

Gender, Crime and Culture in the Twentieth Century: Conversations between  
Academics and Professionals in an ESRC Seminar Series

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How might historical research inform contemporary policy debates in relation to criminal justice? How can insights derived from conversations with practitioners and across disciplines feed back into academic research? These questions have framed the work of the Feminist Crime Research Network (FCRN) since its first meeting in October 2000.<sup>1</sup> In April 2002, the network was awarded funding from the Economic and Social Research Council (ESRC) for a series of six one-day seminars to generate discussion between academics, professionals and policy-makers on the relationship between gender, crime and culture in the twentieth century.<sup>2</sup> The first seminar, hosted by Gloucestershire Constabulary in May 2002, focused on the policing of sexual crime in the twentieth century. Venues for other events included the Galleries of Justice (Nottingham) and Askham Grange Prison (Yorkshire) as well as academic institutions. During the course of the series, papers were presented by over 40 practitioners (including magistrates, police officers, lawyers, campaigners and local government officers) as well as by academics (working in the areas of criminology, film studies, history, law, literature, social policy and sociology).<sup>3</sup> In this brief report, we aim to provide an overview of the debates that emerged during the series and to discuss the ways in which the agenda might be taken forward. We shall focus, in particular, on dialogues relevant to the practice of history by examining, first, the

relationship between past and present and, second, the complexities of multidisciplinary/interdisciplinary engagement.

### Past and Present

Social and cultural historians, including historians of gender, have done much to focus attention on the ways in which the structures, institutions and frameworks that form a base for our contemporary criminal justice system were set in place during the course of the nineteenth century.<sup>4</sup> Yet very little detailed empirical research has been conducted on the early twentieth century and, indeed, on the inter-war period, which saw the emergence of modern ‘professions’ such as probation and social work.<sup>5</sup> As historians begin to undertake this research, an engagement with present-day issues and practices can inform the charting and analysis of specificities and shifts in the terms of debate. Arguably, too, an historical perspective is not only valuable in itself but also a necessary component of understanding for contemporary debates, policy and practices. One of our original premises in setting up the seminar series was that historical perspectives – an informed and critical awareness of continuities and discontinuities – have been something lacking both in contemporary policy and practice and indeed in many areas of criminological and related academic research. By setting contemporary case studies and practices alongside historical research, resonances and dissonances became quickly apparent.

Firstly, of course, it is important to point out that objective measures of ‘crime’ may be questioned and that the measuring of crime itself has been gendered. Howard Taylor has encouraged us to be sceptical about the actualities of major as well as minor offences including homicide and suggests how even very serious

violence comes to be known and produced through the ways it has been policed.<sup>6</sup> Anette Ballinger's paper argued that despite apparent statistical evidence that more women found guilty of capital crimes in the c20th were reprieved, in fact 'women who had killed another adult were ... *more* likely to be executed than men found guilty of a similar crime'. Thus a feminist analysis of the death penalty reveals the gendered nature of this punishment by challenging the 'facts' behind raw statistics'.<sup>7</sup>

Many of the papers confirmed the disadvantages that women have experienced in the hands of the criminal justice and penal systems, both in the distant and more recent past. Kate James' work on the housing needs of ex-offenders in contemporary Leeds underlined how women ex-offenders have particularly acute needs because of their family responsibilities, a paradigm that will be familiar to historians and criminologists studying any period in the last two centuries.<sup>8</sup> It was striking that these general and recurrent propositions about women's experiences and lifestyles repeatedly manifested themselves in specific pieces of research – both academic and practice-oriented - as an axis of disadvantage. More than one speaker commented on the ways that currently anti-social behaviour orders, originally designed to be used against troublesome neighbours, are being used to control prostitutes and other young women's street behaviour. This is clearly a perpetuation of the ways that laws on street offences and their application have been gendered historically, to the end that women sex workers have been policed by laws ostensibly about incivilities and the orderly public.<sup>9</sup> On a more positive note, it was also argued that understandings of the ways in which prostitution has been policed historically are now informing the development of a more 'victim-centred' approach that dealt with juvenile prostitution as abuse, emphasizing exit strategies rather than criminalization.<sup>10</sup>

Comparisons between past and present raised questions about the kinds of (criminalized) behaviours that have existed over time and about the sense in which forms of ‘offending’ are delineated as new and different.<sup>11</sup> Pam Cox opens her monograph *Gender, Justice and Welfare* by pointing out that late twentieth-century press stories about ‘bad girls’ claimed to have discovered a new phenomenon, with its ‘newness’ a prompt for legislative interventions, policing or welfare action. However, her careful historical study shows not only that girls have been ‘bad’ in the past, but also carefully explicates the changing and complex disciplinary technologies that both ‘bad’ girls *and* those deemed ‘in need of protection’ have been subjected to.<sup>12</sup>

Feminist criminologists such as Frances Heidensohn were in the late 1960s and 1970s critiquing exposés of the ‘new female criminal’, responding to an earlier frisson of anxiety about the badness of ‘bad’ girls.<sup>13</sup> Pam’s opening gambit is a not infrequent rhetorical move that is used by historians to situate their research against contemporary preoccupations which so often find everything new, worse and shocking, as funders, publishers and other interests want us to demonstrate the *relevance* of our research. The aim behind the seminar series (and indeed other future FRCN events) is to explore the dimensions of policy and practice, using past experience to inform the present, with the assumption that this might help to educate the future. The dialogues that have emerged so far have underlined the point to be more than empty rhetoric. Research on child murder by children demonstrates durable historical etiologies that mirror the 1993 killing of toddler James Bulger by two 10-year-old boys in Liverpool.<sup>14</sup> The Bulger case was so disturbing not only because the perpetrators were pre-adolescent, but also because it seemed to be an unprecedented phenomenon. This ‘newness’ was central to the judicial and cultural management of

the case. Such work reveals not only striking correspondences in patterns of child on child violence since the nineteenth century but also demonstrates that such cases have been more prevalent than is assumed by the serial public amnesia that follows each moral panic.

The crimino-legal complex itself has also periodically rediscovered, re-named and re-criminalized particular kinds of behaviour. Obvious and contrasting examples include homosexual practices between adults or child sexual abuse.<sup>15</sup> Different forms of behaviour are interpreted as ‘criminal’ at distinct moments in time, and the terms of reference may be shifted through debate. Ombretta Ingrassi argued that the increasing recent incidence of women charged with mafia activities as much reflects the changing attitudes of prosecutors towards women’s criminal responsibility as it does any actual change in mafia women’s behaviour.<sup>16</sup> Lesley Hall showed how the activities of interwar birth control campaigners, lawyers and medics, questioned assumptions regarding unwanted pregnancy and illicit abortion, again shifting the paradigms of discussion.<sup>17</sup> Chris White drew attention to the ways in which the medical categorisation of sadomasochism as psychosexual disorder in the early twentieth century has led, since the 1990s, to the criminalization of sadomasochistic practices as ‘assault’ in which the issue of consent is viewed as irrelevant; she highlighted current campaigns which challenge criminalization.<sup>18</sup> The making of connections between past and present leads to a broader understanding of changing disciplinary technologies and their operation in relation to gender and sexuality.

Historical analysis also raises questions about the derivation and effectiveness of policy. Do apparently innovative policy initiatives repeat or depart from past practice? Is it possible to test or forecast the likelihood of success in relation to

changes in policy or practice by comparing them to past initiatives? Sue Nielson, who has a background in the prison service and is currently engaged in research management, reported on a research-funding bid on mental ill health in penal institutions. Her aim was to investigate penal institutions' responses to recent anti-discrimination legislation (the Discrimination Act 1995 and SENDA 2001) in the light of the recent history of closure of non-penal mental health institutions. Her hypothesis is that penal institutions by and large are not compliant with this legislation and at the same time are housing larger numbers of the mentally ill.<sup>19</sup> Similarly, Pamela Dale's historical work on the management of 'mental deficiency' in the early twentieth century underlines the ways in which institutional structures and practices to some extent elided disability with criminality. At the Royal Western Counties Institution in Devon, those diagnosed with mental health problems who were convicted of offences were categorised as dangerous, impressionable or treatable on a sliding scale.<sup>20</sup> Whilst some research pointed to continuities, other work highlighted difference. Stephen Whittle discussed recent policy departures around treatment of trans-gender individuals in the penal system. The penal estate categorises offenders as either men or women and pre-operative trans-sexuals have experienced more punitive regimes – solitary confinement, for example – because they posed an intractable problem to the prison's systems of classification. Within the longer history of trans-gender, mapped in part in our seminars by Alison Oram's work on representations of cross-dressing in the popular press since the 1920s, the policy changes that Stephen describes (and as a Home Office advisor had a part in shaping) seem genuine departures, and can be associated in part with the greater availability of surgery in recent decades.<sup>21</sup>

Other work drew attention to the ways in which modern law and policing are inflected by more enduring narratives and policy assumptions. Recent work by Shani D’Cruze has demonstrated the frequency with which the gothic appears as a narrative and representational trope in different kinds of crime stories, fictional, ‘factual’ and professional.<sup>22</sup> Other researchers, including Les Moran and Claire Valier, are demonstrating how often it was adopted by the law itself, as well as by more public, informal or fictional representations.<sup>23</sup> The narrative continuities in representations of white slavery are a case in point. Helen Self described comparative continuities in policy agendas since the nineteenth century around, firstly, the child and, secondly, in the area of trafficking.<sup>24</sup> Such policy continuities have also been marked by mythologies and the amplification of specific problems, presenting romanticised and melodramatic representations of victimhood, which had not only informed policy and legitimised moral and political projects but have also shaped research agendas. Such teleologies surrounding the victim can of course be countered. Hilary Kinnell argued in our first seminar that violence against sex workers should not be treated as in some way intrinsic to the job even where this perspective arose from radical feminist views about violence incipient in heterosexual sex. Thus the identity of ‘prostitute’ as always already victimised was not practically helpful. Violence encountered by sex workers was a matter of assault, and needed to be addressed through policing and through arguments about working conditions.<sup>25</sup>

It became clear that normative tropes of gender had shifted over time, particular in areas of professional practice or attitude as distinct from policy. Our seminar at Askham Grange Prison in June 2003 was addressed by the Governor, Dawn Elaine. Prisoners, she said, often tell her that when they leave they will devote themselves to

staying home and being a good mother to their children. Her response was ‘why’? It was through being at home, poor and without an earned income that they explained their reasons for the property offences that resulted in a prison sentence.<sup>26</sup> Shani D’Cruze’s own research in Askham’s own records has demonstrated that in the late 1940s and early 1950s it was exactly this formulation of the rehabilitated prisoner ‘returned to her home and family’ - and predominately preoccupied with home making - that the ‘training’ of Askham’s regime sought to promote. Today as fifty years ago, Askham’s prisoners are mainly working class. Its twenty-first century prisoners – either because they adopt what they perceive as the normative discourse of gender roles or because their own life experience and cultural identity have led them to prioritise these ideals – make arguments that its first governor, Mary Size, would thoroughly approve of, while its current governor has a different view of what will keep women from re-offending.<sup>27</sup>

Thus it can be argued that the utilisation of historical experience and perspectives are crucial to combat the short-termism, currently so prevalent, which frequently locks different academic disciplines and professional agencies into inward-looking agendas. The consequent evolution of subject specialist codes, whilst expressing those agendas for internal consumption, also increase the sense of divergence and difference amongst users of the legal system. Historical research enables a comparative dimension: one that contextualises ‘Left Realism’ and other recent schools of criminological thought that focus on a notion of contemporary ‘crisis’, ‘fear of crime’ and of high and rising levels of offending. Clearly the politics associated with this research focus on ‘crisis’ is inflected by the perception of an urgent social problem to be solved, and the role of the academic in so doing. Thus we should not be surprised



when colleagues in other disciplines write themselves histories (and write themselves into histories) nor indeed when those narratives are for the most part histories of the present.

### Talking Many Tongues

Having highlighted the possible benefits of dialogue between past and present, it is also necessary to consider possible tensions that arise through inter-disciplinary and multi-disciplinary engagement. As already stated, the ESRC-funded seminars have included practitioners from policing, probation, the magistracy, local authorities, the prison service and a wide range of academic areas. Are we talking with each other or at each other? The point of focus that brings us together is the relationship between gender, welfare and the criminal justice system. How do we make the discussion a productive one? During the course of the seminars participants encountered viewpoints and perspectives that they had not necessarily considered before; those moments when competing frameworks came into contact were often the most revealing ones.

It is an obvious but significant point that different notions of periodisation have conventionally shaped individual disciplinary approaches. Research in social policy has tended to adopt a synchronic framework; if the past is evaluated it is the very recent past, rarely moving out of a 10-15 year spectrum, and often to the annoyance of experienced practitioners who are concerned that wheels are simply being reinvented in front of them. In discussion, practitioners often welcomed historical perspectives as a way of challenging the presumptions underlying current policy directives. Nevertheless, it is still the case that 'History' as a discipline -

including histories of crime – has been locked into a focus on discrete centuries. Notions of ‘the long eighteenth century’ have informed the work of Douglas Hay, E.P. Thompson, and more recently, Vic Gatrell and Peter King.<sup>28</sup> The ‘short’ nineteenth-century focus has been represented in the work of Martin Wiener, Lucia Zedner and others; arguably these frameworks now need to be taken forward into the twentieth century. Whilst we focus on the twentieth century here, we also argue for an inclusive approach that involves reflection on continuity and change from earlier periods.

The approach of sociology towards periodisation - and in particular of a related sub-set of social, cultural and political theory - has been somewhat different: Foucault’s *Discipline and Punish*, Jacques Donzelot’s *The Policing of Families* and David Garland’s *The Culture of Control* are shaped by an interest in modernity and in particular an interrogation of the nature of governance in the modern liberal state.<sup>29</sup> These three texts position themselves as a ‘history of the present’; and they are part of the attempt to understand the modern condition as it relates to the present. They are less interested in the cultural specificity of the past; their aim is to trace pattern and trajectory. Their focus is on the strategic; the development of a gaze that shapes policy and provision, which is the view from above. Drawing on the work of Foucault and Donzelot (as well as Nikolas Rose), Garland has identified a culture of ‘penal-welfarism’ that has shaped policy and provision from 1880-1970.<sup>30</sup> ‘Penal-welfarism’ involves the mapping of social and educative frameworks onto the criminal justice system – and an orientation towards rehabilitation rather than punishment. This framework is seen as dissolving in the 1980s and 90s as an emphasis on victims

‘rights’ has led to a reassertion of the legal and penal models; a move back to punishment (rather than rehab) as a regulatory strategy.

If the work of Foucault and Garland has been criticised by historians because of its lack of historicism, historians of crime are often accused of a reluctance to engage with insights derived from macro-theory. Without wishing to revisit the Thompsonian encounter with ‘the poverty of theory’, it seems that both approaches can very usefully engage in dialogue. Garland’s work certainly indicates a need to evaluate the nineteenth and twentieth centuries together. The attention to empirical detail that is the concern of historians can help to address the following questions. First, how have the strategic visions of policy makers been negotiated and resisted through grassroots tactics? Second, to what degree is it possible to view the institutions of crime control as a homogenous field rather than a set of competing agendas and inter-professional rivalries? The practitioners we have met have themselves commented on the different cultures, approaches and frameworks that impact on inter-agency meetings and which have to be bridged if successful outcomes are to be reached. Terry Thomas’s work has, for example, discussed the nadir in relationships between police and social workers in 1970s Britain, as each drew on competing discourses – of welfare on the one hand and of the judicial on the other.<sup>31</sup> Clearly inter-professional rivalries have a history that warrants further investigation. Historical research has already demonstrated that the hegemony of a scientific welfare paradigm in the twentieth century (involving a dense web of experts engaged in medical and psychiatric diagnosis) should not in fact be assumed. Pam Cox’s work on reformatories and industrial schools has shown that psychoanalytic discourse was very slow to impact on the treatment of juvenile delinquency – which continued to

draw on a Victorian model of 'reform' - suggesting that Nikolas Rose's characterisation of the twentieth century as 'the Freudian century' needs to be revisited.<sup>32</sup>

Perhaps the interplay between 'judicial' and 'welfare' frameworks since the Enlightenment needs to be talked about in terms other than the mapping of one on to another after 1880. If attention is focused on the poor law and its policing of the parish through the treatment of vagrancy and illegitimacy, we might wish to argue that a balance between punishment and welfare has been in flux for the last 450 years. Multi-disciplinary talk should help break down the ghettoes of periodisation as the engagement between empirical study and macro-theory enriches debate.

Finally, of course, it can be argued that the other vital component missing from the work of Garland and Foucault is the lens of gender. To what extent have women been able to formulate alternative cultures and practices during the course of the twentieth century? How has this impacted on criminal justice policy? To what extent is the criminal justice system gendered? One issue that has emerged from our discussions has been the ways in which feminism has impacted differently on different forms of scholarship. Within the still growing field of criminology, despite its associations with leftist positions in the 60s and 70s, feminist research is often still seen as marginal or as a special interest niche.<sup>33</sup> One could argue, here, that notions of 'soft' and 'hard' crime and 'soft' and 'hard' policing have replicated themselves in a model of 'soft' and 'hard' criminology and the generation of a certain form of 'macho' academic culture. However, within the 'social history of crime', as a sub-disciplinary area, the gender agenda is now regularly incorporated in to the work of established male scholars and, indeed, a number of important studies of men,

masculinity and criminal justice are emerging.<sup>34</sup> Our seminars have tended to attract female rather than male scholars and practitioners, although not exclusively so, and work on both masculinity and femininity has been reflected in the programme. Indeed, Natalie Zemon Davis's original call in 1975 for a focus on 'both men and women' is just as vital today. Our decision to call ourselves a 'Feminist Crime Research Network' rather than a 'Gender and Crime Research Network' has denoted an ideological commitment to a particular form of gender politics and a desire to make connections between past and present-day practices.

Yet both the research that has been presented and the dialogue that has taken place have constantly exposed what can be labeled the 'feminist paradox'. The 'feminist paradox' is an explicit moment of tension between academics and practitioners, resulting from differing aims, starting points and view points.<sup>35</sup> It is also the paradox that results from, on the one hand the critique of 'women' as a homogenous category and, on the other, the continued desire for sisterhood that shapes feminist commitment. It emerges, firstly, when academics study the work of practitioners from historical or, indeed, other perspectives. It is the dilemma encountered by those of us who work on Mary Carpenter, Josephine Butler, Elizabeth Fry, Lilian Barker or Dorothy Peto; nineteenth-century 'lady' philanthropists or their twentieth century equivalents, 'modern' women professionals. In short, middle-class women – often identified as 'pioneering' - driven by what they described as humanitarian commitments, who to a greater or lesser extent were also working within or indeed, upholding, regulatory frameworks that we, as academics, might seek to critique. It is a very old dilemma but its persistent resurfacing is itself intriguing. Two alternative and oppositional interpretations may arise. Firstly, the positioning of

these women in terms of a feminist ethics of care, which emphasizes notions of a shared sisterhood and a woman-oriented vision. The problem with this model is that it does not adequately account for the actual experiences, often hidden or deeply buried in the sources, of the working class women who were their clients.<sup>36</sup> The second model has been the much-debated framework of bourgeois social control. The feminist problem with the social control model is that it does not really allow for the agency of middle-class women who themselves become victims of the ‘condescension of posterity’. Current practitioners, understandably, reject a social control model, which they feel positions themselves and their predecessors as reactionary forces: mere instruments of imperialism, state oppression or class domination. To some extent, this is a function of academic language; of different understandings of the concepts of ‘collusion’ and ‘coercion’ (which can be seen as hugely pejorative). It is also a question of viewpoints. Working at a grass-roots level, contemporary practitioners see themselves as helping individuals to come to terms with the circumstances of their own lives and to adapt to the actual social world in which they find themselves. With their interventions framed by legal stipulations and professional guidelines, rehabilitation involves the development of coping mechanisms in relation to existing inequalities. Academics, on the other hand, tend to be concerned with the overall social effect/impact of interventions; their aim is to expose and examine the ways in which those inequalities function. Clearly what we need to do is to acknowledge the tensions and contradictions between both our different viewpoints as academics and practitioners and within differing models of feminist care/class control. It can be argued, however, that we need to do this by paying more attention to the relationship between structure and agency: by recognising that practitioners are

positioned within particular discursive fields – fields that are constituted through inequalities in power relationships that have, historically, been structured by the categories of class, gender and ethnicity – but, nevertheless, by paying attention to the ways in which these fields have been negotiated by women ‘pioneers’ through the practice of everyday life. We need to account for their actions as rational and or emotional responses within the logic of their positioning.

Finally, it is also important to acknowledge that there is a substantial history to multi-disciplinary engagement which underlies the current relationship between researchers and practitioners, and between research and policy. The twentieth-century ‘penal-welfare project’ outlined by Garland was structured through academic research – in the areas of psychology, sociology, criminology – although the impact on grass-roots practice that is presumed by Garland needs to be questioned. The development of social work as a profession was in part maintained through the establishment of university social science courses. The linking of policy and academic research was most obvious in the establishment of the London School of Economic by the Webbs. For historians, however, this has particular implications in that ‘history’ was not seen as a core social science discipline. Its twin positioning in both social science and within the arts and humanities has led to ambiguity about its status. Perhaps this sense of exclusion has created part of the tension between the research agendas developed by historians and the policy-driven research that tends to attract funding. There is, therefore, a range of questions that can be pursued historically, which might enable research and professional practice to be made more congruent. First, how has academic research influenced professional practice over the course of the twentieth century? Second, what are the factors that have assisted or impeded this relationship?

For example, historical studies of policing demonstrate an overwhelming tendency amongst rank and file male officers to prioritise experience over university education, which made it harder for initiatives to be successfully developed that drew on academic research findings. Early policewomen, seeking to create a specifically feminine professional identity, encouraged and drew on links with experts and social science lecturers. These links gradually disappeared as policing failed to attract the women graduates and the daughters of professionals.<sup>37</sup>

Thus historians can make informed contributions to discussions of policy and policy formation by engaging with other disciplines and with practitioners themselves. We can attempt to offer different answers based on complexity and on the desire to understand the past on its own terms (whilst acknowledging our own positioning in the present). In particular, we can comment on the relationship between broad trend and local difference. Forms of hermeneutic inquiry can enable us to comment on the strategic view of policy makers and the ways in which policy has been negotiated across time by grass-roots practitioners. It is far harder to uncover the ways in which policy has been experienced historically by those who are its objects, and who constitute subaltern groups. We can only attempt to do this by developing techniques of reading ‘official sources’ against the grain, of retrieving life-cycles and glimpses of life stories from the census or institutional records, and by working with the mediated accounts of those in subaltern positions when they give testimony before the courts: rare moments during which their voices are captured, albeit for the purposes of formal process.

5838 words inc. notes.



## Notes

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<sup>1</sup> FRCN is a research group that was developed by six initial core members: Paula Bartley formerly of Wolverhampton University; Shani D’Cruze, Manchester Metropolitan University; Barbara Gwinnett, Wolverhampton University; Louise Jackson, Leeds Metropolitan University; Judith Rowbotham, Nottingham Trent University; Kim Stevenson, Nottingham Trent University. Paula Bartley and Barbara Gwinnett have since left the group through retirement or job changes.

<sup>2</sup> ESRC, award reference R451265260, ‘Gender, Crime and Culture in the Twentieth Century’. The bid was led by Shani D’Cruze. As budget holder, Manchester Metropolitan University handled administration and secretarial support.

<sup>3</sup> The seminar days were themed as follows: ‘Policing Sexual Crime in the Twentieth Century’, Gloucester, hosted by Gloucester Constabulary, 15 May 2002; ‘Gender and Crime Research Workshop: Strategies, Objectives and Experiences’, Nottingham Trent University, 22 November 2002; ‘Gendering Representations’, Greenwich Naval College/Greenwich Law School, 7 May 2003; ‘Gender and Penalty’, Askham Grange Prison, 18 June 2003; ‘Gendering Criminals and Victims’, Leeds Metropolitan University, 24 October 2003; ‘Rehabilitation and Prevention’, Galleries of Justice, Nottingham, 21 January 2004. A small workshop on research funding was also held at the Institute of Historical Research, London, on 27 June 2003.

<sup>4</sup> Obvious examples include Martin J. Wiener, *Reconstructing the Criminal: Culture, Law and Policy in England 1830-1914*, Cambridge, 1990; Martin J. Wiener, *Men of Blood. Violence, Manliness and Criminal Justice in Victorian England*, Cambridge, 2004; Lucia Zedner, *Women, Crime and Custody in Victorian England*, Oxford,

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1991; Shani D’Cruze, *Crimes of Outrage. Sex, Violence and Victorian Working Women*, London, 1998; Paula Bartley, *Prostitution. Prevention and Reform in England, 1860-1914*. London. 2000.

<sup>5</sup> Notable exceptions include work on the juvenile justice system: Victor Bailey, *Delinquency and Citizenship: Reclaiming the Young Offender* Oxford, London, 1987; Pam Cox, *Gender, Justice and Welfare. Bad Girls in Britain, 1900-1950*, Basingstoke, 2003.

<sup>6</sup> Howard Taylor, ‘Rationing Crime: the Political Economy of Criminal Statistics since the 1850s’, *Economic History Review*, 51:3, 1998, pp. 569-590; H. Taylor, ‘Forging the Job - A crisis of 'Modernization' or Redundancy for the Police in England and Wales, 1900-39’, *British Journal of Criminology*, 39: 1, 1999, pp. 113-135.

<sup>7</sup> Anette Ballinger Keele University ‘Gendering Capital Punishment: Ruth Ellis – a Case Study’, paper presented in Leeds, 24 October 2003.

<sup>8</sup> Kate James Leeds City Council ‘The Support Needs of Female Offenders’, paper presented at Leeds, 24 October 2003.

<sup>9</sup> For example, Dr Helen Self, Josephine Butler Society ‘A Short History of the Association for Moral and Social Hygiene/Josephine Butler Society in the Fight for Social Justice with Regard to Prostitution 1915-2000’, Gloucester, 15 May 2002; Zelda Leaney University of Bath ‘Regulating Female Prostitution: Pollution, Morality and Disease’, Gloucester, 15 May 2002.

<sup>10</sup> Dr Tim Braine Chief Constable, Gloucestershire Constabulary and ACPO Spokesperson on Prostitution and Vice Matters, Plenary Session on the Policing of Prostitution Past and Present, Gloucester, 15 May 2002.

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- <sup>11</sup> J. Rowbotham & K. Stevenson eds. *Behaving Badly*, Aldershot, 2002; *Criminal Conversations*, Ohio, 2005
- <sup>12</sup> Cox, Gender, Justice and Welfare; Pam Cox University of Essex ‘Questioning Sex, Care and Protection’, paper presented at Greenwich, 7 May 2003.
- <sup>13</sup> Frances Heidensohn, ‘Taking the Long View: Putting Feminist Perspectives into Perspective in the Twenty-first Century’, Leeds, 24 October 2003.
- <sup>14</sup> Judith Rowbotham and Kim Stevenson, ‘Children of Misfortune. Media Parallels in the Cases of Child Murders. Thompson and Venables, Barratt and Bradley, Howard *Journal of Criminal Justice History*, 42:2, May 2003 **PAGES**; Heather Shore, *Artful Dodgers. Youth and Crime in Early Nineteenth-Century England*, pp. 64-69, Woodbridge, 1999; Samantha Pegg, **thesis in progress, title to be added** Nottingham Trent University.
- <sup>15</sup> Matt Houlbrook, University of Liverpool ‘Homosex, Masculinities and Britishness in the Brigade of Guards 1900-1960’, paper presented in Leeds, 24 October 2004. Louise Jackson, *Child Sexual Abuse*, London, 2000, defines its research topic by the modern terminology, investigating how in the nineteenth century such behaviours were tried as assault and, where condemned, inflected with discourses of outraged morality.
- <sup>16</sup> Ombretta Ingrassi, Queen Mary College, London University ‘The Changing Face of the Criminal Justice System Toward Mafia Women in Contemporary Italy’, paper presented in Leeds, 24 October 2003.
- <sup>17</sup> Lesley Hall, Wellcome Library ‘“What to do to Bring it Away”: Abortion in Interwar Britain’, paper presented at Greenwich, 7 May 2003.

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<sup>18</sup> Chris White, Bolton Institute, ‘Unmanly Diversions, Hypermasculine Abuses: Sadomasochism and Criminal Law’, Leeds, 24 October 2003.

<sup>19</sup> Sue Neilson, Manchester Metropolitan University, ‘SENDA and the Penal System’, Askham Grange, 18 June 2003.

<sup>20</sup> Pamela Dale, University of Exeter, ‘Concealment and Concern. The Management of Female Mental Deficiency Cases involving Allegations of Criminality and Immorality in the South West of England before 1848’, Askham Grange, 18 June 2003.

<sup>21</sup> Stephen Whittle, Manchester Metropolitan University, ‘Too Queer for Prison: Transgender Incarceration and Government Legislation’, Askham Grange, 18 June 2003; Alison Oram, University College, Northampton, ‘Cross-dressing in the Popular Press 1910-1960’, Greenwich, 7 May 2003.

<sup>22</sup> S. D’Cruze, “‘Dad’s back’; mapping masculinities, moralities and the law in the novels of Margery Allingham,” *Cultural and Social History*, 1:3, 2004, pp. 256-279

<sup>23</sup> Claire Valier, ‘Punishment, Border Crossings and the Powers of Horror’, *Theoretical Criminology* 6:3, 2001, pp. 319-337; L. J. Moran, ‘Gothic Law’, *Griffith Law Journal*, 10:2, 2001.

<sup>24</sup> Helen Self, Discussion Paper on the Regulation of Prostitution, Nottingham, 22 November 2002. See also Helen Self, *The Fallen Daughters of Eve: Prostitution, Women and Misuse of the Law*, London, 2003.

<sup>25</sup> Hilary Kinnell European Network for HIV/STD Prevention in Prostitution ‘Violence against sex workers is not inevitable’; papers presented in Gloucester, 15 May 2002.

<sup>26</sup> Dawn Elaine, Introduction to Seminar, Askham Grange, 18 June 2003.

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- <sup>27</sup> Shani D’Cruze, “Building Up Broken Lives”. Re-shaping Femininity in Britain’s First Non-Security Prison for Women, 1946-1954”, in P. Chassaing & J-P Genet eds, *Law and Society; Functions, Uses and Representations*, Paris, 2003, pp. 215-228.
- <sup>28</sup> E. P. Thompson, *The Making of the English Working Class*, Harmondsworth, 1963; Douglas Hay et al., *Albion's Fatal Tree: Crime and Society in Eighteenth-Century England*, London, 1976; V. A. C. Gatrell, *The Hanging Tree: Execution and the English People, 1770-1868*, Oxford, 1994; Peter King, *Crime, Justice, and Discretion in England, 1740-1820*, Oxford, 2000.
- <sup>29</sup> Michel Foucault, *Discipline and Punish*, Harmondsworth, 1991; Jacques Donzelot, *The Policing of Families*, Baltimore, 1997; David Garland, *The Culture of Control. Crime and Social Order in Contemporary Society*, Oxford, 2001.
- <sup>30</sup> Nikolas Rose, *The Psychological Complex: Psychology, Politics and Society in England, 1869-1939*, London, 1985.
- <sup>31</sup> Terry Thomas, *The Police and Social Workers*, Aldershot, 1986
- <sup>32</sup> Pam Cox, ‘Girls, Deficiency and Delinquency’ in D. Wright and A. Digby eds, *From Idiocy to Mental Deficiency. Historical Perspectives on People with Learning Difficulties* London, 1996, pp. 184-206.
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<sup>36</sup> Anne Schwan Birkbeck College, University of London “Reclaiming” Female Prisoners: Early Models of Rehabilitation and Prevention in the Work of Elizabeth Fry and Mary Carpenter’, Nottingham, 21 January 2004.

<sup>37</sup> Louise A. Jackson, ‘Care or Control? The Metropolitan Women Police and Child Welfare, 1919-1969’, *The Historical Journal*, 46:3, 2003, pp 623-48