

## **Anette Ballinger, Keele University**

### **Gendering Capital Punishment: Ruth Ellis – A Case Study**

Between 1900 and 1953, 91 % of women sentenced to death had their sentences commuted, while the same was true for only 39% of men. Thus, at first glance statistics concerned with capital punishment and the commutation of the death sentence during the first half of the twentieth century in England and Wales suggest that women were treated more leniently than men by the criminal justice system. Utilising feminist theory and epistemology, this paper deconstructs these statistics and in that process is able to demonstrate that women who had killed another adult were in fact *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. To demonstrate the ways in which a feminist analysis and epistemology can challenge the state-defined truth about women who kill, I shall focus on the case of Ruth Ellis – dealing with the particular ways in which the social construction of femininity impacted on the final verdict in this case. It is within this context the paper argues that it is necessary to look beyond legal evidence, due process and rule of law if we are to gain an understanding of trial outcomes in capital cases – and who in the final judgement by the state – was considered to be beyond redemption.

## **Frances Heidensohn, Goldsmiths College, London University**

### **Taking the Long View: putting feminist perspectives into perspective in the 21st Century**

Feminist perspectives, which brought the study of gender into focus in criminology are now already part of history. But what part have they played and are they continuing to play in our understanding of crime and criminal justice? What is their significance? Are they now central to analyses of these issues, or are they marginalised or even ignored? Are there important differences in key areas of the academy or the policy community?

## **Matt Houbrook, University of Liverpool**

### **Soldier Heroes and Rent Boys: Homosex, Masculinities and Britishness in the Brigade of Guards, 1900-60**

In the twentieth century the Guardsman has come to represent both the British nation and an object of queer desire. This paper explores the trialectic symbolic encounter between soldier hero, rent boy, and queer as the terrain upon which particular British masculinities were produced and contested. Focusing upon the profound anxieties generated by the Guardsman's simultaneous and dissonant status I explore how civil and military authorities, and public commentators, negotiated these anxieties – the silences and evasions through which the Guardsman's sexual and social practices were represented and the disciplinary practices through which hegemonic masculinities and notions of Britishness were articulated and maintained. Symbolically and practically, these strategies sought to protect the soldier hero's integrity, constituting rigid boundaries between Guardsman and queer to ensure that the former did not become a rent boy.

## **Ombretta Ingrassì, Queen Mary College, London University**

### **The Changing Face of the Criminal Justice System toward Mafia Women in Contemporary Italy**

The Mafia is traditionally a male association, however over the last thirty years the involvement of women in mafia activities has increased. This growth has been the result of

two developments. The first one is related to the transformation of women's status in the lawful world and the parallel Mafia's need of employing more people, including women, due to its enlargement of illegal activities. The second one is related to the changing prospective of Italian criminal justice system toward women involved in the Mafia. The paper will focus on this second aspect by showing how for many years criminal investigators, as much as scholars, have labelled mafia women merely as wives and mothers ignorant of the activity of their men folk. As a result of this reductive picture a brand of impunity was attached to mafia women. Not surprisingly the mafia exploited the situation by using women in many activities as women were unlikely to be controlled by the police. The paper will underline the link between the lenient treatment of the criminal justice system toward women and the great importance of motherhood within Italian culture.

During the last ten years the attitude of the criminal justice system has changed as criminal investigators started to consider the fact that women can have an active function in the Mafia beyond the traditional role tied to the private sphere. The paper shows that the shift in perspective of investigators is one of the reasons for the increase in the number of women charged with mafia association or mafia related-crime. This demonstrates that the involvement of women in the Mafia has been a masked reality characterised by an accentuated dark figure. That is why the topic needs to be approached by neglecting statistical data and concentrating on qualitative sources including stories of life based on interviews to women who turned state's evidence and trial documents. Given the nature of such sources, borrowing heuristic tools from feminist criminologist theories becomes indispensable.

## **Kate James, Leeds City Council**

### **The support needs of female offenders**

This paper is drawn from a recent piece of research looking at the housing and support needs of people on the 'fringes of homelessness and/or the criminal justice system' in West Yorkshire. The research was funded by the West Yorkshire Supporting People teams, which are responsible for funding and developing supported housing services in their local authority areas. The research has focused on the needs of certain groups such as people leaving prison, people sleeping rough, people with drug problems, and women involved in prostitution. The research has considered hidden need, rather than simply unmet need, and looked at the barriers people in these groups face in terms of accessing accommodation and support. The project has involved consultation in the form of interviews, questionnaires and focus groups, with 198 men and 125 women. Although women are a minority in the prison population, it has been argued that for this reason the needs of women offenders have often been sidelined, and this research aimed to ensure that any gender differences were clearly highlighted and backed up by findings from a large sample. This paper will argue that women offenders and prisoners may have higher support needs than those of their male counterparts, and that their life experiences and offending behaviour differ significantly from those of male offenders. Consequently there are differences in terms of their housing and support needs. For example, female offenders are more likely than men to have experienced abuse in childhood or to have experienced violence from a (male) partner. They are more likely to have mental health problems, and are more likely to have used drugs to blot out problems, particularly those who have experienced violence or abuse. Women in prison are far less likely than men to have children living at home with a partner - their children are more likely to be with their parents, other relatives, or in some cases in care. The majority of male prisoners with children have female partners who are caring for the children and maintaining

the family home during the period of custody. On release from prison women may have different priorities from men - their immediate concern may be to reestablish the family home by finding housing and regaining custody of their children. Women's life experiences may be less likely to include rough sleeping, but are more likely to include prostitution, which for some is the only alternative to sleeping rough, and is a means of maintaining their drug use. This paper will conclude that the criminal justice system needs to be more alive to the particular issues faced by women offenders, and that the development of future Supporting People and related services needs to take into account the fact that the housing and support needs of female offenders may differ significantly from those of male offenders.

### **Heather Shore, University of Portsmouth**

#### **'Kings, Gangsters and Greenhorns': Kate Meyrick and the gendering of Club Land in inter-war London.**

This paper will consider the career of London's 'Night Club Queen', Kate Meyrick. A middle class girl from Dublin, Meyrick became a key figure in London's night life during the 1920s and 30s. The post-war period was one in which concerns about hedonism were at the centre of social anxieties; for example, a Dangerous Drugs Act had been passed in 1920, making permanent the provisions for drug policing which had been enabled by the Defence of the Realm Act. Cocaine girls, gangsters, and neurasthenic post-war criminal all converged in the nexus of club land, and the clubs ran by Kate Meyrick were viewed by police, press and contemporary commentators, as the main site for this social conflict. Despite a series of raids and closures on clubs such as Dalton's and the "43" Club, Meyrick's career flourished until 1929 when she became a co-defendant in the notorious Goddard Case, one of the most significant police corruption trials of the twentieth century. This paper then, will consider the connections between pleasure, policing, corruption and crime during the 1920s, with Kate Meyrick as a central figure. It will use contemporary newspapers, biographies, police records and court records to consider representations of Meyrick and hopefully provide a gendered reading of Metropolitan night life.

### **Terry Thomas, Leeds Metropolitan University**

#### **The Sex Offender Register: politics, policies and issues**

The UK's sex offender register came into being on 1 September 1997 as a device to make communities safer. Since its introduction successive moves have been made to 'strengthen' the register and its requirements of offenders. These moves can be categorised into three phases. This paper examines these three 'strengthening' exercises and the New Labour politics behind them as well as the influence of the Sarah Payne abduction and murder in 2000. The latter led to calls for a so-called 'Sarah's Law' whereby the register would be open to the public and we all would know when a sex offender moved into our street; at present the Home Office has resisted such open access to the register.

### **Chris White, Bolton Institute**

#### **Unmanly diversions, hypermasculine abuses: sadomasochism and criminal law**

From its invention as a psychosexual disorder in 1889, sadomasochism has been understood within a framework of normal and abnormal gender behaviour. Psychiatry has long regarded sadism as an extreme form of masculinity in men (and as unfeminine in women), and masochism as normative in women (and a symptom of psychosexual disorder in men). Moreover, medical accounts of sadism have followed Krafft-Ebing's lead in regarding the desire to inflict pain not as consensual eroticism between two equals, but as authentic

violence inflicted, by preference, on an unwilling victim. The casual and ubiquitous usage of the terms sadist (attached to an extensive range of violent offenders) and masochist (used as a name for any behaviour which appears to attract or seek physical or mental suffering), have blurred the erotic and sexual origins of the terminology, while not incorporating into the paradigm the non-pathological, non-pejorative celebration of the practices by self-defined sadomasochists. There is now emerging a new and discursively complex understanding of sadomasochism in the criminal justice system, following the conviction of the Spannermen in the 1990s for a range of offences in a trial where consent was refused as a defence, and with the Government about to introduce a Bill to criminalise sadomasochistic acts where guilt would be determined by evidence of injury and consent would be irrelevant. Much of the debate around this proposed legislation has been in terms of the public good (a justification upheld by the European Court of Human Rights), distinguishing between legitimate physical suffering in sport and religious ritual, and that for sexual gratification. Taking a small number of significant European legal cases as examples, this paper seeks to map the shifts in medico-legal treatments of sadomasochism from Krafft-Ebing's gender distortion, to models in which class, gender and public health and safety work in combination to mitigate the potential for sadomasochistic practice and to criminalise its gay practitioners as unmanly and dangerous, while permitting its exercise within marriage, a nexus which remakes Krafft-Ebing's original definitions of sadism and masochism as the basis for a blueprint for proper, legitimised sexual expression in the future.