this is what you've got to do. Here's your parole plan. We went through each step, each plan. If there's something you're not happy with then we can try and change it". She just treated me like human, not just like someone who has just come out of prison whereas, some people don't. She just treated me with respect. But my other probation officer, [] she's exactly the same. I think it's just the way you're treated and the way you get spoken to, things like that.

Work to address offending behaviour was being done in most cases. This usually took the form of programmes like anger management, or addressing alcohol dependency and its link to offending. There was not much evidence of structured cognitive-behavioural work being completed with the women; all of the work, although offence-related, was linked to their current behaviour. The women were asked what was more important- talking about their offending or dealing with practical problems. All but one stated that both were important. The exception to this was Claire, who claimed at several points in the interview that “it was not my fault” that she had committed the offence, blaming her behaviour upon a bad reaction to drugs prescribed by her doctor:

Claire: No, because I know that it wasn't my fault. Other people might think it is, but I know that it's not my fault. I think J. understands that. I brought her in some things about the drug and stuff on the news about it. She understands now.

Int: So you think its more productive for you to spend this year concentrating on getting yourself a new job, coping with your stress levels and so on?

Claire: Yes. I just don't want to talk about it. I'm just letting my lawyers do all the talking.

Most of the women in this group stated that they were complying with their current orders, despite other difficulties in their lives. Frances, for example, related that she was managing to comply with her order, even though she had moved house following separating from her partner because of domestic abuse. She said that her relationship with her supervising officer had helped her to make the break from her partner. Joanne's situation was more complicated, because she stated that she had to move house several times to protect her own safety. This sometimes made the task of locating her very difficult and as a result, she stated that she had missed several

appointments with her supervising officer. The majority of the women in the group maintained that they had managed to remain offence free whilst subject to probation this time, although it is possible, of course, that they had re-offended, but were not prepared to admit this during interview. Only one of the women (Iris) admitted that she had re-offended- a case of shoplifting that had yet to come to court. This, she stated, was related to difficulties with paying off her drug debts.

For most of the women who were convicted of non-violent offences, this was their first experience of probation, as already discussed in Chapter Six. There were several women who had been convicted for the first time in this group and who had been sentenced to probation at their first court appearance. For the others, only two had been made the subject of community orders before; one had been on probation and the other had been on community service. The woman who had been on a previous Probation Order had not found it a useful experience and was breached for non-compliance. She stated that she did not like her supervisor and therefore found difficulty in complying with the order. The woman who had been placed on community service on a previous occasion said they had really enjoyed the experience, as had the other participants in the scheme. It should be noted, however, that numbers here are small (n=3).

All of the informants reported productive relationships with their current supervising officers. Sandra for example described probation supervision as good for “getting things off my chest”. Probation was also used by members of the group to work on problems associated with their offending, such as alcohol or drug misuse. For those

in the group who misused drugs, this was a condition of the order that they were required to fulfil. Here, specialist services were involved. Apart from these aspects of probation supervision, there did not appear to be any evidence that programmes of work based on “What Works?” principles being used (Andrews and Bonta, 1996), as will be discussed shortly. However, the work that was being completed seemed to the informants to be relevant to their particular situation.

Compliance with the conditions of the current order did not seem to be an issue for most of the members of this group. Iris, however, did indicate that she was experiencing some problems with keeping all of the appointments made for her, because she was the subject of a Probation Order that required her to undertake unpaid work. She was also required to attend drug counselling appointments as a condition of the order and in addition was the subject of a D.T.T.O. She stated that she had only agreed to these multiple conditions because her lawyer had advised her that she would probably go to prison if she did not do so.

These findings indicate that the delivery of supervision was very similar for both groups. It would seem that they all were supervised on a one-to-one basis and that supervision took place on a weekly, fortnightly or monthly basis, depending upon how far they had progressed with their orders. There was no group-work provision for these offenders and therefore the relationship they had with their supervising officers was very important. Almost all of the women stated that they had a good relationship with their supervisors and that they felt they could talk to them about the various issues that were affecting them. Trotter (1999:112) stresses the importance of

positive relationships between supervisee and supervisor when working with involuntary clients and suggests that this element of supervision is the most important for effecting behavioural change.

The high incidence of women who had been convicted for the first time, particularly in the group of women who were convicted of non-violent offences, again fuels the debate about whether women are treated more harshly by the courts. In these particular cases, some were placed on a probation order against the preferred option in the social enquiry report. In others, the author had recommended this course of action. Whatever the reasons, it did appear to be the case that at least some of the women found their way into probation for reasons that were not always linked to prolific and/ or serious offending. This finding concurs with much of the feminist literature on this subject (e.g. Worrall, 1998).

The actual content of probation supervision was not, in the main, in accordance with “What Works?” principles as explained by McGuire and Priestly (1995:14). Set programmes of work were not really in evidence. Some work had been undertaken with some women on various aspects of their offending, such as anger management and substance misuse. Apart from this, however, supervision appeared to be delivered within a context of one-to-one counselling, which is not advocated by the protagonists of “What Works?” as being effective. However, this raises questions about what effective practice actually means. McIvor (2004:309) has cautioned against the use of what she describes as an “over-programmatic” model of criminal justice service delivery. This approach has a tendency to focus on a narrow definition

of criminogenic need, the re-classification of the personal skills of the offender into those of “responsivity” and plays down the importance of the personal skills of the supervisor. The statements made by the women regarding their progress on their orders further complicate the issue. They stated that they found the sessions with their supervisors beneficial and that they were complying with the conditions that had been stipulated by the sentencing court. Whilst this may be interpreted as optimism that in fact they will be able to complete supervision successfully, it can also be interpreted as “successful” intervention.

The results obtained from this part of the qualitative analysis suggest that probation services were being delivered in a uniform way to the entire group of informants. This, however seems to contradict the findings of the quantitative part of the analysis, which indicates that the group who were convicted of violent offences had higher levels of risk of re-offending, according to the L.S.I-R. scoring method. Taken at face value, this implies that the risk/needs principle advocated by Andrews and Bonta (1996) was not being followed in Fife at the time the study was conducted. There is a paradox, however. Even if this is true, the women interviewed all reported good relationships with their supervising officers and claimed not to have re-offended during the course of their probation orders. Therefore, the service they were receiving seemed to be effective for them. How does this fit with “What Works?” principles? If a more intensive service is to be offered to offenders who pose the greater risk, what should these services consist of and what would be the implications for practice and the management of the service? This will be discussed in the following chapter.

Custodial Sentences and Remands

Eight of the twelve women who had been convicted of violent offences had had some experience of custody, either because they had been remanded at some point, or because they had served a sentence. Remands appeared to be particularly traumatic for them, causing problems of isolation from family, friends and children. In one case, (Hannah) stated that the stress of being remanded (in this case in police custody) led to her assaulting police officers, resulting in further charges being brought against her.

For those who had served sentences, most were short-term (three to six months). The women who had served custodial sentences had mixed feelings about them. Some had enjoyed the experience, stating that they had made some good friends when they were inside. Others however had the opposite experience. The tough prison regime; the drug-taking and the bullying that they said they were subjected to all played a part in shaping their views on this. Nobody expressed a wish to go back, however, not even the individuals who said they had enjoyed it.

There was only one case where the informant had been sentenced to a long sentence. Betty had been sentenced to a seven-year custodial sentence for drug trafficking and at the time of interview was the subject of a parole licence. She was of the opinion that prisons could do more to assist the rehabilitation of prisoners, because she stated that she had been bored most of the time whilst she was in prison, although she had managed to access some vocational courses towards the end of her sentence.

Four of the women who had been convicted of non-violent offences had experience of custody and two of these were remands, pending a court appearance. The other two women had served custodial sentences for drug offences. One woman (Margaret) stated that she had enjoyed her six-month sentence in Cornton Vale, because it had given her the opportunity to “make new friends”. Both informants indicated however that the sentence had disrupted the family and had had an adverse effect upon their children. In both cases, relatives had looked after the children until the woman was released. The women’s experiences of being remanded pending an appearance at court were less positive however (prisoners on remand generally have fewer privileges than those who are serving custodial sentences). Wilma, who had experienced both modes of custody, said that although she had found her custodial sentence “all right” she had difficulty in coping with the restrictions of being a remand prisoner.

In common with the women convicted of violent offences, three of the women stated that they actually enjoyed aspects of their custodial sentence. They appreciated the social contact with other prisoners and in some cases the work that they were given to do. This is a rather surprising result, given Loucks (1997) report, regarding the extent of bullying and drug taking within Cornton Vale prison (the only women’s prison in Scotland). The number of women in this study who had experienced a custodial sentence was small and so therefore it cannot be assumed that these results are representative of the prison population as a whole. These results showed for Fife however that use of custody was sparse for women and when they did go to prison, it was not a wholly negative experience for them.

Community Service

Seven of the entire group of women interviewed women had had experience of community service and most of them seemed to have enjoyed participating in the order. They stated they liked doing the work and getting the chance to meet other people. For example, Georgina said, “It was just like I had a job”. Wilma summed up her time on community service as “giving her something to do”. All of these orders were served in specialist placements, i.e. homes for older people and so this may go some way to explaining why they did enjoy them. Fife Council has a policy of not having mixed sex work groups, wherever possible. Only one informant (Hannah) said that she found community service “a bit boring at times”. She had completed her placement in a residential home for looked after children and related that the staff had not been very friendly to her, which made her time there problematic. For this group of women however, it would seem that the imposition of a Community Service Order had benefits as well as imposing constraints upon their time. None of the women reported any difficulties in completing their orders. Vera, for instance, despite her child-care responsibilities managed to complete community service successfully, by arranging for the children to be looked after by relatives. The women’s enjoyment of community service may be because the task itself offered some structure in their lives and provided them with an opportunity to do something for other people.

It is widely recognised that community service is not a frequently applied disposal for women (McIvor, 2004). The sparse use of community service has been questioned because of the possible benefits it can bring to offenders (McIvor, 1992).

This would also appear to be linked to re-conviction rates, as well as reported enjoyment of the order from participants. Lloyd et al (1995) found that re-conviction rates for those who were sentenced to community service were lower than a comparable group who were placed on probation. McIvor suggests (2004:138) that the reason why community service appears to be more effective than probation is because it gives the offender a chance to experience a working environment, to give something back to the community and to engage in “pro-social” modelling with their supervisors. It may well be that the use of community service will remain low for women for a variety of reasons, but there may be a case for its increased use for convicted women in appropriate cases and this study suggests that the women might welcome this.

Services

This section of the thesis discusses the auxiliary services that had been made available to the women who took part in the qualitative interviews while they were subject to statutory supervision. No discernible differences were found between the two groups in this regard and hence the findings obtained are considered together.

Drug and Alcohol Misuse

For both groups of women, by far the most frequently used services were those dedicated to drug and alcohol counselling. In Fife, there were several agencies that provide this service and the courts often use these when additional conditions are imposed. Almost all of the women who had identified substance misuse as an issue for them were receiving specialist help with their addiction and most reported that

they had found this helpful. Several women, however, reported long delays in actually being offered their first appointment to receive these services. These delays were seen by the women as acting to de-motivate them from reducing and controlling their drug intake. Some women were receiving this help from their GP, although this was dependent upon being registered with a doctor who was willing to prescribe methadone. Most of the women who did have access to this service reported that their drug intake had fallen, although for some, they continued to use illegal drugs, in addition to a methadone prescription. For example, Vera related during her interview that she had unable to stop taking heroin, despite being placed upon a methadone reduction programme. A recent change of GP, however, had seemed to help her to remain free of heroin. She said that he was “more strict” and checked her urine at regular intervals to ensure that she was complying with the programme. Vera said that if there was “any nonsense”, she would be taken off the programme. At the time of her interview, Vera said she was free from illegal drugs and had been so for about six months.

Employment

Unemployment seemed to be an issue for many of the informants, notably in the group who were convicted of violent offences, as discussed in the Chapter Six. However, none had been referred to any agencies that specialise in this problem (for example APEX (Scotland), an agency that specialises in finding employment for offenders). For many who were not currently in employment, this was directly related to their substance misuse and may have indicated that, unless this was brought under control, the prospect of them holding down a job remained bleak.

Other Social Work Services

Other parts of the social work service were involved with some of the women and this usually related to issues with the care of their children. For example in Nora's case, she had been placed on a three-year probation order because of her lack of care of her children. In other cases, children's services had become involved because of drug misuse, or having to arrange care for the children because of a custodial sentence being imposed by the court. Apart from this, however, there was remarkably little evidence that there was extensive input from other areas of the social work service. This is despite the fact that the majority of the women reported difficulties in managing their children, as discussed in Chapter Six, Personal and Family Considerations.

It therefore appears that the women who participated in the study received very little input from auxiliary services whilst they were subject to probation. This is at odds with the advice given in the policy documents *Women Offenders - a Safer Way?* (1998) and *Women Offenders - a Better Way?* (2002). Both of these papers advocate an holistic approach to addressing the behaviour of offending women and recommended that local authorities provide access to a range of services, relating to their health, their accommodation and their employment. Whilst it must be conceded that these two documents were based upon the findings of a prison-based study carried out by Loucks (1997), it nevertheless seems relevant for this group of informants to have appropriate access to auxiliary services. This could have provided help with difficulties that are known to criminogenic, such as unemployment.

Conclusion

In contrast to the other chapters, the findings from the qualitative part of the analysis produced no discernible differences between the groups for most of the categories examined. Probation supervision appeared to be delivered in a standard one-to-one method of service delivery and in accordance with National Objectives and Standards for Social Work within the Criminal Justice System. This is despite the indications in the rest of the study that the group of women who were convicted of violent offences were more at risk of re-offending and displayed greater criminogenic needs. The auxiliary services delivered to the women were also very similar, with the emphasis upon drug and alcohol services. The women interviewed stated that they received very little other services, outside of their probation supervision.

These findings indicate that probation services for the women who took part in the study were delivered in a way that neither followed the “What Works?” principle of resources being linked to risk of re-offending, nor the holistic approach advocated in *Women Offenders - a Safer Way?* (1998). Given that the women interviewed stated that they had benefited from their time on statutory orders, there are clear implications for policy and practice. These will be discussed in the following chapter.

Chapter 10

Implications for Policy and Practice

Introduction

The previous four chapters have discussed the results of the study and conclude that there was a degree of diversity between the two groups of convicted women offenders considered, in terms of their offending behaviour and the factors that sustain that behaviour. It was also noted, however, that the two groups shared similarities, in relation to, for example, their moral reasoning and their attitudes to recreational pursuits.

This chapter draws upon these findings to consider the implications for policy and practice, should they be taken as a basis for the planning and delivery of services. Firstly, risk and needs principles are discussed within the context of assessment and the apportioning of levels of service. Secondly, different modes of service delivery are considered, together with the necessity to balance of competing priorities within the framework of social work services in Scotland, with particular reference to families. Finally, the effects of the wider community, in terms of education and employment opportunities and neighbourhoods are considered. The chapter concludes with a recap of the main points of discussion. It may be helpful to begin with a short summary of the major findings of the study:

Summary of Findings

a) Offending Behaviour

Quantitative Findings

- 70 per cent of the women who had been convicted of violent offences had their first offence recorded under the age of 21 years. This compares with 30 per cent of the women who had been convicted of non-violent offences.
- The entire sample of women was older than expected (median age 27). Just under half of the women convicted of violent offences were under the age of 21. Women convicted of non-violent offences were much older.
- Women who had been convicted of violent offences tended to have markedly more previous conviction than those in the non-violent group.
- Those convicted of non-violent offences tended to commit a wider range of offences. Those convicted of violent offences tended to commit these and public order offences.

Qualitative Findings

- Most of the women who had been convicted of violent offences admitted to having been first convicted under the age of 21. In contrast, all of the women who had been convicted of non-violent offences stated that they had first been convicted aged 21 years or over.
- In most cases, women convicted of violent offences began their offending with assaults or public order offences. Those convicted of non-violent offences tended to be influenced to offend, they stated, by their partners. Some also stated that they offended because of lack of finances.
- Circumstances conducive to offending seemed to influence those convicted of violent offences. This group also reported adverse emotional reactions at the

time of the offence. Those convicted of non-violent offences reported an “accidentalism” about their offending behaviour.

- Subsequent offending behaviour for both groups was reported to be diverse although the incidence of repeat offending was reported to be less in the group convicted of non-violent offences.

b) Personal and Family Considerations

Quantitative Findings

- Those convicted of violent offences showed significantly greater incidence of difficult experiences in childhood (e.g. childhood sexual abuse). Both groups displayed high levels of domestic abuse.
- The group convicted of violent offences also showed significantly higher instances of dissatisfying family relationships. There was no significant difference between the groups regarding criminal partners.
- There were significantly higher instances of drug and alcohol misuse in the group of women convicted of violent offences.
- The group convicted of violent offences displayed significantly greater misuse of heroin, alcohol and cannabis. The group convicted of non-violent offences showed significantly higher abstinence rates.
- Those convicted of violent offences showed significantly greater levels of mental health problems.

Qualitative Findings

- Three quarters of the women convicted of violent offences reported problems with parents during childhood, compared with about half of those convicted of non-violent offences.
- In the main, both groups reported positive relationships with brothers and sisters.
- Most of the women convicted of violent offences reported relationship problems with their partners. This was much less in evidence in the group convicted of non-violent offences.
- For the informants in both groups, the management of their own children was problematic.

c) Education, Employment and the Community

Quantitative Findings

- Those convicted of violent offences displayed significantly more difficulties with educational attainment and unemployment and behavioural problems whilst at school.
- Those convicted of non-violent offences showed significantly less unemployment and reliance upon Social Security payments.
- Those convicted of violent offences showed significantly more instances of problematic accommodation, although for both groups, the numbers involved were relatively small.
- Regarding leisure and recreation issues, no meaningful data could be extracted from the Social Enquiry Reports examined.

- Those convicted of non-violent offences were significantly less likely to have criminal friends and acquaintances.

Qualitative Findings

- Almost all of the women (apart from one informant) stated that they had enjoyed their time at primary school.
- Difficulties for the women seemed to arise in the early years of secondary school. This was particularly prevalent in the group who were convicted of violent offences. These individuals usually went on to bully others themselves.
- As a group, few of these women did well at school. Most left at the earliest opportunity with no qualifications. Some did get Standard Grades, however, and three said they had been awarded “Higher” grade or “A” level passes.
- Most of the women interviewed stated that they still had an interest in improving their educational attainment.
- Most of the women interviewed were unemployed at that time. Past unemployment was more frequent in the group of women who had been convicted of violent offences.
- Most of the informants were in receipt of state benefits at the time they were interviewed.
- Most of the informants reported that the neighbourhoods in which they lived had little or no effect upon their offending behaviour. All of the informants who had been convicted of more than one offence reported having criminal acquaintances.

This part of the study produced findings that indicated both similarities as well as differences in the two groups of convicted women considered. The women who were convicted of violent offences reported more instances of bullying and being bullied at school, higher levels of unemployment and higher drug abuse. Other factors that are held by some criminologists to be criminogenic, however, such as criminal associations and high crime areas applied equally to both groups.

d) Sentences and Services

Qualitative Findings

- The women convicted of violent offences had a significantly greater range of previous sentences and in greater numbers.
- The women convicted of non-violent offences had a greater degree of custodial sentences being imposed and also community service. This was statistically significant. This perhaps reflects the fact that all serious offences are not necessarily violent.
- Those convicted of violent offences scored significantly higher in the L.S.I.-R. risk rating. This also applied to the statistics of the women interviewed in the qualitative part of the study, but more of those convicted of non-violent offences scored in the “low” category.

Qualitative Findings

There were no discernible differences between the groups for most of the categories examined. Probation supervision appeared to be delivered in a standard one-to-one method of service delivery and in accordance with National Objectives and

Standards for Social Work within the Criminal Justice System. This is despite the indications reported in the rest of the study that the group of women who were convicted of violent offences were more at risk of re-offending and displayed greater criminogenic needs. The auxiliary services delivered to the women were also very similar, with the emphasis upon drug and alcohol services. The women interviewed stated that they received very little other services, outside of their probation supervision.

These findings indicate, interestingly, that probation services for the women who took part in the study were delivered in a way that neither followed the “What Works?” principle of resources being linked to risk of re-offending, nor the holistic approach advocated in *Women Offenders - a Safer Way?* (1998).

Principles of Risk and Needs

This study has identified a lack of fit between, on the one hand, commonly-used definitions and risk assessment tools, and on the other, the more complex realities of women’s lives. Fife Criminal Justice Service currently uses two tools to assess risk. L.S.I.-R. is used for every offender who has a social enquiry report prepared about him or her. In addition, the Risk Assessment Framework (R.A. 1-4) is used in most cases to assess the level of risk posed by the subject. This framework is designed to estimate both risk of re-offending and the level of potential harm to the public, and combines both actuarial and clinical judgements; the final part relies heavily upon the report writer’s professional opinion. One consequence of using two methods of risk assessment is the possibility that they will produce different levels of risk for the

some offender. But this can also be confusing for sentencers and perhaps underlines the fallibility of these tools. Another difficulty, pertaining to convicted women, is the assumption made in the R.A. 1-4 framework that an offender poses a lower risk, just because she is a woman (see appendix 12). As we have seen from the quantitative analysis carried out in Chapter Six, this is not necessarily the case; there are some women who pose considerable risks to the community, should they re-offend.

In terms of this study, it appears that in some categories, particularly domain one (offending history), L.S.I.-R. demonstrated that it could accurately describe this aspect of risk of re-offending for the group of women offenders considered in this study. This is hardly surprising, since most researchers in this field agree that past offending is a powerful predictor of the propensity to offend in the future (for example, Kemshall, 2003:65). However, in other categories, L.S.I.-R. does not appear to be reflecting the experiences of the women who took part in the qualitative part of the study. This is especially true of the domains that deal with education and employment. The tool makes the assumption that employment is linked to non-offending, but this is not necessarily true of women who have different and possibly more complex employment patterns.

There is also the additional problem of the inter-correlation between the domains and elements of L.S.I.-R. Ideally, each domain should operate independently of the others, adding to the total aggregate score (Jones, 1996). However, as the quantitative analysis demonstrated, some (e.g. drug and alcohol misuse) are strongly correlated with other variables (e.g. mental health). This, it is suggested, may go

some way to explaining why there is a tendency with L.S.I.-R. to create false positives, that is to claim a higher risk value for an individual than in fact their behaviour justifies (Andrews and Bonta, 1996:43). Interestingly, Andrews and Bonta assert that the phenomenon of false positives is in fact a blessing in disguise, since it ensures that (in the Canadian penal system) there is not much chance of individuals receiving a classification lower than the actual risk they pose. However, this means within a community supervision setting that resources are being committed on many occasions when perhaps they do not need to be.

This leaves us with the problem of the validity of risk assessment tools for convicted women offenders, but possibly for male offenders also. As Kemshall (2004:222) states: “Risk prediction remains a risky business, with many tools operating at little better than chance, applying inventories of risk factors to individuals who are more often distinguished by their uniqueness than their similarity”. In fact, the blanket use of these tools may commit the ecological fallacy, in that they seek to ascribe to individuals the statistical characteristics of an entire group.

Given these difficulties, why is it that the risk assessment business seems to have permeated every aspect of management policy over the last few years? There could be several reasons for this. It could be because those who manage risky people feel a need to demonstrate that they are “doing something” to quantify and manage risks, in the wake of several high profile cases where, it is alleged, this was not done, with tragic circumstances. This would reduce risk profiling to the status of a “security

blanket” to be pulled out “if something happens”. Yet, what security is offered by risk assessment tools if they do not accurately assess the risks individuals pose?

Leading on from this, there are several options open to Fife Council Criminal Justice Services. They could stop using risk assessment tools altogether, seeing them as inherently inaccurate. This, however, may be problematic, because sentencers and defence solicitors have come to rely upon these within social enquiry reports. Also, *National Objectives and Standards for the Writing of Social Enquiry Reports* (Scottish Executive, 2001) require a risk assessment to be included in all reports (although the document does not specify which tool should be used). Another option would be to stop using such tools for women offenders, given that there is a substantial body of feminist research that stresses the difference between male and female offending. This tactic, however, would create a situation where some offenders were being risk-assessed and others were not. Also, as this study has demonstrated, there are some women who pose a high risk, similar to that found in male samples.

One possible way out of this dilemma would seem to be a return to combining actuarial tools with clinical methods of risk management that rely upon individual assessment. It has to be conceded that this approach is not without its critics, but perhaps clinical assessment has all too readily been dismissed as a credible and reliable method. With proper training and consistent management support, there is no reason why these methods cannot be effective in assessing risk and the associated levels of service. In fact, since L.S.I.-R. does allow the assessor the option of a

“professional over-ride” on the calculated score (see appendix 12). This may help to ensure that resources are targeted to address the offending behaviour and criminogenic needs of all those who come into contact with the service.

Modes of Service Delivery

“Most of the women in Cornton Vale need pity rather than punishment. You could probably let them out all over the weekend and Scotland would not be any less safe than when they were locked up.” (Kenny McAskill, SNP justice spokesman, quoted in *Scotland on Sunday* 6 November 2005).

One key implication of the findings of this study is that Kenny McAskill’s blanket statement does not tell the whole story; that policy directions need to take account of the differences, as well as the similarities, between convicted women. It is undeniable that some women, particularly those who enter the criminal justice system at a relatively late stage have criminogenic needs that match those highlighted in *Women Offenders - A Safer Way?* (1998) very closely; but there are also some women who have been convicted of offences for whom this model simply does not work, because it cannot adequately explain their actual offending behaviour and criminogenic needs. This implies that, as for male offenders, decisions about how services are to be delivered need to be based upon the level of risk that the individual poses and the criminogenic needs that sustain that behaviour. To attempt to do anything else simply does not make sense, in a climate of scarce resources and rising numbers of probationers.

As a group of criminals women are often conceptualised by policy-makers as committing petty offences, usually of an acquisitive nature. It is therefore inferred that, as they are much less dangerous than men, the need to imprison them should be

less. All local authorities were therefore charged with designing policies that would reflect this view of female offending. The findings produced in this study cast some doubts upon these assumptions. The data produced showed that there was a marked diversity of offending behaviour within the group examined. Whilst admittedly this is a very small study carried out within one local authority area, the results produced are, nevertheless, interesting and relevant, particularly to Fife Council Criminal Justice Service.

The qualitative findings from Chapter Seven indicated that the group who were convicted of violent offences reported more incidences of childhood family abuse. The evidence for this is reasonable, since the quantitative part of the study also showed this trend. This information was not, however often mentioned in social enquiry reports and it was suspected that this information might have been under-reported.

This is probably understandable on one level, given that social enquiry reports are public documents, the contents of which can be directly cited in open court. It is reasonable to suggest, therefore that this information is not included for this reason. Another reason may be however the perception that these issues are not particularly relevant in the understanding of current offending behaviour. As stated earlier, this view has been challenged by Moffitt's (2001) research.

The women who were interviewed and had been convicted of violent offences could often make a direct link between these experiences and the onset of their offending

behaviour. This implies that probation supervision, certainly for this group of offenders, should include an exploration of the woman's complete social history, even if this does not feature in the social enquiry report. Whilst this kind of work is not advocated by Andrews et al (1990b), because childhood experiences are deemed to be not amenable to change, the results of this and other studies suggest that these factors are important in the sustaining of female criminal behaviour. This perhaps suggests a return to a form of practice that is more holistic in its approach and takes a wider view of which factors are important within the context of probation supervision.

Chapter Seven also indicated that many of the women in the qualitative part of the study expressed dissatisfaction with their current family situation, although this was more prevalent in the group who were convicted of violent offences. In most cases, those who were convicted of more than one offence offended with their partners and so therefore this relationship can be regarded for these women as criminogenic. Current probation practice in Fife tends to be delivered on an individual basis to probationers, but given these findings perhaps consideration should be given to a mode of service delivery that includes partners in the supervision process. This would allow attention to be paid to this aspect of the women's criminality.

The study also found that drug abuse was prevalent in both groups and this was linked in many instances directly associated with offending. The link between criminal behaviour and drug abuse has been recognised for several years (Bean, 2004:17). It is also interesting to note that for both of the groups considered,

methadone prescriptions are not as proliferate as the amount of drug use evident in the groups of women studied. This means that drug abuse is a real issue for many of these women and because of its links to their offending, should feature strongly in their probation supervision.

Balancing Priorities at a Strategic Level

Even if appropriate levels of service are decided, based on risks and needs assessments that really work, there are further decisions that have to be made, regarding wider service delivery issues within social work. Unlike the probation service in England, Scottish Criminal Justice Social Work is carried out within the context of a generic social work department. This means that criminal justice social workers are expected to deal with other aspects of family life, not just the criminality of their probationers.

The recent Scottish Executive publication *Getting Our Priorities Right* (2004) clearly lays out the Government's expectations that child protection work will be a priority for all professionals who come into contact with children. The document particularly stresses the importance of this when the parents of these children misuse substances. This of course includes criminal justice social workers, who in common with other colleagues in social work departments have statutory obligations in this regard. The offending behaviour of the women who took part in this study often had an effect upon their families. So, it could be argued with some cogency that it is very appropriate for criminal justice social workers to engage with the family, from a purely criminal justice standpoint.

Is this a proper balance of priorities, however? Given the highly relational aspects of most of these women's offending, it would seem appropriate to spend more effort and time on these issues, rather than focusing exclusively upon offending behaviour. It seems highly unlikely that these women's actions can be understood in isolation from the social and family situations that sustain them. Their offending behaviour seems to be sustained, in many instances, by other significant people in their lives. In particular, partners play a significant role in repeat offending for both groups of women.

This would mean, of course, that strategic decisions would have to be made, regarding what counts as legitimate criminal justice work. This may mean rethinking the way in which services are delivered and what goals and targets are being sought. It has already been stated that the results of this study indicate the relational and community-based nature of the offending behaviour of the women in the study. As Raynor and Vanstone state:

“Working on the thinking and behaviour of people who are at high risk of further offending needs to be complemented with attempts to help them with the problems that they encounter in the community”(1997:39).

“Helping people with their problems” is probably the key function of social work and has continued to feature in work with offenders. Probationers are frequently given help with practical problems of various kinds, usually to do with financial or accommodation difficulties. This is for a very practical reason; it is almost

impossible to engage the offender in offence-related work if there are pressing problems of this nature.

In a recent inspection report (2004: paragraph 3.50) about the criminal justice services provided by Fife Council, criticisms were levelled at the service in terms of probation practice having “not developed sufficiently”. This however begs the question-from what to what? Following the publication of *Getting Our Priorities Right* (Scottish Executive, 2004), Fife Council Social Work Service has made demonstrable efforts to develop procedures to ensure that all staff pay attention to the potential risks to the children of the families with which they are involved. The findings of this study support this strategy. It seems evident from the group of women that was studied that to ignore the relationships with families that they have will, at best, produce only a partial solution.

The building of social capital as a strategic option would provide a framework that recognises this duality of purpose within criminal justice social work. At a conceptual level, this would circumvent the difficulties caused by competing strategic priorities, like for example, the dual responsibility for delivering probation services and the obligation to engage in child protection work. This would also fit with the more sociological stance that Scottish social work has traditionally taken, by locating at least some of the work of criminal justice services within the family and the wider community. This of course does not preclude work with individuals; it merely gives a wider perspective on that work and creates the possibility of fashioning service delivery systems that consider people within their social settings.

How is this effort to be measured? Targets could be set that identify, for example, the links made by the supervisor for the service-user to educational and employment facilities. Service-level agreements can be constructed that measure the quality of the service provided. Probation action plans could incorporate how family work, if appropriate is being addressed in the supervising of the order. Certainly, for this group of women, these measures seem essential, because of the link their offending has with their relationships and the communities in which they live.

Sentences and Services

If it is assumed that the group of women who have been convicted of violent offences is displaying offending behaviour similar to males, does this imply that they should receive programmes of work, based on the cognitive/behavioural model developed by Andrews et al (1990b)? This would depend of course upon the underlying assumptions about human rationality made by these researchers. Is offending behaviour really a rational activity? For many of these informants in both of the groups considered, the act of offending was not the result of a rational, conscious decision to do so. Most of the informants described their offending in terms of “making a mistake”, or finding themselves in a set of circumstances that were conducive to criminality.

Studies of desistance (e.g. Marunna (1999), Sampson and Laub (1993) highlight the rational nature of desistance from offending. These qualitative studies have shown that ex-offenders can evidence a definite turning point in their lives when they

separated themselves from their past behaviour and began a new life. A positive decision was made by these people to stop offending and they were assisted to do so by other factors in their lives, such as employment, close family relationships and supports within the community (McNeil, 2002). It would seem from the results produced in this study that desistance is perceived to be less attainable as past offences and difficulties with substance abuse and self esteem increase. On the other hand, close family relationships, particularly with their children, seem to provide at least some of these women with motivation for desistance. This perhaps implies that, in order to assist women to stop offending, attention needs to be paid to family relationships, self esteem and substance misuse (McIvor, 2000).

Perhaps greater emphasis needs to be placed upon the study of desistance and its incorporation into direct work with offenders. It does seem that people can more easily make a rational choice about not offending, as opposed to getting involved in offending. Getting involved in offending, certainly for group of informants who participated in this study, is dependent upon many factors, some of which were situational and others concerned more personal considerations, such as substance abuse. The women's offending appeared to have little to do with rationality, in the accepted sense of the word. Desistance from offending, on the other hand, does involve a large element of conscious decision-making. It might well be that this will prove to be a more fruitful area of theory to pursue for criminal justice services in the future.

Building Social Capital

The discussion about this topic, which is mainly located within the qualitative analysis in Chapter Eight was particularly interesting to write about, because it is probably at the heart of why I decided to enter the Social Work profession in the first place and my subsequent involvement in PhD studies. It is therefore to this topic I return at the end of this chapter.

Chapter Eight considered the findings in relation to Bourdieu's ideas about social capital and the "habitus"; that is, the transfer of social norms to gain the rewards of increased social capital. It also explored the part that education and employment have in the increase of social capital. In this section, these questions are further explored, but in a wider sense.

The contemporary moral philosopher Professor Michael Sadler has been giving the Reith lectures recently on this topic and these were broadcasted on Radio 4 during the month of June 2009. Sadler's lecture *A New Politics of the Common Good* deals with the issue of social capital and theorises that ...*We need to think of ourselves as citizens, not just consumers...* He also makes a plea for a radical rethink about how power has been centralised, particularly in politics, within Western societies since the turn of the 19th century. The invention and development of mass media communications, such as radio and television made this possible. This has meant, Saddler argues a decrease in personal freedom and a concomitant decrease in personal responsibility and engagement in society.

This view of modern society has several implications for this study. Firstly, it raises questions about who decides what social capital is. Take, for example, the assertion that unemployment is linked to criminality. As Hedderman pointed out (2004) this link is, at best tenuous. Also, on a wider societal basis, it raises issues about how we feel about those who do not work to earn money to make a living. The argument seems to run: if you don't have paid employment, then you are not worth very much.

It may be that what needs to happen is a reversal of these assumptions. Social Workers who work with offenders could have a crucial role to play in this, by encouraging offenders to appreciate their own worth, irrespective of their employment status. This could be done, as suggested in Chapter Six, by focussing more upon the offender and their family situation and the important role that this plays for the individuals concerned. To achieve this may mean some sacred cows must be slaughtered (e.g. some of the *What Works?* Principles) but if more effective interventions can be developed, this would be an extremely small sacrifice.

One of the many interesting things that came out of the qualitative interviews with the women informants was their stated interest in continuing with their education, despite most of them not having achieved very much when at school. Education is often seen as a major enhancer of social capital. However, in a consumer society such as ours is, the consumption of educational services is sometimes viewed as if it was the same sort of thing that can be bought in a shop. It should lead to a good job. However, if we begin to see education as a provider of social capital still, but as an end in itself, then we may begin to foster the ability to think as individuals about the

challenges we face and our own part in the solution. In essence education has the potential to foster citizenship in its purest form.

It could be that the scholarship provided by the feminist school of criminology provides the best basis for such a paradigm shift in Criminal Justice Social Work. The feminist perspective fundamentally challenges the assumptions on which much of conventional criminology is based and strives for another understanding of why persons commit the crimes that they do. In order to do this, however, perhaps we need to move beyond trying to demonstrate that women offend differently from men. Perhaps we need to accept that some men and women commit different crimes, and some offend in a similar manner. Then, perhaps a deeper understanding of criminality can be reached.

Conclusion

This study has raised some important issues for policy and practice within criminal justice social work. At a strategic level, consideration needs to be given to the range and intensity of services available to convicted women, since the results of this study indicate that there is some degree of diversity in women's offending, which may not be fully recognised by current planning arrangements. Also, there possibly needs to be an incorporation of more clinical methods of risk assessment. The findings of this study gave some indications that the tools available at present do not include some factors that the women stated were linked to their offending.

The practice of Criminal Justice Social Work in Scotland does have a duality of purpose, in that as well as working directly with offenders, staff members have other statutory responsibilities, particularly to children. Taken together with the more relational aspects of women's offending, it is suggested that work with the families of these women is a legitimate strategic and operational objective. In addition, the communities in which these women live sustain their criminality to a large extent and so this also must be addressed. This would have the effect of contributing towards the building of social and individual capital. If this is done, social work can contribute to wider debates about the meaning of social capital and how it is transmitted to individuals.

Finally, the findings of the study suggest that, in order to properly apportion levels of service to risk and need, consideration might be given to an allocation of resources based on these principles, irrespective of sentence type or gender considerations.

Chapter 11

Conclusion

Reflections

Learning Points

I am writing this in June 2009, some time after the viva examination and certainly some time after the bulk of the practical and theoretical work for this thesis had been completed. This has offered me the opportunity to reflect upon the work that has been done and the chance to re-evaluate it.

The first thing that strikes me as I re-read the thesis is the vast amount of reading I had to complete to “get to grips” with the subject I had decided to study. To be honest, I think I may have underestimated both the amount and the complexity of the academic reading that I had to do. In the process of trying to complete this work, I learned several things about academic reading and research:

- I had always assumed that published works would provide all the answers to my questions. This habit was probably formed during my undergraduate studies. What I now think is that the really useful books within the academic world pose more questions than they answer.
- It is much easier to criticise other people’s research than to provide research evidence that does this for you.
- Research and the reading required to complete such a project are not linear activities. Both parts of the researcher’s work effects the other, and for that reason, learning is circular.

- Someone said once that “genius is 1 per cent inspiration and 99 per cent perspiration.” In my case, I think this is nearer to 99.9 per cent.
- Accurate referencing is essential. By way of illustration, I have had to interrupt writing this to look up my quotations’ dictionary to find out who described genius as quoted above. It was Thomas Alva Edison (September 1932, Harper’s Monthly Magazine).
- Of course, had I noticed these perspectives at the beginning, I would perhaps have avoided some of the pitfalls I encountered. For example:
 - a) Oversimplifying the question(s) I was attempting to address. Perhaps the scientist Isaac Newton was correct...for every action there is an equal and opposite reaction (3rd Law of Motion). This pertains also to academic writing and research; there is always an alternative view.
 - b) Having pre-conceived ideas of what the outcome of the research would be. The results that were produced were interesting, but not as clear-cut as I had expected. There were many similarities as well as differences in the two groups of women examined.
 - c) I spent a month looking for a quotation that I had wrongly referenced. Happily, it turned up again, but what a waste of time.

The Results that were Produced

The study that was carried out in Fife produced many interesting findings that appeared to be at odds with, in some respects, the two major paradigms that are currently driving policy and practice within criminal justice social work in Scotland. On the one hand the “What Works?” agenda has been questioned in that the reasons

for the women's continuing involvement in offending behaviour appear to be more complex than some of the protagonists of the "What Works?" agenda would have us believe. On the other hand, differences were found in the offending behaviour and the factors that sustained that behaviour between the two groups of convicted women who were included in the study. This particularly applied to the age at which they first entered the adult criminal justice system and their involvement with drugs. These findings suggest that perhaps it would be unwise to treat women offenders as if they had very similar patterns of behaviour, which is the basic argument underpinning present Scottish Executive policy for women offenders.

Notwithstanding the above findings, there were also important similarities in the results obtained, notably the propensity of women convicted of offences to be partnered with a criminal male and their tendency to have difficulties with the management of their children. Repeat offenders in both groups showed a great reliance upon drug taking, which implies that the use of illicit substances is an important criminogenic need for these women.

These results contribute to knowledge about women convicted of offences and about the most effective way of delivering services to them. The findings suggest that more social work resources should be targeted at the most serious/persistent convicted women offenders, since they pose more of a risk to the communities in which they live and have needs that are more acute. The study also suggests a way to take this forward in practical terms and within the context of social work in Scotland. The findings indicate that, in order to reduce offending behaviour, some social work resources need to be targeted towards work with partners, families and the

community. This is, of course, both within the traditions of social work in Scotland and in line with some Scottish Executive policies (e.g. *Getting Our Priorities Right*, Scottish Executive, 2004).

Limitations of the Study

As is the case with most research projects, the study described in this paper was not without its limitations and it may be worth and it may be pertinent to outline some of these:

- Although the study was a large undertaking for one person, it has to be recognised that it was a relatively small-scale project, when compared with, for example, the meta-analyses carried out by Andrews et al (1990). By definition, this places limits upon its validity, as explained in the Methodology Chapter.
- The methodology that was used, although producing some thought-provoking results, was problematic for several reasons. The use of quantitative and qualitative data analysis seemed at first sight to offer the best option for gaining insight into the questions under consideration. However, the two sets of data were of completely different sizes and were subject to completely different kinds of analysis. This made it difficult to draw comparisons.
- Last but not least, the researcher had her own limitations, both personally in terms of knowledge about research and because of the position that I held within the organisation at that time.

Despite these drawbacks and limitations, I believe that the research described in this paper is relevant to the development of Social Work services in the Criminal Justice System within Scotland.

Three Ideas for Future Research Projects

Repeat the Study in Fife

There would be several advantages to conducting a repeat study in Fife:

- Access would not be difficult, since I am still in contact with staff and managers involved in Criminal Justice Social Work in this area.
- The methodology would be more or less the same as before, so I would not have to design a whole new project.
- Such a strategy would allow comparison with the previous study and perhaps improve its external validity.

There are also disadvantages in adopting this mode of research, however:

- The issue of much lower numbers of informants in the qualitative part of the study compared with the quantitative sample would remain.
- Perhaps time has changed the subject of the study (Beckhofer and Paterson, 2000). In effect, this could in fact reduce the external validity of the study.

Conduct a Bigger Study

Another strategy that could be adopted might be to conduct a research project with the same design, but including more data and more informants for the qualitative part of the study. Fife is now in partnership with Forth Valley Criminal Justice Services,

which provides services to mid Scotland. Having a bigger base for the study would carry some advantages:

- External validity may be strengthened because the study would be larger.
- The problem encountered with low numbers in certain categories of the research may be lessened and allow more robust conclusions to be reached.
- I now have the time to spend on such a project, because I have retired.

Some disadvantages still apply, however:

- Gaining access may present some problems, because I am not in direct contact with other local authorities.
- Such a project would still present the difficulty of matching and comparing two completely different types of data.

Conduct a Different Study about Social Capital

In the writing of this paper, I have become interested in the ideas presented by Bourdieu (1986) and others about social capital. Given the results of the study in Fife and the difficulties experienced in trying to apply “What Works?” principles and feminist theories to the analysis, this leaves a question to be answered. Is there another, more useful paradigm that can be used to measure the success of Social Work interventions within the Criminal Justice system in Scotland? To embark on such a project, I would have to make a deeper study of the literature in this field and how it would apply within a Scottish context. This would involve looking at the literature of education and employment in addition to any Social Work literature available on the subject.

Any research project in this area should be, in my opinion, qualitative in design. I do not think that quantitative data analysis would provide a good basis for this type of study, which should have the informants and their opinions at the heart of any research. The Forth Valley Consortium could be used to provide a base for the research, if permission was granted.

And Finally...Some More Reflections

I am still wondering about further research. I think research in this area can and must be continued, if services in Criminal Justice Social Work are to be developed. What I am less clear about is how to do this to achieve the best results for service users and staff. If as a profession we are to participate fully in the debate about the transference of social capital, perhaps we need to re-think how research is conducted and financed and how it is implemented in practice. Having said that, I would not wish to deny the important part that good research plays in developing policy and practice social work. Long may it continue.

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Appendices

Appendix (1) The number of Social Enquiry Reports Prepared in Fife April 2003-March 2004

ACCOUNTS COMMISSION STATUTORY PERFORMANCE INDICATOR 10

Social Enquiry Reports - FIFE:

	SPI Return	<i>Calculation from information (i) to (v) below</i>
a) The number of reports submitted to Courts during the year	2253	$=(i)$
b) a) expressed as a rate per 1,000 adult population	#DIV/0!	$=[(i)/(v)]*1000$
c) The proportion of reports requested by the Courts allocated to Social Work staff within 2 working days of receipt by the social work department	91.8%	$=[(iii)/(ii)]*100$
d) The proportion of reports submitted to courts by the due date	91.6%	$=[(i)-(iv)]/(i)*100$

Information required to calculate this indicator:

	Over													Total			
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan				
(i) The number of reports submitted to Courts				0	215	186	168	209	151	200	218	169	193	152	196	191	2253
(ii) The number of reports requested by Courts				0	231	181	178	234	224	214	239	194	235	171	198	226	2531
(iii) The number of reports requested by the Courts that were allocated to Social Work staff within 2 working days of receipt by the social work department				0	217	174	173	213	206	203	226	184	213	159	168	181	2323
(iv) The number of late reports submitted to the Courts				0	19	25	4	17	4	11	12	10	8	18	25	37	190
(v) Total population aged 16 and over (2000 mid year estimates)																	

Appendix (2) Number of Social Enquiry Reports Prepared about Women

Fife Council Criminal Justice Service

Performance Review Figures 1 April 2003-31 March 2004

SERs Provided

	1-Apr-03	All		Male		Female	
	31-Mar-04	current	Previous	Current	Previous	current	Previous
Cupar CDT		111	119	100	109	11	10
Dunfermline CDT		393	364	323	321	70	43
Glenrothes/ Leven CDT		265	369	231	335	34	34
Kirkcaldy CDT		197	311	176	283	21	28
Community Service		63	57	56	54	7	3
Throughcare		4	0	4	0	0	0
Totals		1033	1220	890	1102	143	118
Year Totals		2253		1992		261	

The tables relating to SER data includes material from the Community Service and Throughcare Teams but excludes reports prepared by the Drug Court Supervision Team

The first figures appearing in tables are for the current review period. The second are for the previous review period. Total SERs produced by Court District Teams for the 12-month period April 03 – March 04 was **2131**. The total SERs produced by CJSW for the above period was **2253**.

Individual team reports gave figures for the number of reports provided a breakdown of the figures by gender and also include a breakdown of figures by preferred option and outcome, gender and employment status. A view might be taken at the performance review meeting as to whether, or not all of this data is required in future reviews.

SER Custody & Probation Rates

Current	Previous	Custody		Probation	
Cupar CDT		8%	22%	18%	25%
Dunfermline CDT		16%	24%	23%	26%
Glenrothes-Leven CDT		14%	-	14%	-
Kirkcaldy CDT		13%	14%	17%	17%
Court Services		5%	19%	14%	16%
Throughcare Team		50%	-	25%	-
	Totals	18%	20%	19%	21%

The inclusion of the Throughcare Team's figures as a separate entry tends to distort the data, because the team submitted 4 SERs and smaller numbers tend to produce exaggerated percentage results. The TCT, however, is likely to produce higher custody and probation rates, because of the nature of the team's service users. Leaving these figures aside, the custody rate would be 11%, or 12% if the Throucare Team's SERs were added into another team's figures, as was the case in the previous PR.

Appendix (3)

Checklist for Quantitative Data Collection

a. LSIR Checklist

Question		yes	no
1	Any Prior adult convictions		
2	Two or more previous convictions		
3	Three or more previous convictions		
4	Three or more present offences		
5	Arrested under age 16		
6	Ever incarcerated on conviction		
7	Escape history from correctional facility		
8	Punished for institutional misconduct		
9	Charge laid during supervision		
10	Record of violence		
11	unemployed		
12	Frequently unemployed		
13	Never employed for full year		
14	Ever sacked		
15	Left school no further training		
16	Left without any qualifications		
17	Suspended or expelled		
18	Participation/ performance		
19	Peer interactions		
20	Authority interactions		
21	Financial problems		
22	Reliance upon social security		
23	Dissatisfaction with marital situation or equivalent		
24	Non-rewarding parental		
25	Non-rewarding other relatives		
26	Criminal family/spouse		
27	Unsatisfactory accommodation		
28	3 or more address changes last year		
29	High crime neighbourhood		
30	Absence of recent participation in organised activity		
31	Could make better use of time		
32	A social isolate		
33	Some criminal acquaintances		
34	Some criminal friends		
35	Few anti criminal acquaintances		
36	Few anti criminal friends		
37	Alcohol problems ever		
38	Drug problems ever		
39	Alcohol problems now		
40	Drug problems now		

41	Law violations		
42	Marital/family		
43	School/ work		
44	Medical		
45	Other indicators		
46	Moderate emotional/personal interference		
47	Severe interference		
48	Mental health treatment in the past		
49	Mental health treatment now		
50	Psychological assessment indicated		
51	Supportive of crime		
52	Unfavourable towards convention		
53	Poor towards sentence		
54	Poor towards supervision		

b. Demographic factors

Age at this court appearance	
Court date	
Age at first conviction	
Present offence	
Convicted for the first time?	
DOB	
Number PC's	
Remanded in custody?	

c. offence history

1	
2	
3	
4	
5	
5 th last	
4 th last	
3 rd last	
2 nd last	
Outcome this time	

d. Previous Sentences

Custody	
c.s.	
Probation	
DTTO	
Fine	
D/S	
Admonition	
Children's panel	
other	

e. Other Factors

ever used violence?/ (dates)	
Substance misuse/ type	
Do they have children	
History of sexual abuse	
History of physical abuse	
Evidence of domestic abuse	
Do they have a criminal partner	
Physical Health Considerations/Type	

f. Any Other Comments

Appendix (4) Research Protocol

The Research Agenda

The purpose of the research is essentially to combine qualitative and quantitative analysis to reach conclusions about the nature of women's offending and to contribute to policy and practice initiatives for this group of offenders. This should be made clear to all participants, i.e. staff, colleague managers and the women who decide to participate.

All participants need to be clear about this agenda, and also to be clear about what the research does not intend to address, for example how to work more effectively with this group, how "good" are reports about convicted women offenders etc.

I will ensure that everyone is clear about the aims of the research, by issuing drafts of the research proposal well in advance of any fieldwork being carried out and by letter to potential respondents.

The Handling of Confidential Information

It has to be recognised from the outset that the types of information that will be collected during the study are highly sensitive. Particular care must therefore be taken to ensure that confidentiality is not breached and that information gained is properly secured. The following procedures will be adopted:

- 1) When collecting quantitative data, files will not be removed from the office in which they are stored. The researcher will carry out the work by going to the offices. This will ensure that files are not mislaid.
- 2) The data will be collected using a computer spreadsheet designed for the purpose. All personal identifiers (e.g. names, pin numbers etc) will be removed at this stage, before removing the spreadsheet from the office. This will ensure that the identities of the subjects are not known as the analysis proceeds.
- 3) The cases will be given instead a reference number, so that cases can be identified if it is necessary to look at the files again. These reference numbers will correspond to the personal identification numbers, used in the service's databases. The personal identifiers will be stored on a separate computer disc and kept in a locked filing cabinet in my office.
- 4) The qualitative data collected will be in the form of tape recordings and written notes. These will be similarly stored under lock and key within the office. When the interviews are transcribed, they will be referenced in the same way as the quantitative data. This will allow the information to be worked upon outwith the office environment.
- 5) All information will be destroyed when the research is completed.

The Identity of the Researcher

My position as a manager causes particular problems in this regard. Care must be taken to ensure that participants in the research do not meet me in my managerial

position, since when I am in this role, I occupy a position of power. Care must be taken, therefore to avoid situations where my research role and managerial role might be confused (i.e. when reviewing cases). Also, potential respondents who are already aware of my managerial role (e.g. women subject to probation within my team) will not be asked to participate. This may reduce the number of women in the sample, but this cannot be avoided, since, if included, this group may not feel as free to express their opinions as they might otherwise have done.

Valuing Participation

Care will be taken to ensure that participants are assured that their contribution to the study is appreciated. I will do this by thanking them in person and by letter. Feedback will be given when the study is completed. Feedback will be given in a way that the participants can assimilate. This means, in effect that the feedback given must be constructed in a manner that eradicates both professional and academic jargon.

Informed Consent

The participation of any respondent will be totally voluntary. No link will be made to appearance at Court, since this may give the impression that participation might influence the outcome. This means that communication with prospective respondents must take place after the Court has reached its decision. A letter will be sent to each prospective respondent, fully explaining the purpose of the research, the methods available for recording the information and their right not to participate if they choose not to do so.

The Location and Timing of the Interviews

Interviews will be conducted in a place that is not connected with the Social Work Service, because to choose such a location may conflate my role of researcher and manager. Neither is it appropriate to interview the respondents at the home, unless they have given their written consent to this location. This offer will be included in the invitation to interview, since it is important to remember that convicted women offenders often have childcare responsibilities that cannot be circumvented. If the respondent can attend at a different location, arrangements will be made to choose a neutral location. Fife Council has many offices, notably locality offices that people visit for a variety of reasons (e.g. payment of council tax, rent etc). This type of location would ensure the anonymity of those taking part in the research is protected.

The Recording of Interviews

It is planned to tape record the interviews, but this will only be done with the participants' written consent, which will be included in the letter inviting them to participate. Participants will be given control of the recorder. In order that they can terminate the recording process temporarily, or completely, should they find the process uncomfortable. In this instance, with the participant's permission, written

notes will be taken. If permission is not forthcoming, the interview will be terminated and the recordings wiped/ destroyed in the participant's presence.

The Conduct of the Interviews

It may be that during the interviews, issues will be discussed that distress the respondents. Should this happen, the researcher will ensure that the respondent has the information to secure the help they need. On no account will the researcher conflate the research and counselling roles.

Usage of Information within the Organisation

Fife Criminal Justice Service managers have already asked to be given information from the study in order to inform planning processes. This will be done at appropriate points. For example, I have already agreed to provide interim feedback when the initial data analysis is completed in August. By this action, I hope to convey to my employers and colleagues the importance of their support during the study and the relevance of the information gained to the organisation.

Health and Safety Issues

The health and safety issues pertaining to both the participants and myself are of great importance. Care will be taken to ensure that the location of the interview is safe for each participant. This may mean, for example, that in cases of domestic abuse, interviews should not be conducted at home, since these situations often are complex and perhaps dangerous for the participant. The participants will always be given a means to return safely from the interview safely and the means by which this can be done will be clarified in writing with participants beforehand.

My own personal safety must also be taken into consideration. I will at all times carry a mobile telephone. Depending upon whether the interview is carried out during working hours, either colleagues or a member of my family will be able to locate me.

Arlon Pullar
July 2002

Appendix (5) Schedule for Qualitative Interviews

RELEVANT LITERATURE	DOMAINS/ TOPICS	QUESTION FRAMES	ISSUES FROM LITERATURE
<p>Criminal History What works?</p>	<p>Criminal History This set of questions is designed to discover the patterns of offending, in terms of</p> <ol style="list-style-type: none"> Types of offences and how this is linked to age at first conviction. Whether offending behaviour is increasing or decreasing. 	<p>Suggested form of questions: Criminal History I see that you committed your first offence (time/date). Could you tell me something about how you came to be involved in it? What about your next offence? (I will know whether it is similar or different from the previous one. Obviously, this would not apply to someone who had been convicted for the first time)</p>	<p>LSI-R literature makes the point that age at first conviction is a strong indicator of continued Criminality. It is also linked to increases in offending behaviour.</p>
<p>Offence Analysis Literature concerning aggression and offending</p>	<p>Offence Analysis These questions deal with the present offence and the circumstances surrounding it.</p>	<p>Offence Analysis What about your most recent offence. Can you tell me what led up to it? Was there anyone else involved? What happened then? What happened afterwards?</p>	
<p>Education/ employment</p>	<p>Education/ employment These questions cover how respondents see their criminality as being linked to these factors.</p>	<p>Education/ employment How did you get on at school? Did you like it? How did you feel about it when you left? What did you do then? How do you feel about your work? (if unemployed, I would also ask) Do you feel you offend more when you are unemployed?</p>	
<p>Lifecourse studies</p>			
<p>Financial Economic factors and their links to offending/ violent offending</p>	<p>Financial As above</p>	<p>Financial Do you sometimes offend to get extra cash? (IF SO) What did you use it for?</p>	
<p>Family/ Marital Literature concerned with criminality and aggression across the life span.</p>	<p>Family/ Marital These questions are designed to investigate close relationships in terms of history of abuse, criminality within the family and the criminal behaviour of partners. Also, the questions aim to identify parenting styles that may sustain criminality and aggression.</p>	<p>Family/ Marital Tell me a bit about your present family. (The actual frame of this question will depend upon the information in the SER). How would you describe the relationship you have with your partner? Has he committed any offences? If there are children, I will ask: What age were you when you had your children? Did you offend before you had the children, or did this start later? Have your children offended. What about your own family? How would you describe your relationship with your parents and brothers and sisters?</p>	
<p>Accommodation LSIR is based upon research that statistically links delinquency with rootlessness. Does this apply to women offenders and is there any research evidence to support this?</p>	<p>Accommodation The questions explore the relationship between criminality and environment.</p>	<p>Accommodation How would you describe the neighbourhood that you live in? Do you think there is a high crime rate in your own area? What types of crimes are committed usually?</p>	
	<p>Leisure/ recreation</p>	<p>Leisure/ recreation</p>	

<p>Leisure/ recreation Some of the pro-social modelling literature may be relevant here (e.g. Trotter). However, as above this is based on male patterns.</p> <p>Substance abuse Literature that explores the link between offending and substance misuse.</p> <p>Emotional/ personal Some of the recent Canadian Feminist literature will be relevant here (e.g. Loukes and Blanchette). There are also some comparative studies between males and females.</p> <p>Attitudes/ orientation Again, pro-social modelling literature.</p> <p>Services for women Offenders What Works</p>	<p>Do the respondents have time for themselves and if so, how do they spend it?</p> <p>Substance abuse Is there a history/ current usage of alcohol/ drugs in this case? When was the onset of this and has this changed over time? How is this linked to offending behaviour?</p> <p>Emotional/ personal Is there a history of mental illness? If so, what form does it take? (data analysis showed that women in the violent group have more complex emotional/ personal problems.)</p> <p>Attitudes/ orientation What is this person's attitude to crime? Are there certain crimes they don't approve of and what is the difference between them?</p> <p>Services for Women Offenders These questions are intended to explore what these women feel they need in terms of services to help them reduce their offending behaviour.</p>	<p>Do you have any spare time to do the things you like to do? What hobbies do you have?</p> <p>Substance abuse I note from the report that you use drugs (alcohol). Would you say that this is linked to your offending? In what way is it linked?</p> <p>Emotional/ personal How would you describe your present health? Have you ever had any mental health issues? If so what help did you receive?</p> <p>Attitudes/ orientation What kinds of offences would you not commit under any circumstances? Why do you feel this way? What do you think of the people who do commit them?</p> <p>Services for women offenders What do you feel would help you to stop offending? Are there any services not provided at the moment that would help you? (This could be from any source, e.g. Social Work, health care, housing etc).</p>	
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Appendix (6) Letter to Participants

Arlon Pullar
Research Student
C/o
Fife

(date)

Dear (),

Thank you for considering taking part in my research project, which I am completing as part of my PhD studies at the University of Edinburgh.

The research is about women in Fife who have been placed on probation from March 2003 onwards. The research aims to discover whether there are any differences between women who have committed crimes like assault, robbery etc and women who have not, in terms of their background, current circumstances and offending history.

I plan to collect this information by interview and I would like to tape-record this with your permission. If you do not want me to tape-record the interview, I will take notes. These will be destroyed when the research is completed. I will take responsibility for arranging a private place where we could meet, but the interview can take place in your home, if you wish. Any information that you give me will be treated in confidence, unless I am led to believe a third party is at risk of harm.

If you would like to participate, I can be contacted at the above address. You can also telephone me on 01592 41 4589. You can also contact me through your supervising officer.

Thank you once again for your interest. If you require any more information, please feel free to contact me.

Arlon Pullar

Appendix (7) Code-book for "Offending Behaviour"
 REPORT ON NODES FROM (1) 'Offending Behaviour'
 Depth: ALL
 Restriction on coding data: NONE

- (1) /Offending Behaviour
- (1 1) /Offending Behaviour/Getting Caught
- (1 2) /Offending Behaviour/Offence Now
- (1 2 1) /Offending Behaviour/Offence Now/Same offence
- (1 2 2) /Offending Behaviour/Offence Now/Different offence
- (1 2 2 1) /Offending Behaviour/Offence Now/Different offence/Escalation
- (1 2 3) /Offending Behaviour/Offence Now/Violent
- (1 2 3 1) /Offending Behaviour/Offence Now/Violent/convicted first time
- (1 2 3 2) /Offending Behaviour/Offence Now/Violent/Repeat offender
- (1 2 3 2 1) /Offending Behaviour/Offence Now/Violent/Repeat offender/Same offence
- (1 2 3 2 2) /Offending Behaviour/Offence Now/Violent/Repeat offender/Different offence
- (1 2 3 2 2 1) /Offending Behaviour/Offence Now/Violent/Repeat offender/Different offence/Escalating?
- (1 2 4) /Offending Behaviour/Offence Now/Non Violent
- (1 2 4 1) /Offending Behaviour/Offence Now/Non Violent/convicted first time
- (1 2 4 2) /Offending Behaviour/Offence Now/Non Violent/Repeat Offender
- (1 2 4 2 1) /Offending Behaviour/Offence Now/Non Violent/Repeat Offender/Same Offence
- (1 2 4 2 2) /Offending Behaviour/Offence Now/Non Violent/Repeat Offender/Different offence
- (1 2 4 2 2 1) /Offending Behaviour/Offence Now/Non Violent/Repeat Offender/Different offence/Escalating?
- (1 3) /Offending Behaviour/Sentence Now
- (1 4) /Offending Behaviour/Motivation this time
- (1 5) /Offending Behaviour/Victim of a crime
- (1 5 1) /Offending Behaviour/Victim of a crime/violent crimes
- (1 5 2) /Offending Behaviour/Victim of a crime/non-violent crimes
- (1 5 3) /Offending Behaviour/Victim of a crime/Violent Offenders
- (1 5 4) /Offending Behaviour/Victim of a crime/Non Violent offenders
- (1 5 5) /Offending Behaviour/Victim of a crime/known to victim?
- (1 5 5 1) /Offending Behaviour/Victim of a crime/known to victim?/violent
- (1 5 5 2) /Offending Behaviour/Victim of a crime/known to victim?/non violent
- (1 6) /Offending Behaviour/First Offence
- (1 6 1) /Offending Behaviour/First Offence/Violent
- (1 6 2) /Offending Behaviour/First Offence/Non Violent
- (1 6 3) /Offending Behaviour/First Offence/Reaction to circumstances
- (1 6 4) /Offending Behaviour/First Offence/Oops I got caught
- (1 7) /Offending Behaviour/Other Offences
- (1 9) /Offending Behaviour/Demographic Factors

(1 9 1) /Offending Behaviour/Demographic Factors/Age Now
 (1 9 1 1) /Offending Behaviour/Demographic Factors/Age Now/Time Span
 (1 9 1 2) /Offending Behaviour/Demographic Factors/Age Now/21-30
 (1 9 1 2 1) /Offending Behaviour/Demographic Factors/Age Now/21-30/Violent
 (1 9 1 2 2) /Offending Behaviour/Demographic Factors/Age Now/21-30/Non Violent
 (1 9 1 3) /Offending Behaviour/Demographic Factors/Age Now/30+
 (1 9 1 3 1) /Offending Behaviour/Demographic Factors/Age Now/30+/Violent
 (1 9 1 3 2) /Offending Behaviour/Demographic Factors/Age Now/30+/Non Violent
 (1 9 1 4) /Offending Behaviour/Demographic Factors/Age Now/21-
 (1 9 2) /Offending Behaviour/Demographic Factors/Age First
 (1 9 2 1) /Offending Behaviour/Demographic Factors/Age First/Violent
 (1 9 2 1 1) /Offending Behaviour/Demographic Factors/Age First/Violent/21+
 (1 9 2 1 2) /Offending Behaviour/Demographic Factors/Age First/Violent/Under 21
 (1 9 2 1 2 1) /Offending Behaviour/Demographic Factors/Age First/Violent/Under 21/Under 16
 (1 9 2 2) /Offending Behaviour/Demographic Factors/Age First/Non Violent
 (1 9 2 2 1) /Offending Behaviour/Demographic Factors/Age First/Non Violent/21-25
 (1 9 2 2 2) /Offending Behaviour/Demographic Factors/Age First/Non Violent/26-30
 (1 9 2 2 3) /Offending Behaviour/Demographic Factors/Age First/Non Violent/30-35
 (1 9 2 2 4) /Offending Behaviour/Demographic Factors/Age First/Non Violent/Over 35
 (1 9 3) /Offending Behaviour/Demographic Factors/Health
 (1 9 3 1) /Offending Behaviour/Demographic Factors/Health/Physical
 (1 9 3 1 1) /Offending Behaviour/Demographic Factors/Health/Physical/Violent
 (1 9 3 1 2) /Offending Behaviour/Demographic Factors/Health/Physical/Non Violent
 (1 9 3 2) /Offending Behaviour/Demographic Factors/Health/Mental
 (1 9 3 2 1) /Offending Behaviour/Demographic Factors/Health/Mental/Violent
 (1 9 3 2 2) /Offending Behaviour/Demographic Factors/Health/Mental/Non Violent
 (1 9 3 3) /Offending Behaviour/Demographic Factors/Health/Others in family
 (1 9 3 4) /Offending Behaviour/Demographic Factors/Health/Mental and physical
 (1 9 5) /Offending Behaviour/Demographic Factors/Criminal Partner
 (1 9 5 1) /Offending Behaviour/Demographic Factors/Criminal Partner/Offend with partner

(1 9 5 1 1) /Offending Behaviour/Demographic Factors/Criminal Partner/Offend with partner/Drug Offences
 (1 9 5 1 2) /Offending Behaviour/Demographic Factors/Criminal Partner/Offend with partner/Other offences
 (1 9 5 1 3) /Offending Behaviour/Demographic Factors/Criminal Partner/Offend with partner/Violent
 (1 9 5 1 4) /Offending Behaviour/Demographic Factors/Criminal Partner/Offend with partner/Non Violent
 (1 9 5 2) /Offending Behaviour/Demographic Factors/Criminal Partner/Violent
 (1 9 5 3) /Offending Behaviour/Demographic Factors/Criminal Partner/Non Violent
 (1 10) /Offending Behaviour/Motivation first time
 (1 11) /Offending Behaviour/Desistance from offending
 (1 11 1) /Offending Behaviour/Desistance from offending/Violent
 (1 11 2) /Offending Behaviour/Desistance from offending/Non Violent
 (1 11 3) /Offending Behaviour/Desistance from offending/Self
 (1 11 3 1) /Offending Behaviour/Desistance from offending/Self/Substance misuse
 (1 11 3 2) /Offending Behaviour/Desistance from offending/Self/Self confidence
 (1 11 3 3) /Offending Behaviour/Desistance from offending/Self/Getting more self-control
 (1 11 3 4) /Offending Behaviour/Desistance from offending/Self/Making a mistake
 (1 11 4) /Offending Behaviour/Desistance from offending/Circumstances
 (1 11 4 1) /Offending Behaviour/Desistance from offending/Circumstances/going to court
 (1 11 4 2) /Offending Behaviour/Desistance from offending/Circumstances/Family considerations
 (1 11 4 3) /Offending Behaviour/Desistance from offending/Circumstances/Practical Considerations
 (1 11 4 4) /Offending Behaviour/Desistance from offending/Circumstances/Peers
 (1 13) /Offending Behaviour/Pathways into offending
 (1 13 1) /Offending Behaviour/Pathways into offending/Violent
 (1 13 1 1) /Offending Behaviour/Pathways into offending/Violent/Partners
 (1 13 1 2) /Offending Behaviour/Pathways into offending/Violent/Peer influences
 (1 13 1 3) /Offending Behaviour/Pathways into offending/Violent/Alone
 (1 13 2) /Offending Behaviour/Pathways into offending/Non Violent
 (1 13 2 1) /Offending Behaviour/Pathways into offending/Non Violent/Partners
 (1 13 2 2) /Offending Behaviour/Pathways into offending/Non Violent/Peers
 (1 13 2 3) /Offending Behaviour/Pathways into offending/Non Violent/Alone
 (1 16) /Offending Behaviour/Family Offending

Appendix (8) Code-book for “Personal and Family Considerations”

REPORT ON NODES FROM (7) '/Personal and Family Considerations'

Depth: ALL

Restriction on coding data: NONE

(7) /Personal and Family Considerations
(7 5) /Personal and Family Considerations/Relationships
(7 5 1) /Personal and Family Considerations/Relationships/Domestic Abuse
(7 5 2) /Personal and Family Considerations/Relationships/Sexual Abuse
(7 5 3) /Personal and Family Considerations/Relationships/Physical Abuse
(7 5 4) /Personal and Family Considerations/Relationships/Self Concept
(7 5 14) /Personal and Family Considerations/Relationships/Childhood Family Relationships
(7 5 14 1) /Personal and Family Considerations/Relationships/Childhood Family Relationships/Violent
(7 5 14 1 1) /Personal and Family Considerations/Relationships/Childhood Family Relationships/Violent/Happy
(7 5 14 1 2) /Personal and Family Considerations/Relationships/Childhood Family Relationships/Violent/Unhappy
(7 5 14 1 2 1) /Personal and Family Considerations/Relationships/Childhood Family Relationships/Violent/Unhappy/Death Of a Parent
(7 5 14 1 2 2) /Personal and Family Considerations/Relationships/Childhood Family Relationships/Violent/Unhappy/Divorce
(7 5 14 1 2 3) /Personal and Family Considerations/Relationships/Childhood Family Relationships/Violent/Unhappy/Abuse
(7 5 14 1 2 4) /Personal and Family Considerations/Relationships/Childhood Family Relationships/Violent/Unhappy/Trigger for bad behaviour?
(7 5 14 1 2 4 1) /Personal and Family Considerations/Relationships/Childhood Family Relationships/Violent/Unhappy/Trigger for bad behaviour?/Offending
(7 5 14 1 2 4 2) /Personal and Family Considerations/Relationships/Childhood Family Relationships/Violent/Unhappy/Trigger for bad behaviour?/Unruly Behaviour
(7 5 14 2) /Personal and Family Considerations/Relationships/Childhood Family Relationships/Non Violent
(7 5 14 2 1) /Personal and Family Considerations/Relationships/Childhood Family Relationships/Non Violent/Happy
(7 5 14 2 2) /Personal and Family Considerations/Relationships/Childhood Family Relationships/Non Violent/Unhappy
(7 5 14 3) /Personal and Family Considerations/Relationships/Childhood Family Relationships/Witnessing crime
(7 5 14 4) /Personal and Family Considerations/Relationships/Childhood Family Relationships/Family fracture
(7 5 14 4 1) /Personal and Family Considerations/Relationships/Childhood Family Relationships/Family fracture/Divorce

(7 5 14 4 2) /Personal and Family Considerations/Relationships/Childhood Family Relationships/Family fracture/Domestic Abuse of parent

(7 5 14 4 3) /Personal and Family Considerations/Relationships/Childhood Family Relationships/Family fracture/Death of parent

(7 5 14 5) /Personal and Family Considerations/Relationships/Childhood Family Relationships/Being a Victim

(7 5 14 5 1) /Personal and Family Considerations/Relationships/Childhood Family Relationships/Being a Victim/Sexual Abuse

(7 5 15) /Personal and Family Considerations/Relationships/Family Relationships now

(7 5 15 1) /Personal and Family Considerations/Relationships/Family Relationships now/Family offending

(7 5 15 2) /Personal and Family Considerations/Relationships/Family Relationships now/Violent

(7 5 15 2 1) /Personal and Family Considerations/Relationships/Family Relationships now/Violent/Positive Relationships

(7 5 15 2 2) /Personal and Family Considerations/Relationships/Family Relationships now/Violent/Problematic Relationships

(7 5 15 2 2 1) /Personal and Family Considerations/Relationships/Family Relationships now/Violent/Problematic Relationships/Related to Childhood experiences

(7 5 15 2 2 2) /Personal and Family Considerations/Relationships/Family Relationships now/Violent/Problematic Relationships/Related to current behaviour

(7 5 15 3) /Personal and Family Considerations/Relationships/Family Relationships now/Non Violent

(7 5 15 3 1) /Personal and Family Considerations/Relationships/Family Relationships now/Non Violent/positive family relationships

(7 5 15 3 2) /Personal and Family Considerations/Relationships/Family Relationships now/Non Violent/Problematic family relationships

(7 5 17) /Personal and Family Considerations/Relationships/Relationships with partners

(7 5 17 1) /Personal and Family Considerations/Relationships/Relationships with partners/Violent

(7 5 17 1 1) /Personal and Family Considerations/Relationships/Relationships with partners/Violent/Reports good relationships

(7 5 17 1 2) /Personal and Family Considerations/Relationships/Relationships with partners/Violent/Reports problematic relationships

(7 5 17 2) /Personal and Family Considerations/Relationships/Relationships with partners/Non Violent

(7 5 17 2 1) /Personal and Family Considerations/Relationships/Relationships with partners/Non Violent/Reports good relationships

(7 5 17 2 2) /Personal and Family Considerations/Relationships/Relationships with partners/Non Violent/Reports problematic relationships

(7 5 17 3) /Personal and Family Considerations/Relationships/Relationships with partners/In The past

(7 5 17 4) /Personal and Family Considerations/Relationships/Relationships with partners/Present partners

(7 5 18) /Personal and Family Considerations/Relationships/Relationships with own children

(7 5 18 1) /Personal and Family Considerations/Relationships/Relationships with own children/Violent

(7 5 18 1 1) /Personal and Family Considerations/Relationships/Relationships with own children/Violent/Good Relationship

(7 5 18 1 2) /Personal and Family Considerations/Relationships/Relationships with own children/Violent/Problematic Relationship

(7 5 18 1 3) /Personal and Family Considerations/Relationships/Relationships with own children/Violent/In their care

(7 5 18 1 3 1) /Personal and Family Considerations/Relationships/Relationships with own children/Violent/In their care/Yes

(7 5 18 1 3 2) /Personal and Family Considerations/Relationships/Relationships with own children/Violent/In their care/No

(7 5 18 1 4) /Personal and Family Considerations/Relationships/Relationships with own children/Violent/Looked After Children

(7 5 18 1 4 1) /Personal and Family Considerations/Relationships/Relationships with own children/Violent/Looked After Children/Yes

(7 5 18 1 4 2) /Personal and Family Considerations/Relationships/Relationships with own children/Violent/Looked After Children/No

(7 5 18 1 5) /Personal and Family Considerations/Relationships/Relationships with own children/Violent/Do Children Offend?

(7 5 18 1 5 1) /Personal and Family Considerations/Relationships/Relationships with own children/Violent/Do Children Offend?/Yes

(7 5 18 1 5 2) /Personal and Family Considerations/Relationships/Relationships with own children/Violent/Do Children Offend?/No

(7 5 18 2) /Personal and Family Considerations/Relationships/Relationships with own children/Non Violent

(7 5 18 2 1) /Personal and Family Considerations/Relationships/Relationships with own children/Non Violent/reports good relationship

(7 5 18 2 2) /Personal and Family Considerations/Relationships/Relationships with own children/Non Violent/reports problematic relationships

(7 5 18 2 3) /Personal and Family Considerations/Relationships/Relationships with own children/Non Violent/in their care

(7 5 18 2 4) /Personal and Family Considerations/Relationships/Relationships with own children/Non Violent/looked after children

(7 5 18 2 5) /Personal and Family Considerations/Relationships/Relationships with own children/Non Violent/Do children offend?

(7 7) /Personal and Family Considerations/Drug/ alcohol usage

(7 7 1) /Personal and Family Considerations/Drug/ alcohol usage/drugs

(7 7 2) /Personal and Family Considerations/Drug/ alcohol usage/Alcohol use

(7 7 3) /Personal and Family Considerations/Drug/ alcohol usage/Drugs and Alcohol

(7 7 4) /Personal and Family Considerations/Drug/ alcohol usage/Out of control?

(7 7 4 1) /Personal and Family Considerations/Drug/ alcohol usage/Out of control?/Violent

(7 7 4 2) /Personal and Family Considerations/Drug/ alcohol usage/Out of control?/Non Violent

(7 7 5) /Personal and Family Considerations/Drug/ alcohol usage/When did they start?

(7 7 5 1) /Personal and Family Considerations/Drug/ alcohol usage/When did they start?/under 16

(7 7 5 2) /Personal and Family Considerations/Drug/ alcohol usage/When did they start?/Under 21

(7 7 5 3) /Personal and Family Considerations/Drug/ alcohol usage/When did they start?/Over 21

(7 8) /Personal and Family Considerations/Moral Reasoning

(7 8 1) /Personal and Family Considerations/Moral Reasoning/The Self

(7 8 1 4) /Personal and Family Considerations/Moral Reasoning/The Self/Do unto others

(7 8 1 6) /Personal and Family Considerations/Moral Reasoning/The Self/Inevitability

(7 8 1 7) /Personal and Family Considerations/Moral Reasoning/The Self/Greater penalty

(7 8 1 8) /Personal and Family Considerations/Moral Reasoning/The Self/I don't know how to

(7 8 2) /Personal and Family Considerations/Moral Reasoning/Violent

(7 8 3) /Personal and Family Considerations/Moral Reasoning/Non Violent

(7 8 9) /Personal and Family Considerations/Moral Reasoning/Victim Stance

(7 8 9 1) /Personal and Family Considerations/Moral Reasoning/Victim Stance/Vulnerability 1

(7 8 9 2) /Personal and Family Considerations/Moral Reasoning/Victim Stance/hurt

(7 8 9 3) /Personal and Family Considerations/Moral Reasoning/Victim Stance/direct/ indirect

(7 8 9 5) /Personal and Family Considerations/Moral Reasoning/Victim Stance/Vulnerability

Appendix (9) Code-book for "Education, Employment and the Community"

REPORT ON NODES FROM (8) 'Education Employment and the Community'

Depth: ALL

Restriction on coding data: NONE

- (8) /Education Employment and the Community
- (8 1) /Education Employment and the Community/Neighbourhoods
- (8 1 1) /Education Employment and the Community/Neighbourhoods/Has an effect
- (8 1 1 1) /Education Employment and the Community/Neighbourhoods/Has an effect/Violent
- (8 1 1 2) /Education Employment and the Community/Neighbourhoods/Has an effect/Non Violent
- (8 1 2) /Education Employment and the Community/Neighbourhoods/Has no effect
- (8 1 2 1) /Education Employment and the Community/Neighbourhoods/Has no effect/Violent
- (8 1 2 2) /Education Employment and the Community/Neighbourhoods/Has no effect/Non Violent
- (8 1 3) /Education Employment and the Community/Neighbourhoods/High crime area
- (8 1 4) /Education Employment and the Community/Neighbourhoods/Rootlessness
- (8 2) /Education Employment and the Community/Leisure and Recreation
- (8 2 1) /Education Employment and the Community/Leisure and Recreation/Have Got hobbies
- (8 2 2) /Education Employment and the Community/Leisure and Recreation/Have no hobbies
- (8 2 3) /Education Employment and the Community/Leisure and Recreation/Would like to have hobbies
- (8 2 3 1) /Education Employment and the Community/Leisure and Recreation/Would like to have hobbies/Relational
- (8 3) /Education Employment and the Community/Finance
- (8 3 1) /Education Employment and the Community/Finance/Linked to offending
- (8 3 1 1) /Education Employment and the Community/Finance/Linked to offending/For drugs
- (8 3 2) /Education Employment and the Community/Finance/Not linked
- (8 6) /Education Employment and the Community/associates
- (8 6 1) /Education Employment and the Community/associates/Criminal Associates
- (8 6 1 1) /Education Employment and the Community/associates/Criminal Associates/Criminal Friends
- (8 6 2) /Education Employment and the Community/associates/Non Criminal Associates
- (8 11) /Education Employment and the Community/Employment

(8 11 1) /Education Employment and the Community/Employment/Never had a job

(8 11 2) /Education Employment and the Community/Employment/Presently unemployed

(8 11 2 1) /Education Employment and the Community/Employment/Presently unemployed/Because of child care

(8 11 2 2) /Education Employment and the Community/Employment/Presently unemployed/Substance misuse

(8 11 2 2 1) /Education Employment and the Community/Employment/Presently unemployed/Substance misuse/Violent

(8 11 2 2 2) /Education Employment and the Community/Employment/Presently unemployed/Substance misuse/Non-violent

(8 11 2 3) /Education Employment and the Community/Employment/Presently unemployed/Because of illness

(8 11 2 4) /Education Employment and the Community/Employment/Presently unemployed/Full time education

(8 11 3) /Education Employment and the Community/Employment/Presently employed

(8 12) /Education Employment and the Community/Education

(8 12 1) /Education Employment and the Community/Education/Bullying at school

(8 12 1 1) /Education Employment and the Community/Education/Bullying at school/Violent

(8 12 1 2) /Education Employment and the Community/Education/Bullying at school/Non Violent

(8 12 2) /Education Employment and the Community/Education/Primary School Experiences

(8 12 2 1) /Education Employment and the Community/Education/Primary School Experiences/Violent

(8 12 2 2) /Education Employment and the Community/Education/Primary School Experiences/Non Violent

(8 12 3) /Education Employment and the Community/Education/Secondary School Experiences

(8 12 3 1) /Education Employment and the Community/Education/Secondary School Experiences/violent

(8 12 3 2) /Education Employment and the Community/Education/Secondary School Experiences/Non Violent

(8 12 3 3) /Education Employment and the Community/Education/Secondary School Experiences/Good Experience?

(8 12 3 3 1) /Education Employment and the Community/Education/Secondary School Experiences/Good Experience?/Violent

(8 12 3 3 2) /Education Employment and the Community/Education/Secondary School Experiences/Good Experience?/Non Violent

(8 12 3 4) /Education Employment and the Community/Education/Secondary School Experiences/Bad Experience

(8 12 3 4 1) /Education Employment and the Community/Education/Secondary School Experiences/Bad Experience/vIOLENT

(8 12 3 4 2) /Education Employment and the
Community/Education/Secondary School Experiences/Bad Experience/non violent

(8 12 3 5) /Education Employment and the Community/Education/Secondary
School Experiences/Truancing

(8 12 4) /Education Employment and the Community/Education/Further
Education

(8 12 4 1) /Education Employment and the Community/Education/Further
Education/violent

(8 12 4 2) /Education Employment and the Community/Education/Further
Education/non violent

(8 12 5) /Education Employment and the
Community/Education/Qualifications

(8 12 5 1) /Education Employment and the
Community/Education/Qualifications/Standard Grades

(8 12 5 2) /Education Employment and the
Community/Education/Qualifications/Highers/ a levels

(8 12 5 3) /Education Employment and the
Community/Education/Qualifications/Post School Qualifications

(8 12 5 4) /Education Employment and the
Community/Education/Qualifications/No Qualifications

(8 12 5 4 1) /Education Employment and the
Community/Education/Qualifications/No Qualifications/Violent

(8 12 5 4 2) /Education Employment and the
Community/Education/Qualifications/No Qualifications/non violent

(8 12 13) /Education Employment and the
Community/Education/Relationships at school

Appendix (10) Code-book for "Sentences and Services"

REPORT ON NODES FROM (4) 'Sentences and Services'

Depth: ALL

Restriction on coding data: NONE

- (4) /Sentences and Services
- (4 1) /Sentences and Services/previous SW involvement
- (4 2) /Sentences and Services/Other Services
- (4 3) /Sentences and Services/services linked with offending
- (4 3 1) /Sentences and Services/services linked with offending/Violent
- (4 3 1 1) /Sentences and Services/services linked with offending/Violent/Probation
- (4 3 1 1 1) /Sentences and Services/services linked with offending/Violent/Probation/Previous Order
- (4 3 1 1 2) /Sentences and Services/services linked with offending/Violent/Probation/Relationship with supervisor
- (4 3 1 1 3) /Sentences and Services/services linked with offending/Violent/Probation/Methods
- (4 3 1 1 4) /Sentences and Services/services linked with offending/Violent/Probation/This Order
- (4 3 1 2) /Sentences and Services/services linked with offending/Violent/Drugs or alcohol
- (4 3 1 3) /Sentences and Services/services linked with offending/Violent/Community Service
- (4 3 1 4) /Sentences and Services/services linked with offending/Violent/Other Services
- (4 3 1 5) /Sentences and Services/services linked with offending/Violent/Prison
- (4 3 2) /Sentences and Services/services linked with offending/Non Violent
- (4 4) /Sentences and Services/Social Work now
- (4 9) /Sentences and Services/Types of sentences
- (4 9 1) /Sentences and Services/Types of sentences/Probation
- (4 9 2) /Sentences and Services/Types of sentences/Community Service
- (4 9 3) /Sentences and Services/Types of sentences/Custody and Remands
- (4 10) /Sentences and Services/Reaction to sentence
- (4 10 1) /Sentences and Services/Reaction to sentence/Offence focussed
- (4 10 2) /Sentences and Services/Reaction to sentence/Other issues
- (4 10 3) /Sentences and Services/Reaction to sentence/General Comments

Appendix (11) Level of Service Inventory (Revised)

LSI-R: The Level of Service Inventory - Revised



by D. A. Andrews, Ph.D., and James L. Bonta, Ph.D.

Name: _____ Reference Number: _____
 Date of Birth: ____/____/____ Sex: M F Date: ____/____/____
 Referral Source: _____ Reason for Referral: _____
 Present Offences: _____ Disposal: _____

The LSI-R is a quantitative survey of attributes of offenders and their situations relevant to the decisions regarding level of service. The LSI-R is composed of 54 items. Items are either in a "yes-no" format, or in a "0-3" rating format, based on the following scale:

3: A satisfactory situation with no need for improvement
2: A relatively satisfactory situation, with some room for improvement evident
1: A relatively unsatisfactory situation with a need for improvement
0: A very unsatisfactory situation with a very clear and strong need for improvement

Place an "X" over the appropriate response for each question, whether it be a simple "yes" or "no", or a rating number. The answers will transfer through to the scoring sheet beneath for quick tallying of the LSI-R score. Be sure to see the manual for guidelines on rating and scoring. For missing information, circle the question number.

Criminal History

No	Yes	1.	Any prior adult convictions? Number: _____
No	Yes	2.	Two or more prior convictions? *SV
No	Yes	3.	Three or more prior convictions?
No	Yes	4.	Three or more present offences? Number: _____
No	Yes	5.	Arrested under age 16? *SV
No	Yes	6.	Ever incarcerated upon conviction?
No	Yes	7.	Escape history from a correctional facility?
No	Yes	8.	Ever punished for institutional misconduct? Number: _____
No	Yes	9.	Charge laid or probation/parole suspended during prior community supervision?
No	Yes	10.	Official record of assault/violence?

Education/Employment

When in labour market:

No	Yes	11.	Currently unemployed? *SV
No	Yes	12.	Frequently unemployed?
No	Yes	13.	Never employed for a full year?
No	Yes	14.	Ever fired?

School or when in school:

No	Yes	15.	Left school at minimum legal leaving age without further formal education?
No	Yes	16.	Left school without any qualifications?
No	Yes	17.	Suspended or expelled at least once?

For the next three questions, if the offender is a homemaker or pensioner, complete #18, only. If the offender is in school, working, or unemployed, complete #18, #19 and #20. If the offender is unemployed, rate 0.

3	2	1	0	18.	Participation/performance
3	2	1	0	19.	Peer interactions
3	2	1	0	20.	Authority interactions

Financial

3	2	1	0	21.	Problems
No	Yes	22.	Reliance upon social assistance		



The Cognitive Centre Foundation

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* SV Indicates items to be tested when using the LSI_R_SV (Screening Version) only

LSI-R: The Level of Service Inventory - Revised

by D. A. Andrews, Ph.D., and James L. Bonta, Ph.D.

Remember, the rating scale is as follows:

- 3: A satisfactory situation with no need for improvement
- 2: A relatively satisfactory situation, with some room for improvement evident
- 1: A relatively unsatisfactory situation with a need for improvement
- 0: A very unsatisfactory situation with a very clear and strong need for improvement

Family/Marital

	3	2	1	0	Question Numbers	
Dissatisfaction with marital or equivalent situation					23.	
Non-rewarding, parental	*SV	3	2	1	0	24.
Non-rewarding, other relatives	3	2	1	0	25.	
Criminal- Family/Spouse	No	Yes			26.	

Accommodation

Unsatisfactory	3	2	1	0	27.
3 or more address changes last year	No	Yes			28.
High crime neighbourhood	No	Yes			29.

Leisure/Recreation

Absence of recent participation in an organised activity	No	Yes			30.
Could make better use of time	3	2	1	0	31.

Companions

A social isolate	No	Yes			32.
Some criminal acquaintances	No	Yes			33.
Some criminal friends	*SV	No	Yes		34.
Few anti-criminal acquaintances	No	Yes			35.
Few anti-criminal friends	No	Yes			36.

Alcohol/Drug Problem

Alcohol problem, ever	No	Yes			37.
Drug problem, ever	No	Yes			38.
Alcohol problem, currently	3	2	1	0	39.
Drug problem, currently	3	2	1	0	40.
Law violations	No	Yes			41.
Marital/Family	No	Yes			42.
School/Work	*SV	No	Yes		43.
Medical	No	Yes			44.
Other indicators	No	Yes			45.

Emotional/Personal

Moderate interference	No	Yes			46.
Severe interference, active psychosis	No	Yes			47.
Mental health treatment, past	No	Yes			48.
Mental health treatment, present	No	Yes			49.
Psychological assessment indicated	*SV	No	Yes		50.

Attitudes/Orientation

Supportive of crime	*SV	3	2	1	0	51.
Unfavourable toward convention	3	2	1	0	52.	
Poor, toward sentence	No	Yes			53.	
Poor, toward supervision	No	Yes			54.	

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LSI-R: The Level of Service Inventory - Revised

by D. A. Andrews, Ph.D., and James L. Bonta, Ph.D.

Name: _____ Reference Number: _____
 Date of Birth: ____/____/____ Sex: M F Date: ____/____/____
 Referral Source: _____ Reason for Referral: _____
 Present Offences: _____ Disposal: _____

Instructions: Add up the number of X's in column A and record the number in the appropriate box. Do the same for column B. Add the totals for columns A & B for the total LSI-R score. Refer to the Male or Female Profile Sheet for charts of the LSI-R total score. Note: X's that fall in the blackened areas are not counted. Circled numbers represent missed questions.

Column A	Item	Column B
1.	Number of prior convictions <input type="text"/>	23
2.		24
3.		25
4.	Number of present offences <input type="text"/>	26
5.		27
6.		28
7.		29
8.	Number of times punished for institutional misconduct <input type="text"/>	30
9.		31
10.		32
11.	Type of drug associated with current drug problem (if any) <input type="text"/>	33
12.		34
13.		35
14.	Other indicators of drug problem <input type="text"/>	36
15.		37
16.		38
17.	Area of psychological assessment indicated <input type="text"/>	39
18.		40
19.		41
20.		42
21.	Total from Column A and Column B is: <input type="text"/>	43
22.		44
		45
		46
		47
		48
		49
		50
		51
		52
		53
		54

Total number of X's in column A → **TOTAL LSI-R SCORE** ← Total number of X's in column B

Interviewer: _____ Date: ____/____/____

Appendix (12) RA Framework

SUMMARY SHEET

ASSESSING OVERALL RISK OF REOFFENDING AND HARM LEVEL OF CONCERN

Name Reference Number

Date Social Worker

Current Offence

Using the matrix -

from RA1 identify the Risk of re-offending and identify the appropriate row (low, medium or high) on the matrix below;

From RA3 identify the Risk of harm and identify the appropriate column (low, medium or high) on the matrix below;

Indicate the box on the matrix where the risk of re-offending row and the risk of harm column intersect.

The box indicates the overall level of risk the offender poses to the public.

RISK OF RE-OFFENDING

HIGH	low	medium	high
MEDIUM	low	medium	high
LOW	low	low	medium
	LOW	MEDIUM	HIGH

RISK OF HARM

Comments

Comments, date and signature of line manager in those cases which are identified as high risk.

**RISK OF RE-OFFENDING
RA1**

PREDICTIVE FACTORS

Age

The younger the offender the greater the risk

Age at first conviction -

The younger the age at first conviction
the greater the risk of reconviction

Sex -

Males are much more likely to be reconvicted than females

M

F

Number of custodial sentences whilst aged under 21.

The greater the number the greater the risk.

Number of criminal convictions

The greater the number the greater the risk.

(Attach list of previous convictions)

H

M

L

Offence seriousness - The more serious
the offence the greater the risk.

COMMENTS

RISK OF RE-OFFENDING

H

M

L

Based on the above analysis, what is the risk of
reoffending - high, medium or low? - explain your
thinking below.

CRIMINOGENIC NEED

RA2

The following factors have been identified as those most associated with re-offending. Include only those problems that relate to re-offending or require attention if offending is to stop.

NEED OR PROBLEM

4

- | | | |
|---|--------------------------|---|
| 1. Financial problems | <input type="checkbox"/> | 6. Alcohol misuse |
| 2. Employment difficulties | <input type="checkbox"/> | 7. Drug misuse |
| 3. Limited education/work/social skills | <input type="checkbox"/> | 8. Mental health problems |
| 4. Poor relationships and/or social isolation | <input type="checkbox"/> | 9. Accommodation |
| 5. Negative peer influence | <input type="checkbox"/> | 10. Anti-social attitudes to the law and law enforcement. |

How might these needs be addressed?

Priority Needs	How will these be addressed	Offender motivation address? Y/N

Are resources in place to address them?

Has the offender previously complied with court orders?

Yes/No

In the light of your analysis do you need to modify your assessment on RA1? Amend RA1 as appropriate and explain your thinking.

Signature (social worker) Date

**ASSESSING HARM
RA3**

**SOURCES OF INFORMATION
STATE SOURCES**

Details of the offence

Previous convictions

Details of previous offences

Other (unconvicted) offending behaviour

WHERE USED

Employment, health, education

Social information

Personal information

Media/public response

Initial analysis

Comment

Has the offender already caused significant harm?

Is the number of offences, the frequency or the harm escalating?

Does the offender commit different types of offences?

Is there a risk to children or other vulnerable groups?

Are there aspects of the offender's life that might increase risk e.g. alcohol abuse or mental health problems?

Does s/he comply with court orders?

Is the offender at risk of being harmed and what impact might this have on his or her behaviour?

Is the offender motivated to re-offend?

Is the offender motivated to avoid re-offending?

Judgement

HIGH

MEDIUM LOW

Based on the above answers, what is the risk of serious harm?
High, Medium or low?

If there are concerns about future risk of harm (high risk) a more detailed assessment should be undertaken.
(RA4)

ASSESSING HIGH RISK OFFENDERS RA4

Name	<input type="text"/>	Reference Number	<input type="text"/>
Date	<input type="text"/>	Social Worker	<input type="text"/>
Offence	<input type="text"/>		

When assessing the risk of harm we are considering :-

- the **behaviour** that is of concern
- the **likelihood** of that behaviour occurring
- the **circumstances** in which the harmful behaviour might occur
- the **degree of harm** that might be caused
- **who** might be harmed

Information required

If, at the time of the initial assessment of risk of harm (RA3), full information about the offence and previous behaviour was not available, this information should now be sought and RA4 updated. Where information is absent this should be noted together with the reasons why.

When completing RA4 **indicate sources of information and their reliability, accuracy and validity.**

Completion

Name of person completing form/assessment

Names of other individuals and agencies involved in the assessment

Has the offender contributed to the assessment and is s/he aware of the contents?

ASSESSMENT PROCESS

Describe and detail current offence(s) and characteristics. Where there has been a previous serious offence, particularly of a different nature this should also be described.

What actually occurred immediately before, during and after the event?

Where and when?

Who was present and involved?

Any weapons, poisons or chemicals used?

Any unusual/bizarre aspects?

Was it planned or impulsive, details of planning?

What triggered the offence and what were the reasons the offender gave at the time?

The offender's thoughts and feelings before, during and after the event

The offender's attitude to the offence(s) and victim(s) at time of the offence

Analyse current and previous offences

Sadistic or explosive rage

Victim(s) random or targeted

Victim(s) groomed/stalked

Degree of planning and preparation

Unnecessary violence/aggravating features

Power and control factors e.g. the desire to have their own way

Victim characteristics e.g. gender, race, age or occupation

Triggers/reasons

Analyse offending patterns

Similar to previous offences in terms of type of offence, victim and circumstances?

Other non-violent offences and any patterns and connections

Serial or single offender
Particular triggers or reasons?
Escalation of offending/seriousness?

Assess offender's attitude to offending (now)

Denial, blaming, indifferent, justified
Offender indicates that repetition is likely
Offender's understanding of seriousness of behaviour and why it is wrong

Assess attitude to others

Degree of empathy
Hatred of other groups e.g. ethnic minorities
Need for control and domination
Family relationships
Isolation
Jealousy or unrealistic attachments

Consider mental health issues. Indicate if the offender has been diagnosed as having a specific mental health problem or whether you suspect that s/he might have one.

- Specified mental illness
- History of psychiatric intervention
- Response to medication/treatment
- Low intelligence or low emotional intelligence
- Stress
- Delusions and fantasies
- Paranoia
- Depression
- Obsessions - weapons, pornographic sexual/violent material

Consider substance misuse

- Presence or absence
- Significance in terms of offence (under the influence, offence committed to purchase)
- Previous response to treatment

Making judgements

The factors listed above can only act as a prompt for consideration and weight given to each factor will depend on the offender and the offence. In making judgements about risk of harm, social workers should consider the following:

Risk of re-offending

General risk of re-offending (RA1)

Risk of specific serious offences being repeated, based on analysis of offending patterns.

Likely frequency of serious offence being committed.

--

Risk of what?

What behaviour is of concern (be specific)

--

Who is at risk?

Specified or unspecified individual groups

--

What are the consequences?

The likely degree of harm

Who would be affected

--

Under what circumstances?

The likely triggers

Risky situations or circumstances

What factors (personal and environmental) could increase the risks?

What factors (personal and environmental) could decrease the risks?

What action is needed to reduce risk?

What criminogenic needs can be addressed?

What action can the offender take or the supervising officer take with the offender?

What action can others take e.g. police, health or child protection professionals?

Changing the environment e.g. moving house/area?

--

NEXT STEPS

Who needs to be informed of the risk?

--

Who will take a lead responsibility in risk management?

--

What will happen next?

--