PROTECTION OF AUTHOR’S COPYRIGHT

This copy has been supplied by the Library of the University of Otago on the understanding that the following conditions will be observed:

1. To comply with s56 of the Copyright Act 1994 [NZ], this thesis copy must only be used for the purposes of research or private study.

2. The author's permission must be obtained before any material in the thesis is reproduced, unless such reproduction falls within the fair dealing guidelines of the Copyright Act 1994. Due acknowledgement must be made to the author in any citation.

3. No further copies may be made without the permission of the Librarian of the University of Otago.
Women's Perspectives on Crime and Criminal Justice

By

Denise Michelle King

A thesis

Submitted to the University of Otago
in fulfilment of the
requirements for the degree of
Master of Consumer and Applied Science
(thesis only)

University of Otago
2001
ABSTRACT

This thesis is an exploratory analysis of women's offending in New Zealand. The criminal justice system deals regularly with the small number (17%) of women arrested for various crimes. This study is about the experiences of six women offenders who were subject to various court orders, administered by the Community Probation Service and the perspectives of nine women probation officers with experience in supervising them while subject to the orders. The questions asked of these 15 women related to their perspectives and experiences of women's offending: what makes a female law-breaker and how does she see herself compared to women who are not convicted offenders? How do women offenders see themselves within the structures of society and in particular, the criminal justice system? What is it about their lives that has led them into crime? And do they potentially see themselves in a life without crime?

These questions were posed, using in-depth and semi-structured interview techniques, with women offenders and three focus group discussions with the nine probation officers. Most interactions took place in the South Island location of Christchurch, with one focus group also conducted with Dunedin probation officers. Data was analysed using either the question categories or other common themes emerging from the collection process.

The most distinctive feature arising from the analysis was that women's crime was connected to their networks of personal and social relationships. There was no indication of arbitrary offending against society, despite their personal histories of victimisation, substance abuse and marginalisation by society. Women offenders reported both assistance and alienation at the hands of the criminal justice system in its attempts to meet their needs, despite the fact it is tailored to deal with men. The women involved in this study identified that women desisted from crime for personal reasons only, while respecting the boundaries the criminal justice system places on their behaviour. Women's crime was presented as purposive, as an
adjustment made to meet their needs and as being responsive to society’s requirements, to re-adjust their lives to fit with its needs. The cost of this to women offenders is enormous and recommendations are made to better support women as they negotiate their way out of their criminal lifestyles.
ACKNOWLEDGEMENTS

I would like to thank my husband as he has willingly tolerated me living and breathing this thesis over the past two years — it has made me appreciate you all the more.

To my supervisor, who has also become a dear friend, I thank you for the mentoring you have unselfishly offered to me and the time you have devoted to the many drafts of this final document. I hope I have done you justice in my work.

I also wish to thank the Department of Community and Family Studies at the University of Otago, who have supported my studies in principle and with the finance needed to carry out the process. Your unqualified belief in my ability and potential has been greatly appreciated.

Finally, I wish to acknowledge my employer, the Community Probation Service. They have supported me with this career move, by offering me the time to study, a contribution towards my fees to do so and their belief that my professionalism, as a probation officer, has much to offer research into crime.
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abstract</td>
<td>i</td>
</tr>
<tr>
<td>Acknowledgements</td>
<td>iii</td>
</tr>
<tr>
<td>Table of Contents</td>
<td>iv</td>
</tr>
<tr>
<td>1. Introduction</td>
<td>1</td>
</tr>
<tr>
<td>2. Crime and Gender - Theoretical Perspectives on Women's Offending</td>
<td>3</td>
</tr>
<tr>
<td>3. Research on Women’s Offending</td>
<td>21</td>
</tr>
<tr>
<td>4. Methodology</td>
<td>41</td>
</tr>
<tr>
<td>5. The Findings - Crime Factors</td>
<td>59</td>
</tr>
<tr>
<td>6. The Findings - Women, Relationships and Crime</td>
<td>80</td>
</tr>
<tr>
<td>7. The Findings - Probation Officers’ Perspectives</td>
<td>95</td>
</tr>
<tr>
<td>8. Discussion and Concluding Comments</td>
<td>107</td>
</tr>
<tr>
<td>Bibliography</td>
<td>127</td>
</tr>
<tr>
<td>Appendices</td>
<td></td>
</tr>
<tr>
<td>Appendix A: Interview Schedules</td>
<td>138</td>
</tr>
<tr>
<td>Appendix B: Letter to Community Probation General Manager</td>
<td>140</td>
</tr>
<tr>
<td>Appendix C: Ethics Application and Response Documentation</td>
<td>142</td>
</tr>
<tr>
<td>Appendix D: Information Sheet and Consent Form for Participants</td>
<td>153</td>
</tr>
<tr>
<td>Appendix E: Transcript Letter to Participants</td>
<td>155</td>
</tr>
<tr>
<td>Appendix F (i): Letter to Participant</td>
<td>156</td>
</tr>
<tr>
<td>Appendix F (ii): Letter to Participant</td>
<td>157</td>
</tr>
</tbody>
</table>

(iv)
CHAPTER 1: INTRODUCTION

In my role as a probation officer, women offenders have reported to me on their various court orders for the past eight years. The New Zealand Community Probation Service has changed during this time (including its name) and women offenders have come and gone (thankfully), but the nature of the women has changed very little. Women have reported committing crime for various reasons, yet buried in their stories I have observed commonalities: stories of abuse and neglect at the hand of families and their partners; histories of drug and alcohol abuse to help them escape their sense of entrapment; criminality by association with those they care about and seek to protect; and the social rejection and stigma that comes from being labelled a 'criminal' and a 'loser'.

Listening to these women's stories over the years, I came to appreciate that these stories were invisible to most of society. In New Zealand 83% of recorded crime is committed by men (Spier, 2000), who typically commit the high profile street-crimes involving violence and recklessness. Women's crime does not have such a profile, being less violent and reckless and seen as a response to issues over which they have little control. By this, I mean that society views women's crime as a pathological response to the characteristics mentioned above. They are viewed as victims turned perpetrators of crime, 'damaged goods' committing crime to survive in society.

The stories women have relayed to me, however, has led me to believe there is more to women's offending. In the vacuum of information about women's crime in New Zealand, I decided to tell some of their stories, and relay the experience of probation officers who, like me, have had the privilege of hearing many of their stories for many years. This thesis is an account of women's crime, analysed and presented as an alternative view to the social beliefs commonly held about these women. Women are not pathological victims, but rational survivors, and I hope this thesis clearly conveys this theme for all to see.

In this study I have examined the characteristics of women, their crime and their perceptions of their place in society. These are compared to the observations of
women probation officers, who have supervised them on their various court orders. This is concluded with a discussion that integrates the findings with international literature on women’s offending. Chapter two presents a theoretical overview of crime, as a gendered issue, and the theories related to this. An overview of some of the research relating to women’s crime is then presented in chapter three. The research is related to the methodology undertaken by this study in chapter four, followed by the presentation of findings in chapters five, six and seven. To finish, chapter eight presents a discussion of findings, relating these to the literature on women’s offending. I then make some concluding comments and recommendations for changes to be considered within the Community Probation context.
CHAPTER 2: CRIME AND GENDER

Theoretical Perspectives on Women's Offending

This section reviews theoretical ideas about women's offending, as has been developed within the discipline of criminology during the past century. A more specific focus is then undertaken of the past 30 years, during which feminist criminology has reconstructed mainstream research and generated new approaches and concepts for studying crime. A strong argument is presented in the literature for theorising women's experiences in a way that rejects the generalisation of women's offending, often produced through theoretical discourse. These theories are presented here and the chapter is concluded with discussion of the reasons for women's offending.

Historical Views of Women

One of the first sociological theorists to recognise gender as a significant feature of social categorisation, was Pollack. Writing in 1950, he acknowledged that society was 'male-dominated' and oppressive to women. He presented the argument that men's lack of understanding of women and their apprehensions about being able to control them, while still essentially needing them, produced distorted social views of women:

"Basically they have attempted to deny women the ability to do the things men do and have either idealized them into sweetness and purity, which made them appear docile and harmless, or they have maligned them in order to be able to condemn them. Both types of behaviour help men to feel better about their denial of equality to women." (Pollack, 1950: 149)

A few criminology writers (Lombroso and Ferrero, Thomas and Pollack) constructed theories of explanation in response to this, in terms of understanding female physiology and psychology as the means of theorising about their crimes. For example, Lombroso explained the crime of women's prostitution in terms of women
being “amoral throwbacks” and prostitution was a woman’s equivalent to male crime (Heidensohn, 1985). In a more sociological analysis, Thomas related women’s deviance to their social positions, while still stressing their emotional pathology in doing so; and Pollack suggested women were inherently more devious than men because of their concealed sexuality (faking orgasms, hiding their menstruation and pregnancies), which he then related to women’s crime in that it was also hidden and more prolific than men perceived (Heidensohn, 1985). The links between all these writers was their belief in the biological determinism of women, which also formed the basis of their explanations of women’s crime.

Heidensohn, a criminologist writing in 1985 and 1989, suggested that for explanations of crime, gender was in actual fact, a ‘critical’ issue. Historically, Heidensohn purports that subcultural theorists have recognised this, making notions of masculinity central to their theorising. She gave the example of Cohen (1955) who distinguished between the delinquency of boys and girls based on gender factors, but in doing so, mixed social and biological determinants - making both into unchangeable givens (Heidensohn, 1989).

Feminists then began to question whether gender and sex differences are in fact biological and determined. They argued that subcultural theorists failed to answer this question, because they lacked a sociology that could give them the conceptual tools to do so. Subcultural theorists’ answers were circular in nature and often limited by their own masculine identities. Feminists suggested that what was needed was a challenging ideology, located outside the frame and posed by women theorists, who identified with women in questions of femininity. Into the frame came the feminist movement of the late 1960s. For the first time in history, social scientists were faced with having to question their assumptions about gender and how gender divisions were formed by social processes and the gendered manner in which social institutions have been constructed. Here began a whole new genre of sociological literature, which has proved to be a significant development in modern sociology (Heidensohn, 1989).

For much of the 20th century, sociologists ignored the ‘gender gap’ and any range of social explanations for women’s crime. Leonard (1982) observed the lack of
historical accounts and studies of women’s crime, as being due to criminologists describing crime as implicitly or explicitly male. Sociology was dominated by men during the past century, by both the researchers and their chosen participants. Heidensohn (1989) discusses sociologists’ description of the ‘founding fathers’ of sociology, as being an example of a description that also determines what is studied and by whom it is studied. For example, participant studies of gangs of delinquent boys (see Whyte, 1955) were made possible by young male researchers, who were able to identify with and merge into the lifestyles of their participants. A woman researcher could not have achieved the same identity, or the same result. Correspondingly, male researchers could not study women for the same reason and the lack of research indicated they had no inclination to do so (Heidensohn, 1989).

It must be acknowledged that further difficulty in studying women’s crime was created by the low rate of women’s recorded crime, which continues to be an issue for researchers today. Heidensohn (1985) also suggested women were more elusive in their participation in crime studies, due to the fear and stigma they associated with their offences and, the potential for their recognition by others with the associated loss of social reputation. Women felt harshly judged by society for their crimes and were reluctant to participate in studies that would highlight their sense of shame.

Feminists therefore began to argue for gendered research that respected women, their reasons for crime and the development of theories that supported the crucial nature of gender as a variable in the sociology of criminality. Mainstream sociology did not have any views on how gender was socially constructed until the late 1960s. Their attentions had previously been focused on social classes and family, in such a way that it rendered gender to be biologically determined and was, therefore, also absent in the field of criminology and criminological research. In developing a trend of examining gender across social divides, crime theorists acknowledged the importance of gender to crime and to understanding crime in its social contexts. This development was greatly assisted by the feminist critique of mainstream criminology, which began in the 1970s with two primary emphases – addressing women’s near invisibility in the research and the distorted way in which they have been presented when they were considered:
"... women are 'invisible' in most sociological research and writing, or that, where they are considered, they are subject to marginalizing and distorting treatment".

(Oakley, 1982 cited in Heidensohn 1989: 86)

Crime proved to be a prime candidate for this critique, which largely began by challenges to traditional empiricism.

**Empiricism and Criminology**

Among leading criminologists in the United States and Britain, there has existed an enduring commitment to scientific orthodoxy and quantitative research (Brown et al., 1991). The problem arising from this was that scientific criminology had become removed from the world somewhere in the 'ivory tower' of academia:

> "The further we move into computer analysis of large data files with more sophisticated methods, the harder it becomes for practitioners and policy makers to follow.” (Petersilia 1991: 9)

In furthering this argument, criminology is an applied and practical science, applied to people who behave in certain ways in society. The scientific roots established in the 19th century traditions of ‘men of science’, however, have taken for granted that the subject of criminological science is the criminal male (Garland, 1994). He is presented as the generic criminal, rather than a masculine being. Criminologists have studied men, but not the maleness of their subjects, therefore missing a critical dimension - statistically, socially and politically. Women are noted mainly for their absence as criminal research participants and often presented as non-criminal comparisons to male participants, or as victims of crime. They are rendered even more unrecognisable by the application of findings from all-male studies, which generalise to entire criminal populations, rather than presenting specific information about men and their crime. There has been little reflection about the impact the researcher’s identity has had on their participants. Rather, there is an assumption of scientific neutrality and this kind of assumption can only lead to a very narrow and
technical conception of the criminological task, which is antithetical to creative and self-critical thinking (Naffine, 1997):

"The (conventional) idea of value-free scientific criminological research has led to a paradoxical failure in criminology to scrutinize the values of the criminologist."

(Naffine, 1997: 20)

**Feminist Criminological Developments**

The drive behind feminist criminological scholarship has been to attain intellectual rigour and political significance, to think about women’s lives in new ways, and by doing so, to improve the lives of women. The following section is the intellectual development of feminist criminology from various approaches.

**Feminist Empiricism**

The concern of early feminist criminologists was that women had been left out of the research of scientists. Feminist empiricism, therefore, has sought to question the objectivity of scientific work on women participants. Feminist empiricists argued that scientists had not considered the biases and pre-conceived ideas they brought to their work. These feminists were conscious of the political goals of their inquiry and sought to develop scientific methods that were sensitive to the investigator and the investigated (Gelsthorpe and Morris, 1990).

The exploration of feminist empiricists included the questioning of male theories of crime, developed with male subjects and then fitted to females. Further endeavours involved questioning why women were so law-abiding (compared with men), the study of women as victims of crime and the treatment of the woman offender within the criminal justice system (Carlen, 1990). What was generally missing from this feminist analysis was a critical examination of criminological knowledge as it related to the male offender. Men were simply accepted as the norm for human standards (MacKinnon, 1983) and women were depicted as a homogenous group in relation to
their crime (ie. no acknowledgment of individual or social difference). To take this critique further, there was also a failure to ask contextual questions about the significance of social institutions as they impacted women's lives and being organised around men, the sort of influence they exerted on women's offending.

**Criminology and the New Left**

The social and contextual issues of crime began to be raised in writings from Marxist perspectives, which emerged in the late 1960s in America (with the rise of the civil rights movement, Cardarelli and Hicks, 1993) and the early 1970s in Britain (Taylor et al, 1972). Researchers began to acknowledge the economic, political and social structures that gave rise to crime. However, this did not alter the lack of commitment to the study of women offenders. Studies remained firmly entrenched around men, with male offenders being portrayed as rational and even political in their crimes, while women were conspicuous by their absence. The focus of Marxist contributions remained with the male offender, whom they politicised as the 'outsider': the working-class male excluded from society by the real criminals – the capitalist oppressors. As a consequence of this, another outsider group was created – that is, women. The impact of crime on women and the social roles of women in crime had yet to be explored and theorised (Naffine, 1997).

**Standpoint Theorists**

As a challenge to previous research, researchers in the 1970s began to learn about crime from the viewpoint or standpoint of the offender. Researchers’ review of traditional empiricism delivered an important epistemological shift – the belief that direct involvement in the problem leads to the most comprehensive understanding of it. In doing so, they also rejected the traditional view that the identity of the inquirer made no difference to what is to be known or understood of the problem. Early standpoint researchers targeted male subjects and if women appeared in the accounts, they were portrayed as objects of male knowledge (Becker, 1973; Parker, 1974). Despite the good intentions of this research, one wonders to what extent the accounts
were a true reflection of the subjects? For example, could a depth understanding of the masculinity of a young working-class offender, in a gang of such offenders, be achieved by an academic white middle-class male?

"In other words, the academics' desire to find rationality and purpose in the deviance of youth (despite its surface appearance of senseless crime) was possibly itself a desire to find in those youth the very qualities which the academic male still most admired in himself - intellectual reason rather than, say, animal spirits or something deeply alien, perhaps deeply different which could not be encapsulated in an academic treatise." (Naffine, 1997: 43)

**Women as Active Participants**

Carlen (1985) saw the solution to the ongoing problem of the exclusion of women, was to seek from women themselves their own accounts of their criminal experiences. She took the unusual step of making her participants the authors of their own stories. Carlen’s purpose was to highlight that the criminality of women was both serious and intentional and was best explained by research participants as experts about themselves. In this vein, Carlen, in her 1988 study, interviewed 39 women about the types of influences on their criminal careers. The following excerpt from her conclusion exemplified her standpoint:

"...that there is no end to the multiplicity of meanings that can be attributed to life events. Furthermore, if thirty-nine women hold such differing views on the connections between their law-breaking and a fundamental social condition like poverty - a condition experienced by 95 per cent of them at some time or other - whatever is the point of trying to incorporate those wildly differing perceptions into any general statements about the cause of women's law-breaking and criminalization?" (Carlen, 1988: 72)

Carlen argued that by taking women’s own accounts seriously, the researcher refuses a reductionist approach that “erases the uniqueness of individual female experience” (ibid, p.72) and thereby acknowledges a commitment to deconstructing women’s
careers of crime into elements which many share – albeit in differing combinations that make each woman unique (Carlen, 1988).

This new approach to research became known as standpoint feminism. Though the standpoints of research are necessarily varied, all are intended to place women as knowledgeable subjects at the centre of inquiry, in order to produce better understandings of women and the world. This stance does not divide knowledge from values and politics, but sees knowledge arising from engagement with these elements. Standpoint feminist theorists believe women are experts because they are women; that their subjugation and reflection on their state makes for a better appreciation of the world; and from their position they are able to understand both the oppressors and the oppressed (Carlen, 1985; Harding, 1986). In other words, women are forced to accommodate the needs of men and in doing so, understand them as well as themselves. Implicit in this standpoint is the idea that women can acquire a more authentic view of reality and therefore also knowledge.

Standpoint feminists have been questioned by other feminists, who have doubted the feasibility of this kind of political generalisation of women (Spelman, 1988; Rice, 1990). These postmodern feminists argued that there are problems associated with homogenising women into a single ‘type’: that the woman who may speak for ‘type’ bears the standpoint of the most privileged of women, colonizing them, assimilating them and rendering their voice powerless. To do this, is to repeat the experience of patriarchy upon fellow women. In practice, women all have different participating positions, producing different world-views that must be acknowledged and not subjugated, categorized, and perpetuating their oppression (Crosby, 1992). This serves as a warning to feminists: we must choose our collective identities strategically, ensuring a common understanding of our multiplicity of views and circumstances.

A further gap within standpoint feminist enquiry has been the absence of men and masculinity as a ‘standpoint’ of investigation. This is due to the standpoint feminist approach developing out of the grassroots concern to promote women’s voice within criminology. However, standpoint feminists legitimately argue that any attempt to draw their focus away from women is to compromise the real problems (eg. their
subjection to male structures of criminal justice), that women still face as a result of their prolonged subjugation by male criminalisation (Smart, 1990).

**Power and Knowledge**

An important obstacle for researchers to overcome in studying women’s participation in crime, is the link between male power and women’s ability to control the viewing point of criminology. In order to sustain a feminist perspective and thereby, to maintain a feminist definition of the constitution of knowledge, as it pertains to women, has been a challenge for all feminists. These concerns have been explored by criminologists, explicitly influenced by the French philosopher Foucault, who has written extensively on the constitution of knowledge and its relationship with power (Foucault, 1970; 1980).

To appreciate Foucault’s work, we need to revisit perspectives of knowledge and power presented by theorists previously mentioned: the empiricists who claim knowledge is politically neutral; the standpoint theorists who claim power resides in the labelling of powerless individuals by more powerful individuals; this viewpoint is shared and extended by Marxist criminologists who identify a class-struggle between agents of the law and the criminal social class. By contrast, Foucauldian theorists suggest that neither ‘the powerful’ nor ‘the powerless’ are free from the constituting effects of knowledge and the impact this has on society (McHoul and Grace, 1993).

The Foucauldian argument poses that power is not *statically* possessed by men in their greater strength (physically, politically and materially) to dominate women, rather, that power is a fluid thing, never possessed by one individual or group, but that it “moves around within relationships and its effects are felt not by people being bent to the will of others, but through the actual constitution of our thoughts and behaviour” (Naffine, 1997: 70). The supposition is that conceptual frameworks order the thoughts of everyone - defining, controlling and assigning certain individuals as ‘the movers’ and others ‘the moved’ - with people changing these roles as their context changes. For example, consider a young woman who has been abused and neglected by her family (ie. being moved by the will of others). When she moves her life onto the city...
streets with other young people, she finds power in the choice of deciding who will be her new ‘family’ and how she will let them behave towards her (ie. the mover). Power then, is constantly changing and more importantly, changeable.

As human beings, we cannot operate without concepts of meaning to understand the contexts in which we live our lives. Foucauldian theorists have therefore proposed that the important thing is for us to reflect on the workings of meaning, of its concepts and the changing ways in which they move. Dispensing with concepts of meaning and their power relations, because we do not agree with their effects on our lives (eg. being the neglected victim of an abusive family), does not change realities. The important understanding to gain lies in the praxis of action and reflection, as a means to influence change and the power relations associated with a particular change.

In relation to his philosophies, Foucault specifically addressed crime and punishment in his work *Discipline and Punish: The Birth of the Prison* (1977). He examined the way criminal justice has moved its power from the chastisement of the body of the offender, towards controlling her or his mind. British criminologists have reflected on and developed these themes (Garland, 1990, 1992). However, the gendered dimension of this power/knowledge debate was ignored by both Foucault and criminologists (Sumner, 1990). In establishing a gendered dimension to power and knowledge, feminist literature has incorporated the power/knowledge concepts into its own evolution of thought, despite the fact that Foucault’s own conceptions were distinctly masculine in character. The concepts of power and knowledge, as they related to women and to social order, were further sharpened by feminists under the influence of Derrida (1981). Derrida described the workings of knowledge, of how it limits the way we think and how it also provides the means of change (Derrida, 1981).

*Postmodern Feminism and Criminology*

Postmodern feminists broadened Derrida’s ideas by elaborating the limits of meaning, as applied to women’s classification and contextualisation in society, and found ways to transcend those limits. They rejected the establishment of static ‘feminist truth’ and turned their efforts to deconstructing various truths and analysing the effects of
power play within those truths. As an example of this, language is seen as a system of statements of difference between concepts, with meaning never self-contained and complete in any one concept. Rather, a concept always refers to something else that serves to better define and clarify its meaning. In relation to the gender debate, for example, 'man' would depend on its meaning from that which it is conceptually distinguished, that is, 'man' depends on 'woman'. Thus, the political significance of the interdependence of terms becomes apparent, with the conceptual and political relation being a hierarchical one of superior and inferior understandings (the concept of 'wo-man' being derived from 'man'). These type of oppositions are a common way of organising concepts in Western thought, hence also social relationships and constructs (Naffine, 1997).

**Deconstruction : Thinking Outside the Square**

If meaning works as a series of opposing concepts ('black and white' meanings), how then is change achieved? Postmodern feminists (see Butler and Scott, 1992) have tended to favour deconstruction as a means of taking apart knowledge and reconstituting its concepts. As with the above example of the conceptual opposition of 'man' and 'woman', deconstruction of their meaning revealed their conceptual interdependence. Their deconstruction changed the concepts because, from this new viewpoint, neither concept is any longer viewed as it first appeared – opening terminology to being reused or redeployed in ways not previously recognised (Butler and Scott, 1992). By inverting the original hierarchy of meaning, we have been able to achieve a new concept:

"The original relationship (of dominant man to subordinate woman) ceases to appear natural and inevitable. We can observe that it was/is held in place in a political not natural manner. We see the dependency of the dominant term on the subordinate term, and we also see the damage done to the subordinate term in the very construction of this opposition." (Naffine, 1997: 87)

However, deconstruction is a limited vehicle for effecting change. It is insufficient to undo the institutional systems built upon powerful concepts of opposition, which
sustain the economic and political power of men over women. However, with each inroad into a female stereotype, a male stereotype is similarly weakened. The feminist criminologist, in shifting the understanding of women and crime, has also come to realise that understandings of men are altered as well. For example, rape is a crime about the explicit relation of the sexes to each other. The feminist argument is that the form of sexuality expressed in the crime of rape is an extension of dominant (masculine) understandings of acceptable sexuality. Deconstruction of the concept of rape reveals the limitations and distortions of the male sexual imagination, by exposing its internal workings. In reconstructing a women’s standpoint, the concept reveals a different perspective on the same phenomenon (Naffine, 1997).

**Gender Reconstruction: A Challenge for the 21st Century**

How do we effect change within a language that has already defined the conditions of meaning and thus already limited any concept of social change? For example, how do we think differently about women and our relations with men, given the hold of the present ideas and experiences of women?

A strategy proposed by Naffine (1997) in relation to crime, is to reverse the existing roles assigned to men and women in relation to crime, using crime fiction narratives to do so. In relation to criminology, crime fiction has allowed a ‘flight of imagination’ and inverted the realities of the general female subjugated condition. Women are featured as protagonist crime ‘solvers’ (rather than crime victims), with the consequence of this role reversal, rendering the familiar unfamiliar. With sex-role reversal, the point is not just to show that a woman can do what a man can do, but that once a reversal is effected, everything changes. The man’s role can no longer be seen as natural and inevitable and nor can the woman’s. Our viewing point is altered, the woman outsider is given an opportunity to offer her understanding of the world, while the actions of the man are seen through the eyes of the one who is usually cast as the man’s other (Naffine, 1997).

The realities of the ‘female condition’ and her social subjugation, however, remains slow to change. Within criminology in general, differing questions need to be posed
in order to continue to challenge the location of women within the discipline. In postmodern terms, the traditional question of ‘what does feminism have to offer criminology?’ may be inverted to read ‘what has criminology got to offer feminism?’ Through this account of criminological development, feminism has demonstrated its broad concerns that continue to revitalise radical criminology. It may be that criminology needs feminism more than the converse, which of course, traditionalists would emphatically deny. However, evidence points towards a complicity within traditional mechanisms of the discipline, which renders mainstream criminology unchanged and unmoving in its explorations (Smart, 1990). As the status quo therefore, it has little to offer any changes for women in the current criminal justice arena. Feminists, therefore, remain forging a place for women in criminology as the outside minority with a strong creative voice of empowerment for women.

Explaining Women’s Crime

Social perceptions, like the criminal justice process, change slowly. The construction of gender identity appears to be as resistant to social change as any other social construct. Yet it is the collective power of gender identity that holds the key to change for women in the criminal justice system. The construction and deconstruction of the features of women’s identity that are common to all women, appears a logical place to approach any form of change in the realities for women in the criminal justice system. While theorists debate the concepts that will produce this change, I propose to limit the theoretical rhetoric to the criminal justice process and the response of women law-breakers to this process. What is it about women’s (gendered) lives that involved them in crime, and what keeps them involved?

Women’s Victimisation and Violence

One of the common involvements of women and crime in the literature has been women in the role as victims of crime. Feminist argument has a tendency to approach women’s offending by blaming the men in women’s lives - for victimising them and making them bow to their powerful demands - aspects of which may be crime against
them, or women being coerced into committing crime (Allen, 1987). Women’s (sometimes) violent retaliation to their subjugated position, is asserted to be one of reduced responsibility, given their position as the ‘oppressed sex’:

“...feminist discussions share with the court reports the underlying predisposition to view criminal women as more victims than aggressors, more sinned against than sinning, more to be pitied than blamed.” (Allen, 1987: 93)

Allen (1987) argued that this position refused to allow women to appear as “morally guilty or personally discreditable” (ibid, p.93) and therefore, gave selected attention to women’s violence as a response to violence perpetrated against them, rather than initiated as a crime by women in its own right: Allen cited an example (Edwards, 1985) of women committing homicide after ongoing battering from their partners. However, this leaves out discussion of cases where the victim is another woman or a child, which thereby negates the power-relations argument of women being ‘battered’ rather than ‘batterers’. The question of women’s criminal status is important in any judicial process, as it is for men. Allen was concerned about the inherent sexism of the process, which was used to pre-empt a serious examination of women’s actions by the law, thereby suppressing recognition of women as coerced, but also conscious and culpable in their violence (Allen, 1987).

Culpability of women in crime became a controversial issue from the late 1980s, when official statistics began telling a story about the dramatic increase of women’s involvement in criminal justice systems, most noticeably in the United States (Chesney-Lind, 2000). As a result, the question has been raised: Is women’s offending spiralling out of control? Concern over women’s offending hit the media in New Zealand last year, when there was an outcry over too few beds for women prisoners:

“The overflow from the women’s prisons could be the result of a new group of young, violent offenders, Cecelia Lashlie, a former manager of Christchurch women’s prison says.” Cecelia Lashlie said to the paper she was convinced “there’s a new breed of kids who are 15 or 16 years old who are determined to make themselves the equal of men.” (Otago Daily Times, 15/07/00)
A broad range of evidence suggests this phenomenon is true only in part. New Zealand data follows overseas trends in the profile of women's crime. It presents a 30-year increase in the rate of women's crime convictions, from 12% to nearly 18% in 1999 and a similar trend in apprehensions for crime. The growth areas have been principally in dishonesty and violence (Department of Statistics, cited Newbold, 1999: 64). While dishonesty in women's crime is nothing new, the prevalence of violent behaviour is a new trend. It may be there is a new breed of young women perpetrating violence, and investigations into the motivating factors may reveal a new attitude of equality in opportunity amongst young women and their crime. This concept is viewed as a recent development by the literature, as Worrall (2001) observed in a recent article:

"As the 'welfarisation' and 'soft policing' of young women's behaviour, by both formal and informal social control mechanisms, has now given way to the straightforward 'criminalisation' of that same behaviour, we are seeing increasing numbers of young women being incarcerated, not on spuriously benevolent welfare grounds, but on spuriously 'equitable' justice grounds." (Worrall, 2001: 86)

Worrall continues her presentation of gender equity among young offenders by observing the reconstruction of language around the labelling of young women. They are no longer 'at risk' or in 'moral danger' from men, but are categorised similarly to men as 'violent girls', 'drug-abusing girls', 'girl robbers' and 'girl murderers'. They are also being subjected to the same crime management as the men. They have been 'troublesome young women' and become 'nasty little madams'. There has been a corresponding rise in the proportion of young women committing crimes in Britain - 28,000 of 100,000 young offenders were female in 1998 (Home Office 2000a, p.9 cited in Worrall, 2001).

Chesney-Lind (2000) commented that in the United States, the Bureau of Justice statistics reported drug offences (and related dishonesty offences) were responsible for the major increase in women's imprisonment during the past decade. Chesney-
Lind viewed this phenomenon as being the result of 'gender entrapment', as women attempt to deal with their lives among male oppression:

"As an example, it is understood that women might use drugs for reasons quite different from those of her male counterparts (often self-medication). She may also be coerced into drug offences or other criminal behaviour because of an abusive spouse or boyfriend (called 'gender entrapment' Richie, 1996)." (Chesney-Lind 2000: 8)

Chesney-Lind proposed that women were trapped into crime by their need to maintain relationships with others (eg. partner, children, family and friends), a common need among women which was specific to their gender identities.

**Understanding Sex Roles and Responses to Crime**

Identity theorists have argued the need to maintain relationships is a much stronger need for women than for men and women will, therefore, persist in maintaining potentially damaging relationships to fulfil this need. Culligan's book 'In a Different Voice' (1982) validated gender differences as an identity issue: "In women's lives attachment, interdependence and connectedness to relationship are critical issues which form the foundation of female identity." (cited in Whitaker, 2000: 4) Identity is therefore also crucial to an understanding of differences in women and men's offending. The theory states female identity is based on defining self in connection to others, while male identity is based on his status in the world and his ability to be autonomous from others. As an extension of this, women rely on resolutions that maintain relationships, whereas men rely on social rules for dealing with conflict: For example, a man may be dealing drugs for status among his peers and a woman may do the same in order to maintain her relationship with the man. Women's crime, therefore, not only reflects their gender, but their personal networks, their structures of life opportunities and their sense of obligation to family (Chesney-Lind 2000). In other words, crime for women is about maintaining relationships, while taking opportunities to meet their needs (by legitimate or other means) as the situation arises in their various social networks.
These identity needs lead to other problems, the most serious of these being victimisation. While it can be said this is the history of women in general terms, the abuse histories of women offenders is notably marked by victimisation. A United States national survey of imprisoned women found much higher rates of physical and sexual abuse (43%), than for male prisoners (12%). Often the abuse is for much more prolonged periods, beginning in childhood and continuing to their present adult lives (survey cited by Chesney-Lind 2000: 8). Thus women, as individuals, are more likely to be victims of violence. More subtly than this, they are also victims of various forms of social control.

A clear example of the social control of women is in their victimisation, which is perpetuated by male forms of social control and by institutions that support male violence and the ideologies that perpetuate it – public institutions, the workplace and the home environment (McRobbie, 1978; Dobash and Dobash, 1979). In the criminal justice system, women are made to feel even more guilty about their crime by a system set up for men, which has no place for mothers and denies all women their femininity. Women are thus placed in ‘double jeopardy’ as to their place in society and their rights as equal citizens. We are thus left to question: what would an ‘equity response’ to female crime actually entail?

Women in the Criminal Justice System

In forging a response to issues of victimisation and the development of an equitable approach to women’s offending, the criminal justice system must take into account women law-breakers’ desperate attempts to maintain their relational identity in an environment of poverty and abuse. What does it take then to forge a successful criminal justice response to women offenders? The trend has been to lump them in with men’s programmes or not include them at all, because there are not enough women to fund their own programmes. Women therefore, tend to receive individual attention within the system. We may think this is an advantage, however, because women’s crime is generally ‘less serious’ and they are assessed as ‘low risk’ in their potential to reoffend within the community - they are typically given community orders, which are supervised by busy agents (probation officers usually), whom they
see infrequently and have little relationship with them. This, in turn, sets women up to fail with compliance to their community orders.

Whitaker (2000) suggested, that because relationships are central to women’s lives, it is to be expected they will tend to prioritise their time in terms of their most important relationships (children, partner, family, friends). Therefore, women experience a higher rate of non-compliance on their sentences, by failing to comply with their conditions. Whitaker furthered this argument by commenting that for women, success in the criminal justice context was reliant on women forming a significant relationship with an agent (eg. probation officer), who may then take into account the complexity of their responsibilities when forming their regimes for compliance with their orders (Whitaker, 2000). This can have an ameliorating effect for women who are disadvantaged within a criminal justice system set up for men.

Carlen (1998) has strongly argued for ameliorative justice for women. She suggests that, due to the double jeopardy of women’s victimisation and punishment, equity can only be addressed by formal amelioration of justice. In sentencing women, courts must therefore take into account the social factors that disadvantage them in general, together with punishments that reflect these disadvantages. In this regard, Carlen also suggests a combination of ameliorative justice and gender testing (asking the question: is the criminal justice response to women is essentially woman orientated?), as being the keys to the future of justice for women. Carlen has made her arguments in the context of women subject to prison regimes, the principles of which, I believe can equally be applied to the context of community sanctions. For example, if success for women on community sentences is related to the significance of their relationships with individual agents of the system, then ways of working with women need to accommodate this.

The next chapter of this thesis explores the research on women offenders as they proceed through the criminal justice process, highlighting issues involved for them in the process and researchers’ investigation of this and of issues of equity in the treatment of women within the criminal justice system.
CHAPTER 3: RESEARCH ON WOMEN'S OFFENDING

Gender as a sociological issue became the centre of a whole new literary genre alongside the rise of the feminist movement in Western societies in the 1960s. The result of this, among researchers and theorists, was the exploration of anything from gender divisions in society, to gendered aspects of social institutions. Within this new development, criminologists included women in their studies. A brief scan of crime statistics from many countries, time periods and showing many offence types, revealed women's offending as significantly less prolific than men's offending. Self-report, victim studies and various other methods used to uncover "hidden" crime also confirmed crime as being a predominantly male activity. In spite of this, gender has continued to be a consistent factor in exhibiting difference in the characteristics of crime and therefore a critical variable in predicting criminality (Heidensohn, 1989).

Feminist Criminology

From the 1970s a new feminist criminology emerged, which had two fundamental concerns in its investigations: Firstly, addressing the invisibility of women's crime in literature; and, secondly, when women did appear, they were presented in distorted ways, which marginalised their crime (Heidensohn 1985; 1989). Together, these factors produced the focus for feminist theorists in the portrayal of women's crime, gender issues that had been left unexamined and theories of male criminality that had been presented as theories of all criminality. Thus, the new feminist theorists began their work as a critique of mainstream (male) criminology and continued this as an important discourse in their literature to the present day.

The importance of contextualisation of criminality in feminist research, has led to an emphasis on gender and the criminal justice system. Studies in this area have been increasingly extensive in the past 20 years. In Britain, a large amount of literature was generated on gendered perspectives on crime through the 1980s (Smart, 1977; Farrington and Morris, 1983; Heidensohn 1985; Morris, 1987; and Naffine, 1987; Mair and Brockington, 1988). The applications of the research to criminal justice policies and practice, however, have been slower to develop.
"Equality before the law is the keystone of the criminal justice process and presumably all agencies would claim to be firmly committed to it. It may be, however, that there is a gap between equality as a theoretical concept and equality as a practical outcome in the criminal justice process – a gap which it may be possible to eliminate." (Mair and Brockington, 1988: 117)

Through the 1990s the gap remained wide and unmoving. What does ‘equality’ mean now, in 21st century law? How can women be represented by the criminal justice process as ‘equal’, while respecting their difference from men? The history of criminal justice has struggled with this concept and in doing so, has continued to uphold theories of women’s criminality, which have hindered women’s equality before the law. The theories and the research supporting inequalities are outlined below. Theorists attempting to constitute ‘equality’ in the criminal justice process for women, are then presented and their research examined.

Chivalry versus The Evil Woman

Two disparate views have arisen among theorists about the way women are treated within the various agencies that contribute to a statutory criminal justice system (e.g. police; courts; probation and prisons). One claims that women are treated less harshly than men (which criminal statistics would seem to confirm), while the other viewpoint claims women are treated more harshly than men. These claims represent the ‘chivalry’ or ‘paternalistic’ theory (for the less harsh thesis), and the ‘evil woman’ theory (for a harsher thesis) of the way women are dealt with in the criminal justice process (Mair and Brockington, 1988).

Farrington and Morris (1983) attempted to bring together these theoretical extremes by researching court sentencing. They concluded men and women were sentenced similarly. However, this study was limited to one court and one offence category (theft), so generalisations were limited. Mair and Brockington’s (1988) research of male and female probation pre-sentence reports, which involved a 1975-1985 investigation of community service and probation orders in England, revealed
differing findings. They found sex-based differences in sentencing outcomes were generated by both the courts and the probation service. Women were more likely to be recommended for probation orders\(^1\) and less likely to be recommended for a community service sentence - a trend also reflected in court outcomes.

Worrall (1990), in her study of 15 women who were described by probation officers as particularly 'troublesome', reported an even more complex problem with court sentencing. Women were seen as compliant and receptive to sentences involving intervention in their lives (ie. probation supervision). Probation officers, who had responded to this construction, offered sentencing alternatives within a strongly stereotyped system and risked disadvantaging the women they sought to help:

"Hence many officers justify their continued writing of gender-stereotyped reports on the grounds that they are working tactically in their client's best interests." (Worrall, 1990: 116)

Worrall argued that working around the system did nothing to address women's reality, despite various agents (eg. judges, solicitors, psychiatrists and probation officers) down-playing women as 'law-breakers' to avoid them being stigmatised within the system. Worrall surmised this approach 'muted' women and 'subjugated' their realities, to a point where they were almost lost within the system by their powerlessness to control the process:

"Being 'rooted' might be translated in authorized discourses as being securely surrounded by conditions conducive to growth but in the women's discourse as being immovably transfixed in a position of some danger (as in 'rooted to the spot')." (Worrall, 1990:117)

The dangers women face within the criminal justice system have been emphasised in studies by researchers, including Smart (1976) and Heidensohn (1985). Their investigations into women's treatment within the criminal justice system concluded

---

\(^1\) Probation is a court sanction based on social work principles of intervention by a probation officer, and designed to assist the offender to better cope with needs they have which have led to their offending.
that women were viewed as 'not real criminals', and that their offending was evidence of them failing to cope with social problems, such as poverty. Such a rationale naturally led to the imposition of court sanctions designed to 'assist' the woman offender and seemed to be more relevant to the social and relationship needs of women at risk of committing crime – hence the prevalence of probation orders. Furthermore, Farrington and Morris (1983) highlighted such factors as marital status, family background and children, played a more important role in sentencing outcomes for women than for men. Thus, the court and its sentencing had made greater intrusions into the private lives of women than their male counterparts.

We could come to the conclusion then, that women are more likely to be recommended for court sanctions based on stereotypical male responses to females and to women's offending, which is also supported through the nature of the 'probation order'. In considering the implications of this, it could be surmised that women are unfairly subjected to systematic intrusion into their private lives, while also possibly pushing their sentencing up the tariff system (of offender punishment) at a greater rate than their male equivalents. For example, a woman who has received her first criminal conviction receives a sentence of probation in order to assist with her poverty needs, whereas a male with similar needs receives a small fine. The implication here is that a man will find his way to paying the fine (or can take the consequences if he does not), whereas a woman may not be able to pay or take the consequences due to her numerous social responsibilities. This is a stereotype of differences between the sexes that disadvantages women. If women are not being considered for the full range of court responses for their crimes, then we must conclude they are treated neither equally nor justly (Mair and Brockington, 1988; Erez 1989).

Equality and justice remained issues within the court through the 1990s, in spite of 30 years of feminist critique. The British Home Office conducted similar research to the above-mentioned studies nearly 10 years later (1997). The researchers, Hedderman and Gelsthorpe, concluded that their findings were similar to the studies in the 1980s, reflecting the lack of movement in criminal justice attitudes over time. This occurred despite a heightened awareness of stereotyped attitudes and their effects, which
continued to play a role in notions of fairness and justice (Hedderman and Gelsthorpe, 1997).

**British and Australasian Differences**

In turning to a more recent production of research closer to home, New Zealand and Australian statisticians suggest women offenders are proportionately more likely to receive a community service sanction than their male counterparts (Deane, 1995; Edwards, 1992). One can only speculate about the reasons for this, though it may reflect the differential nature of the court sanctions when compared to the British model of sentencing. For example, there are two community sanctions involving community work in New Zealand. There is community service, whereby offenders are linked with a voluntary community organisation, which agrees to sponsor the offender on an individual basis through their hours of work imposed by the court (anything from 20 to 200 hours). Alternatively, there is periodic detention, whereby offenders are detained in the custody of the Community Probation Service for one working day per week and are placed in supervised work gangs to work on community projects for the length of their sentence (a minimum of one week and a maximum of 12 months). A study by Deane (1995) on sentencing in New Zealand District Courts, found women were significantly more likely to receive a community service order than were men and that men received the sentence of periodic detention far more frequently than did women. It was noted, however, that women convicted of more serious offences and those with a number of previous convictions tended to receive a sentence of periodic detention.

These findings suggest the chivalry thesis may also tend to operate within the court sentencing framework in these countries (periodic detention also exists in Australia), but in a varied manner. Women appear to be treated more leniently by way of community service, a less intrusive community work option than periodic detention, than are men in a similar position. Men are more likely to receive the higher-tariff supervised work sentence of periodic detention. This reinforces the stereotype of women as not ‘real criminals’ as opposed to their male counterparts and as such,
women can be trusted in the community undertaking a more flexible sentence (in this instance, community service).

Women are also proportionately more likely to be released from prison to home detention than male offenders. In a recent New Zealand study by Gibbs and King (2001) it was found that, after 18 months of the scheme being established on a nationwide basis, 17% of participants were women and 83% were men. This coincides with national crime statistics, which are the same (Spier, 2000), but in relation to imprisonment, women received such a sentence at a rate of 5% compared to the 95% of men (Spier, 2000). Thus, proportionally, women were more than three times as likely to be released to home detention than men. The Gibbs and King study showed the sanction was a popular option with prison boards responsible for releasing them, particularly for women with children, but with the proviso that they had adequate support to enable them to comply with home detention (and care for their children at the same time). This is a clear message that women with responsibilities and supportive relationships can be trusted in the community, as they meet the criteria for accepted femininity and therefore are more likely to conform to social rules and sentence expectations.

**Women Offenders Speak Out**

How do women who offend perceive themselves and their treatment within the criminal justice system? Barker (1993) interviewed 48 women serving community service in Britain, in order to investigate their experiences of the sanction. Although community service was not widely used among women offenders at the time, statistics showed 77% of women completed their sentences as required (cf. 71% of men). Barker found women also benefited from aspects of their sentence, including providing them with work skills and boosting their self-confidence. Barker noted some dissatisfaction with the range of placements available to the women, particularly in rural areas. She also found women responded positively to group work placements in either mixed or women-only groups. This belied the assumption that women were better suited to individual placements where they were better protected from criminalising male elements (again back to the chivalry thesis).
In Edwards' (1992) Australian study of women's experiences of their community-based court orders, she interviewed 23 women and surveyed a further 49 women, together with 23 women who agreed to participate in focus group discussions. The pilot interviews revealed five main issues for the women - trouble with keeping the routine of their community order; trouble with transport; problems with community work; problems seeing other offenders; and particular problems for drug-addicted women. There were also two further issues identified through a literature search - childcare and mixing men and women at community work placements.

Edwards found that although most of the women in her sample (68%) did not consider childcare a problem in attending to their orders; one third of the women acknowledged they had had to take their child(ren) with them to the corrections centre at some point, which did create difficulties. For some women, keeping the conditions of their order was problematic, with the primary concern being too many appointments to attend. This meant having to be organised in their time keeping, which many women found a difficult discipline. Additionally, one third of respondents found transport to appointments problematic, compounding their discouragement at carrying out their orders. Commonly, women were reliant on public transport, family and friends. They also felt dependant on someone else's schedule or at the mercy of the weather conditions.

Women required to undertake community work on their orders in the Edwards' study, largely responded as per the study by Barker (1993). Most women found the contact with other offenders important in making the order bearable. Working in mixed groups was not considered problematic - although many women described a general picture of harassment, which they tended to minimise as 'joking around' or 'stirring' by the men - they also tended to view the behaviour as something women must learn to cope with in general. A few women, particularly those trying to recover from drug addiction, found that associating with other offenders undermined their resolve. They also believed the addicted person's general physical health made corrections orders particularly challenging to comply with (Edwards, 1992).
Home detention, in essence, is a more contained sentence than community service or supervision and Gibbs and King (2001) showed that the sanction impacted on women by making them feel guilty about their association with home detention. The study interviewed seven women subject to home detention, together with 18 women who sponsored detainees. Women detainees felt guilty about not meeting the needs of their children, or about having their significant-others carrying-out extra responsibilities in supporting them (extra expense in transport and household costs and running messages for them). For women sponsors, the common theme was one of feeling guilty for leaving the house when male detainees could not go out. Several women said they adjusted their activities to stay at home with the detainee more, while others said they felt guilty initially but did not adjust their behaviour (other than doing extra messages for the detainee while out of the house). This raises an important question about the impact of home detention for women: does home detention take advantage of women’s nature - to support and maintain their important relationships - by making them feel obligated to fill the gap left by the limitations of the sanction? It would seem to be so and in doing so, it employs a netwidening effect surrounding the criminal justice system, which particularly disadvantages women acting as sponsors.

A Profile of Women in the Criminal Justice System

Considering the disadvantages faced by women in the criminal justice system, Carlen (2000) proposed that the gendered bias in court sentencing makes certain groups of women more likely to proceed through the criminal justice system to prison – namely those who have been in welfare care, have transient lifestyles, have their own children in welfare care, are living without family or partners and who are members of an ethnic minority group:

“The likelihood that female offenders may overall receive more lenient treatment than males does not rule out the possibility that individual women receive unusually harsh treatment.” (Hedderman et al 1994, cited in Carlen, 2000: 8)

This type of profile reflects class and race factors playing an important role in sentencing, alongside gender. Carlen reflects that for the majority of women going to
court, their gender does protect them from harsh penalties unless they are perceived as having “violated [the] norms of dominant female behaviour” (Carlen 2000: 8) - such as living without family - or they have committed a serious crime. Hence, young poverty stricken black women (and in New Zealand, Maori women) are less able to meet the expectations of dominant cultural femininity, thereby making it more likely that they receive harsher treatment within the criminal justice system. It also means social characteristics (eg. race and class) of high-risk reoffenders are common to both women and men.

Carlen (2000) takes this argument a step further and proposes gender as not the primary construct involved in differentiating between males and females at court sentencing. She purports that differentiation is based on four factors: risk of reoffending; legitimacy of punishment; citizenship discrimination; and role worth. In this regard Carlen proposes: women are generally at lower risk of reoffending than men; they are more likely to have been victims of prolonged abuse (and courts ameliorate for this); women are already subject to informal social controls that men are not (and therefore are doubly punished by the court in terms of access to full citizenship); and women are ascribed role-worth as mothers in the upbringing of children (also affecting sentencing outcomes). Carlen concludes these factors are entwined in court sentencing and are inseparable in sentencing practice:

“...although gender does indeed affect whether a law-breaker becomes a sentenced prisoner, it would be impossible for judges to separate its impact on the criminal careers of individuals from other factors such as racism and class.” (Carlen, 2000:10)

In the United States a study by Olson, Lurigio and Seng (2000) also sought to characterise women who had received a probation sentence upon conviction for a crime. Given that little was known about these women from previous research, Olson et al conducted an exploratory study of a sample of such women (482, 20% of the total) to determine their characteristics, offence and sentencing variables, and their case outcomes. These were then compared with an equitable sample of their male counterparts (1834 or 80% of the total) in order to determine the gender effect of these variables.
Olson et al’s analysis revealed significant differences between the women and men. They found the women had much higher rates of unemployment and lower annual income. Women were much more likely to have been convicted of drug-related and property offences, which, in previous studies, had been related to the likely outcome of offenders failing to comply with their community sentences. Conversely, women were less likely to have prior convictions, which previous assessments of sentence outcomes, have associated with failure on community sentences (see also Morgan, 1994; Sims & Jones, 1997 cited in Olson et al, 2000). As a result of this mix of risk factors (the nature of the offending versus fewer previous convictions), few differences were found by gender alone in relation to the compliance with sentences. However, Olson et al noted a statistically significant difference between women and men when comparing ‘new arrests’ during their sentences, with men more likely to have been arrested for a new crime and showing a higher average number of such arrests. Using a multivariate analyses of all these variables, it was shown that, overall, women performed better on community sentences than men (though the rates of negative outcomes for women were still high).

Olson et al concluded from this that women’s performance was probably due to their desire to maintain positive interpersonal relationships, as well as receiving assistance from probation officers to access opportunities to address their needs. On this basis, Olson et al also suggested women could be more responsive to deterrent threats made by the criminal justice system (eg. revocation of their sentence and possible incarceration) and chose to proceed with their punishments, thereby causing the least disruption to their lives.

This was also reflected in the recent research of Gibbs and King (2001), where women subject to home detention were much more likely to express ‘fear of doing something wrong’ and the likelihood of being caught, as opposed to their male counterparts, who were much more likely to push the boundaries of their detention to discover ‘what they could get away with’.

The home detention research reflects the gender issues in women’s identity and their social construction. Women are expected to be more compliant and relationship
orientated than men. However, the nature of women’s identity and socialisation does not mean they receive more attention to their needs within the criminal justice system:

“In practice, however, most probation departments have failed to tailor their programs to fulfil the specific or most pressing needs of women offenders (Erez, 1989). Klosak (1999), for example, reported that few women probationers in Chicago had employment-related services attached to their probation sentences as special conditions, even though the majority of women in her study expressed an interest in obtaining job skills and in achieving financial independence.” (Olson et al, 2000: 77)

It therefore seems the perennial problem of the ‘naughty boy’ receiving more attention than the ‘compliant girl’ (referring of course to a typical classroom scene), together with females having to make an extra effort with interpersonal relationships to get at least some of their needs met, are dominant in the criminal justice arena. These gender effects pose a greater mountain to climb for women within the criminal justice context, leaving one to wonder how such women survive the proliferation of systematic disadvantage in their lives? If such issues are left unaddressed, women may well be left within cycles of continued crime, drug use and the round of criminal sanctions.

**Considering the ‘What Works’ Response to Addressing Crime**

This review of the research has demonstrated how women are processed within the criminal justice system, which appears to coincide with issues and difficulties previously raised by research and with ‘self-report’ studies from women offenders themselves. From this it remains unclear as to what methods of practice do actually work in addressing women’s crime. This question emerged during the past 20 years in response to the 1970s’ view that ‘nothing works’ in addressing crime (Martinson, 1974; Lipton, Martinson and Wilks, 1975). According to Andrews and Bonta (1998) this was based on four premises: labelling theory, which indicated increased recidivism through the stigma produced by processing (of legal sanctions); deterrence theory, which proposed that official punishment led to decreased recidivism by employing severity of punishment to induce fear of future punishment; the balancing
of labelling theory and deterrent theory to suggest the best punishment employs minimal stigma with a maximum fear of punishment; and finally, the ‘just deserts’ theory, which asserts that all we are entitled to do when punishing crime is to ensure the punishment ‘fits’ the crime and not be concerned about deterring future crime:

“The just deserts theorists dare to reject labelling, deterrence and psychological theory by asserting that the control of recidivism through official processing is not only impossible but also immoral.” (Andrews and Bonta, 1998: 52)

As influential exponents of the new ‘what works’ direction, psychologists Andrews and Bonta (1998) reported on the cumulative findings of treatment effectiveness literature as a response to ‘nothing works’ theorists. Their review of studies in the variation of severity of judicial sanctions, revealed only a minor effect of increased recidivism (Andrews, Zinger, Hoge, Bonta, Gendreau and Cullen, 1990a cited in Andrews and Bonta, 1998). Furthermore, they argued that this finding is consistent with psychological theory, in that studies involving ‘direct service’ (or interventions under a variety of judicial sanctions, such as diversion, probation and custody) showed a reduction in recidivism in 40 to 80 percent of the studies.

These exponents of a ‘psychology of criminal conduct’ produced meta-analyses studies of previous criminal justice responses to crime (Lipsey 1989; Gendreau and Andrews, 1990), to ascertain the factors that may constitute a ‘what works’ approach to addressing crime. Andrews and Bonta and their colleagues (1990a) found that the method of correctional treatment was correlated to a reduction in recidivism (eg. supervision interventions) and significantly different from judicial sanctions that reported an increase in recidivism (eg. periodic detention and custody). Their study found that when correctional treatment was ‘in tune’ with principles of psychological theory of criminal conduct, reduced recidivism was ‘substantial’ (Andrews et al, 1990a). It is from this frame of reference I now investigate the ‘what works’ literature, and how it proposes to address women’s offending within the context of their participation in community-based criminal justice sanctions.

In referring to a notable text in this area called ‘The Psychology of Criminal Conduct’ (Andrew and Bonta, 1998), one cannot help but be impressed by the reams of
empirical data presented to establish offender profiles and treatment needs. The concern is that women are absent, except via brief reference to biological reductionism. Women are mentioned in chapter two – ‘Rediscovering the Person in Criminological Research’ – but instantly dismissed as an insignificant category for analysing offending, stating that the major areas of their review include research on social class, personality and correctional treatment. By implication, it seems that ‘gender’, as a significant category for offending behaviours, is a generalisable ‘social arrangement’:

“This text attends whenever possible to the social, political, economic and historical contexts within which individual differences in criminal behaviour are established. In particular, information on the generalizability of the correlates of individual differences in criminal behaviour is sought. Although some correlates may be limited to particular social arrangements, we will find that many correlates are highly stable across social arrangements.” (Andrews & Bonta, 1998: 21)

Gendreau (1996) described the ‘principles of effective correctional intervention’ as follows: services should be intensive and behavioural in nature; behavioural programmes should address the criminogenic needs of high risk offenders; characteristics of offenders, therapists, and programmes should be matched (for responsivity); programme contingencies and behavioural strategies should be enforced in a firm but fair manner; therapists should relate to offenders in interpersonally sensitive and constructive ways; programme structure should promote pro-social activities; relapse prevention strategies should be provided in the community to the extent possible; and, whenever possible, a high level of advocacy and service brokerage should be attempted whenever community agencies offer appropriate services (Gendreau, 1996). These are presented as general applications to offenders’, with no consideration of a gendered application or allowances for other social differences.

Andrews and Dowden (1999) stated the primary features in a ‘what works’ approach to crime, from meta-analytic reviews, were principles of human service, risk, need and general responsivity of a ‘general offender population’. This implied that all other individual differences of offenders could be ‘generalised’ into these principles in
order to achieve effective interventions in addressing offending. Gender has, therefore, appeared to be an unimportant and an unfeatured correlate to offending and principles of intervention with 'the offender'. What is important is that "case classification, integrity and core correctional practice are highly relevant to program design and delivery with female offenders." (Andrews and Dowden, 1999: 20)

Andrews and Dowden do acknowledge that the small numbers of studies on women offenders do affect research validity and that there is a lack of studies on 'gender-specific responsivity factors'. This is crucial to the 'what works' scenario for women offenders. While principles of risk, need and intervention apply to both sexes, it has largely been ignored by 'what works' exponents that women and men respond differently to the world around them.

Thus my brief review of the 'what works' meta-analysis literature for women's offending can only conclude that either 'nothing works' and women's crime (to date) has been left in the 'too hard basket', or, that women are no different to men, so the same principles apply. Whether women respond to the psychological version of 'what works' principles, the same as men respond, is left as a matter for further research.

The next section of this chapter contests these ideas, as existing correctional programmes for women are examined by the literature and different definitions of 'what works' for women offenders are considered.

**Programmes for Women Offenders**

The 'what works' literature is limited in its scope by the limited numbers of women offenders for its meta-analytical studies. Given this limitation, how do researchers ascertain a 'what works' approach for women, as has been analysed for men? The 'what works' theorists continue to argue that their meta-analyses results show gender is not a variable in addressing offenders' risks and needs surrounding their offending. Women involved in criminal justice see it differently. Ablitt (2000), a senior probation officer at the Women's Probation Centre in London, describes her ideal of the way she would like to see the criminal justice system operate for women:
"Suppose men didn’t offend. If we had to set up a system purely to deal with the present numbers of women offenders, what would it look like? Courts would be smaller and cover bigger areas. Prisons, if they exist at all, would be small and locally based. Community penalties would be handled by an agency organised into units...Programmes for offenders would be geared to the criminogenic needs of women." (Ablitt, 2000: 12)

Ablitt notes that the system is nothing like this due to the overwhelming population of male offenders. Furthermore, she suggests that another structure of services for women has not even been attempted, largely due to criminal justice agencies (with the exception of women’s prisons) not receiving enough women to produce sizeable samples for research analysis. This is a common problem also affecting this literature review, with the statistical data limited to prison and court sentencing studies. Thus, any analysis of a criminal justice response to women is limited in scope, with the tendency to reflect accounts of localised initiatives by criminal justice and community agencies experimenting with practice ideas on ‘what might work’ for women (eg. women’s group work, women’s day centres, etc).

One large study conducted in the United States by Austin, Bloom and Donahue (1992) was a national survey of programmes administered by both public and private sector agencies, which were involved in overseeing women from pre-trial to post-prison release status. Despite extensive canvassing of organisations and individuals with experience of working with women in corrective environments, only 111 programmes were located that either served exclusively or predominantly women, or provided services for women that were not available to men. Structured telephone interviews were held with all of these agencies in order to detail aspects of programme operation. Twenty-three of these were selected as a representative sample for on-site assessments. The authors’ objective was to identify the most ‘promising’ programmes for supervision intervention with women offenders in the community. They concluded that such programmes used an empowerment approach of skill-building, to develop competencies that enabled the women to achieve independence:

"From our perspective the best community supervision and service programs combined supervision and services to address the specialised needs of female
offenders in highly structured, safe environments where accountability is stressed. Women are held responsible for their actions and master skills for economic and emotional independence." (Austin et al, 1992: 22)

Structure, safety, accountability and clarity – these are key elements in effective service provision for women offenders. These are not any different from male requirements, but how these elements are achieved in a programme has everything to do with gendered practice (of being mutually supportive and not dominated by men’s needs). Yet, as demonstrated in the research studies above, the criminal justice system of the western world insists on treating women universally, thus doing them an injustice in the name of chivalry and overlooking their issues due to the more pressing problem of the dominance of men’s offending.

Addressing women’s offending is not about a focus on ‘women’s issues’, or of contrasting women’s experience with those of men. Women offenders tend to have different personal histories and journeys to offending than their male counterparts. Bloom (2000) writes that women in the criminal justice system have commonly experienced physical and/or sexual abuse as children and adults and have experiences of domestic violence, adolescent pregnancy and single parenthood. In their journeys, many young women first encounter the youth justice system because they have run away from home, often to escape violence and abuse they have experienced there (Bloom, 2000). Responding to women’s experiences and needs form the keys to intervention that will lead them to desistence from crime.

**Alternative Approaches for Women’s Programmes**

Community probation programmes need to be designed to meet the multi-dimensional challenges women offenders face. What needs to be different is the way in which programmes are delivered for women offenders. If women’s responsivity is different from that of male offenders (women being more relationship oriented in their responses), then programmes must take into account the realities of women’s lives if they are not to fail. In a recent article, Worrall (2000) suggests that programmes for women may necessarily be more complex and elongated than those provided to their
male counterparts. This, of course, raises concerns about the proportionality of punishment. The danger is that women-sensitive programmes may in fact be more intrusive in their lives. This is aligned to concerns about women being more likely to receive supervisory sanctions than their male counterparts, thus allowing them to proceed through the criminal justice system to imprisonment, and "contributing to the unnecessary expansion of the female prison estate." (Worrall, 2000: 11).

The complexity of women's lives determines that they must 'make the best use of a bad situation'. Differential practices to accommodate for this gender effect should, therefore, focus around theories of female development within a context of mutual, caring and empowering relationships. Programme development needs to proceed with care in enabling a context that works with 'difference' between women's experiences:

"However, while women's focus on relationships can be a self-empowering and growth-producing experience, there are differences among women (for example, race, class, culture, and sexual orientation) that need to be acknowledged in any theoretical or programmatic framework." (Bloom, 2000: 117)

A unique governmental project was undertaken in Canada by the Task Force of Federally Sentenced Women, which was established to develop a plan to be responsive to the unique and special needs of women (Shaw, 1991). The Task Force report (1990) suggested a need for a holistic approach to the development of programmes and facilities for women, with an overall goal to serve women offenders in the community rather than in institutions. The project emphasised that women need to be situated within their social contexts and daily realities for programmes to be effective:

"The Task Force emphasized the importance of assessing individual needs and treating those needs as a whole. In essence, the Task Force rejected the male model of corrections, high classified risk, prioritised needs and fit offenders to prestructured programs." (Shaw, 1991: 55)

The Task Force outlined five key principles to be used as a guideline for effective programmes: empowering women; providing meaningful choices in programmes and
community facilities; treating women with respect and dignity; providing environments that are safe and supportive; and ensuring a shared responsibility between correctional staff and community members and agents (Task Force, 1990).

Task Force principles were taken up and developed in Canada, with some success, by various community agencies in partnership with Canadian Correctional Services (eg. Canadian Association of Elizabeth Fry Societies). In a 1995 review of the progress of programmes for women, Dauvergn-Latimer concluded that little had been gained in the five years since the production of the Task Force report:

"Programming for women remains culturally insensitive, scarce in its availability and accessability, and formulated primarily to suit the needs of male clientele. It is with growing frustration that women in need of assistance encounter incompetent services united with high expectations." (Dauvergn-Latimer, 1995: 22).

It seems that in practice women-centred correctional programmes may struggle to survive in a male-dominated bureaucracy. However, there is some evidence that community corrective services have responded to women offenders on a reflexive practice basis. An article by Ablitt (2000) about community programmes for women exemplifies this. Ablitt expresses concern that, in Britain, there are pockets of 'good practice' with women offenders (eg. the Asha project which transports women to a central point for group work, or a London day centre programme for women only), but the greater range of facilities are designed for men rather than women (p.12).

Taking into account the differing characteristics of women offenders, Ablitt argues for separate programmes for women that include: material relevant to their lives and experience; that recognises the effects of abuse, their unemployment and low income; and works around women's childcare responsibilities. Ablitt views such programmes as needing to recognise the reasons for women's offending and include these in its framework. For example, Ablitt suggests a programme would be similar to one designed for young male offenders who need to address peer pressure, except a bigger challenge for women remains in their fight to resist the pressures from men who seek to control them (Ablitt, 2000: 13).
Ablitt adds a practice perspective to her observations about women's offending. She observes that research evidence of the characteristics of women offenders backs the thoughts of practitioners in the field. “By far the most important difference between male and female offenders lies in the incidence of abuse in the histories of women” (Ablitt, 2000: 12). Ablitt notes that while there is a lack of research establishing a definitive causal link between abuse and offending, practitioners working with women believe this is common and enhanced by male coercion:

“[Practitioners] notice their low self-esteem and lack of empowerment, and suspect that, if there is a path from victimisation to offending, the route might lie this way” (Ablitt, 2000: 12).

In Conclusion

Women involved in the criminal justice system present with different needs and circumstances to their male counterparts. Gender specific programmes and interventions need to be employed to address these issues. Due to the less serious nature of their offending, female offenders mostly present a lower risk to public safety and this provides an opportunity for the community to respond to them accordingly – thus enabling community sentencing to expand for women offenders.

Furthermore, corrective services, in responding to women's 'criminogenic' needs, should incorporate women's personal diversities and individual identities into their interventions in women's lives, while also recognising the structural inequalities they face in terms of sexism, racism, and poverty:

“While dealing with individual issues and therapeutic approaches is important, the large social issues of poverty, and race and gender inequalities have a profound impact on the lives of women and girls involved in the criminal and juvenile justice systems. Successful interventions must relate to the social realities from which women and girls come and to which they will return.” (Bloom, 2000: 133)
In my own research, I hoped to gain a snapshot of women offenders’ realities in the New Zealand context and the interventions they have experienced in their lives at the hand of the criminal justice system. In the next chapter, I outline the methodological approach I have undertaken to achieve this goal, in order to present an authentic view of the lives of women offenders and the experiences of women probation officers who work with them.
CHAPTER 4: METHODOLOGY

Introduction

What is it about the lives of a small minority of women that has involved them in the world of crime? This was a primary question in my research as I investigated the lives of six women offenders in New Zealand. The question could also be inverted to read ‘what is it about the lives of a large majority of women that has not involved them in the world of crime?’ This, too, was a question I asked my participants to consider and which, from my perspective as a woman researcher, seemed to be a logical construct to possess some knowledge of if I wanted to study women who offend. The way I went about achieving this is outlined in this chapter.

For most of the 20th century sociologists avoided issues of gender and in particular, the nature of female criminality. This failure may be attributed to the dominance of male researchers in sociology (and criminology) who choose to study male subjects. Essentially, I have no problem with this. Men studying men may prove to provide more insightful outcomes for research. I do have a problem, however, with the generalisations and assumptions these male researchers make on behalf of women offenders, about the nature of their crime (eg. women commit domestic crimes of opportunity) and the reasons for their crime (eg. women offend due to their struggle with their sexual identities or because women are pathologically disturbed). Hypotheses which take into account factors such as teenage boys suffering sexual identity crises, or maybe girls and women, like boys and men, committing crime to have control over resources, have not been considered in this kind of theorising about the gendered nature of offending (Worrall, 1990).

The Feminist Researcher

Worrall (1990) has argued the feminist researcher can produce and re-produce theoretical constructs from research by identifying the specific ideological and concrete conditions of her participants. In relation to her studies with women offenders, Worrall has asked such questions as:
"1) Under what conditions do certain people claim to possess knowledge about female law-breakers? 2) What is the process whereby such claims are translated into practices which have particular consequences for female law-breakers?" (Worrall, 1990: 5)

In responding to these questions, Worrall suggests it is important the feminist researcher "avoids the pitfalls of conventional epistemology" (ibid, p.5). How do we discover truth? What produces an accurate science? How do theory and research relate? How does a knowing participant produce objective knowledge? These are important questions, however, the researcher is not so concerned about matters of truth, as they are in seeking a method of analysis that can identify the underlying structure of a particular knowledge (Worrall, 1990).

Worrall continues her theoretical discourse by speculating that knowledge and truth may never be complete, and is better described as a "process of knowing". Central to this knowing is the 'knowing participant', the self who interacts with 'society'. The problem with studying interactions is that the 'self' can be "contradictory, inconsistent and incoherent" (ibid, p.6). Moreover, a participant is also limited in words and actions by pre-determined social meanings, which exist independently of participants. If this is the case, to what extent does the participant play an active part in the construction of such knowledge? In other words, is the participant totally powerless in her interactions and understandings of the world? Worrall argues that power inhabits all social interactions and is achieved when its "surface appearance is acknowledged but its underlying implications repressed." (ibid, p.8). Therefore, research becomes a necessary process of rendering 'that which is absent present', an analysis designed to deconstruct the presenting condition to reveal the underlying paradox (Worrall,1990).

As a result of such theoretical constructions, new methods of research have emerged as approaches to understanding women's experiences: For example, the in-depth interview, as a means of presenting case studies of participants in order to produce a detailed examination of statements about attitudes and practices of a group of participants; furthermore, a case study approach allows for an in depth examination of the participants and cross-referencing of their statements (Worrall, 1990:12). It is, therefore, an opportunity to compare views of participants and for the researcher to
offer a critical analysis of statements in terms of social, political, and economic context.

**Research Objectives**

In order to offer a critical analysis as a result of this research, the questions I posed were feminist in their perspective and gendered in their construction, though primarily I was interested in comparing women to women. In this way, I pursued an in-depth case study approach by asking participants the following questions:

- What makes a female law-breaker, and how does she see herself compared to women who are not convicted offenders?

- How do women offenders see themselves within the structures of society and, in particular, the criminal justice system?

- What is their view about their lives that has led them into crime? And do they potentially see themselves in a life without crime?

These were the key questions that guided this research project and which, I hoped to shed some light on, as well as new questions and lines of enquiry that opened up as my knowledge expanded during the course of my interactions with the participants.

**Deciding the Methodology**

By way of definition, methodology is about exploring the decisions the researcher has made in order to allow the research to proceed in a consistent, valid and reliable manner. A methodology presents the research principles related to the paradigm chosen and is guided by accepted research practice – either quantitative or qualitative by definition (Sarantakos, 1998). In the following sections I will explore the methodology undertaken in order to achieve my objectives; the theoretical concepts applied in making this decision; the methods I subsequently chose to adopt in line with this; and a description of the way in which the research proceeded.
The founding framework of my methodology was an in-depth qualitative approach, which, by its very nature required an intense involvement by the researcher and the participant(s). The in-depth research into the lives of participants involved an exploration of the meanings they and the researcher attributed to their lives. This required methods of skilled researcher communication in an effort to enhance the meanings, which the researcher hoped to convey to the participant(s) and readers alike. In this research, the participants were real people and the subject matter was their real lives. They were also part of my target readership and, as such, a constant reminder to me that the written word is powerful and as a researcher, I should proceed with care.

I approached my research from the common ground I had with my participants, in order to convey a sense of empathy as I explored their lives. The common ground I refer to is that of gender and location. In this study, I was a woman whose purpose was to study a number of other women in the context of New Zealand society. This assisted with a shared meaning of my research with the women, as did my usual role as a probation officer. This allowed an 'insider' understanding of the criminal justice system in which they were all involved. However, I acknowledged being 'outside' the women's life experiences, for which only they could convey and attach meaning to. In this way, there were many differences in the participants' lives by birth and by social construction. It was the similarities and differences I wanted to explore, and the impact of gender in these women's lives as they have grown up in the New Zealand social context.

**A Feminist Interactionist Approach**

In line with a gendered approach to this research, I adopted a feminist framework:

"...some important characteristics of feminist research are that it sees gender as central to women's perceptions and lives, the shaping of consciousness, skills, institutions and the distribution of power and social privilege" (Harvey, 1990 cited in Caird, 1999: 102).
Taking these factors into account makes feminist research a flexible, critical process of continuous self-reflection. Analysis in feminist research is contextual and multidimensional, the researcher acknowledging the socio-political locations in which women lead their lives. Therefore, it recognises social research is not value free, but that all observations and inquiries renders it value laden. Feminist research thus distinguishes knowledge as a social construct that may be de-constructed, re-constructed and even replaced, so as to ensure knowledge does not serve the dominant social group to the exclusion of others (Caird, 1999).

As social researchers, what we have to work with is our participants' stories and our interpretations of them. Some accounts are the result of direct interaction with others, some indirectly from other people, and some are our own stories. In social research, it is important we understand how our subjects produce their stories and how we can put them to use in a way that respects the storyteller(s) in our theorising about the social world they (and we) live in.

A feminist interactionist method was adopted for the purpose of this study. The approach was feminist in its use of principles of social enquiry, which served to highlight gender and power relations in the understanding of social structures and interactions. The research was interactionist in its method, which was applied in the collection and analysis of the in-depth interview data, gathered from individual women and focus groups as they related their stories and experiences to me, the researcher.

**Interviewing and Interactionism**

Interactionists theorise that people create and maintain meaningful worlds by their social interactions. Language between people shape these meanings, but also allows intersubjectivity to occur in the act of creating and maintaining these worlds. This is an acknowledgement that all interactions between individuals are negotiated and therefore, meanings drawn from these are not pure but intersubjective (Glassner and Loughlin, 1987). In recognizing this, it is accepted that the interaction of an in-depth interview yields information about experiences of social worlds. It is taken for granted that two people (or more) can communicate their perceptions to one another,
but the difficulty for the researcher is in analysing such a discussion, while at the same time recognising the structures and variables underlying the interaction (Glassner and Loughlin, 1987). In doing this, however, the researcher can then accurately describe the aspects of participants' lives which they have relayed to the researcher, thereby offering a close encounter of their experiences. We need to recognise that people seldom want to reveal themselves in totality, to anyone, and respond to us accordingly.

The experiences of the researcher as knower (of their subject area) and discoverer (of new information given to them by participants), requires an open examination of their own subjectivity (or understandings) in influencing the process of their investigation. In the in-depth interview subjectivity tends to be an active element of the interaction, with the interviewee(s) telling the researcher if their 'interests and formulations' make sense to their experience or not (Glassner and Loughlin, 1987). The direction of the interview is, therefore, important and grounds the interaction in context and meaning.

**In-depth Interviewing**

Silverman (1993) viewed the in-depth interview within an interactionist tradition. In an interview, he suggested, participants construct both their narratives and their social worlds for the listener (shape their stories), in order to generate meaning that creates an authentic insight into the tellers' experience. As such, researchers cannot purely reflect the social worlds of their participants, but they can provide a glimpse of the meanings people attribute to their experiences and their social worlds.

The most obvious problem with the in-depth interview is that the participant is responding to a particular person and if the interviewer had differing characteristics, the interview would possibly take a different form. As people, we function and create meaning of the world for ourselves by describing the world in terms of social categories, such as age, gender, race and class. To the researcher, this presents not only an epistemological concern, but also a practical one. Is the effect of 'difference' exacerbated when we study participants with whom we do not share membership? Does social distancing make interviewees distrustful of the interviewer? What could
this lead to in terms of misunderstanding questions, or if participants deliberately
mislead us in their responses? In fact, do we actually know enough about participants
to ask the right questions for a start? The researcher needs to be flexible in their
interview process with participants, continuously reviewing and reflecting their
responses and reactions to questioning during the interview interaction (Miller, 1997).

**Focus Groups**

One method of interaction that women participants underwent to discuss their
experiences in this study, was by focus group discussion. Focus groups were run as a
discussion forum for the nine probation officers in this study. A focus group is “an
informal discussion among selected individuals about specific topics” (Beck, 1986 in
Wilkinson 1998: 182). The method of a focus group is flexible and for research
purposes, includes a facilitator who introduces the topic or specific questions and
guides the ensuing discussion. In the present research, this method was used to
explore the research questions amongst probation officers experienced in working
with women offenders. The groups were conducted within an ‘essentialist
epistemological framework’, which includes an assumption that individuals have their
own ideas, opinions and understandings around the introduced topics (Wilkinson
1998). The task of the researcher in this kind of framework is to elicit these thoughts
from participants. The advantage of a focus group is comprehensive access to the
information prompted by discussion in the group. The disadvantage of this method is
its limited reliability and validity, with a lack of control over facilitator and
respondent bias (Drayton, Fahad and Tynan, 1989).

For the purposes of this qualitative study, these methodological limitations were
acknowledged and accounted for in the final analysis. The purpose of running focus
groups with probation officers was to gather collective knowledge of their work in the
community with women offenders. The aim for the probation officers was to explore
aspects of their work with women, in order to highlight similarities and differences in
their practice and observations. My ability to do this was enhanced by being able to
adopt roles as both facilitator and observer, encouraging discussion among group
members while observing their interactions. This was a valuable feature in this
research because it allowed a broad scope for gathering of data. The researcher’s
ideas and motives were challenged by respondents and taken account of during the interaction, thereby producing a more ethical research that was more closely aligned to the reality and experience of the participant (Patton, 1990).

**Practical Methodological Considerations**

A qualitative methodology based on the use of focus groups and in-depth interviews, was decided upon as an ethical approach to the study and because it was more ‘participant friendly’, as well as providing the basis of the theoretical approach to this research. A feminist framework was essential, in that it acknowledged women’s expressions about their lives to be the centre of meaning in the context of the study and, therefore, essentially important to the direction of the research and any outcomes that may then be presented:

“Ultimately, though, it is not where the interviewer locates him or herself that is of greatest relevance to interviewees. In our experience, interviewees’ principal concerns focus on what will become of the interview. Those concerns extend beyond matters such as protection and confidentiality. Interviewees want to know that what they have to say matters. They want to know what will become of their words.”

(Glassner and Loughlin, 1987: 104)

Words were important in all aspects of this study. Extensive literature reviews were conducted prior to interviews; in order to review the field related to the research objectives and for the researcher to be as informed as possible about the knowledge in the area of study. It also formed the basis for the interview guide (see Appendix A). Documentary sources were located using library and internet searches of New Zealand and overseas data. I did not locate any ‘women in probation’ related documents in my New Zealand search. I did discover some ‘women in prison’ studies referred to previously and a range of international literature on ‘women’s offending’. These are linked in this study by the universal phenomenon of gender, as women in this project presented their experiences for consideration and analysis in relation to the research objectives (stated above).
Choosing the Sample of Participants

The sample of women offenders was drawn from Community Probation Service computer records of women offenders currently serving community-based court sanctions in the Canterbury area as at July 2000. For the purpose of narrowing the sample from more than 300 potential subjects to just six, additional criteria were applied. These included:

1. Women who had committed three or more offences for which they had received at least two different kinds of community-based court sentence (i.e. community service; periodic detention; supervision; and community programme);

2. Women who were subject to a supervision court order of which they had served at least the first three months. These criteria were decided upon in order to gauge the views of a participant group who had thought about their offending with the required intervention of a probation officer; and

3. Women offenders who had not served any prison sentence. As one of the objectives of the research was to question women about their response to Community Probation intervention in their lives, I did not want their perspectives to be influenced by any custodial prison experience.

These women’s criminal histories were then drawn from the national Wanganui computer records of offenders, and the above criteria applied. A sample of 26 potential subjects was produced. I then chose a Maori and a non-Maori participant from each of three age ranges (i.e. 17-25; 26-35; 36 and over). The rationale for this was to obtain as much variation of women as could be expected in the small sample chosen for interview. It took three selection attempts due to various factors including: women not complying with their sentences and reviewed by their probation officers after disappearing to an unknown location; probation officers gate-keeping their client’s suitability due to vulnerability factors – mental illness or emotional crises; probation officers failing to respond to my approaches regarding their supervisees; and one client refusing to participate after going through the participant information
sheet. The six successful candidates were subsequently interviewed between the end of June 2000 and mid-September 2000.

In selecting the focus groups of probation officers, I sent out an e-mail message about this research to all probation officers at the Dunedin Service Centre and Christchurch Service Centres. Two different cities in the South Island of New Zealand were chosen for practical reasons: Firstly, the researcher was based in the region; and secondly, the budgetary constraints of the research project. The focus groups were employed as a means of obtaining ideas about local variations in the practice observations of probation officers, together with the similarities in their experiences.

The invitation to potential participants included the criteria for probation officers to have had at least two years experience as probation officers and have worked with women offenders on at least two different community-based court sentences. Interestingly, responses were received from a small number of women probation officers only – five in Christchurch and four in Dunedin. Focus group discussions took place between late June and July 2000.

**Ethical Considerations**

My target participants were accessed through the Community Probation Service. I wrote to the general manager outlining my research proposal (see Appendix B) and requested access to data and possible participants among women offenders and probation officers. Consent was given, on the condition that my research proposal and method met the requirements of the University of Otago Ethics Committee. The Ethics committee agreed to the project, conditional on some minor alterations (see Appendix C for application and response documentation). These adjustments concerned the participants being clearly advised the research was to be made available to the Department of Corrections and as such, confidentiality was limited. Specifically, the Privacy Act 1993 was found to apply, in that if any of the participants disclosed information likely to result in harm to themselves or others, the researcher was required to take measures to resolve the situation – informing other parties, if necessary, without participant consent.
Achieving Voluntary Participation

Given the clear guidelines of the University of Otago Ethics Committee, I was able to begin recruiting participants. I was unsure how my approach would be received, given the requirement to inform possible candidates of the limitations of confidentiality. In practice, this did not prove to be a problem to any of the participants I approached, or who entered into the study. The overarching concern of participants was about what would happen with the information they gave to the researcher. One woman offender, after being interviewed and receiving the interview transcript at a later date, felt so vulnerable about her revealed confidences that she requested none of her transcript be published and to refer to it as background information to the study only. I have only referred to her as the anonymous ‘participant six’. It was a salutary reminder that participants were placing a lot of trust in the researcher, to respect and take care of their words and in so doing, showing care and respect for their lives. This was important to all the women participants - offenders and probation officers alike.

The Ethics Committee requested that I approached women offenders indirectly through their supervising probation officers. This granted the women, in an involuntary and vulnerable situation, more opportunity for them to refuse my access to them (than if I approached them directly). It also had the effect of enabling me to separate my own role as probation officer, from that of being a researcher. All arrangements to make contact with women offenders were initiated in this manner. It also meant I had to do some groundwork in familiarising the supervising probation officers with the research and sending them information for the proposed participants (see appendix D for Information sheet and Consent form). Feedback from the probation officers indicated this process worked well for the women, with the majority of women approached by their probation officers, indicating an initial interest in the study and wanting to discuss it further with me in order to make a final decision about their participation.

There were no such ethical concerns approaching probation officers. After writing and consulting with Community Probation area managers in Christchurch and Dunedin, they consented to me approaching staff by way of the internal e-mail
system. There was a small response to this initiative, with five probation officers from Christchurch and from Dunedin. I decided these were enough numbers to proceed, with one focus group in either location. For logistical purposes, the Christchurch probation officers were split into two groups, at their request, due to them being based in disparate locations.

**Introducing the Participants**

In this study, the six women who were individually interviewed were subject to a community-based court sanction (having been convicted of a criminal offence). The three focus group discussions conducted, involved a total of nine women probation officers, who were all actively involved in supervising women offenders. I am now going to introduce you to the participants themselves. The following demographics are true to the women concerned and the following names protect their anonymity:

**Amelia:**
A Maori woman aged 33. She is in an 18-year relationship with the father of her two children, a girl aged 15 and 12-year-old boy. Amelia has several part-time caregiving jobs and a catering job.

**Annabel:**
A New Zealand born European woman aged 43 years. She is single and considers her family to be her father and brother. She works as an overseer in a school boarding hostel.

**Caroline:**
A New Zealand born European woman aged 39 years. She has been in a relationship for the past six years. She considers her family as her parents, her twin sister and her brother. She is not in employment as she is focussing on her health issues and considering furthering her education at university.

**Lisa:**
A Maori woman aged 22 years. She is the youngest of three sisters, and has parents living in the North Island. She has been in a relationship for the past two years and is currently pregnant for the first time. At the time of interview, she was involved in a rehabilitation programme for her alcohol abuse.

**Rachel:**
A Maori woman aged 17 years. She considers her family as her mother, father and her six siblings, also living in Christchurch. She lives with her friend’s family and has a boyfriend for two years. On the day of interview she was not working, but she received a phone call offering her a job interview and she was keen to work.
Focus group discussions were conducted with nine women probation officers from a variety of locations in Christchurch and Dunedin in three different groups. They all had at least two years experience as probation officers working with women subject to different kinds of court orders.

Conducting the Research

The focus group discussions and interviews with women offenders occurred during a nine-week period from late June to August 2000 (the one exception being a late interview in September 2000). The interview guide (see Appendix A) generated a wealth of relevant data towards the research objectives. The only adjustment necessary was following the first focus group; this was to clarify the lead-in question beginning the discussion for the groups to better orientate themselves to the topic. Focus groups were held in the probation officers' local service centre. There is only one such centre in Dunedin, but the interested probation officers in Christchurch were based in two separate localities. Consequently, the five probation officers in Christchurch were separated into a group of two and a group of three.

Women offenders were interviewed in an environment that suited them. This varied between their homes, their local Community Probation Service Centre, or, in one case, a local residential treatment centre for alcohol and drug users. Interviewees all claimed to be comfortable in the environments in which they were interviewed and were able to focus on the line of questioning for one to two hours duration without any significant interruptions. Minor interruptions were dealt with in a prompt manner on all occasions and the subjects were able to quickly refocus on the interviews.

Interviewing of the Women Offenders

Following an indication to their probation officers of a willingness to participate, women offenders volunteered to undertake one interview with me. Only one participant did not arrive for an interview on two occasions. As a result, I replaced her with another selected candidate. I left a message with her probation officer that I
had done this and would still interview her if she desired to proceed. I received no indication of this in following weeks.

All participants consented to the audiotaping of interviews. The most problematical element of using a recording device were interruptions by outside influences; by the participants if they wanted to erase any portion of material; and the researcher having problems tracking the tape and knowing when to turn it over or replace it with another. This meant some small segments of interviews had to be repeated or summarised onto tape by the researcher during the interview process. This was carried out in conjunction with the interviewees and did not halt the flow of interviews in any significant manner. Each interview lasted one-to-two hours.

Interviewees did not challenge my interview questions and indicated their willingness to proceed with the interview as I had outlined to them before starting. At times, I was asked by interviewees to clarify my line of questioning, which I responded to as required and which also assisted the interview process. Interviewees positively engaged with the interview schedule, with no refusals to answer my questions at any stage. I believe this was assisted by my experience as a probation officer, having interviewed women offenders on a regular basis over a number of years.

**Conducting Focus Group Discussions**

The most difficult aspect of interviewing my probation officer colleagues was for them to find time in their busy schedules to participate in the focus groups. One Dunedin participant pulled out just prior to a discussion starting, leaving only four participants and myself. The area managers allowed me to conduct the groups in the probation officers’ working day at their various Service Centres. With hindsight, it may have been better to run the groups outside of the workplace and offer an incentive to do so. This would have lessened the distractions of time and place, with probation officers leaving the discussion towards the end of the time in two of the three focus groups.
The probation officers who participated in the discussions did so enthusiastically. In each group the probation officers were familiar with one another, having worked in the same office for at least two years, and up to 15 years. This enabled a comfortable group dynamic, whereby participants easily responded to one another in generating discussion. The facilitator was able to become an observer, which was valuable in guiding group discussion along the lines of the interview schedule (see Appendix A).

Transcription

All interviews and focus groups were audiotaped and subsequently transcribed. I employed a typist for most tapes, though I transcribed one focus group discussion myself, due to the poor quality of the tape and voices being difficult to distinguish. Knowledge of the group discussion aided this transcription (related to Group 1 for the purpose of analysis) and gave me insight into the pitfalls of audiotaping focus groups. The typist also found the task difficult and we agreed to transcribe for any changes in speakers without having to distinguish which participant was talking. This kind of distinction was not required for the analysis of the data. The typist was able to clearly distinguish between the researcher and participant in individual interviews.

The transcripts were completed over a period of three months (July 2000 to October 2000) by the typist. Focus group participants indicated they were content with me proceeding to use the transcripts without them screening the information beforehand. The transcripts of the interviews with women offenders were mailed back to their supervising probation officers to distribute to them. I attached an accompanying letter with each transcript, explaining their right to correct or remit any information presented (see Appendix E for letter).

By November 2000, two of the six transcripts had been returned to me by mail, with accompanying letters from the participants. One participant wrote to tell me she could not understand large portions of the transcript and the other indicated she did not wish to continue in the study or her interview to be published in my results. To the first participant I wrote and clarified her questions (see Appendix F i) and to the latter participant, I wrote back to tell her I would respect her wishes and requested to
use the information gathered from our interview in my generalised findings (see Appendix F ii for letter). In these letters, I gave the option for them to contact their supervising probation officers if they had any difficulty with my proceeding with their information as indicated. This was to enable them to approach me indirectly, in a manner that could be supported by their probation officers. I also e-mailed their probation officers indicating the difficulties. There was no further response from participants or probation officers regarding further changes in transcripts or to participant status. The data gathered were ready for analysis.

**Analysis**

In accordance with feminist interactionist framework, an analysis needed to be descriptive of the participants’ experiences and able to compare these experiences across individuals and categories (i.e. women offenders and women probation officers). The analysis I chose to conduct was through a thematic deconstruction of the in-depth interviews and focus group discussions. This was undertaken according to questions asked in my interview schedules and by themes that emerged across the participants’ observations and experiences. The relevant pieces of transcript were notated according to their theme and then transferred into separate files on a personal computer Microsoft Word format. My observations and comparisons between the participants, noting both similarities and differences, were also typed as notations on each file. These were eventually used to compile the findings, with quotes from relevant thematic categories to match.

**Reliability and Validity**

The final methodological hurdle was the researcher’s common problems of reliability and validity, especially in such a small research project. Problems of reliability and validity have traditionally been the nemesis of qualitative research and were considered carefully in the preparation of the interviews and focus groups. This was a limited study and I was not able to generalise to any great extent. The intent, however, was to gather information to raise awareness about the lives of women
offenders in New Zealand and to compare the information with findings from research around the world.

In order to reflect knowledge of social worlds from a series of research interviews, the dilemma of the researcher is not only in comparing data across the participants, but also to achieving this in a reliable and valid methodological manner. A Positivist approach would be as purist as possible, providing a mirrored reality of what exists in the social world (Miller, 1997). At the other end of the spectrum, radical social constructionists deem that no knowledge of social reality can be obtained from an interview. The interview is seen as an exclusive interaction between interviewer and participant(s) in which they “create and construct narrative versions of the social world” (Miller, 1997: 99). In the middle there are researchers whose stance is such that it allows some information about social worlds to be achieved through in-depth interviewing. This has been inspired by Harding (1987) and Latour (1993) “who posit explicitly anti-dualistic options for methodological and theorizing practices” (Miller, ibid, p.99). That is, there is another way of viewing the in-depth interview that rejects the appositional stances of positivists and radical social constructionists and which allows for the achievement of a knowledge about social worlds:

“In fact, it is only in the context of non-positivistic interviews, which recognize and build on their interactive components (rather than trying to control and reduce them), that ‘intersubjective depth’ and ‘deep mutual-understanding’ can be achieved (and, with these, the achievement of knowledge of social worlds).” (Miller 1997: 100)

Both in-depth interviews and focus group discussions have their disadvantages as methods, however. For example, group dynamics affect the interaction between respondents in focus groups, some being more vocal than others in their opinions. On the other hand, for individual interviews the participant is responding solely to the interviewer. A possible lack of rapport with the interviewer, or a participant not feeling comfortable enough at interview to challenge the interviewer’s line of questioning, may also affect the breadth of data obtained for this study.

While acknowledging these limitations, the range and depth of data across these two methods did produce substantial variety in described experiences, together with a
consistency of shared experience across participants. What were the commonalities exhibited by the women and what were the differences? Many of the findings have been validated in this way and are discussed in the following chapters.

**Conclusion**

The methodology, while producing a measure of minor problems and discrepancies, was remarkably robust considering I was working with human beings and the subject matter was their complex lives and experiences.

The in-depth research into the experiences of participants involved an exploration of the meanings they and the researcher attributed to their lives. In social research it is important we understand how our subjects produce their stories and how we can put them to use, in a way that respects the storyteller(s) in our theorising about the social world they (and we) live in. This method allows for an in-depth examination of the participants and cross-referencing of their statements and is, therefore, an opportunity to compare views of participants and, for the researcher, to offer a critical analysis of statements in terms of social, political, and economic context. This is the aim of the findings and discussion presented in the following chapters.
CHAPTER 5: THE FINDINGS - CRIME FACTORS

This chapter discusses women’s crime and the way women in this study viewed their experiences of crime. I have drawn upon my thematic deconstruction of interviews to describe the women’s experiences in a way that meets my research objectives. I begin here by summarising the descriptions of the offence histories of the women interviewed, followed by a discussion of the costs and benefits of their crime. This leads to a more analytical focus of women comparing themselves to their male (criminal) counterparts and to other law-abiding women. Finally, I also discuss issues surrounding women’s substance use, how they obtain the help they need to address their offending and the role the criminal justice system plays in their lives.

The women interviewed in this study, whether women who offend or the women probation officers who work with them, had similar perceptions about the nature of women’s criminal activities and the common causal factors impacting their behaviour. Ultimately, it was the women who committed crime, who knew themselves the best and the following stories and excerpts from the interviews reveals this.

Criminal Histories of the Women Offenders

Amelia was not directly involved in crime during her youth, although she said her brothers were involved from secondary school onwards. Amelia’s first involvement in criminal actions was smoking cannabis at high school. The next significant crime was when she and her boyfriend stole a car, after running away from home at age 16. She subsequently spent a night in police custody, which she vowed never to allow happen again. Amelia also admitted going to pubs under the legal age with her circle of associates, though not as frequently as the others, due to having a child to care for (from age 17). Amelia said she was not interested in crime due to her knowledge of the consequences (her brother had been to jail at that stage).

When Amelia moved to Australia to escape her violent relationship (aged 22 years), she acknowledged her continued use of cannabis and drink driving in Australia, but did not consider these to be ‘criminal activities’. Amelia described events leading up
to her one violent (and most recent) offence in some detail. She saw this as primarily a relationship issue: She said her partner had an affair, which she discovered and he then ended. Some months later her partner became abusive towards her and she discovered he was again involved with the same woman. Amelia described feeling humiliated, felt she had let her children down by remaining in the relationship and was losing everything she had worked for (house and stable home). As a result of this, Amelia went to the other woman’s house and assaulted her with a baseball bat. She stopped the assault when she became aware the woman’s children were present.

Annabel was first involved with crime in 1996 with a drink-driving offence. She was approaching her 40s when her offending occurred, which she saw as developing from her “alcoholism” at the time. She identified previously using other elements in her life to “hide from myself”, such as food and work. However, she viewed alcohol as the substance she abused which led her to ‘contravene’ the law and highlight her personal problems, whereas “being overweight, binge eating and working 70 hours a week, the law doesn’t really care”. In relation to her offence history, Annabel thought most of her offending (in terms of drink-driving) occurred during the months leading up to her first offence in July 1996. At that time, she said, she was driving around the country on business and drinking heavily, continuing this behaviour until she was caught a second time. Three months later, she was picked up for driving whilst disqualified (this was due to social pressure to act a ‘sober driver’ - not admitting she could not drive) and subsequently began drinking again. This eventuated into another drink-driving offence in April 1997. She then achieved a degree of stability, but “my personal behaviour was actually, in some ways, even more under cover because I had feelings of being trapped”. Her job future became uncertain and she began drinking heavily again. In August 1999, Annabel was picked up for drink driving again, which was her latest offence prior to our interview.

Caroline acknowledged her history of offending was related to drug use, which she began in her early 20s. Her first conviction was for shoplifting, which occurred while under influence of drugs and, which she said, was unintentional. She admitted she has shoplifted intentionally since then. Her 1990 conviction for possession of heroin was to do with her involvement with dealers in the drug scene. Caroline reported using heroin throughout her 20s until she went onto the legal methadone programme for
drug addicts in 1992. Caroline acknowledged her use of other drugs, together with her methadone, which also led to shoplifting and careless-driving offences while "out of it". During this period, Caroline also entered a relationship with a drug dealer, while he was still in prison for supplying drugs. He began spending time with her on work/education day-release from prison and her 'conspiring to rob' offence in 1994, came about through her partner and his associate plotting a robbery in her house - inferring she was party to the conspiracy. Subsequent to this, Caroline continued her drug abuse, shoplifting and careless driving behaviour until 1999, when she was placed on supervision and began addressing her drug addiction and underlying issues.

Lisa's first arrest was at age 15 for fraud - using a stolen money card. Shortly after this, she moved to Christchurch because "the cops were watching me all the time" and living in a small town, she said she couldn't even go into a pub because they knew her age. Lisa reported she continued drinking and "smashing up cars" as part of her lifestyle and eventually, entered the drug scene (at age 17) where she has been in the same circle of peers ever since. Lisa could not identify a time she was not offending in some way, particularly with drinking and driving. She said she had not been caught very often (with four drinking or driving offences make up her conviction history from the end of 1998 to the end of 1999). Lisa continued with this behaviour due to her 'self-confidence' (to do anything she wanted), the lack of serious consequences and felt she was driven by her aggression towards the world around her. Lisa identified her anger as coming from an upbringing of parental drinking, violence and neglect of she and her siblings.

Rachel began getting into trouble with her 'street' associates in 1998 (aged 15) to the end of 1999 - largely by stealing cars. She told of the first time she "got caught" with an associate for doing this: The police arrested them and sent her home, but Rachel wanted to "stay in the cells" with her associate, who already had a "long criminal record". She commented that she found the whole experience was "funny" (as in humorous). Rachel admitted an anti-authority attitude, which resulted in numerous escapes from Social Welfare custody after she was caught and punished for her crimes. Her outward aggression was also demonstrated by convictions for assault on a regular basis over this time, including her most recent offence, which was her first in the District Court, still age 16 at the time of conviction.
At our interview in July 2000, Rachel claimed to have “not done any crime for eight months” - this would have been since her last conviction in November 1999. She was unsure why, except that she was now living away from her mother (whom she blames for putting her in Social Welfare care) and had not seen her previous associates during the past eight months.

**Costs and Benefits of Crime**

The younger women in the study (Lisa, Rachel and number six) all clearly identified the lifestyle benefits of being heavily involved in crime “which meant the cash and drink were on hand, and all the gear in the house” (Lisa). Lisa came to relinquish the lifestyle because of the risk of going to prison, at this point in her offence history and because she was pregnant. Furthermore, Lisa believed it was “time to clean my act up” because she thought she no longer had her ‘youth’ to rely on as an excuse for her behaviour. Rachel, at 17 years of age, was also enjoying the benefits of crime - “money” and “stuff you get out of like burglaries”. She said a lot of this offending was gang related and the cost to her had made her abandon it since her last court appearance: “I’m sick of fighting all the time”, she admitted, with the gang violence “getting into serious stuff now, like guns and killing people, stabbing people”. The benefit of her ‘bail out’ was the police telling her “how good I’ve been doing”.

Amelia talked about the benefits of crime in terms of lessons she had learned “about how I got myself to that stage”. One element Amelia had no regrets about was her belief about the benefits of cannabis in her life. She used it as a means to escape her problems from an early age and credited cannabis as her ‘saviour’: “...if I didn’t have it, I probably would have been dead years ago”.

In terms of the cost of crime, Amelia said the worst impact for her was from the recent assault - “it cost me a good reputation I had built up over the years”. She felt this keenly, particularly in relation to her employment and her children’s view of her. From a peer viewpoint, however, Amelia acknowledged a friend had a different perspective: “Oh good on you, you’ve done something that women have been wanting to do for years” – this referring to Amelia extending her own form of justice (her
assault) in a situation with her adulterous partner. Amelia responded to this by saying
“it’s not worth it. At the end of the day what happened to them? Nothing. What
happened to me? I’ve got a Police record again”. To Amelia, the consequences of
her crime outweighed the gratification she received from her actions. She further
related this to other incidents in her offence history, where she had been considering
other people’s ‘gratifications’ and received a criminal conviction: “I think I’m doing
good by my brother and protecting and looking after him and yet... I get a criminal
conviction for marijuana”.

It was consequential thinking that also led Caroline to leave behind drugs and crime:
“I don’t think crime pays at all”. In discussing this further, particularly in terms of
her ongoing involvement with drugs, Caroline said:

“It wasn’t because I was enjoying myself you know, I was very confused and screwed
up... I hated it every day. I hated having to get drugs every day. It was a trap”.

Caroline saw no benefits in her crime - only the wasted years of her life and the
separation from her family this has caused. Annabel also saw the costs of her
drinking and subsequent driving offences as ‘enormous’ and that her “alcoholism
...has really been the pivot of my involvement with the law”. She acknowledged the
consequences as being a huge financial cost and burden to her; more significantly
have been the feelings of shame, humiliation, and condemnation, which “in some
ways [have been] life-destroying” and reinforced to her by family and community
reactions.

All of these stories revolved around relationships women have in their lives; the
influence these relationships have on their behaviour; and the choices these women
have purposely made along life’s path. These women clearly recounted factors in
their lives that led them to offend; the choices they made that kept them involved in
such activities; and the consequences of their behaviour that made them stop. To
contextualise these choices, factors and paths, I asked the women to tell me how they
saw themselves in relation to those around them. I focussed this discussion on my
two areas of my interest – a comparison with men who also commit crime and a
comparison with other women who do not.
Comparing Women Offenders to their Male Counterparts

Amelia discussed her views on male offending in comparison with female offending. Having been significantly involved in both sexes' offending, she had this to say:

"Women's needs are different from the men's needs. I also think women tend to offend because they do it for a reason - whether it's for their children, whether it's to buy clothing, you know, they do a lot of it for survival. In a relationship, they will do it to appease somebody, to hold the family together, put food on the table, pay school bills. Where guys just do it for their needs, their habits - my brother always told me he has done things for excitement. It's very exciting breaking into somebody's warehouse, disarming the alarm, ripping the warehouse off and later on looking for whether it's in the newspaper. It's a thrill thing for them... The similarities are culture, background... because if you have got parents that are already offenders, it's normality. If it's minimised and made normal you don't have that same conscience about it."

Amelia believed women's crime to be rational and based on relational responsibilities and that men's crime was impulsive and for self-gratification and status (hence the importance of their crimes being reported in the news). The similarities she viewed as being men's and women's upbringing and socialisation.

Having experienced a residential alcohol treatment programme, Annabel had formed strong views on gender biases in the way men and women were judged for their offending. As she had not previously been associated with other offenders, her perspective was an interesting one:

"My experiences ... probably come from my alcohol treatment. I did learn and recognise that there was significant differences between the sexes, I think. It's not nearly as socially condemning for a man to get drunk as it is for a woman. And, drink-driving crimes for instance, are far more acceptable for men than for women...[It's] about more responsibility being placed on women for the home and family stability, making it a whole lot harder for women to be offenders. I think the
system, for some reason, treats women more harshly, society treats women more harshly.”

Annabel had a clear social perspective on the role of women, compared to the role of men and the impact of these roles on their offending. What she described was the ‘double-jeopardy’ that women experienced in the criminal justice process. They are already subjugated by their social roles and responsibilities and receive a harsher judgement than men for offending, because they are deemed to be more irresponsible in their actions than their male counterparts.

Caroline had been exposed to a range of offenders through her involvement with drugs. Through her experiences, she presented a totally different perspective on the differences between male and female offending:

“Male offenders. It's really weird but they are much more serious offenders and they are much more recidivist. With males, when they start offending, it often leads to jail. In fact, I would say probably the majority of the time. Once they start offending in the nature that leads to an income, they end up in jail. The difference for me, is that I probably was always aware that I would never offend seriously.”

Caroline saw the differences between herself and male offenders she had contact with, as being in the seriousness of the offending. Her observations led her to believe that men went down the track of serious offending (and resulting imprisonment) due to their becoming hooked into criminal careers. Caroline had ‘gone along for the ride’, but never got involved in planning and committing serious crimes. This is typical of most women offenders who have allowed themselves to be influenced by their relationships with male criminals in this way.

The younger participants believed there was not much difference between the sexes when it came to offending, though they perceived they were treated differently to their male counterparts, as Lisa clearly conveyed:

“ I think it's similar, they [offenders] don't care. I think that's pretty universal between crims, because they wouldn't be doing it if they cared. Like, I'm starting to
care now and I'm not going to do it... They don't care what other people say or do, you know and they just want to do what they want to do and they're gonna do it regardless... I think it's just that there seems to be more men doing it, or more men getting caught. I got away with so much, like my partner never got away with much at all. It's just that the cops automatically look at the males, but they don't sort of look at the female, because us females are supposed to be good wee girls, kind of thing: "Blah, blah – oh, they wouldn't do that. Oh, look at her she's got a nice dress on" and they'll just automatically look at the guys first."

Lisa presented a picture of equal opportunities in crime for men and women, characterised by a 'what the hell' attitude towards society. In response to this, however, she perceived the criminal justice system providing an unequal response typified by gender stereotypes.

These findings are as varied as the women who have presented them. The commonality is the gendered manner in which women have perceived crime and society's response to it.

Comparing Themselves to Law-abiding Women

The women offenders were also asked to compare themselves to law-abiding women: What did they see as the similarities and differences? The older women in the study saw few differences at their particular age, but saw their upbringing as the most influential factor in creating difference. Amelia had an interesting perspective in comparing herself to law-abiding women. Here she viewed her race (Maori) as making a difference and also saw religious beliefs as being a significant factor:

"With law-abiding women, I think race is definitely different. I would be down at a supermarket or Farmers - I have such a high credit rating at Farmers, but I still get followed around the store! And the darker you are the worse it is and being a (Maori) woman – well, it's even worse... And, I tell you another thing that's got to do with it too, is religion. Most law-abiding women would be religious - not to a high degree, but you find they would be in one sense or another. In a sense, they fear God
— you know “thou shall not steal”... Where religion is not brought into the household, you don’t have that guideline. If you don’t give a fuck about Him, it’s quite easy to overstep those boundaries. When I worked with people [in a care-giving role] that was the difference and, a lot of people I know who are not into religion offend, even if its just smoking marijuana.”

Amelia’s observations centred around the racism she experienced as a member of the society she lives in, which stigmatised her as a potential offender because of her race. Secondly, she believed that being brought up within a framework of religious morals was very influential in raising consciousness of ‘right and wrong’ in relation to law-keeping and law-breaking. Amelia believed social factors were the most influential elements contributing to a person becoming an offender, particularly elements of race, class and culture.

Caroline also had some interesting reflections, particularly as her identical twin sister has never offended in any way, making the differences between their lives seem inexplicable to her:

“Law-abiding women - they have never committed a crime, or, they haven’t been caught. There are lots of law-abiding women that will go out and do a petty shoplifting thing and not get caught, but may only do it once in their life and it never leads to anything. Then there are law-abiding women that would never have considered doing that because, you know, they have got their minds sorted out. The reason why I became a non-law-abiding person was through dysfunction and that would be the only difference between me and them. I have got an identical twin sister who has had very much the same upbringing as me and she has never broken the law. Weird. Why did it take me down that road and not her? It puts me in a very awkward position within my family - it makes me feel sometimes a bit pissed off! Because I did, at one stage, have the world at my feet. And you know, just by a flick of the switch I didn’t end up going down that road. It seems like, you know, cruel, but maybe I had to learn a specific lesson? You know, who knows? It was a tough one that question.”

Caroline’s attempt to explain her offending in terms of her dysfunctional upbringing, failed at the point of involving her identical twin sister, whom has never offended.
The complexity of life's circumstances is never better illustrated than here. Caroline's decision to follow her social and relational curiosity (of becoming involved with a drug user, unknowingly, but having been warned by social rumours) and avoiding the pain of dealing with her family problems - took her down a road she never expected to go and where she remains - still further alienated from her family and her previous life with them.

The younger women in the study also felt a sense of alienation from 'normal' women by their attitude and behavioural differences. Lisa summed this up succinctly:

"I wasn't as well behaved! I think just the way of life, really - like I used to have a really straight friend and we used to have different opinions on everything. And she always used to look at me funny - just even if I had a joint or something. And, like she would never have dreamed of getting into a car after she'd been at the pub. Whereas, I was different, I wasn't spending that much money [on taxis] when I could spend it at the pub! And, they keep jobs longer - I was always getting a job and losing it next week, because I got bored with it. My lifestyle being so fast I get bored with things real quick. They'd [non-offenders] just be more stable. Like, have a more stable background. Never had that when I was growing up. It's a good excuse. But, I'm not blaming it on that. But yeah, I've just never been able to sit for too long."

To Lisa, a stable upbringing and lifestyle were the differences that separated those who chose to offend and those who did not.

The perceived differences these women observed in relating to women who do not offend, varied from very little to a whole lot. This seemed dependant on age - the younger ones perceiving themselves as preferring a 'fast' lifestyle involving risk and impulsion, versus the 'normal' woman who preferred stability and a responsible 'good time'; and the older women, who perceived themselves to be less different to law-abiding women, with the main difference being the choices they made in response to a sense of emotional deprivation experienced during their upbringing.
Substance Use and Offending

Another commonality across women (offenders) in this study, was the consideration that their misuse of alcohol and/or drugs had been a significant part of their lifestyle and a contributing factor in their offending. For example, Amelia’s offence history had a spread of cannabis use charges and a drink-driving charge. This constituted the majority of her conviction list, with the most recent violent offence being the exception. Amelia was clear about why she started using substances and continued to use them. She saw cannabis as playing a vital role in coping with life when she was younger, though reported recently ceasing her use of it. She acknowledged she used it as a “crutch”, which she no longer needed, due to the counselling she was receiving in relation to her sexual abuse issues:

“I actually am grateful to cannabis, because I was suicidal from the time when I was about nine-years-old - I attempted suicide through taking pills – [over] my concern with my issues. Marijuana actually saved my life... that’s not really deep, but it’s just saying that if I didn’t have it, I probably would have been dead years ago.”

Amelia also discussed her alcohol use. She reported it was a social use with her friends when younger, which did not become too much of a problem due to her having her children when she was young (aged 16 and 21) and that she rarely used alcohol now. Amelia acknowledged learning a lot about substance abuse in recent years through her brother’s drug addiction, and in attempting to help him:

“You see, one thing I learned about [drug] users, they’re far more clever than we give them credit for... my youngest brother taught me the junkie is always thinking of the next fix and sticking a needle in his arm. So, he’s always thinking about where his money’s going to come for the next fix... he’s thinking of what can I do to get more money? or where do I go to burglar?... That’s when I got told - buy him the cigarettes, don’t give him the money. Don’t ever give him money because he’s just draining you of your money and sticking it up his arm.”

Amelia’s attitudes to alcohol and drug use were undecided. In general, she believed using was ‘alright’ if it did not harm anyone else. In terms of her brother, she saw it as a responsibility to him and the community to discourage his drug use, whereas she
could use cannabis to preserve her peace of mind (eg. a smoke after her children had gone to bed at night). The difference between the two was that she saw she was not creating any victims by her behaviour, thus she was socially responsible and not offending against anyone. This is a rational argument in favour of the decriminalisation of cannabis, which is a debate that continues in wider New Zealand society today.

Annabel discussed her alcohol abuse as an addictive behaviour that followed a lifelong addictive pattern in her behaviour. Until her 30s, she described an ongoing overeating problem and also over-worked herself in various jobs. In her 30s, Annabel lost a lot of weight and said she struggled with the social reaction to this, as well as with problems she was having at work. These factors led to her starting to abuse alcohol for the first time in her life:

"I think I used substitutions. Like particularly, I think I replaced the food with alcohol. I had a major weight problem, and I had addressed that in 1994. In hindsight, I see that I no longer was using food or had food to use, and yet alcohol provided some power, some differences as well. With alcohol you could black out. You didn't have to think. And the second [benefit] was the involvement with the law caused certain events that got other people involved [to help with her problems]... It couldn't have happened earlier because I hadn't been drinking..."

Alcohol was thus a form of ‘self-medication’ to Annabel, an escape from her present problems, as well as unresolved past ones, which she said was related to identity issues created by her upbringing.

Caroline was introduced to heroin in her early 20s through her boyfriend, who was a user. She continued to struggle with the fact she had gotten involved with this boyfriend and her naivety that heroin would not become addictive to her. She explained her involvement clearly, reflecting on her life with an addiction:

"[At that time] there were a lot of problems that I had with my family, and when I met [boyfriend] we were trying to address that. All of a sudden I didn't want to address it anymore because heroin became a way of life and it was consuming. It took me
from all these realities, and so I quite enjoyed it. He [boyfriend] was the only person I knew that had access to it. It led to him introducing me to a variety of people, then a few criminals who I found very distasteful at that particular time. We got further down the track and I found that the demons were part of my life and I had an addiction. It was a lot harder to beat at first, and it was naive to think that I could just walk away from it at any given time... Basically, it [crime] all revolves around drugs. It has been such a long lesson to learn. Really, I can't begin to explain that part of me. But, I think that most people, when they start using drugs of that nature, think “oh yeah, well I can do it socially and it won't take over my life”, but I don’t think I know one that has been able to use socially. Heroin is all consuming. It's a nasty drug. Really nasty.”

The result of an addiction is a spiral of effects, leading to the loss of control over life’s direction. The older women in this study have described this clearly, together with the consequences and the despair that comes with it. The younger women saw their substance use somewhat differently, however. They identified substance use (and abuse) as an important factor in them enjoying their lives. Lisa, for example, saw alcohol and drug use as part of her ‘fast’ lifestyle, which knew no bounds in her activities. When Lisa left home at 15 years of age, she began to seriously indulge her substance-using lifestyle and with an increased intensity over time:

“[Place name] was such a little place that the cops were always watching me. I used to go down to the pub a lot and then, once I had been caught doing that, I couldn’t go to the pub because they knew how old I was. So that sort of ruined my party life, so I moved into town and got into the drug and alcohol scene and it all went downhill from there really! Started drinking quite a bit and crashed a few cars and court and then, the end of the drug scene was when my boyfriend at the time, (I was nearly turning 19) he died. He overdosed in our lounge... and that's when it sort of jolted my life a bit. I wasn't as hard into it as he was - I used it once a week. I'd sort of done it for fun because I used to quite enjoy it.”

Lisa did find boundaries with the law and with the death of a boyfriend, but did not even consider giving up substance use until she discovered she was pregnant. “So, I
sort of had to do something about it”, which was a significant feature for all of the mothers (or mothers-to-be) that were interviewed – Amelia, Lisa and number six. On the other hand, Rachel described her substance use beginning at the same time as her crime, when she was ‘hanging out’ with friends she had made ‘on the street’ as a 14-year-old. At 17 years of age (when interviewed), she described an ongoing regular alcohol use to excess, with no plans of anything different in the near future.

**Getting Help and the Role of Court Orders**

For nearly all of the women who had offended, their court appearances, convictions and resulting sentences provided a ‘wake-up call’ with regards to their offending behaviour. This was especially so for those women under a threat of a prison sentence from the court. However, this alone was not enough to motivate their ‘turn-around’ in lifestyle. All had personal reasons for wanting to change as well. Until her current sentences of supervision and periodic detention (at the time of interview), Amelia’s involvement with court sanctions was largely by way of fines. It was not the criminal justice system that had assisted Amelia with the changes she had made in her life - it was she who had done something about it:

“I decided I needed help, that I was screwed up and it affected everything in my life and I needed to get it out of my system... so I started with [name] which is a Maori group. I thought going to a Maori group... maybe I would be more understood there. But it didn’t work out between me and the group and I went to my psychotherapist. I have been with him for several years now and we have worked through [abuse] issues... Through counselling I started realising a lot of things, putting pieces together, getting in touch with my emotions, getting in touch with the fact that I had been abused and it’s influence in my life. How my background influenced my life…”

Contrastingly, Annabel credited helping professionals – her doctor and the criminal justice system - for the positive changes she was working through at the time of our interview:
"When I knew that I didn’t want to go on like this, that I was feeling really trapped in my life, not knowing how to get out of it, I guess the first catalyst in changing my attitudes and behaviour was coming into contact with challenging people... doctor, counsellor, probation officer... last year, my GP was the first person I found important, challenging... and he gave me a glimpse of what I would call it unconditional support [that] I didn’t know was available to me... I [also] had involvement with a probation officer and also had a clinical psychologist. And, again, I found in both of those people, a lack of condemnation and a degree of respect and support for me. I felt I could rely on and trust them, which is strange for me...

Annabel reported a benefit from this professional support, in that she was “becoming much more secure in my own sense of self and I can actually believe in myself in situations I never would have in the past”. Annabel acknowledged her sentence of supervision and her probation officer as significant in directing this recovery, through personal support and referral to an appropriate residential treatment programme:

“I am happy to be on supervision at this point in time. I didn’t expect it to be such a positive experience. Quite surprised by it.”

What was common for these women was that they recognised their need for outside intervention in their lives, together with a high degree of self-motivation to address and continue to address the issues related to their offending. None of the women described an easy road to change. For Caroline, in particular, she detailed a long journey in her battle with drug abuse. She described addressing her drug abuse in stages. She first sought help through taking legal doses of methadone, set up by a health board drug and alcohol clinic. Though she was not supposed to, Caroline admitted to using (prescribed and unprescribed) drugs together with the methadone. This continued over several years and she stated she had not been free from all drug use, until her current partner came out of prison and supported her into abstinence:

“When I got sentenced ... he [probation officer] was the third person that said to me that you really need to get to the bottom of why you are tied up with these people [criminals] and what is attractive to you to want to keep doing this... And, so I did corrective counselling, which was really refreshing actually because it answered a lot...
of questions for me and that went on for a year... I undertook counselling after that as well. I continued to pursue counselling because I found that I still hadn't reached the point that I needed to reach, which was, you know, to understand my drug addiction, and why I wanted that...”

The women in this study identified the battles they engaged in, in order to understand themselves, and to create new identities out of their previous soul-destroying addictions and lifestyles. It is a tribute to these women’s ability to survive in the face of multiple personal and social problems, that they remain optimistic about their futures being positive and worth pursuing.

Reflecting on the Criminal Justice System

What role has the criminal justice system played in these women’s lives, as they battled with themselves and their offending? During the interviews, I asked the women to reflect on their treatment within the criminal justice system. While most women were positive about their interactions with various agents, there was an exception, as Amelia revealed.

Amelia felt her sentences of supervision and periodic detention to be her obligation to the criminal justice system and not supportive of her personally in any way, “...the whole experience is just that you feel like another number”, and she expressed considerable anger at “not being heard” by agents in the criminal justice system. Amelia mentioned her recent court appearance and how the judge had not read all her “paperwork” (reports and references), when she was facing a prison term:

“At the end of the day the judge doesn’t care, he’s just going to send you [to prison] because [you’re] bad”.

Amelia also believed there was no purpose to her interactions with her supervising probation officer: “He’s okay, but I don’t even know what we’re achieving” - though her interaction with him she viewed positively. However, he was leaving the organisation, so Amelia felt angry about her impending transfer back to her first probation officer. Amelia identified her anger as being about the emotional cost it
was for her to build trusting relationships with people - feeling she had got to that point with her current probation officer - and now being sent back into a relationship where there was no trust. The criminal justice system was, to her, a cost to her personal wellbeing. Amelia gave an example of her experience with a probation officer in relation to addressing her cannabis use. She felt the probation officer was not listening to her and her needs and that, in doing so, Amelia became afraid they would use their power to put her in a residential rehabilitation centre when she knew she didn’t need it:

“When you’re in there, in the office, I’ve always come out feeling yuk! [Current probation officer’s name]’s probably the only one that I’m getting used to and not feeling yuk. Because you’re treated like all they are really interested in is about your bad side! ‘I see you have marijuana issues – we will discuss that later on’. She didn’t even ask me! I will admit that I did have three [convictions] and I was so down and out [the night of her assault] I went to a friend’s place, got horribly drunk and I had some joints – I will say that, but other than that, no! And, I did tell her that. What a mistake! Next thing I’ll probably be doing the drug rehab thing!”

Amelia also said she “hates” the periodic detention environment because it reinforced to her that she was considered a “criminal” and they were treated as such by the supervisors, “like animals - we’re spoken to like idiots”. Furthermore, she felt her sentence of six months periodic detention was a considerable punishment, as a working mother:

“I hate it, I’ve got to leave my children. I have one day off [work] a week on Sunday.”

Amelia relayed a positive experience in dealing with the police over her recent assault. She felt they were “understanding” and their dealings with her “made them look human”, because that was how she was treated by them. Correspondingly, Amelia felt the probation environment could be improved by ensuring she was treated with respect and as “an equal”. She re-emphasized she was not listened to, but told what to do and made to feel like “a nothing”, with the result that she “ends up telling them what they want to hear, just to get out of the office”.

75
Amelia noted that the way the system operates currently, adds a great deal of pressure on her life, for no reason other than as an extra burden and punishment:

"... because I've got them [probation officers] hanging over me telling me I have to do this and I have to do that, but the running of my household and my work comes secondary. But I need [these things] to function, in order to run [my life] properly...[such] a big chunk of my week is devoted to the justice system!"

Contrastingly, Annabel said her experience of her current sentence of supervision was about making her accountable for her actions, but felt it wasn’t "hung over me like a sledgehammer." She reported her sentence instead provided her with "an umbrella of safety" from which to explore her emotional wellbeing and life problems and that her accountability acted as a buffer with her family and society. Annabel said this was particularly important in the beginning because "I wasn't emotionally strong enough to say and do, make changes...on my own".

Annabel felt her probation officer acted as a "sponsor" and was willing to assist her with "anything I wanted to tackle or apply to do, for my benefit and growth. I had the support". She saw the role the probation officer played in her life as "pivotal" to the positive changes she has made, helping her find "direction", and being the "constant" support factor during a major time of change in her life. For Annabel, this key relationship had created an element of dependency for her and the probation officer. An end to the relationship was proving to be a challenge for her: "...they keep saying 'when we do finish this', and I keep thinking 'well I'm not sure I want to'."

Annabel also analysed her previous community programme experience and why it didn't work. She felt it was a combination of factors, including a sponsor who was involved with someone in the community who had a negative view of her and a "young and inexperienced" probation officer who was "not the best match for me or my community sponsor". Annabel felt the placement was "totally inappropriate" and that she should not have allowed it to continue. At the time, she thought she had no choice but to continue, which she felt was to her detriment and "a major mistake", doing her more harm than good. Annabel admitted she stopped attending her
programme and elected court enforcement rather than continue with her sentence. She reflected that the experience could have been improved if the probation officer was receiving supervision and, Annabel had been clearer about the role of a probation officer and her rights and responsibilities on the sentence. She stated the only “framework” she had for her community programme was the judge’s sentencing comments, about alcohol abuse and rehabilitation being the desired outcome by the court. In this case, information and clarity could have assisted Annabel to avoid complete disaster.

Lisa viewed the purpose of her current supervision as directed towards the treatment of her alcohol and drug abuse and Lisa herself saw it as the best option to stop her reoffending:

“*I came to the point where if I kept going the way I was going I was going to do some serious damage to myself or someone else, you know?*”

However, Lisa knew she would not have done it without a specific order from the court and threat of court action by her probation officer if she did not complete it. She acknowledged her resistance to change, though said that being in the residential programme was a “relief” (as opposed to sustaining change by herself).

Lisa had mixed views on probation officers. She disliked the probation officer she had at the beginning of the year because he showed no care towards her, nor attempted to listen to her. She admitted her presentation and attitude “*don’t make it easy*” for someone to approach her, but her objection was that “*he didn’t ask what was going on... he didn’t say ‘would you like a coffee?’*” This was in contrast to her present probation officer she said, who offered her a drink and made sure she was comfortable from their first interview. Lisa relayed that she felt so comfortable with this person, that in the following weeks she even took her partner in to talk to the probation officer:

“*... even me and [partner] went in there and chatted to her, you know. She was just really nice. It just makes it that much easier... I didn’t mind her sitting there saying ‘it’s rehab or jail’. It didn’t worry me because you could tell she was saying it - not*”
because she thought that I need to go to jail - but she actually cared a bit and she had to say it, and she said it in the nicest possible way, which was really good. And, I can ring her at any time and just talk to her, whereas I couldn't do that with my last one."

Probation officers' approachability and supportive relationships were the keys to success in engaging the women in this study in constructive change. The women were positive about relating to either male or female probation officers if these other features were present in the relationship. The youngest woman in the study, Rachel, presented this very clearly when conveying her experiences of her current supervision, in her comparisons with previous youth court penalties (including custodial detention). Rachel saw supervision as a sanction whereby she had to report regularly to her probation officer and undertake anger management counselling. She viewed the counselling as ineffectual because it repeated anger management strategies she already knew. However, Rachel relayed that this was the longest time she had "stuck with" a court order, compared with youth justice orders. She reflected that her attitude was different, because she had greater relationship accountability under the corrections system than through the youth justice system:

"You don't have to report to a social worker. You don't have to stay clear (of trouble) for 12 months. So, I kept offending, so it kept getting broken all the time. But, with the Department of Corrections, you go in and see the probation officer. But, social workers they are just like, “you've got supervision for 12 months, you stay out of crime okay, bye”. That's all they do."

Rachel stated the probation officer's job was to "check up" on her. She "did not mind" this because the probation officer had also helped her. Rachel had a clear notion about care and control, which she believed helped her to remain out of crime.

Much less of an emphasis was placed on programmes and courses as being of importance to the women, than the emphasis they placed on the people who supported them in these initiatives. This was the same for all ages and life stages of the women and an important consideration in considering women's desistence from crime.
In Summary

Women in this study described their choice to offend as purposive, rational and, to an extent, enjoyable. There was a clear sense of agency gained from their stories. Their agency, however, was guarded by social norms, with all the women expressing a sense of gendered social responsibility. This showed itself in relation to life 'turning points' - for example, 'having children and settling down' - which were more tangible to them than any response to the criminal justice system.

The desire to 'get help' had to be an inward motivation on the part of the woman concerned and, also, had to outweigh the perceived benefits of their crime-related behaviours. Whether the criminal justice system was allowed to play a role in their change process or not, was a decision made by each woman and usually made in accord with the way in which they were treated and the relationships they formed (or did not form) - especially with their allotted probation officers.

Individual agency, in tension with the need to maintain important relationships within their social circles, was the constant balance and trade-off for women offenders in this study. How they managed this is a central theme in the following chapter.
CHAPTER 6: THE FINDINGS - WOMEN, RELATIONSHIPS AND CRIME

Introduction

This chapter reports the study’s findings about women’s relationships and how those relationships have influenced their crime. Women talked about their family backgrounds, their friends and their adult relationships with men, their experiences in those relationships and the lessons learned from them. The women had experienced tragedy in their lives and most of it was in their relationships, which many of them chose to maintain despite the difficulties they added to their lives.

Family Dysfunction

There was a consensus among women probation officers and women offenders that the primary influence underlying women’s offending were their dysfunctional family of origin and adult relationships. The women offenders described these correlations with varying degrees of clarity, depending on their age (the youngest participants struggled more with self-reflection). For example, Amelia portrayed a vivid picture of her family life, both her family of origin and her own family. ‘Family’ was a key theme in her offending, as she revealed from her upbringing and her own family situation:

“Originally, I was one of five children, being the only girl. I was the middle child. My mother was European and my father Maori... Their relationship was very dysfunctional. My father used to beat my mother up. He used a lot of name-calling and he was very verbally abusive towards her. They were both hard workers and they bought their own home... They put a lot of time into that and they both either had one or two jobs... So it left a lot of time with us on our own unsupervised...”

Amelia saw the violence and neglect reflected in her own violent relationship with her partner, as both a victim and perpetrator (the serious assault on her partner’s other girlfriend). She also saw that as a result of her emotional and sexual abuse, she
withdrew from her family, almost taking her own life, before finding a boyfriend that she could run away from home with:

“When I was between the ages of eight and ten, [I was] badly abused, sexually abused over a long period of time... I think by the time I was 11, I was a complete mutter. I just was very withdrawn. I spent more time out of the house than I did in the house. My friends were real important to me then. By the time I was 13, I had attempted suicide, my parents blamed each other and my brothers didn’t understand and laughed. I just withdrew. I did, from them all... I ran away from home. That’s when my first offending came through...”

However, Amelia’s mother continued to have an influence over her life, which led to further offending by Amelia. Her mother was adamant that, for Amelia to survive and raise her children, she had to remain financially independent. Her mother’s belief was that men used their money for themselves and could not be relied on for support:

“My mother convinced me to apply for the DPB because she believed that [partner] would never look after us - said ‘he will never support you, you will have to do it all by yourself’. So, she encouraged me to go on to the DPB, which I did. For the first two years I remained on it, and he worked... When [our first child], just before she was two, I went off the benefit and started working...”

Amelia also acknowledged the role her younger brothers have played in her offending and how she maintained involvement in the criminal justice system to support them:

“[My brother] has been a big influence in my life... He is a user and has been a junkie, and he’s been offending - what you would call a professional burglar... he does it for his drugs... One time, I got charged. It was when he was living here. He had nowhere to go, and reluctantly I took him on board. The [cannabis] plants were growing out in the back garden. I knew it was there, so I don’t blame him for it... Through the years of working with [rehabilitation centre for repeat offenders], they have taught me how to keep myself safe, but also be there for him. So, that’s the thing I do, because I can’t afford this. We own our home now and I’m not losing it because
of my brothers’ criminal activities... But I will always be there for those boys. So, I am always in the system through helping them...”

**Annabel** talked about her family life only in passing. She was focussed on herself and the process of change she was undertaking, though she did make a connection between her family and her offending:

“I think, you know, in some ways I had live a life of ‘human doing’ and not really ‘being’, but I didn’t recognise it, completely unaware of my own dysfunction, my family’s dysfunction. I can understand that it [offending related behaviour] goes back to being brought up in a very conservative family where [I had] to deal with the guilt of not being a boy... and searching for approval and recognition, a place and status within the family... having no understanding of self esteem, or none of my own...

Annabel was expressing her understanding of her identity problems, which she saw as leading to various addictions (food, alcohol, work) and in the end to her offending. At the time of interview Annabel was in the midst of working out how to deal with her feelings about her family, her offending and the boundaries she needed to put in place for her to feel emotionally safe. She believed in the process of change she was undertaking, but finding the issues difficult to come to terms with and was reliant on her professional relationships for the trust and care she needed at the time.

**Caroline** also described a “dysfunctional” family upbringing, particularly in her relationship with her father. She related this to her offending in terms of the kind of men she has been attracted to in her search for love:

“It’s about a dysfunctional relationship with men that stems from my relationship with my father. I know that’s 100 per cent correct. I never wanted for anything in my childhood in material things, but I never got much love... He was the father figure that was very firm, expected no less than the best and it was very hard of course to live up to that. And, as a very young girl, I felt I had failed in his eyes.”
Caroline’s relationships with men in search of love, ended up with her finding drugs and the world of crime. She talked about the impact this has had on her family and her relationship with them:

“*My family had heard whispers I was involved with drugs, but they didn't know that I was also involved with a little bit of prostitution. Then they heard something to that effect, which led to an uproar. Okay, I could understand, but it made them non-accepting of me as well, and I couldn’t understand that. So that pushed me away from them, and I stepped closer to the people that I had deplored beforehand, namely criminals, because those people never didn’t accept me... In fact, 15 years later, I don’t have much to do with my family at all. It is a great heartache to me and I know it is to them, and it’s because of what has happened in [my life].”*

More specifically, Caroline compared her life with that of her identical twin sister and the impact her involvement in crime has had on her:

“*I have got an identical twin sister. Okay? And it’s very good that I live [here] and she lives in [place name], because imagine if the Police saw her, and thought ‘right, we’ll pick her up and we’ll just search her because she might have drugs on her’... It happened once and I never heard the end of it... It puts a lot of pressure on me [being] like a villain in the family and she is a victim. It’s a horrible position to be in, because I would never, never want anyone to suffer through me and I have made my own sister suffer. It’s quite tragic.”*

This brought in a spiritual dimension to our discussions, which she also related to her upbringing, the ongoing conflict with her family and ultimately, the fact her alienation from them keeps her within the context of her ‘criminal family’:

“*...I don’t know whether it’s God... (I was raised as a Catholic) or it’s Karma, because I am not a bad person – I’m not. And, I have always somehow met somebody that cares for me or looks out for me. It might not have been my family. Because when they found out that I was involved with somebody that was in jail for dealing heroin (my father sees him as a murderer of peoples’ souls), I had to choose between him and my family. That puts me up against the wall and to say, ‘well hang on a*
minute, if you are going to make me feel like that, then you are the loser’ - because I won’t be pushed anymore…”

Lisa too clearly identified the way she was brought up as being the primary influence on her road into crime:

“Probably there were no rules in my life. You know, the whole of my life growing up. No boundaries. Parents were really too wrapped up with themselves. They were drinking, and mum’s life was devoted to dad. Dad was a violent, controlling kind of guy, so we never used to like to be around that, so we’d go and do our own thing. You know, everyone’s family was the same... it was just the way it was up there... physical abuse was never an issue, because the next door neighbour was doing it and the people over the road were doing it... If there was any screams from houses down our street no one ever rung the police. Now, I am the first on the phone... because I know that it’s so bloody hard after that door’s closed – there’s nothing you can do about it. You block it out, and just get on with it.”

In discussing her offending, Lisa reflected on how her upbringing was linked to this:

“I never had consequences for [my behaviour] when I was little, and when I did start getting them when I was older, I just rolled them off my back kind of thing, and just kept going. Now I’m looking at jail and that’s a bit different.”

Lisa also thought her offending had a mixed impact on her family. She was able to identify different members’ reactions, consistent with her parents’ lack of caring and her eldest sister’s attempts to fill this gap for the younger sisters:

“The effect on my family? I wouldn’t have a clue because I couldn’t really care less what they thought... My older sister, yeah, I respect her quite a bit... I really hurt her over the years. Not actually from doing anything towards her, but because she was the oldest one looking after the three of us, and I sort of went off the rails and she took upon herself to blame herself, you know. I said to her that I don’t blame her for anything. I blame myself, you know. But she... still sits and worries... They [parents] are just too busy with themselves...”
At 17 years of age, Rachel was living apart from her family. She had been boarding with her friend's parents since her offending eight months previously and seemed to be settled in this arrangement. Rachel talked about her family only briefly and with resentment. This was due to her placement in the care of the Child Youth and Family Service at the age of 14 years, which she blamed on her mother and only loosely relates the problems in this relationship with her involvement in crime:

"... never liked my mum... She's the one that put me in these family homes. She had put me up for assault about three times... Her, her mouth. It was like going off quite often, pisses me off."

While this was happening, Rachel began getting into trouble by truanting from school with her friends when she was 13-14 years-old. This also resulted in the escalation of problems between her and her mother and ultimately, her involvement with the youth justice system.

**Relationships with Men... and Crime**

Intimate relationships with men and the associated difficulties, were the location of Amelia’s and Caroline’s ongoing contact with the criminal justice system. The younger women however, described a sense of their own agency in their offending that had nothing to do with the men in their lives (partners were not involved in the criminal justice system at the time of their interviews). These connections are described below by the women.

Amelia met her children's father at the age of 15 years when he was living out of his car. She used the relationship to get out of home and the abuse she was experiencing there. She was pregnant with their first child by the time she was 16 and they were living in a boarding house with other young people. Amelia said, at that stage, she and her partner were using alcohol and drugs and her partner was involved in crime with their other house-mates. She reported this lifestyle led to her partner becoming
abusive towards her, which she tolerated until the birth of their second child. She then moved to Australia, but her partner followed her and they attempted reconciliation.

Nothing changed in subsequent years in the relationship, which involved intermittent separations. The violence came to a head in 1995, when she received a beating from her partner that resulted in her prosecuting him through the court. Since then the physical violence has stopped, though Amelia acknowledged he remained verbally abusive and aggressive towards her. In 1999, he became consistently verbally abusive: "worse than he has ever been". Amelia confronted him and he left, finding out shortly after that he had been having an affair with another woman. Six months later they resumed their relationship and bought a house together. The pattern of abuse re-entered the relationship four months later, with her partner denying a continuance of his affair. This proved untrue, resulting in Amelia’s assault of the woman concerned and an appearance in court.

Amelia believed her partner knew the significance of his actions and he volunteered to leave the house. Amelia refused to accept this, she stated, because every time he left it was a financial disaster for her and more so this time, due to their mortgage commitment on the house:

"So that’s all you are offering me? You fuck me over, you put our home at risk, you put our children at risk, and this is all you can offer me?"

Amelia found it difficult to endure the relationship, however, particularly with the assault victim openly attempting to further disrupt their lives. She said the situation eventually settled and that their communication was better:

"We can have our ups and downs, but our communication skills have got better, and it [the relationship] is stronger because I’m not afraid to say anything any more..."

Amelia viewed her relationship difficulties as a result of their poor communication skills, mutual alcohol abuse and putting all of her positive energy into work – taking her relationship for granted.
Caroline said she met a man while socialising when she was aged 20. Her friends knew him as a music celebrity with rumoured notoriety about his illicit drug use. She said that after their “freak meeting” he pursued her for some time. His interest in her “intrigued” her, because she viewed them as being different from each other:

“...coming from opposite lives... so I found him quite interesting and he all of a sudden wasn’t as scary as everybody had painted him as being”.

This led to a friendship and then a relationship, where she discovered his heroin dependency. Caroline’s attitude towards this at the beginning was to ignore it, because he kept it well hidden from her. However, after six months of living together Caroline began to discover the influence drugs had on his mood states, which brought on arguments about drugs and the effect on their relationship. He claimed she didn’t understand about drugs and she eventually talked herself into trying heroin, with the rationale that there was “no way it would get me” because she “knew the traps”.

Caroline was wrong and immediately became a regular user, which she said, also had the added benefit of stopping arguments within the relationship.

The relationship and her addiction continued in this vein for three years, during which time her partner introduced her to other drug users. When Caroline ended the relationship, she began seeing one of her ex-partner’s associates, whom she found out was a drug dealer and criminal, to the extent that he received a lengthy prison sentence. This opened the door to a whole new experience of the criminal world, which Caroline described vividly to me in terms of its effect on her:

“Through him going to jail and me supporting him as a partner on the outside, it drove me to a type of a lifestyle that I had never seen before. Because I was visiting him inside [prison]... I was exposed to a lot of people, visitors included, for whom crime was a way of life. And although, at first, that seemed scary, it became more acceptable as time passed, and I met a variety of people who needed rides to the prison to visit, or needed to take drugs there, or had committed crimes to get drugs to take to their partners inside... Then [my partner] asked me if I would bring drugs to him inside... It meant me re-visiting the people I had met while I was with [ex-
partner] and also having to find an income so I could support that, which meant that I had stepped briefly into prostitution.”

Caroline continued in this manner for a couple of years, then six months prior to his release she went to Australia to “get clean” from drugs. Upon her return, her partner had started another relationship and being ‘broken-hearted’, Caroline went back to drug use and committed her first recorded offences. It also led to her forming a relationship with the head of her partner’s drug syndicate (who was also in prison):

“... that goes with the history of once you start mixing with criminals, you don’t get so afraid of them. And, once you start offending, it doesn’t become so scary...”

Through this relationship Caroline also entered ‘big time crime’. The police bugged her house and subsequently charged all of them (partner and associates) with conspiring to commit a crime (namely robbery and murder). She was charged due to her association, although there was no evidence of her direct involvement. Her partner subsequently received another prison term and she a lesser community-based sentence. Caroline said that when he eventually got out of prison, she had finally had enough of an offending lifestyle:

“I was prepared to try and work on this relationship, but I wasn’t going to commit to it seriously, like I had before, because of the nature of the trouble that he got me into. I wanted him to prove to me that he was not going to [associate with] recidivist criminals again and bring me into trouble with the law... And I won’t be sacrificed to that point again.”

On the positive side, Caroline attributed her partner with assisting her to abstain from drug use since his release from prison:

“So, I am involved with him and, if anything (it’s going to sound really weird) but he got me straight, because he has zero tolerance for drug use.... and that’s the first time that I can say I have been clean and been in that state of mind probably since I started taking drugs in 1983.”
For this reason, Caroline remained in the relationship. Later in the interview, Caroline reflected on the factors in her life that kept her involved in crime. Without hesitation, she identified the men in her life:

"Generally, what has taken me back to crime is relationships I have held with men.... And even currently now. But I have now got to the point where I am refusing to be dragged into a crime by anybody else. In fact that will never happen again."

Lisa presented her relationship to me in an entirely different manner, discussing it in terms of the importance of equality and her power in the relationship. For example, she stated that neither she nor her partner had children to a previous relationship, which was significant to both of them at the beginning of their relationship and also meant her current pregnancy was special for both of them - so much so that they completely changed their lifestyle when they found out. For the two years they had been together, they were both unemployed and using alcohol and cannabis on a daily basis. She reported being the heavier user of the two and that this provoked constant arguments with her partner, which she thinks also drove him to use more alcohol. Lisa stated that, as a result of her pregnancy, she and her partner began communicating about themselves and their situation, with the baby giving them a sense of purpose in their lives. Lisa reported her partner immediately got a job and she organised herself to go into a residential alcohol and drug rehabilitation programme:

"Just we were kind of like two lost sheep really, like wandering around with, you know, nowhere to go. Well, we weren't - no aim, no goal or anything and now we've got this baby on the way, it's kind of like, yeah, really kicked it in I think."

**Friends, Crime... and the Youth Factor**

Most of the women talked about their friends only in passing and not as being a central theme in their offence history. These women acknowledged friends as being an influence in their teenage years, particularly with alcohol and drug use, resulting in minor offending and which they outgrew by their late teens. The exception to this was Rachel, herself still 17 years at the time of our interview. At the beginning of the interview, I asked Rachel what got her involved in crime. She immediately identified
her friends, though said it is the enjoyment of committing crime that kept her involved for over two years:

"I'm not with them now, but my first lot of friends (who I met through my school friends) started stealing cars and driving and I liked to do it... the driving, and the stuff you get out of them [cars]. It was just because I was living with these people, yeah, we were flaffing with each other and it was their daily routine, stealing cars."

Rachel was eventually incarcerated in a youth institution for a year when she was 15-to-16-years-old. When she was released, she went back to her friends and offending:

"I met up with my friends again. I wasn’t stealing cars, it was more assaulting then... But then, I stayed with [friend's family] for a while and we got a flat together and that turned out right... But, then my mate moved in and we starting [stealing] again.”

Rachel also talked about a boyfriend who was regularly offending and the only time he has not been in any trouble, was the brief time they lived in the flat together some months ago. Rachel believed this was partly due to the positive influence she exerted on him, making him mindful of maintaining good relationships with those important to him: “He needs help, because it [his offending] is hurting his mum.”

Rachel viewed her District Court appearance for her current offences as being pivotal to her ceasing to offend, as the reality of the potential of imprisonment hit her. She reported she had not committed an offence in the eight months since then and has not associated with her friends who commit crime. We discussed the steps that led her to these friends in the first instance. Rachel identified being ‘bored’ by school, not attending, meeting other truants and committing crimes with them. She stated “I wasn’t like that before I met them”, though Rachel believed that if she had stayed at school she would still have been committing crime with her friends. Only by avoiding them was she not involved in crime, otherwise she would bend to their influence:

“...they make things sound good... ‘me and you will go do blah blah blah’. Always make you sound good”. 
Conversely, Amelia talked about not getting involved with the offending of her boyfriend and friends at a similar age because she was afraid, too insecure and pregnant:

"I was 15 when I left home... with my partner, the children's father. He was 16... We moved in with this Samoan lady, actually, and she kind of had a lot of young people hanging around, sort of like a halfway house. From there, I knew my friends were doing crime and they were doing armed robbery, and that type of thing. I never got involved with it. It never attracted me. I was too scared. I was very, very scared of the outcome because I had so much crap, so much happening to me - I was too scared to actually do anything... He [partner] was involved in the crime... and they all did car conversions, car stereos..."

Not only do the influence of friends appear to be related to age and teenage peer pressures, but also there may be different attitudes towards crime among women of different generations. Today's young women do not appear to perceive themselves as socially restricted and stigmatised by their crime, as with previous generations.

**What's Important in a Life Without Crime**

Reflecting on our interview time together, Amelia discovered she had learned some things about herself, particularly in relation to the role violent relationships have played in her life:

"From the relationships between my parents and the familiarisation that I have with violence compared to say what you would. You would be shocked. We could walk into the same room and you could see someone getting beaten up (even though I would try and stop it) and you would be more shocked than I would... it's because I've seen my mother being thrown down the stairways and beaten and kicked. I've been beaten to a pulp where my jaw has come out here and I've walked around like it..."
Amelia further reflected on what is now important to her in her life. In spite of the role of violence in her life, making the most of her relationships has remained the focus of her life, particularly with her partner and children. To make her feel good about herself and support her family, Amelia put her energy into working. This has been an important substitute for dealing with her emotions and the way she has shown her family she cares about them:

"If anything, I was addicted to work. I mean, I could have up to three jobs a week, and my belief was to keep the family together – mum, dad and the kids and to work to achieve that. By working, I was a good person, because I always felt that I was a bad person. I was bad because people who are abused are bad. So, I really tried hard to be a good girl. And, I really tried hard to work really hard so that I got an excellent reputation as a worker. Trustworthy, honest, reliable, on time..."

Amelia said that the counselling she has received in recent years, enabled her to create a better balance in her life, assisting her with communication in her relationship and placing less of an onus on work.

Annabel preferred to reflect on the changes she was presently making in her life, which were very important to her. She saw her life as being in the middle of some big changes. These were not easy for her to talk about, or explain, and there were many tears. I commended her for the strength she showed by what she was doing and she had this to say:

"At the moment, feeling quite lonely and quite scary. However, that's only a small portion of the way I feel about my life now. You know, I look back at things that I have done and put some perspective to my life, and can see it [more clearly]..."

Caroline talked about her aspirations for the future, which for her was about resuming the life she had prior to the beginning of her drug abuse, but with the acknowledgement that her involvement in crime would create a limit to her goals:
"Presently, I am actually looking at probably going back to university next year and finishing my law degree... it can lead to me going back and doing research... I might open a business of my own...”

Caroline went on to talk about the importance of the role of spirituality in her life (having been raised in a Catholic family) and in her relationships over the years, affecting her in both positive and negative ways. Caroline believed this was the basis of her ‘caring, rescuing’ nature and reflected on how she would like to use this and her life experiences in the future:

“Do you ever want to get involved in counselling, as far as like the drug programme goes, or running an NA group or something like that, or from an educational viewpoint about the pitfalls of narcotic abuse? Well, I would love to do that. And, if I thought I could save one person, I probably would because I am a rescuer. But, at the moment I have to be a bit selfish and look after me. I might do that in future, I don’t know. I certainly have some terrible stories to tell anybody that would put them off!”

In discussing with Lisa the things in life that were important to her, she identified her sole focus as being the change in direction of her life brought about by the pending birth of her baby:

“I found out I was pregnant about six weeks ago. It took me two weeks to sort of get over it and stop drinking and, oh God, it was a bit of a shock to the system! I’d had such a free life and then go and get pregnant!”

Lisa acted upon her commitment to her child by going into the alcohol rehabilitation programme, where she was at the time of interview.

Rachel saw the importance of cutting ties with her offending peers in order to continue to move forward in a positive life direction, but was ambivalent about achieving this. She acknowledged a strong possibility of becoming involved with her offending friends and crime once again “if we meet up again”. It seemed to me the difference between Rachel, Lisa and the sixth interviewee, was that Rachel was not pregnant and unsure of her life direction. I did discuss this with her and she was clear
about her goals for the future, involving a job and money to buy things, but was unsure how to achieve this.

**In Summary**

Women in this study saw their lives in crime revolving around their important relationships. Whether it be ‘family, friend or foe’, existing or past relationships, these women clearly described the influence various people had had on their lives and their involvement in crime. They have described other factors involved in their crime as well (substance abuse, enjoyment, risk and responsibility), yet the theme that runs through all these factors is relationships. Women offenders, their relationships and their identities are discussed and linked as features of women’s crime by probation officers. Probation officers present their views on women and their offending in the following chapter.
CHAPTER 7: THE FINDINGS - PROBATION OFFICERS’ PERSPECTIVES

Introduction

In this study, both the women offenders and the women probation officers who supervised them, had similar views on women’s crime and the reasons women offend. I have presented the views of the women offenders in chapters four and five, and now present an overview of the discussion points generated by the probation officers in the focus groups.

Women’s Offending Patterns of the Past 10 Years

Initially, I asked the focus groups to discuss the nature of women’s offending, from their perspectives as experienced probation officers, plus any changes in the nature of women and their offending, that had occurred during their time in their roles. The second focus group observed that the criminal justice system was previously paternalistic towards women:

“So, often it was a tap, tap on the head and you know, women aren’t bad, they are just sad or mad.” Underlying this there was the belief that women’s lives were “chaotic” and “probably for the one time they have been caught and found and gone to court, there have been 25 other times that they haven’t.”

Women were therefore treated leniently by the courts, but also as if they were pathologically damaged in some way and required special treatment.

Childcare issues have also been a central feature of courts sentencing women more leniently than men, according to the observations of the second focus group. There also used to be recognition by the court that women were often “scapegoated” by their male partners and this was taken to account in women’s sentencing:

“I have known a number of women over the years, although I am thinking of as in prison too, that would often be a scapegoat or take the rap for particular crimes that maybe their male partners had done...especially in benefit fraud for example. Quite
often the woman goes up to court because she is the one with the benefit, but it is often the male who has been in the house as well... the judge would then look at a community based sentence such as community service, as opposed to PD, so that the woman could move on and manage the rest of her life. So there was a kind of leniency if you like, that I don’t believe is there today.” (Group 2)

In the view of these probation officers, women were treated much more leniently for their crime, with courts more inclined to justify women’s behaviour in terms of their pathology or circumstances, compared to women appearing in courts today.

The 21st Century and Women’s Crime

Probation officers in group three of this study, observed that women today are more involved in drugs and violent crime, compared to crimes of domestic dishonesty (eg. benefit fraud and shoplifting) of ten years ago. They viewed that there remained a strong element of this type of offending, but these offences masked much more serious issues for women and their reasons for offending:

“I think drugs seem to be involved in a lot more offending now than 10 or 15 years ago... I think it might have been more dishonesty offending proportionally, 10 or so years ago... Women said to me ‘Well, I missed out as a child and I don’t want my kids to miss out’ and, it’s an offence where they justify what they are doing as far as the children, rather than necessarily wanting to be a criminal... As we moved into the Year 2000, the thing that I noticed, is the youth of the women who are involved in quite heavy-duty crime - women around 16 – 20 involved in serious violent offending, first offenders, and there seems to be a whole heap of them. And, its ‘do not stop, it’s straight to prison’ because of the seriousness of this, and we are talking about 20 to 30 women currently in the prison... I think that might indicate a greater level of frustration in their lives (that they look to violence), violence between women is more prevalent, with a lot of women gangs and stuff.” (Group 3)

Young violent offenders, who were committing the same sort of street crime as their male counterparts, were a new phenomenon to the probation officers. The crimes of young violent offenders were also briefly touched on by Rachel, who said she removed herself from the gang scene because of the more serious violent crime that
was occurring on a regular basis. One probation officer commented that this new breed of anti-authority, anti-social and damaged women, were being treated more akin to their male counterparts and leniency was becoming a theme of a past criminal justice system:

"...these girls are in for the hard haul and we are going to deal with them like that, and I would love to go out now with the police and just see what their responses would be to women on the street." (Group 3)

New Trends – Young Women and Violence

The increased involvement in serious crime was seen by group one as being young women’s response to the abuse and violence they had experienced in their families. They moved their life onto the streets as a means of escape and to survive, they committed crime with their street peers (male and female):

"Then there's really young women (that haven't had children yet). It’s almost like its cool to be getting into trouble, you know? Young ones, quite different from the older women in relationships with children, quite similar to their male counterparts in lots of ways, doing burglaries, and breaking into cars, wilful damage, and drugs. I’ve got one young woman who just enjoys the buzz she gets out of breaking and entering cars and taking them for a joy ride...[Also, for example] I can think of one young woman who lived on the street for a long, long time. She had a child when she was very young, that was given to her mother and she had arguments with her mother. It’s just the whole dysfunctional family thing, that’s what led her into the crime... She didn’t have a place in the world really, she got more from the street culture than she did from the family, so that’s where she chose to be...” (Group 1)

Class & gender differences

When asked to characterise a female offender, the focus groups came up with similar profiles. It was viewed that most women were from lower socio-economic backgrounds and came from dysfunctional families, who had also abused them. They were not working or educated and tended to have their children at a young age (under
Poverty, drugs, children in welfare care and experience of violent relationships with men, were noted to be common themes in women’s lives:

“I observe that there are more female offenders now than there were say, 10 years ago, when I started - much more frequently working with women now...a lot of women I have seen do come from a low socio-economic group... possibly not highly skilled. Often they come from families where they have been abused, physically, emotionally and sexually. And there are huge [ongoing] issues in relation to men and how they relate to men. They seem to be younger... proportionally, I would say, under 25. A lot of them wouldn’t have employment, or maybe have casual employment, on-call factory work or something like that... An increasing number of women are involved in mental health services (didn’t used to have them at all)... Women I have worked with, generally, don’t have their children still in their care. I know accommodation is one of the big factors in big cities now, because of poverty.” (Group 3)

Conversely, it was observed that there was also a group of middle-class women who were highly educated, generally possessing considerable experience in employment and who, as older women (35+), fall into addiction (alcohol, gambling, or drugs) and commit crime as a result (typically dishonest offences) in order to try and cover their offending:

“I had a couple of women who committed fraud, from the middle class. I’d say family dysfunction is the problem... I mean, they have used whatever means to try and cope with whatever deficits in their world... [For example, a woman] feeling that she wasn’t quite good enough and she needed to prove herself as being an able, responsible person - somehow [wanted] to solve the family problems, and used whatever means she had to do it [employment fraud].” (Group 3)

Family dysfunction was a common reason given by the women in this study for their offending. Women offenders and probation officers believed it formed the back-drop for women’s offending, no matter their race, class or creed.
Maori women and Crime

Probation officers noted that there was little difference between Maori and European women in their crime. There were some thoughts that Maori women may be involved in more street-crime and that their families were less supportive of them if they were involved in crime:

"I think a Maori woman and a pakeha [non-Maori] woman have similar offences and similar reasons for offending... Perhaps different backgrounds, I am not sure... I don't know that I can really think of any glaring differences between the cultures as far as offending is concerned... [Maybe] pakeha girls are usually excessive alcohol-related [offences], which is different from [Maori]. Often the Maori girls we work with are into much more serious offending." (Group 3)

Probation officers in this study have highlighted women offenders in New Zealand as being poor, lower-class, abused, from a racial minority group, unsupported by their families, having few employment opportunities, being in poverty and responsible for children at a young age. The odds of success in life are stacked against such women from a young age, and therefore crime as a final option, can be the end result.

Reasons for Women's Offending

Probation officers discussed, at some length, the reasons for women offending. They centred their discussions on the personal and social factors identified as characterising women offenders and how these impacted their lives and their offending.

Liberal Reforms and Public Accountability

One of the focus groups (Group 3) presented a social analysis of the reasons for women committing crime. They noted that the impact of a more liberal form of government, during the past 10 years, placed a higher degree of accountability on the public for their use of Government funds and services. This affects women offenders
in many of the agencies they are involved with, demanding more of them in situations where they are already struggling with their responsibilities:

"I certainly think there is more pressure on women and more pressure from agencies on women to conduct themselves in a way that society sees is appropriate. I think probation comes right down the line in priority... I think they are more concerned about the money they get each week, and about whether their children are going to get taken off them... It's a kind of paper war and meeting with authority figures that, I think, lowers their self-worth quite dramatically...and there is that constant pressure to be seen to be doing the right thing - they have school social workers who will be there at the drop of a hat if a child in the playground beats up another child. If you put all these avenues together you have got society making demands, for the want of a better society, and it's targeting these [women] who we don't think are doing the right thing... I think it must always feel they are being scrutinized... we do tend to target (the police and society in general) the more vulnerable women and, I think that's why we get an increase of those women on our case loads." (Group 3)

**Personal Responsibilities**

It is these women who have heavy social responsibilities, who also experience multiple personal responsibilities (mother, partner, provider, nurturer, organiser), while dealing with these roles in a hostile social environment that demands much, but offers little support:

"...the opportunity to work is there, but there are just so many more opportunities for boys. Such a contrast. Girls don't see themselves as going anywhere. Often females tend to see that their life is going to be one of service to others, and that's their opportunity [of] perhaps having a career...Their role can sometimes be looking after children, looking after their partners, looking after their parents as they're getting on. It's always giving." (Group 3)
Being responsible to others and for the care of others, to the probation officers, seemed to be a predominant feature in women’s offending. When this was combined with poverty, crime is seen as an easy option:

“[Crime is] almost worth it, because it’s an easier return than having to go to WINZ every week and cry poor... and I think they weigh up the advantages and disadvantages, and that the negative pathway often triumphs - eventually [leading them] back into the court, despite our intervention.” (Group 3)

Poverty was seen as, not only about the lack of money women have, but also a lack in coping skills and opportunities to make better choices for their lives:

“It’s a number of things added up together: the financial struggle that most of them have; the lack of coping strategies - that is, who to ask, who to get help from, that kind of thing; relationships that aren’t helpful to them - co-dependency relationships, relationships where the other partner has a major drug habit, or might be in crime themselves... Change is difficult, and sometimes for women it becomes too difficult, it is much easier to revert back to the easy way of life - the gambling ‘if I just go once I might win a $1000 and that will take care of the rent’, or ‘I will just go on the streets one more time and I can get 500 bucks for the night and that will pay the rent’, and so it’s that wish to live life differently but not having enough resources and coping strategies to do it differently.” (Group 2)

**Maladaptive Coping: Addiction for Escape**

Women trapped by poverty turn to crime, but they also fall into the trap of escaping their realities, by using addictions for (temporary) relief from their sense of responsibility and lack of life opportunities:

“Sometimes alcohol and drug abuse, coupled with low self esteem, low confidence, poor relationship skills, inability to resolve conflict in relationships and just deal with day to day issues (relating to people), seems to depress some of the women I work with. I think they are feeling very vulnerable and 'so what the hell, go for it!’. I am amazed at how often I have to work on conflict resolution and problem solving skills
with people. And, they are amazed ‘Oh, I have never looked at it like that before’ and it’s like a whole new language to them...” (Group 3)

Abuse and Disability

The lack of coping skills for some women offenders were thought, by probation officers, to be founded in women’s impoverished upbringings. Also, genetic disabilities when coupled with abuse in the family, severely disadvantages some women, also making their options for a life without crime very limited:

“I guess it may be the nature of the offending - whether they have got social support, intellectual abilities, problem solving abilities. Genetic makeup. I guess in a disrupted family environment where they may be substance abuse, as well as perhaps sexual abuse present... Sometimes it’s the intellectual ability to actually get themselves out of that environment they’ve been placed in. And, its family dynamics and family dysfunction and the whole network spreads, and its huge ... And we could work until the cows come home – we’re not going to have any influence, except to offer that person support to survive in the environment they’re in. I think that’s why there is possibly a lot of ‘acting’ out, rebellious, aggressive behaviour in these women.” (Group 2)

One group of probation officers theorised that as a result of all their disadvantages, some women turn to crime in order to feel valued and to prove they are able to achieve something useful:

“Partaking in crime can often be a way of them feeling valued. When women are part of a group of people where the males are all offending, and they can be the driver of the car or whatever, they actually feel as if they have got a valued part to play in that whole thing...” (Group 3)

Factors in Desisting from Crime

Given the huge hurdles some women face in their lives in general, and their involvement in crime in particular, how can they desist from crime? And is it actually
possible? These were questions the probation officers discussed in the focus groups and which they viewed as the most important considerations in their work with women offenders.

*Self-change: Getting Rid of partners, Associates, and Lifestyles*

The biggest hurdle for women was seen to be the comprehensive changes they needed to make in their relationship networks, in order to support any permanent change in a lifestyle without crime:

"Dumping your partner would be one of the major ones. Getting rid of the negative influences in your life. I mean some women may have to make huge changes because often they are hooked into the criminal lifestyle of the partner, or the family. It is a massive lifestyle change but occasionally they will do it... Often what pulls them back in [to crime] is the influence of a partner or family, even if they have made that decision to change." (Group 3)

Women needed a strong incentive to change. This generally came in the form of a supportive partner, or maybe a job that brings self-confidence into their lives. In order to be positively bound into society however, probation officers felt it was essential that women drew away from the environments that produced their offending. For women, who value relationships, this was seen to be the most difficult point of desistence, as women offenders in this study have clearly spoken about.

*Young Women and Change*

One group of women probation officers said they found it difficult to engage in a change process with young women, who tended to be very anti-social, anti-authoritarian. They believed that maturity and having children were remedies for their anti-social and criminal behaviour:

"I think they're probably as difficult to engage as their male counterparts, they're so troubled that you can't do anything with them. The younger a person they are, the
more difficult to engage... A child seems to do it, yeah, if they have a child - they
don’t do the same sort of offending (but they might still have a drug problem) - their
behaviour sort of changes.” (Group 1)

The Probation Officer’s Role in Change

There was some debate in one focus group (Group 2) as to whether community-based
sentencing and specifically, intervention from probation officers, made any difference
to women’s desistence from crime:

“I think with women they have got so much else going on in their lives and they have
talked and talked to their women mates, that they don’t have that need to the same
extent [as men]. So I’m not sure how successful we are...although research would
say that their relationship with their probation officer was very very important to
women... the five year figures come out and its saying that people who have been on
community based sentences that they have had intervention on have no difference [in
offence rates] to any of the other sentences (PD or community service). Absolutely
minimal difference, so if it doesn’t affect them in the long term, it actually doesn’t
matter. Short term, there are quite good results (after a year), but long term, not...”
(Group 2)

Despite this, probation officers reported that women were easier to engage with in a
change process than their male counterparts:

“They are more honest in the way they relate to you, and more up front about their
situation and how they feel, and more inclined to try to address things. They may not
get there - because of their responsibilities at home, or if there’s substances involved -
but yeah, they do tend to be honest...” (Group 1)

Women’s Response to Probation Supervision

Women probation officers said they enjoyed working with women, but they felt
women tended to respond to them as another authority and surveillance figure they
had to be accountable to. Due to this factor, they believed that addressing
criminogenic needs with them, was not necessarily what would make a difference in their lives and behaviours:

"I think the way we manage our supervision has changed dramatically and 20 years ago it would have suited women far more - the way we brought in the real social-work aspect in trying to find jobs. We were able to help women in more ways than we do now. Now we are more centred on their thinking and so therefore it's a different type of supervision and intervention. I am wondering if that's got something to do with the fact that we don't get women reporting as frequently as their male counterparts. If they do, they bring their children with them and, I find, that's not conducive to carrying out the type of supervision I would have normally have done..." (Group 2)

Probation Officers Speak about ‘What Works' for Women Offenders

The focus groups did have some specific ideas about the kind of approach that works, in their view, towards addressing offending-related issues for women. These are stated briefly below, along with a suggested framework in which a process of change can be worked through with women offenders:

- Counselling - with a focus on issues underlying the offending (eg. past sexual abuse, current relationship abuse, etc);

- Finding employment – as a means of constructing a positive new social context to their lives;

- Woman-centred programmes – to support women’s needs for safety in order to create positive change and to provide skills to gain self-confidence.

These opportunities should be presented to women in an integrated manner, so as to lessen the number of demands put on them. Residential or day-programmes were suggested as being the most useful means of removing women from the environments and relationships that resist change, giving them a place to focus on their needs and supporting them back into new directions in the community:
“... it's the integration between the space they have or their removal from their environment, and then coming into a supported scene - it's really crucial... I've seen people come out of treatment programmes, they're so convinced they're recovered, and how they're going to be on the outside, and it's just too difficult. So, I think the support for integration is really important and, when it's there, it really works...”

(Group 1)

In Summary...
Probation officers clearly believed that women's offending, their reasons for offending and the kind of elements needed to help them change, were different from those of their male counterparts. Their views, outlined above, have reflected both the literature review and the women offenders presented in this study. Women offenders are more likely than men to have been victims of abuse; their fight to survive this, reconstruct their identities and create their own families - in the face of their dysfunction - has led many into substance abuse and crime. Probation officers, in this study, believed that most women sought assistance to find another way to construct their lives and have suggested ways in which this can be achieved.

In the final chapter, I have integrated the thoughts of the women offenders, the probation officers and the literature, and made my own suggestions for assisting women to address their offending in ways that would be the most constructive for them and for their communities.
CHAPTER 8: DISCUSSION AND CONCLUDING COMMENTS

Introduction

This chapter summarises this study and draws the findings together by discussing the key themes. In this regard, I have also drawn further comments from probation officers and observations from women offenders to illustrate the discussion points. The discussion revolves around key themes, is related to the literature and concludes with comments about women and their offending that challenge theory and practice within the criminal justice system. This is then applied to women’s offending in the New Zealand context and finishes with speculation about the future for women offenders in the criminal justice system in New Zealand.

Crime as a Choice

The women in this study experienced crime as a result of the tension they experienced between free choice, their interpersonal relationships and their social accountabilities. For example, there seemed to be an important transition in attitude by the two young women who were pregnant for the first time. Lisa talked about the responsibility of parenthood forcing her to “grow up” and take responsibility for her actions, by considering their impact on her pending child. This was an important turning point towards social responsibility, brought about by their new roles as mothers. Up to this point, the young women saw their attitudes and behaviour as the same as male offenders and they were ambivalent about giving up the lifestyle of crime because of the biological imperative of motherhood. This was specifically commented on by probation officers, as an observation of their practice:

“I think they’re probably difficult to engage as their male counterparts, they’re so troubled that you can’t do anything with them. At a young age, they’re impossible to change anyway. The younger a person, they are the more difficult to engage... A child seems to do it, yeah, if they have a child - they don’t do the same sort of offending, but they might still have a drug problem - their behaviour sort of changes [to less serious forms of offending].” (Group 1)
Two young women gave up their gang involvement due to the seriousness of the crime (violence and drugs) and the personal threat to their lives. They came to a point where the benefits of the lifestyle were outweighed by the costs involved. In this regard, the women observed they were less likely to make choices to become 'career criminals' than their male counterparts. The need to maintain positive social relationships was greater than their need of status within a chosen social group.

**Crime to Maintain Relationships**

In this study, women offenders expressed the need to maintain a support network of positive relationships, which was a varied need that included both their personal and social level relationships. For example, Amelia, who had been law-abiding for several years prior to her recent (and most serious) offence, perceived that her crime had cost her the trust she had built in her personal relationships (eg. her children) and in her social relationships (eg. employers). Annabel expressed the same observations in relation to her recent drink-driving offences. Also of note for these women, was that in order to preserve relationships with others, they knowingly committed further offences, such as Annabel driving her workmates home when she had been drinking and Amelia protecting her brother's cannabis cultivation in her home.

Maintaining important relationships came at a cost to women offenders. Their desire to care and 'look after' others drained their personal resources and at times, led them to resort to substance abuse and crime, as an escape from their perceived lack of coping. By this double-bind, women have often been trapped into circumstances by their relationship need, which is referred to in the literature as 'gender entrapment' (a situation which may or may not also be taken advantage of by the men in their lives) (Chesney-Lind, 2000). Gender entrapment was also a theme espoused by probation officers, as a common occurrence for them to observe in their work with women:

"I think they often are pressured into doing things. Maybe to do with drug use and I think a lot of women are abused, and are experiencing abuse now - physically, emotional, sexual... A lot of women are in very dependant relationships, like they know the person they are with is not really very good for them, but they can't get
away from it. That’s sort of a factor in their offending as well, they get tied up in the offending of the partner and it escalates or puts them more at risk than they would be in a different situation.” (Group 1)

Crime and Cross-Gender Comparisons

If one theme exemplified in this study was gender entrapment, another theme the women identified was gender differences between offenders. In comparing women’s and men’s crime more directly, the women in this study observed women’s crime to be rational and based on maintaining relational responsibilities (eg. shoplifting to care for children’s needs), while men’s crime was impulsive and for self-gratification and status (eg. assaulting an enemy in public among peers). This was also an observation made by the focus groups of probation officers:

“In general, I’ve found [women] don’t have the broad spectrum [of men’s crime]. It’s more confined to certain areas... I think they particularly have high needs compared to risk [of reoffending] actually. That may be slightly different to men that may be higher risk than needs.” (Group 2)

It is an interesting stereotype. If we deconstruct this observation, women are presented as ‘needy’ and men as ‘risky’. Men are dangerous, while women are vulnerable and pathological. It is acceptable to view men and women in this way because it fits with gender norms as a means of categorising people and behaviour in ways that are socially acceptable, understandable and, therefore, able to be controlled (Garland 1990; 1992).

The question is, do these gender stereotypes further serve to undermine women and the roles they choose to adopt within society? They do and, to change this phenomenon, we must change our thinking. Women are relational and nurturing and as such, may generally not be as ‘dangerous’ as men by way of social aggression and the seriousness of their crimes. However, would there not be a greater danger to society if both men and women were equally aggressive? If more people in society spend their energy fighting within society, social cohesion would be threatened. In this way, the escalation in the prevalence and seriousness of women’s crime (which
has been presented in statistics in recent years), poses a greater threat to society than at any time in the past. These observations highlight the importance of ‘difference’ between men and women. Both men and women need to be valued and supported by society, in equal terms, for the roles they choose to adopt to maintain society.

**Gender Similarities in Crime**

The study has highlighted similarities between men and women in their offending. The common observations of participants were the similarities in their upbringing and in the important messages passed on to them by their families in their younger years (eg. moral and social responsibility versus ‘anything goes’ to survive and enjoy life). This was commented on by Amelia, together with one of the focus groups:

"Family background plays an issue for me in terms of how you are raised. I mean, you talk about values, principles, ethics, morals. All those things that are learned before they are aged five. If you are brought up in a dysfunctional family, where there is no boundary setting, there is quasi-criminal behaviour or other kinds of issues going on like abuse or violence, it doesn't set a solid foundation for a kid. Certainly the amount of sexual abuse that women in the prison have suffered, where they have that sort of background, and they haven't felt valued - of course it's going to have some impact later on down the track." (Group 3)

It is accepted, however, that women and, in particular, women offenders, are more vulnerable than men - a fact demonstrated in the high incidence of abuse and violence perpetrated against them. A United States national survey of imprisoned women (cited previously by Chesney-Lind, 2000) compared male and female prisoners. Women were more often the victims of abuse and violence, which also tended to continue from childhood into their present adult relationships. Women are tied into abuse by relationships that are necessary to them, but not necessarily promoting of their wellbeing. They have learned from a young age to bow to the wishes of those around them, particularly the men, and continue to survive in this way in their adult lives and relationships. For some women, this victimisation has led them into a path of crime.
Gender Bias and the Criminal Justice System

In moving from the personal (and gendered) characteristics of women offenders, to a level of social discussion about the way in which women offenders are differentiated within the criminal justice system, the women in this study identified a gender bias in the way they were treated by criminal justice agents. For example, two of the women in the study highlighted gender biases in the way women offenders were treated. The police tended to treat them more leniently when in groups of mixed-sex offenders (Lisa’s experience), whereas social attitudes generally judged women in a harsher light than men for their offending - women being deemed to be more irresponsible in their actions than their male counterparts (Annabel’s experience).

These gender biases are, of course, related to the previously mentioned ‘chivalry’ and ‘evil woman’ theories (Mair and Brockington, 1988). It may be that this kind of treatment has allowed men to proceed down the track of serious offending (and their resulting imprisonment) at a faster and more prolific rate than women. It may also be that women’s offending is more prolific than stated by official statistics, as a lot of it has remained hidden by social stereotypes of offenders (as predominantly male). The commonality identified in this study was the gendered manner in which the women perceived offending and society’s response to their offending. This was also an observation of the probation officers in the focus groups:

“I guess there has been more flexibility around women offenders, whether it be in the Court, whether it be the Police, whether it be in Probation, and that still appears to be continuing today... which is due to paternalism - or is it due to the fact that they do have more responsibilities? [From a probation officer perspective] I think it is because we know what the reality is for some of these women. I think we are conscious of the other expectations on them from other quarters - pressure to get a part-time job, pressure to do this, pressure to get some money together, to go to budgetary advice because the Court has ordered it, to do this, to do that.” (Group 2)

When criminal justice agents are made aware of these gendered effects, they are then able to utilise them to benefit women who are already jeopardised by their social and biological determinants. It must be noted however, that it is the women who must ‘fit
in' with the system of expectations as best they are able, rather than designing a system that fits around their social and biological imperatives. Does the criminal justice system and society then, set women up for failure? It appears either they are set up for failure, or with a very difficult road to success (eg. maintaining family relationships in the face of personal abuse and little social support). This was the essence of women’s experiences in this research, outlined both by the women offenders themselves and by the women criminal justice probation agents who supervised them.

**Gender bias and racism**

For one of the women in the study, the gender effect was made harsher by the racism she experienced, which in her daily life stigmatised her as a potential offender. Amelia perceived that she was stereotyped as a woman who shoplifted items because she was a Maori woman. She was often followed around a department store where she said she had “an excellent credit rating”. Her belief was, she was perceived by the department store agents in this light due to her race. Why is race an issue with shoplifting, when this is an offence common among all women offenders? One of the focus groups also found it difficult to perceive difference between races of women they supervised:

"I don’t know that I can really think of any glaring differences between the cultures as far as offending is concerned. You know, I am trying to cast my eye on a general view of a caseload of people and nothing really stands out... Often [though, it is] the Maori girls we work with who are into much more [serious] offending.” (Group 3)

Perhaps Maori women are more noticeable because of their ‘difference’ from the mainstream ‘white woman’ in general and being a ‘criminal Maori woman’ is an even more obvious label to wear to make these women noticed. Society cannot understand women who offend (the ‘evil woman’ theory) and understands less, the alienated position of a Maori woman who is a ‘social misfit’ even before the label ‘criminal’ is added to the mix. Is it any wonder their offending appears to be more serious and prolific than white women in our society, when they have little to lose and even less to
gain by being ‘good women’? These women have been forced into a position of climbing a mountain from one of the worst positions of subjugation in New Zealand society.

Racism in criminological literature is seen to be a disadvantaging factor, as gender is also such a factor (Schlesinger, Dobash and Dobash, 1992; Carlen, 2000). Carlen (2000) proposed that not only is there a gendered bias in court sentencing (generally towards leniency), but that certain groups of women are more likely to proceed through the criminal justice system to prison – namely those who have been in welfare care, have transient lifestyles, have their own children in welfare care, are living without family or partners, and who tend to belong to an ethnic minority group.

Carlen has taken this classification argument a step further, to propose that gender is not the primary construct involved in differentiating between males and females at court sentencing. As previously stated (see literature review), Carlen purports that differentiation is based on four factors: risk of reoffending; legitimacy of punishment; citizenship discrimination; and role worth. If this is so, are the informal social controls and roles ascribed to Maori women such that they are treated more harshly than their European counterparts? This was Amelia’s experience. If it is also the experience of other New Zealand Maori women offenders, post-modern feminists (Matahaere-Atariki et al, 2001) would argue that it is important that their stories be differentiated and explored separately. There also needs to be a socio-political response within New Zealand society, to respond to Maori women who offend, with a gender, race and cultural imperative that will empower and bring hope back into these women’s lives.

**How do Women Offenders Deal with the Gender Effect?**

Having concluded that there are gender biases (as well as other forms of bias) for women based on their biological and social constructions, how do women offenders respond to this gender effect as it pertains to their personal and social lives?
Personality and Choice

A dysfunctional upbringing was commonly cited by the women offenders as having sown the seeds for their behaviour in their personalities. This is a common feature among offenders (see Scheussler and Cressey, 1950; Waldo and Dinitz, 1967; Tennenbaum; 1977 cited in Andrews and Bonta, 1998), but this explanation failed as an answer to her offending for Caroline, who had an identical twin sister who had never offended. Despite Caroline’s better judgement and warnings from friends, she chose to become involved with a suspected drug user. The attraction of his ‘charismatic’ personality and his ‘need’ for her to manage his business, was the irresistible draw to fulfilling her desire to be important and needed. What is it though, that led one sister to ‘throw caution to the wind’ and the other sister to choose a more cautious path in attempting to fulfill her needs?

The complexity of social circumstance is never better illustrated than in Caroline’s experience. Caroline was presented with a social opportunity that, when combined with the features of her own personality, led her to ‘take a risk’ that was different from the kind of risk her twin sister would have chosen to take. I have found no specific literature linking personality and social opportunities of women offenders as a feature of women’s offending. However, in my experience as a probation officer working with women, I have found such links can be made. It would seem to be poignantly emphasized in cases such as Caroline’s, where a middle-class woman chooses to take social risks, becomes quickly addicted to narcotics and involved in a criminal underworld as a result. I believe this is an area of study yet to be explored that requires psychologists and sociologists to come together and investigate these important links. This would be useful for women like Caroline, for whom this has been significant and traumatic:

“I continued to pursue counselling, because I found that I still hadn’t reached the point that I needed to reach, which was to understand my drug addiction... I have only really worked out that I don’t want to be a drug addict anymore, and I don’t want to offend as a result of being a drug addict because that’s what happened in my life... and it’s quite tragic what’s happened in my family life, let alone what has happened with me, being a rape victim and then consequently becoming a drug addict
and meeting up with the wrong relationship, you know? Three in a row!... Basically, it all revolves around drugs. It has been such a long lesson to learn. Really, I can’t begin to explain that part of me... To try and understand this guy who was [an addict]? It was egotistical to think [heroin] would never get me, I was that naïve...

In my professional experience as a probation officer working with women, I have observed the same effect among women who are sexual abuse survivors – one woman may withdraw from significant relationships with any men, while another employs her sexuality to draw men into relationship with her - in order to regain their sense of sexual power. It seems that these are both strategies to obtain the same end, that is, the sense of inner equilibrium that the self’s identity must maintain in order to function. A loss of power and control must be rectified in order for the self to be preserved. It may simply be that a personality with introvert tendencies chooses to withdraw in order to preserve itself, whereas an extrovert may tend towards outward risk-taking to perceive more tangible results, when claiming back their power and preserving their identities. Women’s personalities then, in conjunction with their social circumstances, can provide a great influence over their choices, including those that involve them in offending.

**Escapism and Substance Abuse**

All the women in this study considered their misuse of alcohol and drugs to be a significant part of their lifestyles and a contributing factor in their offending. Their identities were swallowed up in addiction and the loss of control over their lives, together with the consequences and despair that come with addiction. The women in this study clearly described this feature of their lives. Their choices to use substances were for enjoyment, which took them away from the realities of their lives - self-medication for relief in the face of life’s difficulties - to escape their sense of powerlessness and alienation within relationships and society. The younger participants also identified substance use (and abuse) as an important factor in the ongoing enjoyment of their lives and took some convincing to discover it also had its costs. For example, Lisa found boundaries with the death of a boyfriend and the law, but did not even consider giving up substance use until she discovered she was
pregnant. It seems that the need to escape life’s realities, versus the alternative of negotiating those realities, only becomes a real choice for women when they have a significant personal incentive—namely (for example) their children’s wellbeing or a supportive non-using partner.

**Women Who Offend and Women Who Do Not?**

The women offenders in this study perceived their ‘step over the line’ from being substance users to substance abusers as the final separating factor between them and ‘normal’ women. The older women perceived themselves as being less different to law-abiding women, with the main difference being the choices they had made (including substance abuse and related offending) in response to their sense of emotional deprivation experienced during their upbringing. The younger women expressed a greater sense of alienation from ‘normal’ women in their attitudes and in their behavioural differences. They perceived themselves as preferring a ‘fast’ lifestyle involving risk and self-gratification, versus the ‘normal’ woman who preferred stability and a responsible ‘good time’. However, the pregnant women in this study could see this changing for themselves by being able to make new non-offending friends through the common bond of motherhood. The previous lack of commonality promoted the sense of social alienation for them—a factor shared by all the women studied, but for differing reasons. For example, two of the women identified as possessing some commonality with law-abiding women, which was then disrupted by their choice to take an anti-social and alienating path: Annabel with her repetitive drink-driving, and Caroline with her involvement with drugs and drug dealers.

The sense of alienation and difference for these women comes about through their active or passive refusal to accept gendered norms. In doing this, women offenders take the risk of being marginalised because of their responses (their offending), but it is a risk they would rather take, than to continue being subjected to norms of femininity which had been used against them in abusive and controlling ways (eg. experiences of family violence and male domination). This refusal to accept gendered norms was a finding in Carlen’s (1988) study of 39 women offenders in Britain. She
found it was common for these women to commit crime to survive after refusing to continue to submit to their gender (and for some their class) deals:

"As they talked about the material conditions constitutive of their identities, the women indicated that much of their early non-criminal but deviant behaviour had been engendered by a series of refusals to make the class deal and/or the gender deal...[and] left them with few alternatives but to commit crime in order to get a living (see Cook, 1987; Edwards, 1987)." (Carlen, 1988:108)

Therefore, women’s experiences of alienation and marginalisation have been choices made in ‘the lesser of two evils’ situations. They have chosen to affect their own agency in their destinies, rather than accept a norm of their socialisation that has bound them to abuse and subjugation. If society does not accept the way they have executed their agency, then they have also chosen to accept the consequences of this, but not necessarily cease their actions in expressing their agency. In this study, Caroline produced a clear example of this:

"...they [family] found out that I was involved with a very serious offender, and that if I am going to have anything to do with him, then I have to choose between him and my family. Why [did] they put me in that position? That puts me up against the wall and it also makes me say, ‘well hang on a minute, if you are going to make me feel like that, then you are the loser.’"

Caroline made a clear choice to remain with her ‘criminal family’ who “had never not accepted her”, versus her family of origin whom she perceived never had accepted her. The choice was between conformity or alienation and Caroline, plus many other women like her, have chosen a path of alienation in order to make their own destinies and identities, rather than have those choices made for them under the norms of social construction that were more than they could bear without protesting some form of resistance.
Is Change Influenced By the Criminal Justice System?

From the informal social controls that jeopardise women offenders' lives, to the formal controls of the criminal justice system, the women in this study expressed their views on being subject to such controls and their responses. For all of the women who had offended, their court appearances, convictions and resulting sentences provided a 'wake-up call' with regard to their offending behaviour. This was especially so for those women under a threat of a prison sentence from the court. However, this form of sanctioning control alone was not enough to motivate a 'turn-around' in their lifestyles. In addition, they had personal reasons for wanting to make some form of change. These women recognised the need of outside intervention in their lives, together with the high degree of self-motivation they needed, in order to address and continue to address the issues related to their offending. None of the women described this kind of fundamental change as an easy road for them.

While most women were positive about their interactions with various criminal justice agents, in their personal and social 'rehabilitation' within their communities, there was an exception to this. Amelia felt her sentences of supervision and periodic detention were an obligation to the criminal justice system and not personally supportive of her in any way. She also expressed considerable anger at "not being heard" by agents in the criminal justice system. Amelia said her anger was about the emotional cost it was for her to build trusting relationships with people, which was not recognised by the system. Amelia said she "hated" the periodic detention environment because it reinforced to her that she was considered a "criminal" and ensured she was stigmatised and treated as such. Being personally ignored, labelled and treated as a 'criminal' ('criminal' being the male generic label of criminal), was not an inspiration for Amelia to change:

"You're told about the rules. You're told about the regulations. You're told that anybody [in probation] can have any chance to look into your file whenever they like. So, you sort of feel like you're an open book and you feel like you're just nothing... They're not interested in you. They don't want to know about you. They're just telling you what you have to do and then you end up telling them what you want to tell them, to appease them and toddle off, never to see them again. And, that's it."
Formal sanctions and mandated activities provide a framework to create change, but for Amelia and the other women offenders in this study, their interest in engaging with the framework was negotiated by the amount of relational interest they perceived they were obtaining from the particular criminal justice agents. They had to have a relational incentive to engage in a process of social control and conformity. Amelia further relayed a positive experience of social control in dealing with the Police over her recent assault. She felt they were "understanding" and the process "made them look human" to her because of how she was treated by them. Correspondingly, Amelia felt the Community Probation Service environment could be improved by being "treated with respect and as an equal", rather than as another number in a male-orientated environment.

Contrastingly, Annabel said she could see her current sentence of supervision was about making her accountable for her actions, but felt it wasn't "hung over me like a sledgehammer". Instead, she reported that her sentence provided her with "an umbrella of safety" from which to explore her emotional wellbeing and life problems. She also stated that her accountability to her probation officer and court order, acted as a buffer with her family and society (the 'I have to do this' rationale, rather than the more difficult 'I want/need to do this' explanation). She viewed the role the probation officer played in her life as "pivotal" to the positive changes she had made, helping her find "direction" and being the "constant" support factor during a major time of change in her life. This was in contrast to her previous sentence (of community programme) where there was no clarity of direction or support offered to her, which resulted in Annabel failing to comply with the sanction. Like Amelia, Annabel's engagement with the criminal justice change process was determined by the key 'human' relationship with a particular agent (probation officer).

Another contrasting feature of women’s responses to their court orders, was an age-related factor. Younger women in this study stated that they had not been interested in change interventions and would have not engaged in them without specific order from the court, together with a specific threat of further court action if not completed. For example, Lisa acknowledged her resistance to change, though said that being in the residential programme was a "relief" when she had decided she did want to
change (due to her pregnancy), as opposed to sustaining change by herself in the community. Stronger elements of social control were needed for the younger women to motivate change and a continued conformity within society. In Lisa’s case, this meant the threat of a harsher punishment (prison) and removal from her usual environment into a supported change environment (a rehabilitation centre).

As these younger women’s lifestyles were more ‘out of control’ than the older women, they recognised that the intervention for change needed to be particularly controlling. How long they could endure such a controlled environment was another matter. For example, Lisa completed less than half of her three month alcohol and drug programme - proof that social conformity does not happen over night. From my experience as a probation officer, finding a change intervention that ‘works’ is very much a trial-and-error process of negotiation with an offender. This is another reason why the relational aspects of a court-ordered supervisory sanction are important to women. As Amelia said: being treated with individual respect would be the key for her to engage with a criminal justice agent in a change process. Therefore, in this study, a probation officer’s approachability and a network of supportive relationships were key elements of women’s success.

Women in this study was placed more emphasis on the people who supported them, than on the programmes and courses undertaken by the women. The ‘relationship factor’, as the primary influence in positive change, was also noted in a New Zealand study by Leibrich (1993). The majority (30) of the 48 offenders interviewed in this study viewed their relationship with their probation officer in a positive light. The most common expressions of this was that they were “treated as an individual” (as opposed to a number being processed by the system); they experienced genuine care from the probation officer; and they were clear about what was required of them, including being trusted when the occasion presented itself. The five negative comments were generated by themes that were the reverse of these qualities and the remaining 13 were neutral comments. Most of the comments about ‘what could have been done better’ on their supervision sentences revolved around there being a need of “more time and effort” being put into establishing a genuine relationship and to “help” them with difficulties they were having at the time (Leibrich, 1993).
Of those that had been referred to treatment agencies (18) in Leibrich’s study, most (13) were critical of their experiences, citing a lack of purpose to their experiences and referrals that did not meet their needs. In her comments, Leibrich suggested “getting something out of the sentence and being positive about the probation officer were very closely related” (1993: 187). This was also a finding in her previous (1991) study with probation officers, who believed that an establishment of rapport “could open the door of influence” to an offender to “go straight” (Leibrich, 1993). These comments applied to both male and female offenders, yet the cases Leibrich referred to as probation officers being particularly influential were women (Rose, Sarah, and Annie). Leibrich did not explore this portrayal any further, but it is the significance of the relationship factor for women, that is explored in this next section.

Knowing Women is about Knowing their Relationships

There was a consensus among women probation officers and women offenders in this study that the primary influences underlying the reasons for women’s offending were their dysfunctional family backgrounds and dysfunctional adult relationships. This has also been a clear finding in the literature (Daly, 1993; Heidensohn, 1985; Stanko, 1990; Schlesinger et al, 1992) and which is explored in the discussion below.

Family Influences

Amelia saw the violence and neglect she experienced in her family of origin reflected in her own relationship violence with her partner, as both a victim and perpetrator (the serious assault on her partner’s other girlfriend). She also saw that as a result of physical, emotional and sexual abuse, she had withdrawn from her family of origin as a teenager, almost taking her own life in the process. When she ran away from home (aged 15), Amelia’s mother continued to have an influence over her life, which led to further offending when Amelia took her mother’s advice that to survive and raise her children, she had to remain financially independent. Her mother’s belief was that men used their money for themselves and could not be relied on for support. Women had to be socially responsible (and take risks in being so), men were not and the message to Amelia had been to meet her social obligations at all costs. Amelia took this
message seriously, as is illustrated by the role she has allowed her brothers to play in her life and her involvement in the criminal justice system in order to support them. Amelia was raised to believe in survival at all costs – whether that be by way of personal sacrifices or using society’s mechanisms for personal gain. Women like Amelia have been in a cycle of victimisation and perpetration of crime, where the motive is always the same – to maintain relationships at all costs.

The relationship connection appears to be the same across the boundaries of class and race differences between women. Though women of colour and low socio-economic status may receive harsher treatment within society and the criminal justice system (Carlen, 2000; Rice, 1990), their identities remain fundamentally relational in nature. For example, whereas Amelia came from a working class Maori family, Caroline was from an upper-middle class European family. As described above, despite the victimisation Amelia experienced at the hands of her family, she chose to ‘make the best’ of her existing circumstances and remain in her situation. Caroline, on the other hand, had abandoned her family though was still wanting to return to the life she had prior to crime. However, she was ambivalent about this due to the loss of further relationships and the isolation it would cost her to do so. Social isolation is a strong motivator against change for women whose motivation it is to maintain their close inter-personal relationships.

The Influence of ‘Significant Others’

Intimate relationships with men and the associated difficulties (eg. involvement with drugs, violence, and crime) were the location of Amelia’s and Caroline’s ongoing connection with the criminal justice system. This has been a common theme of the literature (Austin, Bloom and Donahue, 1992; Chesney-Lind; 2000). However, the younger women in this study have described a sense of their own agency in their offending that had nothing to do with the men in their lives (their partners were not involved in the criminal justice system at the time of interview). This study revealed there may exist different attitudes towards crime among women of different generations (a feature that would benefit from further research exploration). Today’s young women do not appear to perceive themselves as socially restricted and
stigmatised by their crime, which has been argued in the literature as the long-awaited impact of the feminist movement (Heidensohn, 1991; 1994). Probation officers in the focus groups of this study also raised this issue as a comparison to the nature of women and their offending in past generations. They observed that young women had more agency, but equality with their male counterparts cost them much more of their lives in order to achieve this parity:

"I think it might have been more dishonesty offending 10 or so years ago... As we moved into the Year 2000 the thing that I noticed is the youth of the women who are involved in quite heavy duty crime, women around 16 – 20 involved in serious violent offending, first offenders, and there seems to be a whole heap of them. And, it's straight to prison because of the seriousness - and we are talking about 20 to 30 women currently in the [local] prison for aggravated robbery, assault with intent to injure, manslaughter, murder. [It has emerged] quite recently I would think, probably over the last two to three years. There is just a whole new group of women coming through that are completely anti-authority, anti social and quite disordered as well... these young women coming through are quite damaged." (Group 3)

This is a new phenomenon for us to consider in society. Young women may be learning to stand up for themselves (care of the women's rights movement), but, for women who have been severely victimised, their response can be as equally severe in meting out their retribution on a male dominated society. If this is the answer for these women, how can we better support them in their right to action their individual agencies? Meaningful relationships have seemed to be a key for women in this study. Does this still apply to women who have sought parity with male offenders as the answer to their victimisation? This question remains an unknown quantity and a topic yet to be explored by researchers.

Women Moving On with their Lives

By way of ending this thesis, I want to emphasise that the women on supervision sentences who were interviewed, talked about the kind of things that were important to them in life, which revealed a strong sense of their desire to see their lives moving
in a more positive direction and putting their offending and the criminal justice system behind them. They acknowledged this kind of change was a process and had clear understandings about the journey they had been through, where their lives stood at present, and they were now thinking positively about their futures – including lives without crime.

**Women and Desistence from Crime**

All of the women offenders expressed a wish to desist from their criminal activities and showed varying degrees of motivation and insight about doing so. Desistence literature has largely been centred on serious male offenders (Leibrich, 1993). How women achieve desistence has not been the subject of this study. Further research in this area, particularly in the New Zealand context, would be worthy of investigation.

A significant desistence study by Leibrich (1993) was a mixed-gender study of 48 people who were conviction-free three years after their last supervision sentence. Liebrich’s findings concurred with a previous study by Blumstein, Cohen and Farrington (1988) that reducing crime was inevitably about reducing the rate or seriousness of the crime committed:

"In talking about going straight, there is a need to be open-minded about the nature of change. If someone has been involved in aggravated robbery, is perhaps a bout of shoplifting an improvement?...such an idea of improvement was exactly what was involved in people’s thoughts [in this study] on going straight." (Leibrich, 1993: 40)

Leibrich continued this argument about improvement equalling desistence, by pointing out that crime statistics represented a fraction of ‘actual’ offences, leaving many shades of grey in determining who really is an ‘offender’ (see Harris, 1992; Eskridge, 1993). In this light, Leibrich proposed that it is the nature of change and the process by which it occurs that are the important transforming factors in ‘going straight’ (Leibrich, 1993). The nature and process of criminalisation for one of Leibrich’s woman participants was particularly significant:
"She wanted people to be more open-minded; for them to understand the consequence of circumstance and try to see what goes on in the criminal’s mind...she said ‘Call me Jo. Jo for Joe citizen. It could have happened to anyone’.” (Leibrich 1993: 42)

For Jo, as with the women in this study, empathy and ‘getting help’ that matched their needs, were the keys to desistence and the beginning of a transformative change in their lives. The challenge for the criminal justice system is in deploying their limited resources to affect this kind of change for offending women.

**How Can Criminal Justice Assist Women with Change?**

The tools for transformative change for women offenders are simple – for criminal justice agents to take time to get to know women and their needs and to point them in the direction of appropriate interventions to allow for this to happen. The agent (usually a probation officer) is important, because the needs and responsibilities that women have to meet in their lives are complex and multi-faceted. While they sort out their issues, the probation officer acts as a central sounding board that supports them through the process and ensures they follow through with their plans. Arguably, it does not need to be a criminal justice agent to fulfill this role, but my experience as a practitioner is that this tends to be the role a probation officer adopts with women. They must see you regularly on their sentence, so even if the struggle with all other interventions, the probation officer remains the central figure in their change process.

How then can this role be enhanced to better assist women in the criminal justice system? As a probation officer I might argue for smaller women-only caseloads with flexibility to work around their needs, while developing with the women a criminogenic focus to meet those needs and to ‘move on’.

Austin, Bloom and Donahue (1992) recommended an empowerment approach to working with women. They looked at programmes that combine community supervision with women’s involvement in opportunities for skill building, in order to achieve independence and employment. Alongside this was combined effective therapeutic approaches that were "*multidimensional and deal specifically with women's issues, including alcoholism/addiction, parenting, relationships, gender*...
bias, domestic violence and sexual abuse” (ibid, p.21). All of these dimensions to women’s lives were addressed in a gendered and relational manner, assisting women to manage their relationships more effectively in order to transform their lives away from crime.

Conclusions
I have demonstrated that the women I interviewed in these studies, with their vastly different backgrounds and lives, were thoughtful, rational and purposive in their comments and reflections about their lives and criminal activities. Their comments also reflect that they had been thoughtful, rational and purposive in their crime. They offered no excuses, only reasons and explanations for their actions. What does this say about women and crime then? Women choose crime. They are not forced into it by men or by society. They do clearly express that society’s response to their crime is ambivalent and they too are ambivalent about their life directions as a reflection of this. All the women spoke of their “dysfunctional” family backgrounds as being a key element in the life choices they made, and some had addressed these issues more than others. They reflected this was a key element in forming their identities and also key to them ‘moving on’ in their lives. Interestingly, it is not necessarily made a priority by the criminal justice system in addressing women’s offending. As previously suggested by the literature on the topic of women’s abuse (Austin et al, 1992), this needs to be made a priority in any programme for women and they must be provided with a safe environment to do so. Abuse is not traditionally considered a ‘criminogenic need’ to be addressed, but there is beginning to be strong challenges to this by researchers and practitioners (Ablitt, 2000; Chesney-Lind, 2000).

Programmes for women need to reflect women’s purposive choice to offend and address the rationale they give for it. Women in this study have discussed reasons of abuse, poverty, broken relationships and addictions (both legal and illegal). These are both personal and social concerns that need to be addressed in both social and personal ways. Women also offend because of their deep emotional pain. Addressing presenting problems is important in putting a halt to an immediate behaviour, but for longterm change and to ‘move on’ with their lives, women need to be met at the place of their pain and for someone (or a series of people over time) to care enough to walk
a healing journey with them. Women also need to build relationships that are trusting and caring. It is not necessarily the criminal justice system's place to provide this (and thereby create a dependency on the system by women), but it is an opportunity for the system to respond to this need and assist women to make decisions about meeting this need. Women want to be responded to as women and for their needs to be heard to enable them to change and grow as individuals. They can heal themselves and simply want to be assisted to find the tools that will allow this. On this note, I am going to leave the last say to Amelia, who makes the point that women really are doing it for themselves and comments on where 'the system' can fit with this:

"... the whole core of those lawyers, judges, probation – at the end of the day they are just services that are just there. They don't really do anything for you – other than [my current probation officer] who I find really cool. He's a really neat guy because he come down to my level and he really heard what I had to say to him and he was very concerned for me... trust is very important to me, which he didn't know, and a lot of issues that I have had over my lifetime are to do with offences from males. [Yet] I felt comfortable enough to talk to him about certain issues that had happened in my life... I mean [my current probation officer] doesn't say anything – he doesn't comment. He doesn't sort of say [about] me not re-offending. Like, he's worried about me stressing out and things like that. He doesn't actually put in an opinion about "you bad girl... It's very hard. [You need] lots of good supporting friends [as well as professional help]. And myself, at the end of the day. Really [I've sorted] myself, I think."
BIBLIOGRAPHY


Appendix A: Interview Schedules

WOMEN OFFENDER PARTICIPANTS

Introduction
Purpose; Role of researcher; Ethical guidelines, including information sheet; Obtain consent; Request tape the interview; Questions about the research or researcher.

Telling their story
Free telling of the woman's story around the following guidelines:
- What is it about your life that has directed you towards crime?
- What has kept you involved in crime?
- If there has been periods of your life where you have given up crime, what caused that?
- Do you think your involvement in crime has changed over time? If so, how has it changed?
- Where to from here with your life?

Semi-structured Questioning
- Questions around offence history, and desistance from criminal activity:
  When did you begin committing crime? first time caught?
  Have you stopped offending since then at any stage? if so, for how long?
  What takes you back to crime?
- Questions around the benefits/costs of crime, and of desisting from crime:
  Personal impacts, family and society.
- Views on being subject to various types of Community Probation court orders:
  What did it involve for you? did you get anything out of it?
  What could have been done better? Comments on supervising probation officer.
- Perspectives on similarities/differences - male offenders and law-abiding women:
  Do you view the crimes you commit as the same or different from men who commit crime? What are the things that make it the same? different?
  How do you compare yourself with women who do not get into any trouble?
  What is it about your life you see as the same as theirs? different?
• Closing questions identifying aspects of life important to the women
  Family, relationships, health, spirituality, home, finances, interests;
  Important plans for the future (eg. next two years?);
  Questions & comments about themselves that have been missed?

PROBATION OFFICER FOCUS GROUP DISCUSSION TOPICS

Introduction
Purpose; Role of researcher; Ethical guidelines including information sheet; Obtain consent;
Request video-tape interview; Questions about the research or researcher.

Semi-structured Questions
• How probation officers characterise women offenders in New Zealand in the year 2000?
  Compared to ten years ago? twenty years ago?
  (Including demographics; social history; offence types etc).
  Are these aspects of women's crime different than for men?

• Perspectives on what leads women into crime? What keeps them there?
  What causes women to desist? and the kind of support they need to maintain this?

• How do women respond to their Community Probation court orders?
  Is there any difference in their responsitivity across the different types of orders?
  What causes this difference (if any)?
  Is responsitivity dependant on the characteristics of the woman offender? : their circumstances?; their probation officer?; their type of offending?
  Are women's responses different from men's? if so, in what way?)

• What are the similarities/differences between offending women and law-abiding women? (Demographics, characteristics, and social history).
Appendix B: Letter to Community Probation General Manager

DENISE DAWSON  
c/o Dunedin Service Centre  
Community Probation  
P. O Box 2259  
South Dunedin  
Phone (03) 456-2736  
Fax (03) 456-2711  
denise.dawson@correctious.govt.nz

Ann Clark  
General Manager  
Community Probation Service  
P.O. Box 1206  
WELLINGTON

Dear Ms Clark,

I am beginning my Masters degree research at the University of Otago. My planned topic is around Community Probation and Women’s offending in New Zealand. My overall aims are twofold: (1) To describe and characterise the lives of a select number of female offenders; and (2) to analyse common themes in women’s offending from the perspectives of the women themselves, and also the probation officers who supervise them.

I seek permission to continue with my research proposal. I am planning to conduct three interviews with offenders based in the Christchurch area, and another three in Invercargill area. I also plan to interview a group of probation officers in Christchurch and Invercargill to obtain their viewpoints on working with women offenders. The research is therefore a small project at this point, and should form a basis on which further research can be conducted.

To carry out this research I am required to meet the ethical research standards of the University of Otago. This is in progress at present and I will send you a copy in due course. I am aware the Department of Corrections also has guidelines for “Using Department Information for Research and Study Purposes”. This I plan to use as part of my ethics proposal. My concern with these guidelines is that there is no mention of the Department’s position on possible role conflict for an employee as a researcher conducting interviews with clients of the Department (in this case women offenders).

There are two major barriers as I see it: (1) Working with clients in the area I work as a Probation Officer; and (2) confidentiality of information collected from clients in a research role. I propose to overcome this by not interviewing clients/offenders in my area of work as a Probation Officer. I also seek permission from the Department to allow total confidentiality of information I obtain from my interviews as far as identification of the clients, and any information obtained regarding “hidden” offending to remain a private matter.
For the integrity of my research, I believe these factors are essential. I seek a response in writing and permission to continue as planned.

Sincerely,

Denise Dawson
Probation Officer/Researcher
Appendix C : Ethics Application and Response Documentation

UNIVERSITY OF OTAGO

APPLICATION TO THE ETHICS COMMITTEE FOR ETHICAL APPROVAL OF A RESEARCH OR TEACHING PROPOSAL INVOLVING HUMAN PARTICIPANTS

Notes: PLEASE read carefully the important notes on the last page of this form. Failure to do so may delay the consideration of your application.

1. Title of Project

Women Who Offend: Perspectives on women subject to Community Probation Orders.

2. Brief Description of the Purpose of the Project (in lay terminology and for the guidance of the Ethics Committee)

To describe and characterise a selected group of women offenders in New Zealand.

To analyse women's offending by identifying common themes presented in the perspectives of women and probation officers who supervise their court imposed sentences.

3. Name of applicant (must be a University staff member)

Gibbs, Anita Dr

4. Department: Community and Family Studies

5. Other investigators or instructors (please specify whether staff or students)

Dawson, Denise M (Student)

6. Projected Start Date of Project: April 2000

Projected End Date of Project: August 2001
7. **Funding of Project**: Is the project to be funded in any way from sources external to the University of Otago? **NO**

8. **Type of Project** (e.g. staff research, PhD research, class teaching project, multi-centre trial)

   Masters thesis research.

9. **Aim and Description of Project** (Clearly specify aims. If there is a hypothesis it must be testable. Specify inclusion and exclusion criteria. Identify the end-point of the project)


   2. Select a small group of individual women living in the Southland and Canterbury area for interview. The interviews are to be aimed at obtaining information from women on characteristics of their lives, and of their offending behaviour.

   3. Interview two focus groups of probation officers, one in each of the Southland and Canterbury areas. The probation officers will have supervised women on Community Probation court orders, and the information gathered from them will focus on their perspectives of women offenders' lives and their offending behaviour.

   4. Analyse official data, interviews with women and the focus groups for common themes in the lives and behaviour of women who offend in New Zealand.

10. **Researcher or Instructor Qualifications**

    What experience do the researchers or instructors have in this type of research or teaching activity?

    Dr Anita Gibbs presented her PhD research in 1996 in the topical area of community and criminal justice agency interactions. She continues to research and teach in the criminal justice field.

    Denise Dawson is a probation officer with six years experience in the field.
11. Participants

Note: This term means any person:
• whose behaviour, actions, condition, state of health etc the researcher proposes to study; or
• whose personal information the researcher proposes to collect or use; or
• other than an instructor, who participates in a teaching activity that requires ethical clearance; and includes subjects, clients, informants, students and patients.

a. Population from which participants are drawn (in particular, please specify whether any of the following might participate: minors, prisoners, hospital patients, or anyone whose capacity to give informed consent is compromised in any way)

Women are to be drawn from the population of women offenders who are currently subject to a Community Probation court order in the Southland or Canterbury areas.

Probation officers will be drawn from Community Probation Service Centres operating in the Southland and Canterbury areas, and who have had more than two years experience in supervising women offenders on Community Probation court orders.

b. Number of participants

Six women offenders. Three from each of the Canterbury and Southland areas. Two groups of four or five probation officers in each of the Southland and Canterbury areas.

c. Age range of participants

Age 18 years and upwards for adult women offenders. Probation officers will also be adults over the age of 20 years.

d. Method of recruitment

Sampling frames will be utilised for selection of both women offenders and probation officers. A list of all women offenders in the Canterbury and Southland areas to be obtained from official data sources of the New Zealand Community Probation Service by their prior consent (see Appendix C). From the list, names will be selected of women who have experienced at least two different types of Community Probation court orders (being Community Service, Periodic Detention, Supervision, Community Programme).

From the list of names the researcher will approach each of the women's supervising probation officers for location information. The researcher will also
speak with the probation officers about safety concerns in approaching the women, and negotiate an appropriate means of approaching the potential participant. This method will be applied to all potential candidates prior to a selection of six final participants. This is to help preserve the anonymity of identity of the women who finally agree to participate.

In relation to the selection of probation officers, anyone who has been a probation officer for more than two years and has supervised women offenders on more than one type of Community Probation court order will be invited to be part of a focus group interview. The group will be limited to five participants, and a minimum of three. Probation officers will be approached with the prior approval of their area manager.

e. Please specify any payment or reward to be offered NIL.

12. Methods and Procedures: Describe the nature of the task required of participants and the various precautionary measures to be taken to avoid harm or discomfort if appropriate (up to 1 or 2 pages; any questionnaire or survey form to be used must be attached).

The study is to use semi-structured and open interviewing techniques with women offenders, and semi-structured focus groups with the probation officers. (See appendix D for interview schedules).

Participants will be approached as per the method of recruitment. The purpose and nature of the research will be explained to each potential participant by the researcher in order for the candidate to make an informed decision about their involvement in the research study. Once informed consent is obtained, the researcher will negotiate with the participants a venue for interview suitable to them. Women offenders will also be given the option of inviting a support person(s) to the interview.

Interviews with women offenders and probation officers will be made as positive and enjoyable as possible, given the difficulty for all of being involved in the care and control of the criminal justice system. We will take time to listen to their stories within a confidential context; demonstrate genuine interest and respect for the boundaries of shared expressions of their experiences; ascertain the level of depth each participant is comfortable to speak about their experiences; and offer practical support if participants have questions or are wanting to access community resources.

Each participant will be asked to nominate a name for the researcher to call them during the course of the research, which will be a unique identifier for the purpose of the research in order to preserve their identity to all but the researcher. Permission to audiotape the interviews and focus groups will be sought at the beginning of each face-to-face session. Only the researcher and a transcriber will have access to the tapes, and the transcriber will know the participants on the tapes only by their unique identifiers. At any stage during the interviews the participant(s) may withdraw their consent to continue, or to have parts of the interview wiped from the tape. Each participant will be
sent a copy of their draft transcript, and encouraged to make comments, alterations, and any part they wish to delete.

Participants will each receive a copy of their final transcript, and of the findings of the study. The researcher will make themselves available for any queries the participants may have regarding the study.

13. The Privacy Act 1993 and the Health Information Privacy Code 1994 impose strict requirements concerning the collection, use and disclosure of personal information. These questions allow the committee to assess compliance.

a. Are you collecting personal information directly from the individual concerned? YES

b. If you are collecting personal information directly from the individual concerned, specify the steps you are taking to ensure that the participants are aware of:
   • the fact that you are collecting the information
   • the purpose for which you are collecting the information and the uses you propose to make of it
   • who will receive the information
   • the consequences, if any, of not supplying the information
   • the individual's rights of access to and correction of personal information

   (You should usually expect to cover these points in an Information Sheet for Participants.)

c. If you do not propose to take one or more of the steps listed in (b) above, please explain why: N/A

d. Please outline your storage and security procedures to guard against unauthorised access, use or disclosure and how long you propose to keep personal information (Information Privacy Principle 9 requires that you keep personal information for no longer than is required for the purposes for which the information may lawfully be used).

As a general principle, data relating to projects should be kept in appropriate secure storage within the University Department concerned (rather than at the home of the researcher) unless a case based on special circumstances is submitted and approved by the Ethics Committee.
During the course of the research all data and information will be held in appropriate secure storage in the Community and Family Studies Department at the University of Otago. As the Department of Corrections retain the rights of control and ownership of information collected in this study, tapes, transcripts and all official Corrections information will be available to Department of Corrections officials if requested. Due to confidentiality of participants, the Department of Corrections will not have access to the identity of participants, and have agreed to this criteria for the purpose of this study (see attached letter, Appendix C). Information stored at the University of Otago will be destroyed after five years in accordance with University of Otago Ethics Committee guidelines.

e. Please explain how you will ensure that you collect or use only that personal information which is accurate, up to date, complete, relevant and not misleading:

Participants will be given drafts of their interview transcripts and invited to comment, alter and discuss with the researcher for amendment prior to analysis being undertaken.

f. How will you use the personal information?

A case by case analysis using case study methods will be undertaken. Common themes across interviews will be analysed, women offenders' experiences compared and contrasted, and the same with probation officers. A comparison of thematic perspectives between women offenders and probation officers will also be undertaken. This analysis will then be compared to themes and issues raised in the literature regarding perspectives on women's offending.

g. Who do you propose will have access to personal information, under what conditions, and subject to what safeguards against unauthorised disclosure? In what form do you propose to publish any personal information?

Researchers named in this proposal will have sole access to the range of personal information gathered in this study. A transcript typist will have access to tapes of some of the interviews, whereby the interviewees will be known only by their unique identifiers.

Disclosure of personal information will initially occur in the form of a Master's thesis submitted to the University of Otago and the Department of Corrections (by their request). All personal information presented will be from the transcripts of interviews agreed to by the participants. They will be identified solely by their unique identifiers, their age, ethnicity, demographic data and their offence histories (by their prior consent).

Personal information may be published in the format mentioned above, or part thereof. Material may also be published in its anonymised form for up to 5
years after the completion of the study.

h. Do you propose to assign a unique identifier to an individual? If so, is this unique identifier one that any other agency uses for that individual?

Unique identifiers will be used for each participant, and not used by any other agency or person to identify that individual.

i. What arrangements will be made for the eventual disposal of personal information, by what means, and who will have responsibility for ensuring that this is done?

As per university guidelines below. The Department of Corrections will also be informed of this procedure.

Note: The University requires original data of published material to be archived for five years after publication for possible future scrutiny. The University is responsible for providing data storage space. An appropriate member of the University staff should normally be responsible for the eventual disposal of data - not a student researcher.

14. Potential Problems: explain whether there will be harm or discomfort to participants, medical or legal problems, or problems of community relations or controversy, or whether any conflicts of interest might arise (up to 1 page). Researchers also have an obligation to be available after participants have participated in the project, should any stress, harm, or related concerns arise. Participants normally should have the opportunity to obtain information relating to the outcome of the project if they wish.

Precautions outlined in the Methods and Procedures section will be taken to ensure the comfort of participants, and availability of the researchers.

The area for conflict of interest for the student researcher (Denise Dawson) is that the research participants will be her work colleagues (probation officers), and the women offenders will be clients of the Community Probation Service of whom she is an employee in Dunedin. Permission has been sought from the Community Probation Service by the researchers for confidentiality in relation to the sources of information (both probation officers and women offenders). The student researcher also proposes to conduct the study in locations outside the Community Probation area in which she works in order to clearly separate her roles as researcher and probation officer. Permission to conduct the research within these provisions has been obtained from the General Manager, Community Probation Service, New Zealand and is attached for the benefit of the Committee.

15. Informed Consent Please attach the information sheet and the consent form to this application. The information sheet and consent form must be separate.
The Information Sheet must contain information about:

- the nature and purpose of the research;
- the procedure and how long this will take;
- descriptions of any risk or discomfort involved;
- who will have access and under what conditions to any personal information;
- the eventual disposal of data collected;
- the name and contact details of the staff member responsible for the project and an invitation to contact that person over any matter associated with the project;
- details of remuneration offered for participation and compensation payable in the event of harm;

and any other relevant matters.

If applicable, the Information Sheet must state the exclusion criteria for the project, and include a clear statement to the effect that: "People who meet one or more of the exclusion criteria set out above may not participate in this project, because in the opinion of the researchers and the Ethics Committee, it involves unacceptable risk to them."

The Information Sheet must conclude with the statement: "The Ethics Committee of the University of Otago has reviewed and approved this project."

The Consent Form must make it clear that a participant: 

- understands the nature of the proposal;
- has had all questions satisfactorily answered;
- is aware of what will become of the data (including video or audio tapes and data held electronically) at the conclusion of the project;
- knows that he or she is free to withdraw from the project at any time without disadvantage;
- is aware of risks, remuneration and compensation
- is aware that the data may be published;
- is aware that the participant's anonymity will be preserved unless the participant gives an express waiver, which must be in addition to and separate from this consent form.

Note: Applicants should use the pro forma Information Sheet and Consent Form provided by the Ethics Committee, with appropriate adaptation, unless a case is made and approved that these formats would be inappropriate for the specific project.
16. **Debriefing** Where participants have not been informed fully of the nature and purpose of the research, or where in the course of the project some degree of deception is involved, the researcher must provide participants with an explanation of the research goals and procedures when the procedure is completed. Researchers also have an obligation to be available after participants have participated in the project, should any stress, harm, or related concerns arise. Participants must have the opportunity to obtain information relating to the outcome of the project if they wish. Where relevant, explain how these matters will be dealt with in the proposed research.

Does the research or teaching project involve any form of deception? NO

17. **Fast-Track Procedure** *(In exceptional and unexpected circumstances, and where the research needs to commence before the next monthly meeting of the Ethics Committee, a researcher may request that the application be considered under the fast-track provisions. It is not sufficient, however, merely to state that the research needs to start before the next scheduled meeting date (for the obvious solution would have been to prepare the application earlier) - there needs to be other special reasons to justify fast-track consideration. See section 16 of the University's "Policy on ethical practices in research and teaching involving human participants" for further details of this procedure.)*

Do you request fast-track consideration? NO

18. **Other committees**

If any other ethics committee has considered or will consider the proposal which is the subject of this application, please advise details:

The Community Probation Service of the Department of Corrections requires this research to meet the standards of the University of Otago Ethics Committee prior to proceeding with the research. The researchers therefore require a written response from the Committee relating to ethical approval which can be passed on to the Department.

19. **Applicant's Signature:** .................................................................

   Date: ....................................

20. **Departmental Approval:** *I have read this application and believe it to be scientifically and ethically sound. I approve the research design. I give my consent for the application to be forwarded to the Ethics Committee with my recommendation that it be approved.*
Dr Anita Gibbs  
Community and Family Studies  
University of Otago  
PO Box 56, Dunedin

Dear Mr Witte,

I am writing in response to your letter dated 17 April 2000 which outlined some requests of the Ethics Committee in relation to project number 00/066 ‘Women who offend: Perspectives on women subject to Community Probation Orders’.

I have considered the requests outlined by the committee, and I am in agreement with these as per our phone discussion on these matters. I have made the relevant changes in the information sheet and consent forms and these are attached for your reference. It is also agreed that the research will proceed with letters given to probation officers to send to prospective participants, rather than direct contact as a researcher.

Please respond to this letter in writing with notice of final approval, as the Department of Corrections who are supporting this research, are wanting this information.

Yours sincerely,

Dr Anita Gibbs  
Community and Family Studies
Thank you for showing an interest in this project. Please read this information sheet carefully before deciding whether or not to participate. If you decide to participate we thank you. If you decide not to take part there will be no disadvantage to you of any kind and we thank you for considering our request.

What is the Aim of the Project?

Our aim is to look at women who offend, are convicted for their criminal offence by a New Zealand court, and are currently subject to a court ordered sentence administered by the Community Probation Service. These include orders of Community Service, Community Programme, Periodic Detention and Supervision, or a combination of these. We want to explore the lives of these women and their offending behaviour from their perspectives and also from the probation officers who may supervise their Community Probation court orders. Our goal is to know and understand more about the reasons for women's crime, to analyse common themes among women for these reasons, and compare these with probation officers' views.

What Type of Participants are being sought?

There are therefore two categories of participants sought for this research study. Firstly, women who are currently subject to a court order which is being supervised by the Community Probation Service. We are asking women who are 18 or over to be involved, and who have been subject to more than one type of sentence (Community Service, Community Programme, Periodic Detention, Supervision) but not been sentenced to Imprisonment at any stage. This is because we are interested in women who have offended more than once and have had different experiences in relation to the Community Probation Service and court sentences. A total of six women will be interviewed, three in the Canterbury area and three in Southland. Secondly, we are wanting probation officers who have served more than two years in their role, and who have supervised women offenders on more than one type of court sentence. We are looking for probation officers who have an interest in women's offending, and who may have made some observations about women offenders over a period of time in their role as probation officers. Between three and five probation officers are required from each of the Canterbury and Southland areas.

What will Participants be Asked to Do?

Should you agree to take part in this project, women offenders will be asked to participate in an interview with a researcher that will last about two hours. Women may wish to bring a support person(s) and the researcher will interview at a venue nominated by the interviewee or in a setting comfortable to both the researcher and interviewee. Probation officers who agree to participate in the study need to agree to be part of a small focus
group of three to five probation officers plus the researcher. The group will run for about two hours and be semi-structured around questions and themes posed by the researcher. Probation officers may also like to think about the venue for this group so it is conducive to creativity and enjoyment!

Can Participants Change their Mind and Withdraw from the Project?

You may withdraw from participation in the project at any time during the research and without any disadvantage to yourself of any kind.

What Data or Information will be Collected and What Use will be Made of it?

Each participant will be sent a copy of the draft transcript of their interviews or focus group, and encouraged to make comments, alterations, and any part they wish to delete. Participants will each receive a copy of their final transcript. Information from the interview and focus groups will be analysed on a case-by-case basis using case study methods. Common themes across interviews will be analysed, women offenders' experiences compared and contrasted, and the same with probation officers. A comparison of perspectives of women offenders and probation officers will also be undertaken. This analysis will then be compared to themes and issues raised in the literature regarding women's offending.

Researchers named in this proposal will have sole access to all personal information gathered in this study. No other members of the public will have access to the personal information collected. Disclosure of the research findings will initially occur in the form of a Master's thesis submitted to the University of Otago and the Department of Corrections (by their request). All personal information presented will be from the transcripts of interviews agreed to by the participants. They will be identified solely by their research names, their age, ethnicity and demographic data by their prior consent. Material from the research may be published up to five years following completion of the project. Results of this project may be published but any data included will in no way be linked to any specific participant. You are most welcome to request a copy of the results of the project should you wish.

The data collected will be securely stored in such a way that only the researchers will be able to gain access to it. At the end of the project any personal information will be destroyed immediately except that, as required by the University's research policy, any raw data on which the results of the project depend will be retained in secure storage for five years, after which it will be destroyed.

What if Participants have any Questions?

If you have any questions about our project, either now or in the future, please feel free to contact either:-

Denise Dawson or Dr Anita Gibbs
CONSENT FORM FOR PARTICIPANTS

I have read the Information Sheet concerning this project and understand what it is about. All my questions have been answered to my satisfaction. I understand that I am free to request further information at any stage.

I know that:-

1. my participation in the project is entirely voluntary;

2. I am free to withdraw from the project at any time without any disadvantage;

3. the data (audio-tapes and transcripts) will be destroyed at the conclusion of the project but any raw data on which the results of the project depend will be retained in secure storage for five years, after which it will be destroyed;

4. this project involves an open-questioning technique where the precise nature of the questions which will be asked have not been determined in advance, but will depend on the way in which the interview develops. In the event that the line of questioning does develop in such a way that I feel hesitant or uncomfortable I may decline to answer any particular question(s) and also that I may withdraw from the project at any stage without any disadvantage to myself of any kind.

5. the results of the project may be published but my anonymity will be preserved;

6. the Department of Corrections are supporting this research and have requested a copy of the findings of the study.

I agree to take part in this project.

..............................................................................................................

(Signature of participant) (Date)

This project has been reviewed and approved by the Ethics Committee of the University of Otago.
Appendix E : Transcript Letter to Participants

DENISE DAWSON

C/o Community and Family Studies
University of Otago
Private Bag
Dunedin
Ph (03) 479-5677

(Participant Name)
(Address)

Dear (Participant)

I have finally received your transcript from the typist and it is attached for you to read. Please feel free to write any comments you like on the transcript and send it back to me in the envelope I have enclosed. If there are any parts you wish to delete, can you please indicate this on the transcript. It may be difficult to read and in places there may be gaps where the typist was unable to decipher what was said. I can discuss with you if you are not clear.

I want to thank you for your time for interviewing and looking at your transcript. I have really enjoyed all the interviews I have done, and look forward to putting it all together for you to read. I just hope I can capture part of your life on paper with some justice to you as a person.

I will keep in touch with progress. However I am away on leave from mid-November until Christmas, so I do not think I will have much of an update until around March next year. I will write a letter updating you then. In the meantime have a wonderful summer and Christmas, and contact me or my supervisor (Anita Gibbs) if you have any queries.

Regards,

Denise Dawson
Researcher
Appendix F (i) : Letter to Participant

DENISE DAWSON
C/o Community and Family Studies
University of Otago
Private Bag
Dunedin
Ph (03) 479-5677

(NAME OF PARTICIPANT)
(C/o Probation officer)
(Address)

Dear (Participant Name)

I have received your returned transcript and letter. I appreciate your concerns and apologise if the exercise has caused you distress.

To answer your queries: The words meant to go in the spaces are names of people you may have mentioned in the interview. For confidentiality sake these were not transcribed onto paper at my request. There may also be other gaps where something either of us said was unclear to the typist. That is why you may find parts of the interview difficult to understand. In my analysis of the interviews I am going to be looking for things you talked about that you may have in common with my other interviews. Any quotes I use will be parts of what you have said that relate to these themes, and credited to you under the name “Rachel” you elected when we started the interview.

If you do not feel like writing to me again, please pass a message to me through your probation officer. I can phone you at a time arranged with her as well if you want to discuss this further.

Regards,

Denise Dawson
Researcher
Appendix F (ii) : Letter to Participant

DENISE DAWSON
C/o Community and Family Studies
University of Otago
Private Bag
Dunedin
Ph (03) 479-5677

(Name of Participant)
(C/o Probation officer)
(Address)

Dear (Participant Name)

I have received your returned transcript and letter. I appreciate your concerns. Seeing your life on paper must be difficult, and I realised the interview was difficult for you at the time as well. I apologise if the exercise has caused you distress. I will not publish any of your interview as part of my study as you have requested.

I am wondering how you would feel about me including the interview in the general background of my study as part of the “common themes” from all the interviews? This means I will not use any quotes from the interview in my analysis but include it in part of an overall picture on women’s lives.

If you do not feel like writing to me again, please pass a message to me through your probation officer. You are under no obligation to continue or allow use of your interview in this research, but I would appreciate you consider my request.

Regards,

Denise Dawson
Researcher